UNION OF SOUTH AFRICA

DEBATES

OF THE

HOUSE OF ASSEMBLY

(HANSARD)

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

THIRD SESSION — TENTH PARLIAMENT

20th January to 24th June, 1950

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PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

ERRATA

Col. 563, line 44, *for* "several thousands" *read* "several hundred thousands".

Col. 2149, line 11, *for* "page 51" *read* "page 37".

Col. 8659, line 44, *after* "election" *read* "Mr. BARLOW".

THE MINISTRY

PRIME MINISTER	Dr. the Hon. D. F. MALAN, M.P.
MINISTER OF EXTERNAL AFFAIRS	
MINISTER OF FINANCE	The Hon. N. C. HAVENGA, M.P.
MINISTER OF NATIVE AFFAIRS	Dr. the Hon. E. G. JANSEN, M.P.
MINISTER OF LANDS	The Hon. J. G. STRYDOM, M.P.
MINISTER OF IRRIGATION	
MINISTER OF FORESTRY	
MINISTER OF JUSTICE	The Hon. C. R. SWART, M.P.
MINISTER OF EDUCATION, ARTS & SCIENCE	
MINISTER OF TRANSPORT	The Hon. P. O. SAUER, M.P.
MINISTER OF AGRICULTURE	The Hon. S. P. LE ROUX, M.P.
MINISTER OF ECONOMIC AFFAIRS	The Hon. E. H. LOUW, M.P.
MINISTER OF HEALTH	Dr. the Hon. A. J. STALS, M.P.
MINISTER OF SOCIAL WELFARE	
MINISTER OF THE INTERIOR	Dr. the Hon. T. E. DÖNGES, K.C., M.P.
MINISTER OF MINES	
MINISTER OF DEFENCE	The Hon. F. C. ERASMUS, M.P.
MINISTER OF POSTS & TELEGRAPHS	
MINISTER OF LABOUR	The Hon. B. J. SCHOEMAN, M.P.
MINISTER OF PUBLIC WORKS	

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

MEMBERS OF THE HOUSE OF ASSEMBLY

AND THE ELECTORAL DIVISIONS REPRESENTED BY THEM.

SPEAKER: THE HON. J. F. T. NAUDÉ, M.P.
DEPUTY SPEAKER AND CHAIRMAN OF COMMITTEES: DR. D. G. CONRADIE, M.P.
DEPUTY CHAIRMAN OF COMMITTEES: MR. G. P. STEYN, M.P.
CLERK OF THE HOUSE: MR. RALPH KILPIN.

Abbott, C. B. M., M.C.—Sea Point.
Abraham, J. H.—Groblersdal.
Allen, F. B.—Roodepoort.

*Ballinger, Mrs. V. M. L.—Cape Eastern.
Barlow, A. G.—Hospital.
Bekker, G. F. H.—Cradock.
Bekker, H. T. van O.—Kimberley (District).
Bekker, P. B.—Johannesburg (North).
Bell, R. E.—Houghton.
Benson, Mrs. E. A.—Durban (Umbilo).
Bezuidenhout, J. T.—Bethal-Middelburg.
Bloomberg, A.—Cape Town (Castle).
Boltman, F. H.—De Aar-Colesberg.
Botha, P. W.—George.
Bowker, T. B.—Albany.
Brink, W. D.—Christiana.
Brits, G. P.—Losberg.
Brooke, R. S.—Mowbray.
Butters, Capt. W. R.—Wynberg.

Christie, J.—Johannesburg (City).
Conradie, Dr. D. G.—Uitenhage (*Deputy Speaker and Chairman of Committees*).
Conradie, J. H.—Gordonia.
Cull, J. A.—Port Elizabeth (North).

Davidoff, H.—Edenvale.
Davis, A., K.C.—Pretoria (City).
Delport, G. S. P.—Caledon.
Deysel, A. J. B.—North East Rand.
Diederichs, Dr. N.—Randfontein.
Döhne, Col. J. L. B.—Frankfort.
Dönges, Dr. the Hon. T. E., K.C.—Worcester.
Du Pisanie, J.—Germiston.
Du Plessis, P. J. C.—Bloemfontein (District).
Du Plessis, W. C.—Standerton.
Du Toit, R. J.—Cape Flats.

Eaton, A. H. J.—Durban (Musgrave).
Eaton, N. G.—Durban (Umlazi).
Erasmus, Hon. F. C.—Moorreesburg.
Erasmus, H. S.—Boshof-Hoopstad.
Erlank, A. E.—Parow.
Eyssen, S. H.—Heidelberg.

Faurie, W. H.—Barberton.
Fouché, J. H.—Rustenburg.
Fouché, J. J.—Smithfield.
Frates, T. J.—Koedoespoort.
Friedman, Dr. B.—Hillbrow.
Frielinghaus, H. O.—Port Elizabeth (South).
Fullard, G. J.—Vryheid.

Gale, D. J.—East London (North).
Gay, L. C.—South Peninsula.
Gluckman, Dr. the Hon. H.—Yeoville.
Graaff, Sir de V.—Hottentots Holland.
Grobler, D. C. S.—Marico.

Havenga, Hon. N. C.—Ladybrand.
Hayward, G. N.—Port Elizabeth (District).
Henderson, E. J. W.—Parktown.
Henwood, Capt. B. H. — Pietermaritzburg (District).
Hepple, A.—Rosettenville.
Hertzog, Dr. A.—Ermelo.
Higgerty, J. W.—Von Brandis.
Hopewell, A.—Durban (Pinetown).
Hughes, T. G.—Transkeian Territories.
Hugo, P. J.—Paarl.

Jansen, Dr. the Hon. E. G.—Wolmaransstad.
Jonker, Dr. A. H.—Cape Town (Gardens).
Jordan, Col. R. D. P.—Rondebosch.

†Kahn, S.—Cape Western.
Kentridge, M.—Troyeville.
Klopper, H. J.—Vredefort.

Labuschagne, J. S.—Klip River.
Lawrence, Hon. H. G., K.C.—Salt River.
Le Roux, P. M. K.—Victoria West.
Le Roux, Hon. S. P.—Oudtshoorn.
Lewis, J.—Durban (North).
Liebenberg, J. L. V.—Lydenburg.
Loock, Dr. J. H.—Vereeniging.
Loubser, J. A.—Stellenbosch.
Loubser, S. M.—Malmesbury.
Louw, Hon. E. H.—Beaufort West.
Lovell, L.—Benoni.
Ludick, A. I.—Lichtenburg.
Luttig, Dr. H. G.—Mayfair.
Luttig, P. J. H.—Calvinia.

McMillan, Col. N. D.—Durban (Central).
Malan, Prof. A. I.—Gezina.
Malan, Dr. the Hon. D. F.—Piketberg.
Maree, W. A.—Newcastle.
Mentz, F. E.—Westdene.
Mitchell, D. E.—Natal South Coast.
Moore, P. A.—Kensington.
Mortifee, A. W. S.—Zululand.
Mostert, D. J. J.—Witbank.
Mushet, Hon. J. W.—Vasco.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Naudé, Hon. J. F. T.—Pietersburg (*Speaker*).
Nel, M. D. C. de W.—Wonderboom.

Olivier, P. J.—Kuruman.
Oost, H.—Pretoria (District).
Oosthuizen, Col. O. J. — Port Elizabeth (Central).
Oppenheimer, H. F.—Kimberley (City).

Papenfus, S. F.—Harrismith.
Pieterse, Maj. P. W. A.—Heilbron.
Pocock, P. V.—Pretoria (Sunnyside).
Potgieter, J. E.—Brits.

Robinson, A. E. P.—Langlaagte.
Russell, J. H.—Woodstock.

Sauer, Hon. P. O.—Humansdorp.
Schoeman, Hon. B. J.—Maraisburg.
Scholtz, D. J.—Namaqualand.
Serfontein, J. J.—Fauresmith.
Shearer, Col. O. L., C.B.E., E.D. — Pietermaritzburg (City).
Shearer, Dr. V. L.—Durban (Point).
Smit, Dr. D. L.—East London (City).
Smuts, Field-Marshal the Rt. Hon. J. C., O.M., C.H., K.C., D.T.D.—Pretoria (East).
Solomon, Mrs. B.—Jeppes.
Solomon, V. G. F.—Fort Beaufort.
Stals, Dr. the Hon. A. J.—Ceres.
Steenkamp, Dr. L. S.—Drakensberg.
Steyn, A.—Kroonstad.
Steyn, Dr. the Hon. C. F., K.C.—Bloemfontein (City).
Steyn, G. P.—Graaff-Reinet (*Deputy Chairman of Committees*).
Steyn, Dr. J. H.—Potchefstroom.
Steyn, S. J. M.—Alberton.
Strauss, Hon. J. G. N., K.C. — Germiston (District).
Strydom, Capt. G. H. F.—Aliwal.
Strydom, Hon. J. G.—Waterberg.
‖Stuart, W. H.—Transkei.
Sturrock, Hon. F. C.—Turffontein.
Sullivan, J. R.—Durban (Berea).
Sutter, G. J.—Springs.
Swart, Hon. C. R.—Winburg.

Tighy, S. J.—Johannesburg (West).
Tothill, H. A.—Bezuidenhout.
Trollip, A. E.—Brakpan.

Ueckermann, K.—Nigel.
Uys, D. C. H.—Bredasdorp.

Van Coller, Hon. C. M.—Queenstown.
Van den Berg, M. J.—Krugersdorp.
Van den Heever, D. J. G. — Pretoria (Central).
Van der Byl, Maj. the Hon. P., M.C. — Green Point.
Van Heerden, D. P.—Pretoria (West).
Van Niekerk, J. G. W.—Wakkerstroom.
Van Nierop, Dr. P. J.—Mossel Bay.
Van Rhyn, Dr. A. J. R.—Bethlehem.
Van Schoor, Rev. J. J. F.—Zoutpansberg.
Viljoen, J. H.—Vryburg.
Visser, De V.—Kempton Park.
Vosloo, L. J.—Somerset East.

Waring, F. W.—Orange Grove.
Warren, C. M.—King William's Town.
Warren, S. E.—Swellendam.
Waterson, Hon. S. F.—Claremont.
Wilkins, Col. J., D.S.O.—Ventersdorp.
Wilkins, J.—Klerksdorp.
Williams, H. J.—Boksburg.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

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* Elected on 23rd November, 1948, under provisions of Representation of Natives Act, 1936 (Act No. 12 of 1936).

† Elected on 22nd November, 1948, under provisions of Representation of Natives Act, 1936 (Act No. 12 of 1936).

‖ Elected on 25th November, 1948, under provisions of Representation of Natives Act, 1936 (Act No. 12 of 1936).

ALPHABETICAL LIST OF ELECTORAL DIVISIONS AND CIRCLES

AND THEIR REPRESENTATIVES IN THE HOUSE OF ASSEMBLY.

Albany—Bowker, T. B.
Alberton—Steyn, S. J. M.
Aliwal—Strydom, Capt. G. H. F.

Barberton—Faurie, W. H.
Beaufort West—Louw, Hon. E. H.
Benoni—Lovell, C.
Bethal-Middelburg—Bezuidenhout, J. T.
Bethlehem—Van Rhyn, Dr. A. J. R.
Bezuidenhout—Tothill, H. A.
Bloemfontein (City)—Steyn, Dr. the Hon. C. F., K.C.
Bloemfontein (District)—Du Plessis, P. J. C.
Boksburg—Williams, H. J.
Boshof-Hoopstad—Erasmus, H. S.
Brakpan—Trollip, A. E.
Bredasdorp—Uys, D. C. H.
Brits—Potgieter, J. E.

Caledon—Delport, G. S. P.
Calvinia—Luttig, P. J. H.
Cape Eastern—Ballinger, Violet M. L.
Cape Flats—Du Toit, R. J.
Cape Town (Castle)—Bloomberg, A.
Cape Town (Gardens)—Jonker, Dr. A. H.
Cape Western—Kahn, S.
Ceres—Stals, Dr. the Hon. A. J.
Christiana—Brink, W. D.
Claremont—Waterson, Hon. S. F.
Cradock—Bekker, G. F. H.

De Aar-Colesberg—Boltman, F. H.
Drakensberg—Steenkamp, Dr. L. S.
Durban (Berea)—Sullivan, J. R.
Durban (Central)—McMillan, Col. N. D.
Durban (Musgrave)—Eaton, A. H. J.
Durban (North)—Lewis, J.
Durban (Pinetown)—Hopewell, A.
Durban (Point)—Shearer, Dr. V. L.
Durban (Umbilo)—Benson, Edith A.
Durban (Umlazi)—Eaton, N. G.

East London (City)—Smit, Dr. D. L.
East London (North)—Gale, D. J.
Edenvale—Davidoff, H.
Ermelo—Hertzog, Dr. A.

Fauresmith—Serfontein, J. J.
Fort Beaufort—Solomon, V. G. F.
Frankfort—Döhne, Col. J. L. B.

George—Botha, P. W.
Germiston—Du Pisanie, J.
Germiston (District)—Strauss, Hon. J. G. N., K.C.
Gezina—Malan, Prof. A. I.
Gordonia—Conradie, J. H.

Graaff-Reinet—Steyn, G. P.
Green Point—Van der Byl, Maj. the Hon. P. V. G., M.C.
Groblersdal—Abraham, J. H.

Harrismith—Papenfus, S. F.
Heidelberg—Eyssen, S. H.
Heilbron—Pieterse, Maj. P. W. A.
Hillbrow—Friedman, Dr. B.
Hospital—Barlow, A. G.
Hottentots-Holland—Graaff, Sir de V.
Houghton—Bell, R. E.
Humansdorp—Sauer, Hon. P. O.

Jeppes—Solomon, Bertha.
Johannesburg (City)—Christie, J.
Johannesburg (North)—Bekker, P. B.
Johannesburg (West)—Tighy, S. J.

Kempton Park—Visser, de V.
Kensington—Moore, P. A.
Kimberley (City)—Oppenheimer, H. F.
Kimberley (District)—Bekker, H. T. van G.
King William's Town—Warren, C. M.
Klerksdorp—Wilkens, Jan.
Klip River—Labuschagne, J. S.
Koedoespoort—Frates, T. J.
Kroonstad—Steyn, A.
Krugersdorp—Van den Berg, M. J.
Kuruman—Olivier, P. J.

Ladybrand—Havenga, Hon. N. C.
Langlaagte—Robinson, A. E. P.
Lichtenburg—Ludick, A. I.
Losberg—Brits, G. P.
Lydenburg—Liebenberg, J. L. V.

Malmesbury—Loubser, S. M.
Maraisburg—Schoeman, Hon. B. J.
Marico—Grobler, D. C. S.
Mayfair—Luttig, Dr. H. G.
Moorreesburg—Erasmus, Hon. F. C.
Mossel Bay—Van Nierop, Dr. P. J.
Mowbray—Brooke, R. S.

Namaqualand—Scholtz, D. J.
Natal South Coast—Mitchell, D. E.
Newcastle—Maree, W. A.
Nigel—Ueckermann, K.
North East Rand—Deysel, A. J. B.

Orange Grove—Waring, F. W.
Oudtshoorn—Le Roux, Hon. S. P.

Paarl—Hugo, P. J.
Parktown—Henderson, E. J. W.
Parow—Erlank, A. E.

Pietermaritzburg (City)—Shearer, Col. O. L., C.B.E., E.D.
Pietermaritzburg (District)—Henwood, Capt. B. H.
Pietersburg—Naudé, Hon. J. F. T.
Piketberg—Malan, Dr. the Hon. D. F.
Port Elizabeth (Central)—Oosthuizen, Lt.-Col. O. J.
Port Elizabeth (District)—Hayward, G. N.
Port Elizabeth (North)—Cull, J. A.
Port Elizabeth (South)—Frielinghaus, H. O.
Potchefstroom—Steyn, Dr. J. H.
Pretoria (Central)—Van den Heever, D. J. G.
Pretoria (City)—Davis, A., K.C.
Pretoria (District)—Oost, H.
Pretoria (East)—Smuts, Field-Marshal the Rt. Hon. J. C., O.M., C.H., K.C., D.T.D.
Pretoria (Sunnyside)—Pocock, P. V.
Pretoria (West)—Van Heerden, D. P.

Queenstown—Van Coller, Hon. C. M.

Randfontein—Diederichs, Dr. N.
Rondebosch—Jordan, Col. R. D. P.
Roodepoort—Allen, F. B.
Rosettenville—Hepple, A.
Rustenburg—Fouché, J. H.

Salt River—Lawrence, Hon. H. G., K.C.
Sea Point—Abbott, C. B. M., M.C.
Smithfield—Fouché, J. J.
Somerset East—Vosloo, L. J.
South Peninsula—Gay, L. C.
Springs—Sutter, G. J.
Standerton—Du Plessis, W. C.
Stellenbosch—Loubser, J. A.
Swellendam—Warren S. E.

Transkei—Stuart, W. H.
Transkeian Territories—Hughes, T. G.
Troyeville—Kentridge, M.
Turffontein—Sturrock, Hon. F. C.

Uitenhage—Conradie, Dr. D. G.

Vasco—Mushet, Hon. J. W.
Ventersdorp—Wilkens, Col. Jacob, D.S.O.
Vereeniging—Loock, Dr. J. H.
Victoria West—Le Roux, P. M. K.
Von Brandis—Higgerty, J. W.
Vredefort—Klopper, H. J.
Vryburg—Viljoen, J. H.
Vryheid—Fullard, G. J.

Wakkerstroom—Van Niekerk, J. G. W.
Waterberg—Strydom, Hon. J. G.
Westdene—Mentz, F. E.
Winburg—Swart, Hon. C. R.
Witbank—Mostert, D. J. J.
Wolmaransstad—Jansen, Dr. the Hon. E. G.
Wonderboom—Nel, M. D. C. de W.
Woodstock—Russell, J. H.
Worcester—Dönges, Dr. the Hon. T. E., K.C.
Wynberg—Butters, Capt. W. R.

Yeoville—Gluckman, Dr. the Hon. H.

Zoutpansberg—Van Schoor, Rev. J. J. F.
Zululand—Mortifee, A. W. S.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

BILLS OF THE SESSION

No. of Bill.	No. of Act.	Short Title.
1950.		
A.B.		
1—'50	16—'50†	Privy Council Appeals.
2—'50	21—'50*	Immorality Amendment.
3—'50	—	Administration of Estates (w). (See A.B. 47—'50.)
4—'50	18—'50*	Aviation Amendment.
5—'50	8—'50†	Atomic Energy Amendment.
6—'50	15—'50*	Asiatic Land Tenure Amendment.
7—'50	13—'50*	Medical, Dental and Pharmacy Amendment.
8—'50	—	Nursing Amendment (a).
9—'50	24—'50†	Breede River Conservation District Adjustment (S.C. 11—'50).
10—'50	23—'50*	Olifantsnek Irrigation District Adjustment (S.C. 10—'50).
11—'50	—	Estate Agents (S.C. 8—'50) (a).
12—'50	17—'50*	Rand Water Board Statutes (Private) (S.C. 4—'50).
13—'50	7—'50*	South African Mutual Life Assurance Society Amendment (Private) (S.C. 3—'50).
14—'50	19—'50†	Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) (S.C. 6—'50).
15—'50	—	Southern Suburbs of Cape Town Water Supply Act Amendment (Private) (S.C. 5—'50). [Proceedings suspended.]
16—'50	22—'50†	Copyright Amendment.
17—'50	25—'50*	Fishing Industry Development Amendment.
18—'50	14—'50†	Land Surveyors' Registration.
19—'50	2—'50*	General Loans Amendment.
20—'50	3—'50†	Part Appropriation.
21—'50	—	Native Building Workers (a).
22—'50	1—'50†	Additional Appropriation.
23—'50	9—'50*	Railways and Harbours Part Appropriation.
24—'50	5—'50†	Iron and Steel Industry Amendment.
25—'50	6—'50*	Electricity Amendment.
26—'50	30—'50†	Population Registration (S.C. 9—'50).
27—'50	4—'50*	Unauthorised Expenditure (1948—'49).
28—'50	—	Insurance (Amendment) (a).
29—'50	12—'50†	Railways and Harbours Unauthorised Expenditure.
30—'50	10—'50†	Second Additional Appropriation.
31—'50	11—'50*	Railways and Harbours Additional Appropriation.
32—'50	28—'50†	Government Villages.
33—'50	20—'50†	Administrators' Powers (Validation).
34—'50	40—'50†	Klipfontein Organic Products Corporation.
35—'50	—	Children's Amendment (a).
36—'50	48—'50†	Fertilisers, Farm Feeds, Seeds and Remedies Amendment.
37—'50	38—'50†	Dairy Industry Control Amendment.
38—'50	43—'50*	Rents.
39—'50	—	Hotels (a).
40—'50	—	Special Schools Amendment (a).
41—'50	41—'50*	Group Areas.
42—'50	—	Criminal Procedure and Evidence Amendment (a).
43—'50	29—'50*	War Measures Continuation.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

No. of Bill.	No. of Act.	Short Title.
1950.		
A.B.		
44—'50	—	South-West Africa Affairs Amendment (a).
45—'50	26—'50†	Cape Town Foreshore.
46—'50	42—'50†	Silicosis Amendment.
47—'50	—	Administration of Estates (S.C. 7—'50). (a).
48—'50	—	Unlawful Organisations (w). (See A.B. 61—'50.)
49—'50	31—'50*	Financial Relations Amendment.
50—'50	—	Births Registration Amendment (a).
51—'50	—	Magistrates' Courts Amendment (a).
52—'50	—	Natal Native High Court Amendment (w). (See A.B. 60—'50.)
53—'50	—	Public Holidays Amendment (a).
54—'50	45—50*	Railways and Harbours Appropriation.
55—'50	—	Merchant Shipping (a).
56—'50	37—'50*	Companies Amendment.
57—'50	49—'50*	Appropriation.
58—'50	—	Marketing Amendment (a).
59—'50	27—'50*	Geneva General Agreement on Tariffs and Trade Amendment.
60—'50	46—'50†	Natal Native High Court Amendment.
61—'50	44—'50†	Suppression of Communism (S.C. 12—'50).
62—'50	36—'50†	Finance.
63—'50	47—'50*	Public Servants (Temporary Employees) Amendment.
64—'50	—	Agricultural Produce Export Amendment (a).
65—'50	35—'50*	Income Tax.
66—'50	33—'50*	Customs Amendment.
67—'50	34—'50†	Excise Amendment.
68—'50	39—'50*	South Africa Act Amendment.
69—'50	32—'50†	Pensions (Supplementary).

PARLIAMENT
THE REPUBLIC OF SOUTH AFRICA

(a) Dropped in Assembly.

(w) Withdrawn.

(S.C.)—Numbers indicate the number of the printed Report of the Select Committee to which the Bill was referred.

* English version signed by His Excellency the Governor-General, under section *sixty-seven* of the South Africa Act, 1909.

† Afrikaans version signed by His Excellency the Governor-General, under section *sixty-seven* of the South Africa Act, 1909.

ACTS OF THE SESSION

I.—IN ALPHABETICAL ORDER.

20—'50—† Administrator's Powers (Validation).
2—'50—* Appropriation.
1—'50—† Appropriation (Additional).
3—'50—† Appropriation (Part).
10—'50—† Appropriation (Second Additional).
15—'50—* Asiatic Land Tenure Amendment.
8—'50—† Atomic Energy Amendment.
18—'50—* Aviation Amendment.
24—'50—† Breede River Conservation District Adjustment (S.C. 10—'50).
26—'50—† Cape Town Foreshore.
37—'50—* Companies Amendment.
22—'50—† Copyright Amendment.
33—'50—* Customs Amendment.
38—'50—† Dairy Industry Control Amendment.
6—'50—* Electricity Amendment.
34—'50—† Excise Amendment.
48—'50—† Fertilisers, Farm Feeds, Seeds and Remedies Amendment.
36—'50—† Finance.
31—'50—* Financial Relations Amendment.
25—'50—* Fishing Industry Development Amendment.
2—'50—* General Loans Amendment.
27—'50—* Geneva General Agreement on Tariffs and Trade Amendment.
28—'50—† Government Villages.
41—'50—* Group Areas.
21—'50—* Immorality Amendment.
35—'50—* Income Tax.
5—'50—† Iron and Steel Industry Amendment.
40—'50—† Klipfontein Organic Products Corporation.
14—'50—† Land Surveyors' Registration.
13—'50—* Medical, Dental and Pharmacy Amendment.
46—'50—† Natal Native High Court Amendment.
23—'50—* Olifantsnek Irrigation District Adjustment (S.C. 10—'50).
32—'50—† Pensions (Supplementary).
30—'50—† Population Registration (S.C. 9—'50).
19—'50—† Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) (S.C. 6—'50).
16—'50—† Privy Council Appeals.
47—'50—* Public Servants (Temporary Employees) Amendment.
11—'50—* Railways and Harbours Additional Appropriation.
45—'50—* Railways and Harbours Appropriation.
9—'50—* Railways and Harbours Part Appropriation.
12—'50—† Railways and Harbours Unauthorised Expenditure.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

17—'50—* Rand Water Board Statutes (Private) (S.C. 4—'50).
43—'50—* Rents.
39—'50—* South Africa Act Amendment.
7—'50—* South African Mutual Life Assurance Society Amendment (Private) (S.C. 3—'50).
42—'50—† Silicosis Amendment.
44—'50—† Suppression of Communism (S.C. 12—'50).
4—'50—* Unauthorised Expenditure (1948-'49).
29—'50—* War Measures Continuation.

PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

* English version signed by His Excellency the Governor-General, under section *sixty-seven* of the South Africa Act, 1909.

† Afrikaans version signed by His Excellency the Governor-General, under section *sixty-seven* of the South Africa Act, 1909.

ACTS OF THE SESSION

II.—IN CHRONOLOGICAL ORDER.

1—'50—† Appropriation (Additional).
2—'50—* General Loans Amendment.
3—'50—† Appropriation (Part).
4—'50—* Unauthorised Expenditure (1948-'49).
5—'50—† Iron and Steel Industry Amendment.
6—'50—* Electricity Amendment.
7—'50—* South African Mutual Life Assurance Society Amendment (Private) (S.C. 3—'50).
8—'50—† Atomic Energy Amendment.
9—'50—* Railways and Harbours Part Appropriation.
10—'50—† Appropriation (Second Additional).
11—'50—* Railways and Harbours Additional Appropriation.
12—'50—† Railways and Harbours Unauthorised Expenditure.
13—'50—* Medical, Dental and Pharmacy Amendment.
14—'50—† Land Surveyors' Registration.
15—'50—* Asiatic Land Tenure Amendment.
16—'50—† Privy Council Appeals.
17—'50—* Rand Water Board Statutes (Private) (S.C. 4—'50).
18—'50—* Aviation Amendment.
19—'50—† Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) (S.C. 6—'50).
20—'50—† Administrator's Powers (Validation).
21—'50—* Immorality Amendment.
22—'50—† Copyright Amendment.
23—'50—* Olifantsnek Irrigation District Adjustment (S.C. 10—'50).
24—'50—† Breede River Conservation District Adjustment (S.C. 11—'50).
25—'50—* Fishing Industry Development Amendment.
26—'50—† Cape Town Foreshore.
27—'50—* Geneva General Agreement on Tariffs and Trade Amendment.
28—'50—† Government Villages.
29—'50—* War Measures Continuation.
30—'50—† Population Registration (S.C. 9—'50).
31—'50—* Financial Relations Amendment.
32—'50—† Pensions (Supplementary).
33—'50—* Customs Amendment.
34—'50—† Excise Amendment.
35—'50—* Income Tax.
36—'50—† Finance.
37—'50—* Companies Amendment.
38—'50—† Dairy Industry Control Amendment.
39—'50—* South Africa Act Amendment.
40—'50—† Klipfontein Organic Products Corporation.

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41—'50—* Group Areas.
42—'50—† Silicosis Amendment.
43—'50—* Rents.
44—'50—† Suppression of Communism (S.C. 12—'50).
45—'50—* Railways and Harbours Appropriation.
46—'50—† Natal Native High Court Amendment.
47—'50—* Public Servants (Temporary Employees) Amendment.
48—'50—† Fertilisers, Farm Feeds, Seeds and Remedies Amendment.
49—'50—* Appropriation.

PARLIAMENT
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SELECT AND SESSIONAL COMMITTEES

Printed No. of Report.		
S.C.	1—'50.	Public Accounts [First—*On Unauthorised Expenditure,* 1948-'49; Second—*On Appropriation Accounts, etc., for* 1948-'49].
S.C.	1A—'50.	Public Accounts [Third—*On Accounts of Regulatory Boards, etc.*].
S.C.	1B—'50.	Public Accounts [Fourth—*On Petition of Municipality of Potchefstroom*]
S.C.	2—'50.	Railways and Harbours [First—*On Unauthorised Expenditure,* 1948-'49; Second—*On Controller and Auditor-General's Report on Accounts, etc.*].
S.C.	2A—'50.	Railways and Harbours [Third—*On Petition of J. Farrell*].
S.C.	3—'50.	*South African Mutual Life Assurance Society Amendment (Private) Bill.*
S.C	4—'50.	Legislative Effect of *Rand Water Board Statutes (Private) Bill.*
S.C.	5—'50.	*Southern Suburbs of Cape Town Water Supply Act Amendment (Private) Bill.*
S.C.	6—'50.	*Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) Bill.*
S.C.	7—'50.	Subject of *Administration of Estates Bill.*
S.C.	8—'50.	Subject of *Estate Agents Bill.*
S.C.	9—'50.	*Population Registration Bill.*
S.C.	10—'50.	*Olifantsnek Irrigation District Adjustment Bill* [Hybrid Bill].
S.C.	11—'50.	*Breede River Conservation District Adjustment Bill* [Hybrid Bill].
S.C.	12—'50.	Subject of *Unlawful Organisations Bill.*
S.C.	13—'50.	Standing Rules and Orders.
S.C.	14—'50.	Crown Lands.
S.C.	15—'50.	Pensions, Grants and Gratuities [*On Railway and Treasury Memoranda and Petitions referred*].
S.C.	16—'50.	Irrigation Matters [First and Second—*On Reports and Petitions referred*].
S.C.	17—'50.	Native Affairs.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

UNION OF SOUTH AFRICA

HOUSE OF ASSEMBLY DEBATES

(HANSARD)

THIRD SESSION — TENTH PARLIAMENT

The sign * indicates that the speech was delivered in Afrikaans and then translated.

FRIDAY, 20th JANUARY, 1950.

MEETING OF PARLIAMENT.

Pursuant to Proclamation of His Excellency the Governor-General, No. 158, dated 30th June, 1949, summoning Parliament to meet on this day for the dispatch of business, members met in the Assembly Chamber of the House of Assembly, Parliament Houses, Cape Town, and Mr. Speaker took the Chair at 11.35 a.m.

The CLERK OF THE HOUSE read the Proclamation.

VACANCIES.

Mr. SPEAKER announced that vacancies had occurred during the recess in the representation in this House of the following electoral divisions, viz.:

(1) South Peninsula, on the 2nd August, owing to the resignation of Mr. M. Sonnenberg.

(2) Drakensberg, on the 9th August, owing to the death of Mr. H. Abrahamson; and

(3) Harrismith, on the 1st September, owing to the resignation of Mr. E. R. Strauss.

NEW MEMBERS.

Mr. SPEAKER also announced that during the recess the following vacancies had been filled, viz.:

(1) Mayfair, on the 17th August, by the election of Dr. Hendrik Gerhardus Luttig;

(2) South Peninsula, on the 31st October, by the election of Mr. Lewis Charles Gay;

(3) Drakensberg, on the 31st October, by the election of Dr. Louis Stefanus Steenkamp;

(4) Benoni, on the 9th November, by the election of Mr. Leopold Lovell; and

(5) Harrismith, on the 7th December, by the election of Mr. Simon Frederik Papenfus.

Mr. PAPENFUS, introduced by Mr. Serfontein and Col. Döhne, made, and subscribed to, the affirmation, and took his seat.

Dr. H. G. LUTTIG, introduced by Mr. Potgieter and Mr. du Pisanie, made, and subscribed to, the affirmation, and took his seat.

Bills—

Additional Appropriation Bill (1R), 726; (2R.), 869; (Committee), 890; (3R.), 890.

Administration of Estates Bill (1R.), 9; referred to Select Committee, 262; withdrawn, 5549;

New Bill (1R.), 5549.†

Administrators' Powers (Validation) Bill, (1R.), 2770; (2R.), 4852; (Committee), 4868; (3R.), 4964; Senate amendment agreed to, 5174.

Agricultural Produce Export Amendment Bill (1R.), 8662.†

Appropriation Bill (1R.), 7433; (2R.), 9280, 9670; (Committee), 9706; (3R.), 9706.

Asiatic Land Tenure Amendment Bill (1R.), 10; (2R.), 2159; (Committee), 2221; (Report Stage), 2869; (3R.), 2939; Senate amendment agreed to, 3077.

Atomic Energy Amendment Bill (1R.), 9; (2R.), 2224; (Committee), 2229; (3R.), 2229.

Aviation Amendment Bill (1R.), 9; (2R.), 4051; (Committee), 4052; (3R.), 4053.

Births Registration Amendment Bill (1R.), 6131.†

Breede River Conservation District Adjustment Bill (1R.), 10; (2R.), 2153; referred to Select Committee, 2155; (Committee), 5070; (Report Stage), 5070; (3R.), 5070.

Cape Town Foreshore Bill (1R.), 5296; (2R.), 7912; (Committee), 7940; (Report Stage), 7945; (3R.), 7969.

Children's Amendment Bill (1R.), 2938.†

Companies Amendment Bill (1R.), 7417; (2R.), 9255; (Committee), 9256; (3R.), 9256.

Copyright Amendment Bill (1R.), 263; (2R.), 5176; (Committee), 5297; (3R.), 5297.

Criminal Procedure and Evidence Amendment Bill (1R.), 4852.†

Bills—*continued.*

Customs Amendment Bill (1R.), 8752; (2R.), 9241; (Committee), 9242; (3R.), 9242.

Dairy Industry Control Amendment Bill (1R.), 3225; (2R.), 7945, 7976; (Committee), 9256; (Report Stage), 9280; (3R.), 9280.

Electricity Amendment Bill (1R.), 1571; (2R.), 2122; (Committee), 2221; (3R.), 2342.

Estate Agents Bill (1R.), 32; referred to Select Committee, 79.†

Excise Amendment Bill (1R.), 8752; (2R.), 9242; (Committee), 9245; (3R.), 9245.

Fertilisers, Farm Feeds, Seeds and Remedies Amendment Bill (1R.), 2938; (2R.), 9862; (Committee), 9874; (Report Stage), 9889; (3R.), 9889.

Finance Bill (1R.), 8148; (2R.), 8767; (Committee), 8768, 8883, 9240; (Report Stage), 9241; (3R.), 9241.

Financial Relations Amendment Bill (1R.), 5833; (2R.), 8012; (Committee), 8014; (3R.), 8014.

Fishing Industry Development Amendment Bill (1R.), 263; (2R.), 5177; (Committee), 5182; (3R.), 5182.

General Loans Amendment Bill (1R.), 488; (2R.), 726; (Committee), 730; (Report Stage), 731; (3R.), 731.

Geneva General Agreement on Tariffs and Trade Amendment Bill (1R.), 7959; (2R.), 8148; (Committee), 8149; (3R.), 8149.

Government Villages Bill (1R.), 2770; (2R.), 4053, 8072; (Committee), 8079; (3R.), 8079.

Group Areas Bill (1R.), 4851; (Guillotine), 7322; (2R.), 7433, 7556, 7691; (Committee), 8245, 8287, 8417, 8553; (Report Stage), 8663; (3R.), 8773; Senate Amendments agreed to, 9491.

Hotels Bill (1R.), 3626.†

Immorality Amendment Bill (1R.), 9; (2R.), 2163, 2231; (Committee), 3810; (Report Stage), 3813; (3R.), 4005; Senate Amendment agreed to, 5175.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Bills—*continued.*

Income Tax Bill (1R.), 8752; (2R.), 9212; (Committee), 9229; (3R.), 9240.

Insurance Amendment Bill (1R.), 2342.†

Iron and Steel Industry Amendment Bill (1R.), 1140; (2R.), 1571; (Committee), 2126; (Report Stage), 2342; (3R.), 2549.

Klipfontein Organic Products Corporation Bill (1R.), 2938; (2R.), 5511, 5549, 5651; (Committee), 6627, 6635, 6763; (Report Stage), 7845; (3R.), 7969; Senate Amendments agreed to, 9590.

Land Surveyors' Registration Bill (1R.), 263; (2R.), 2140; (Committee), 2151; (3R.), 2221; Senate amendments agreed to, 2939.

Magistrates' Courts Amendment Bill (1R.), 6635.†

Marketing Amendment Bill (1R.), 7830.†

Medical, Dental and Pharmacy Amendment Bill (1R.), 10; (2R.), 731; (Committee), 1621, 1716; (Report Stage), 1721; (3R.), 1721.

Merchant Shipping Bill (1R.), 7417.†

Natal Native High Court Amendment Bill (1R.), 6763; withdrawn, 7829.

New Bill (1R.), 7959; (2R.), 9890; (Committee), 9894; (3R.), 9896.

Native Building Workers Bill (1R.), 680; (2R.), 1789.†

Nursing Amendment Bill (1R.), 10; (2R.), 3813, 4005, 4022.†

Olifantsnek Irrigation District Adjustment Bill (1R.), 10; (2R.), 2156; referred to Select Committee, 2158; (Committee), 5070; (Report Stage), 5070; (3R.), 5070.

Part Appropriation Bill (1R.), 680; (2R.), 973, 1140, 1313, 1418; (Committee), 1476; (3R.), 1476.

Pension (Supplementary) Bill (1R.), 8909; (2R.), 9211; (Committee), 9212; (3R.), 9212.

Bills—*continued.*

Population Registration Bill (1R.), 1571; (2R.), 2498, 2603, 2777, 2944, 3077; referred to Select Committee, 3159; personal explanation by Minister, 3225; (Committee), 5664, 5771, 5834; (Report Stage), 6177, 6275; recommitted, 6277; (Report Stage), 6286; (3R.), 6537; Senate Amendments agreed to, 9245.

Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) Bill (1R.), 80; referred to Select Committee, 263; (2R.), 1935; (Committee), 3175; (Report Stage), 3645; (3R.), 3801.

Privy Council Appeals Bill (1R.), 9; (2R.), 916; (Committee), 972; (Report Stage), 973; (3R.), 973; Senate Amendment agreed to, 2932.

Public Holidays Amendment Bill (1R.), 6947.†

Public Servants (Temporary Employees) Amendment Bill (1R.), 8417; (2.), 9857; (Committee), 9858; (Report Stage), 9858; (3R.) 9858.

Railways and Harbours Additional Appropriation Bill (1R.), 2449; (2R.), 2773; (Committee), 2773; (3R.), 2773.

Railways and Harbours Appropriation Bill (1R.), 7201; (2R.), 8150; (Committee), 9245; (3R.), 9646.

Railways and Harbours Part Appropriation Bill (1R.), 869; (2R.), 1811, 1967; (Committee), 2059; (3R.), 2059.

Railways and Harbours Unauthorised Expenditure Bill (1R.), 2343; (2R.), 2774; (Committee), 2777; (3R.), 2777.

Rand Water Board Statutes (Private) Bill (1R.), 79; referred to Select Committee, 80; (2R.), 1929; (Committee), 1932; (3R.), 3174.

Rents Bill (1R.), 3226; (2R.), 9706; (Committee), 9735; (Report Stage), 9855; (3R.), 9855; Senate Amendments agreed to, 9897.

Second Additional Appropriation Bill (1R.), 2433; (2R.), 2601, 2771; (Committee), 2773; (3R.), 2773.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

will be regarded by us all in a truly national light.

ELECTRICITY AMENDMENT BILL.

Leave was granted to the Minister of Economic Affairs to introduce the Electricity Amendment Bill.

Bill brought up and read a first time; second reading on 27th February.

POPULATION REGISTRATION BILL.

Leave was granted to the Minister of the Interior to introduce the Population Registration Bill.

Bill brought up and read a first time; second reading on 6th March.

IRON AND STEEL INDUSTRY AMENDMENT BILL.

First Order read: Second reading, Iron and Steel Industry Amendment Bill.

*The MINISTER OF ECONOMIC AFFAIRS: I move —

That the Bill be now read a second time.

This is a short Bill containing two clauses the object of which is to authorise the State to guarantee the principal and interest in respect of the issue of debentures or loans raised by Iscor. The reason why it is necessary to introduce this Amendment Bill is that certain particular circumstances arose. In 1946 the then Government authorised certain expansions, in the first place the expansion of Iscor, in Pretoria, and thereafter further new expansions in Vereeniging, at Van der Byl Park. At the time it was thought that these expansions would cost something in the neighbourhood of £22,000,000. In 1947 the then Government approved a further expansion scheme, firstly to enable the factory to produce steel wire, netting wire, barbed wire, jackal-proof wire, etc., and it was expected that when the work was completed the production capacity of the wire section of Iscor would be increased to roughly 36,000 tons per year; secondly it was agreed to establish another blast furnace and accessory equipment at Van der Byl Park. Thirdly it was found necessary to buy certain property with a view to the supply of ore requirements, principally iron ore and dolomite. Fourthly it was found necessary to make certain further investments in two of Iscor's associated companies, namely, the African Metals Corporation and the Van der Byl Engineering Corporation.

What happened was that these extensions, as generally happens in the building of houses, dams, etc, cost a great deal more than was anticipated at that time. The contracts entered into provided for a drop or an increase in prices. The contracts were subject to what is called the "rise and fall clause". There was a substantial increase in prices, particularly in America, where a substantial portion of the necessary machinery had to be obtained, with the result that there was also an appreciable increase in the capital expenditure required for the extensions at both Pretoria and Van der Byl Park. The result was that the capital expenditure at Van der Byl Park exceeds the 1946 estimates by £4,000,000. This means that for a certain period — this is temporary — the available funds will not be adequate and that further funds will be necessary to meet this increase in the capital costs. In the past it has been the practice of Iscor to finance such costs to a great extent from its own funds, but as a result of the increase in the oversea prices during the past years, and as a result of other difficulties, Iscor is not in a position today to finance this extra capital expenditure. The Botha arbitration alone cost Iscor approximately £400,000. Under normal circumstances when further funds are required, these additional funds would be obtained by a further issue of shares, as is the practice in the case of other industries that are expanding. There is a reserve of £2,100,000 in the form of B shares which can still be issued to meet this capital expenditure.

May I inform the House what Iscor's capital position at the moment is. There are 500,000 A shares of £1 each, and 24,680,000 B shares of £1 each. Those shares are all held by the State today. Then there is a small quantity of roughly 220,000 7½ per cent. preference shares which are held privately, but there is no voting power attached to these preference shares. The State therefore holds all the shares with voting power, A as well as B shares.

When this deficit in the working capital arose I discussed the matter with the Board of Iscor. They explained their difficulties to me and made certain recommendations. Thereafter discussions also took place with my colleague the Minister of Finance, and we felt that it would be undesirable to meet the additional capital requirements for these extensions by way of the issue of new shares. We, and also the Board of Iscor, felt that it would mean that the capital structure of Iscor would be overtaxed with money that has to be found as a result of inflated prices to be paid for machinery and other requirements in connection with the expansion programme. In the second place it was felt that it would be undesirable to increase the capital structure, because the shortage of working capital is of a temporary nature. The shortage is the result of difficulties experienced in the post-war years; that is

why there are no funds to meet the additional expenditure. It appeared that the costs are much higher than was estimated by the then Government, when they approved of the schemes in 1946 and 1947. The Board of Iscor anticipates that their reserve funds can again be built up from Iscor profits within a reasonable time, and that in the circumstances it is not necessary to increase the capital structure, and that it is preferable to find the money in another way. The other method which is suggested, and which is also the reason for the introduction of this Amendment Bill, is that the money should be found by means of loans which will necessarily be of a temporary nature. The existing legislation permits the issue of debentures to a maximum amount of 40 per cent. of the paid-up share capital of Iscor. The Iscor Act also permits Iscor to raise loans up to 50 per cent. of the paid-up share capital. In both cases, however, the approval of the Governor-General-in-Council has to be obtained. After these discussions, both with the Board of Iscor and with the Minister of Finance, we are of the opinion that temporary financing in this way would, in the circumstances, be preferable to increasing the capital.

It may perhaps be asked why the existing rights, which permit the issue of debentures to the extent of 40 per cent. of the paid-up share capital, and which permit Iscor to raise loans to the extent of 50 per cent. of the paid-up share capital, are not exercised. Then a second question may be asked, namely, why it should be necessary to have a State guarantee. In this Amendment Bill it is proposed that the State will guarantee not only the principal but also the interest on debentures or loans.

The positoin is that in the existing legislation no provision is made for this guarantee, with the exception of a first guarantee; provision is made, I think in Section 10 of the existing Act, that the Governor-General-in-Council, in other words the State, may guarantee debentures both as regards the principal and the interest. The law advisers hold, however, that that provision for a State guarantee only applies to the first issue of debentures and not to any later issues. The second question is why we do not issue debentures or raise loans in the ordinary way, as provided by the Act. Here we are dealing purely with a matter of more favourable terms, as regards interest, repayment, etc. If the debentures are guaranteed by the State, as proposed in this Bill, they become, to use an English expression, "gilt-edged securities"; better terms can be obtained in respect of interest, etc., and they will be more attractive to the public. There is the further advantage that in the case of a State guarantee, such debentures could also be bought by Trust Companies for investment. Otherwise that would not be the case. I wish to point out that in any case certain precautionary measures are taken here. This new provision does not mean that we are simply giving Iscor a blank cheque to issue debentures. Parliament would perhaps hesitate before granting such powers. Therefore provision is made in the Bill for certain precautionary measures. In the first place the Minister of Economic Affairs may not approve of the issue of debentures without first having obtained permission from the Minister of Finance, who is also concerned with the matter; in the second place the approval of the Governor-General-in-Council has to be obtained. And there is also the further precautionary measure, also under this Bill, that debentures are limited to 40 per cent. and loans to 50 per cent. of the paid-up share capital. The intention is, if this Bill is passed, to limit this borrowing to the issue of debentures. This will be done mainly to meet the Minister of Finance in connection with his own loan programme. It thus suits the Treasury to have it done this way. The purpose of this Bill is to create a new basis for loan facilities, namely, the basis of a State guarantee, the principle of which has already been approved in the original Act in respect of the first issue of debentures.

May I finally just add that the fact that Iscor is approaching this House today to ask for these powers should not be misunderstood, it should not be inferred that anything is wrong with Iscor's credit. Iscor's credit is as sound today as it has ever been. I may tell the House that as far as the banks are concerned, no difficulty has been experienced hitherto in obtaining overdrafts without any guarantee for very big amounts. This proposal does not cast the slightest reflection on Iscor's security nor on its stability or credit. It is purely a matter of an alternative method of obtaining the necessary funds, rather than increasing the capital by a further issue of shares, as is usually done by industries wishing to expand.

Before I conclude, I wish to say that it should be taken into consideration that Iscor's present price for steel is still appreciably lower than the overseas price; this applies to the prices in Britain, the rest of Europe, and, naturally, under present circumstances, also in America. That is so in spite of the fact that the Cabinet agreed at the end of last year to a certain increase in Iscor's prices — not a big increase when all the circumstances are taken into consideration, particularly the fact that the Botha arbitration alone costs Iscor £400,000 per year. It is estimated that the difference between Iscor's steel prices and the overseas prices has meant a saving of between £7,000,000 and £8,000,000 to the users of steel in the Union. One should also take into consideration the fact that the potential earnings of Iscor are very large. Iscor has a tremendous potential earning capacity.

who were appointed to the Commission all came from the towns and that the men who were appointed to the Commission were all lawyers, and that they also all came from the towns. That is so, Sir, but it is the job of lawyers to sift evidence and the evidence that was submitted to the Commission did not only come from the towns. That evidence came from every section of the community and from every quarter of the country. Take the Vroue Federasie, for instance. I take it the hon. Minister will admit that the Vroue Federasie represents country women.

The MINISTER OF JUSTICE: And the Oranje Vrouevereniging.

Mrs. BERTHA SOLOMON: If the Minister keeps on harping on that, I am prepared to tell the Minister exactly what happened. There was one women's organisation that did not want the present law in relation to guardianship altered. Frankly, I was so surprised that I made it my business to find out who the woman was who gave evidence. I may say that the various sections of the D.R. Church who gave evidence also wanted the present position in regard to the guardianship of children maintained. I made a few inquiries, and I found out that the secretary of the local "tak" (branch—it was only one "tak" of the Oranje Vrouevereniging that gave evidence—did not want the law changed and I discovered that the lady in question, although thoroughly well intentioned, was the wife of the local "predikant".

Dr. VAN NIEROP: What is wrong with that? She has more sense than you have.

*The MINISTER OF JUSTICE: That is the usual disparaging way in which you people talk about "predikante" (ministers of religion).

*Dr. VAN NIEROP: Their knowledge is limited to Coloureds.

The MINISTER OF JUSTICE: I resent your remarks about the local predikant.

Mrs. BERTHA SOLOMON: The Minister is very annoyed, Sir, and do you know why he is annoyed? He is annoyed with me because in fact his own supporter did not get up as promptly as he should have done to move that amendment. I suspect politics in his anger.

Mr. SPEAKER: Order, order!

The MINISTER OF FINANCE: You could have done what I did the other day to repair that.

Mrs. BERTHA SOLOMON: And now the hon. the Minister is very bitter.

The MINISTER OF JUSTICE: I am annoyed about your sneering remarks about the wife of the local predikant.

Mr. KLOPPER: Is that any disability?

The MINISTER OF JUSTICE: Why should she be any worse than Mrs. Bertha Solomon?

Mrs. BERTHA SOLOMON: She is no worse, but she was in a position where she spoke for herself only . . .

The MINISTER OF JUSTICE: What nonsense.

Mrs. BERTHA SOLOMON: It is noteworthy that not a single women's organisation which gave evidence before the Commission — and every women's organisation gave evidence before the Commission — supported her. That is the answer.

*Dr. VAN NIEROP: You are wrecking your own motion.

Mrs. BERTHA SOLOMON: I would like to say that I have put up a case in all fairness and justice, and that case has not been answered by the Minister. He said that he was prepared to accept certain minor recommendations of the Commission, but on the points which really mattered to the women of this country he was not prepared to commit either himself or his Government.

Dr. VAN NIEROP: How do you know what we were going to propose? You did not give us a chance.

Mrs. BERTHA SOLOMON: My answer to that is that the Minister has spoken and I must believe what he said. He has said that he is not prepared to consider all but certain minor recommendations which he mentioned. I make an appeal to the Minister and to the House not to deal with this matter on a party basis. I am not making a party matter of it.

Dr. VAN NIEROP: You have wrecked it.

The MINISTER OF JUSTICE: You have spoiled the whole spirit of the debate.

Mrs. BERTHA SOLOMON: Anybody who is fair-minded will realise that I am not making a party matter of it, but I am going to ask the House to divide on this matter; I am going to ask members to vote on it according to their consciences and according to the dictates of their feelings of justice and fair play.

Dr. VAN NIEROP: You have wrecked the whole thing.

Motion put and the House divided:

AYES—56

Abbott, C. B. M.	Lewis, J.
Allen, F. B.	Lovell, L.
Ballinger, V. M. L.	McMillan, N. D.
Barlow, A. G.	Mitchell, D. E.
Bekker, P. B.	Moore, P. A.
Bell, R. E.	Mushet, J. W.
Benson, E. A.	Oosthuizen, O. J.
Bowker, T. B.	Oppenheimer, H. F.
Brooke, R. S.	Russell, J. H.
Cull, J. A.	Shearer, V. L.
Davidoff, H.	Smit, D. L.
Davis, A.	Smuts, J. C.
Delport, G. S. P.	Solomon, B.
Du Toit, R. J.	Steenkamp, L. S.
Eaton, N. G.	Steyn, C. F.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Graaff, de Villiers	Sullivan, J. R.
Henderson, E. J. W.	Tighy, S. J.
Henwood, B. H.	Tothill, H. A.
Hepple, A.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Van der Byl, P. V. G.
Hughes, T. G.	Waring, F. W.
Jordan, R. D. P.	Warren, C. M.
Kahn, S.	Waterson, S. F.

Tellers: A. W. S. Mortifee, G. J. Sutter.

NOES—70

Abraham, J. H.	Ludick, A. I.
Bekker, G. F. H.	Luttig, H. G.
Bezuidenhout, J. T.	Luttig, P. J. H.
Boltman, F. H.	Malan, A. I.
Botha, P. W.	Malan, D. F.
Brink, W. D.	Maree, W. A.
Brits, G. P.	Mentz, F. E.
Conradie,, J. H.	Mostert, D. J. J.
Deysel, A. J. B.	Nel, M. D. C. de W
Diederichs, N.	Olivier, P. J.
Döhne, J. L. B.	Oost, H.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Pieterse, P. W. A.
Du Plessis, W. C.	Potgieter, J. E.
Erasmus, H. S.	Sauer, P. O.
Erlank, A. E.	Schoeman, B. J.
Eyssen, S. H.	Scholtz, D. J.
Faurie, W. H.	Stals, A. J.
Fouché, J. H.	Steyn, A.
Fouché, J. J.	Steyn, J. H.
Frates, T. J.	Strydom, J. G.
Fullard, G. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Le Roux, P. M. K.	Van Schoor, J. J. F.
Le Roux, S. P.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan.

Tellers: J. J. Serfontein, P. J. van Nierop.

Motion accordingly negatived.

On the motion of the Prime Minister, the House adjourned at 4.55 p.m.

WEDNESDAY, 8th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

POPULATION REGISTRATION BILL.

First Order read: Second reading, Population Registration Bill.

*The MINISTER OF THE INTERIOR: I move—

That the Bill be now read a second time.

I feel that I owe the House an apology for the delay in introducing this Bill. As long ago as the beginning of last year it was announced in the Speech from the Throne, but I considered it necessary to have the matter thoroughly investigated before laying the Bill before this House. The investigation was conducted by the Director of Census and Statistics, Mr. Raats, and Mr. Lewis, the Workmen's Compensation Commissioner. These two gentlemen made an extensive tour abroad and visited eight countries where a national register, a population register, was in operation in one or other form; they personally investigated the matter and returned with much valuable data, and the Bill which is now before the House is to a great extent the result of the investigations conducted by these two gentlemen, who are technically particularly well equipped to undertake a task of this nature.

Perhaps I owe a second apology, more particularly to members opposite, for having profoundly disappointed them in their expectations in connection with this matter.

In any case this Bill makes provision for the introduction of a population register, and I deem it essential that we know at the outset what the basic principles of a population register are. A population register is actually a book containing the life-story of every individual whose name is recorded on that register. It contains the most important facts relating to such a person. In some cases the life-story of the individual is very short. In the case of a stillborn baby it contains only one entry and one page. In other cases a long life-history has to be recorded in that book. All those important facts regarding the life of every individual will be combined in this book and recorded under the name of a specific person, who can never change his identity. It is only when the last page in that book of life is written by an entry recording the death

of such a person, that the book is closed and taken out of the gallery of the living and placed in the gallery of the dead.

*Mr. TIGHY: It sounds like a funeral oration.

*The MINISTER OF THE INTERIOR: That is the basic principle. I think the hon. member is anticipating his political decease. I may just say that, although it is very important to collate and to keep together all the important facts pertaining to the life of the individual, this book of life will only be of histrical value, if it is not also a living book. If it only contains a series of facts and names on a specific date, it might perhaps be of importance to posterity, but if it is not kept up to date so that it could rightly be said that it is also a living book, it loses a great deal of its value as an important contribution to the social life or the political administration of the present. Provision, therefore, is made to record the address of the individual concerned in this book of life, in this register, and when such a person changes his address, the new address will also be recorded, in order to keep the register up to date.

This system of keeping a national register consists of two parts. In the first place we have the register to which I have referred, and in the second place we have the proof of identity.

*Mr. S. J. M. STEYN: The Pass.

*The MINISTER OF THE INTERIOR: This in the one part of the system which is generally applied and which you will also find in this Bill; it has a dual purpose, in conformity with the dual nature of the system. In the first place the purpose of the national register, which would be centrally kept, is to concentrate certain information in respect of each individual, instead of it being spread over vearious records; and the main purpose of the identity card is to determine the identity of a specific person. In other words, if one is dealing with an individual who says that he is Jan van der Merwe, one should be able to determine whether he actually is the Jan van der Merwe which he professes to be, the Jan van der Merwe who was born on a certain date and in connection with whom there are certain vital data.

I shall first take the information section. The necessity for collecting the most important facts regarding the life of an individual is widely acknowledged in this country, also in our existing legislation. There is the one fact that has to be registered under existing legislation, namely, one's date of birth. It is information which is required when one wants to give or obtain transfer of a piece of land. In such a case proof of one's date of birth has to be furnished. One's date of birth is also important when one wants to change one's status and get married. In such a case one's date of birth must be stated. The date of birth is just as important in the exercising of the franchise; one must be able to prove that one was born over twenty-one years ago before one is entitled to the franchise. The date of birth is also very important in respect of military service under the Defence Act of 1912. It is a very important vital fact which is required in the ordinary course of life.

Then I come to another vital fact which is also of importance in an individual's daily life; that is the question of one's race. I have just spoken about the transfer of land. When one obtains transfer of land, one generally has to submit a sworn affidavit to the Registrar of Deeds to the effect that one is not a Native. It is necessary to determine that one does not belong to a certain race. We have the same problem in Natal and the Transvaal in connection with the acquiring of land in certain areas. One must be able to prove to what race one belongs. It is a condition that has to be complied with before one can acquire such land. It is not only required by law, but it can also be required by virtue of certain servitudes on land, stipulating that it can only be transferred to persons belonging to a certain race. One must be able to furnish satisfactory proof that one is not a member of the excluded race, members of which are not entitled to possess that land by virtue of the servitude. In respect of the electoral laws it is also very important that one should be able to furnish proof of this vital fact, one's race. Our existing legislation makes provision for it. The difficulty experienced in determining one's race creates one of the biggest problems in matters relating to the franchise. We experience the same difficulty in connection with our marriage laws. There is the Immorality Act (Amendment) Bill which has not yet been passed. Last year it was said that parsons would experience great difficulty in determining the race of the individuals who wish to get married. I said last year that there would no longer be any difficulty once we had a population register. I then promised that by introducing a national register, I would remove the cause of all those difficulties experienced by the marriage officers in the past.

Another fundamentally important vital fact in connection with which proof has to be furnished almost daily, is the national status of an individual. When one wants to exercise one's franchise, it is necessary to prove what one's national status is. If one wants to enter the service of the State, one must be able to prove that one is a South African citizen, or otherwise, that special dispensation was granted by the Minister concerned. Also in respect of military service it is very important that the national status of a person should be determined. I can go on like this, and mention more examples of

this nature, but I think I have mentioned sufficient to prove how important the determination is of these vital facts, necessary for the carrying out of existing legislation. It is, therefore, necessary to have a system here which would combine all those vital statistics in one register, instead of leaving them scattered over various offices and registers.

I may perhaps mention one more example. The determination of a person's race is of the greatest importance in the enforcement of any existing or future laws in connection with separate residential areas — and here I specifically have in mind the Group Areas Bill, which I promised to introduce in this House and which was also announced in this year's Speech from the Throne. Members who would like to see those laws enforced, must remember that this Bill is one of the instruments which will not only enable us to enforce such legislation, but which will also cause that legislation to function as smoothly as possible, without any unnecessary friction.

I would also just like to say that many of these vital statistics which are so necessary consist of known facts which are already being recorded today. Under the existing legislation we have compulsory registration of certain of these vital statistics. There is, for instance, the registration of births. It is a vital fact which has to be reported to the authorities, under existing legislation. Then there is the registration of marriages and the registration of a person's national status. When a person acquires citizenship in South Africa, either by registration, or by naturalisation, it has to be recorded. Under the existing law a register is kept for changes of names, and any change of a name can be traced in that register. A person's right to vote, a person's franchise, is already being recorded under the existing legislation. One is compelled to apply for registration and also to inform the authorities of any change of address. When a person dies, although the obligation is not his, but that of his relatives, that vital fact must be reported for registration. Existing legislation has already made it compulsory for people to register most of the vital facts mentioned here by me. The measure which we want to take now is calculated to make it convenient for the individual in that all these vital statistics will be recorded and embodied in one book. Instead of having to write to different officials for the necessary information, a person will be able to obtain all those particulars by writing to one official only. And it is just as important to the State that the present scattered informaion be concenrated and be brought together so that all overlapping of work and of administrative posts can be eliminated. Every letter sent out to ascertain the date of birth of a certain person requires a reply. Now it may be that the person who requires that information also requires other information. for some one or other purpose; and if he can obtain all that information from one central source, it not only saves him the trouble of having to write five letters, but it also saves the State and the Administration the trouble of having to send five different replies. In other words, it will eliminate much administrative work which would otherwise have had to be done. This is the one part, the information part, of this system of national registration.

I now come to the other part — the part dealing with the identity card, the determination of the identity of any individual person. To furnish proof of identity has become almost a daily necessity. From time to time we are all expected in our daily lives to prove that we really are the persons we profess to be. I am certain that members of this House have often found it necessary to furnish proof of their identity, and that they have found it very useful to use their Railway pass as proof of their identity, irrespective of how defective it may be. Proof of identity is also necessary in respect of the effective functioning of social services; in this respect, it is absolutely essential that there should be proof of identity. Proof of identity is essential in the payment of family allowances, pensions of compensation to workers under the Workmen's Compensation Act, and of unemployment benefits, because the Department always runs the risk of paying money to the wrong person. There have been cases, particularly during the war, where people received benefits to which they were not entitled, simply because there was no adequate proof of identity. It is absolutely necessary to have such a system for the effective functioning of social services. In the case of any possible food rationing scheme, it is absolutely essential that an individual's identity can be determined. Members opposite had experience of this, when they tried to introduce a food rationing scheme in 1946 without the necessary foundation, namely, a registration scheme of this nature. I mention it because in the event of any big national crisis which may arise — and a crisis can overtake one very unexpectedly — this machinery is essential because it is machinery which can be used in meeting such a crisis. If such a crisis should overtake us, it will not be necessary to flutter around as the previous Government did when they wanted to introduce food rationing in 1946.

*Mr. S. J. M. STEYN: Will a Native woman then not be able to get food under this scheme? Answer me.

*The MINISTER OF THE INTERIOR: I can assure hon. members that there is not one part of this Bill that I will not explain, perhaps not to their satisfaction — I can hardly expect that — but in any case, to the satisfaction of any reasonable person.

Such a scheme is also very necessary for the control of illegal immigrants. Our borders are so far flung that they cannot be properly guarded. We know that there are thousands and hundreds of thousands of illegal immigrants in this country. Europeans and non-Europeans, and we know that unless we have such a system by means of which the identity of an individual can be determined, it is a hopeless task to try to control the illegal immigrants in the country. It cannot be done, unless we have a system of this nature. The need for such a system has also been felt by the four Provincial Administrations, which are particularly vulnerable in respect of the illegal immigrants. It was mainly for that reason that they recommended in 1948 that a national register be introduced in South Africa.

There is another important factor. In other countries it has been found that a swstem of this nature can be of very great assistance in limiting, if not altogether eliminating, evasion of taxes. If one has a system of this nature — I shall presently go further into this matter — people who are today evading taxes owing to the absence of a proper system of identification, can be made to pay their taxes. I need hardly tell the honest members of this House that for each dishonest tax-evader nine honest taxpayers have to pay so much more so that my colleague, the Minister of Finance, can receive the same amount. I assume, therefore, that the whole House desires the total elimination or reduction of tax evasion.

Then I come to the question of detection of and the control over crime. In other countries it has been found that a registration system is a necessity in this respect. The police cannot have proper control in the absence of such a system. Take the enforcement of legislation in connection with apartheid, and also the daily usages and customs in connection with apartheid. There is the question of admission to schools. In the absence of a system of this nature, the decision is often left to the judgment of a person who is not fit for the task and who has to give a hurried and immediate decision before he has had the opportunity of considering the matter. This also applies to the question of marriages, regulations in connection with seaside resorts, bioscopes, admission to sports fields, etc. I remember that last year mention was made of trouble in this connection at Newlands. Difficulties of that nature will be reduced to a minimum and eliminated when we have the aid of a system like this.

At present there is no proper method by means of which one can determine whether people applying for passports really are South African citizens, as they profess to be according to their statements. If such a system is applied, it will be one of the easiest things in the world to determine the identity and also the nationality of the applicant for a passport. Then we come to the prevention of the personation during elections. Hon. members opposite know how often it happens that somebody votes in an election in the name of a deceased person.

*Maj. VAN DER BYL: Do not ask us.

*The MINISTER OF THE INTERIOR: I am pleased to hear that the Opposition knows about it, because they will now assist me in preventing it in the future. I am very pleased at their reaction. There is also the difficulty in connection with a person who, in good faith, votes in the name of another person, with the result that that person has to tender a voting paper. All these things will be eliminated when we have a system by means of which we can determine a person's identity, and can be in possession of all the vital statistics concerning such a person.

These advantages mentioned by me will accrue not only to the Central Government, but also to Provincial Administrations, local administrations, city councils and town councils, commerce, industry, individual businesses, banks, the Post Office Savings Bank, the liquor trade, etc. The liquor trade experiences great difficulties. The proprietor of a bottle stores may not sell more than a specified quantity of liquor to a Coloured person. He has to determine whether a person is Coloured. If he sells liquor to a Native, he transgresses the law. With the aid of this system it will be easy for him and he need not make any mistake then. He can simply ask for the identity card of the person concerned. It is not only advantageous to that section of the population, but it is also in the interests of the individual himself to have a card by means of which he can prove his identity. Whenever such a person enters strange places where it is required that he proves his identity, it will be of great value to him to possess such an identity card; and therefore it is no wonder that this system has been instituted in one or the other form by most of the Western countries which have recognised its value. I can only say that the form which we have adopted here, is a form which we have developed from what is best in the systems followed by other countries. All the advantages contained in their systems were incorporated in our system. In the one or the other form this system is in operation in the following countries: Canada, Holland, Belgium, France, Italy, Sweden, Denmark, England, Kenya, and Israel. The existence of population registers in so many of the prominent countries of the Western world proves the importance and also the practicability of such a system; it also proves that the advantages fully justify the costs involved. It was not only found to be necessary, but it was also found that the expenses incurred were more than justified by the advantages gained from such a system.

Now in the second place I come to the practicability of such a system in South

Africa. The experience of other countries as a proof of the practicability of the system, is important. But because each country's circumstances and problems differ from those of any other country the experience of other countries is not necessarily conclusive. It is important but not conclusive, and it is, therefore, necessary to consider our own South African point of view, and to see whether such a system is practicable in South Africa. In this respect the findings of the Select Committee are sometimes quoted to prove the plea of impracticability. Arguments of this nature are not actually what one would call informed criticism, for the following reasons. In the first place the experience before the Select Committee of such a system outside South Africa was, at the time that Select Committee deliberated over the matter, limited to a country like Holland. Since that time it was successfully extended to the other countries which I have mentioned. In 1935 the Select Committee deliberated for eight hours altogether on this question, and it only had at its disposal the experience of the system as practised in Holland. We now have the good fortune, which they did not have, of being able to study the experience of other countries which introduced a system of this nature after 1935. A second reason is that there was no continuous and compulsory registration of voters in 1935. There was also no compulsory registration of aliens in South Africa. The only registration in force at that time was the registration of boys between the ages of 17 and 25 in respect of the Defence Act, and the registration of certain Asiatics in the Transvaal. Since 1935 we have introduced an essential part of such a system, namely, the continuous and compulsory registration of voters, and may I remind hon. members of the fact that it affects all Europeans who are 21 years of age and over. In addition, all changes of address have to be reported to the authorities concerned. The important provision of having to inform the authorities of changes of address did not apply in 1935. We have had experience in connection with the registration of voters, experience which the Select Committee of 1935 did not have. Of the approximate figure of 4,000,000 Europeans and Coloureds who will have to be registered under this Bill, all the European men and women over 21 years of age are already being registered under the electoral laws. That affects about a million and a half people. All the European boys between the ages of 17 and 21 are already subject to registration. That affects another 100,000 people. All foreigners are registered, and if this registration is effected in the proper way it should include another 100,000 people. Then we have the registration of Asiatics in the Transvaal, numbering anything from 15,000 to 20,000. Of the 4,000,000 mentioned, 2,000,000 are already being registered under the existing legislation. Moreover all births have to be registered. These 1,720,000 people which I have mentioned here are not only subject to registration, but they also have to notify the authorities of any change of address. Therefore, registration already exists in South Africa in respect of almost 50 per cent. of the total number of Europeans and Coloureds who will have to be registered under this Bill. This registration is something of which the Select Committee of 1935 had no experience. The leap we have to take is, therefore, no longer as big as it seemed in 1935. We have had far more experience in this respect than what they had in 1935.

But there is a further reason why we are not going to allow ourselves to be unduly influenced by the decision taken by the Select Committee in 1935. Since 1935 there has not only been a tremendous expansion in the administrative organisation of this country, but there has also been an almost revolutionary progress in respect of the mechanical handling of data concerning big masses of people. The Select Committee of 1935 could never have dreamed of such a thing. Today the whole task of registration, as far as the data are concerned, is mechanised. The system being applied today is a mechanised card system. There is a separate card for each individual. The most modern Hollerith machine is used in this connection. The punched cards indicate the various particulars required in respect of an individual. Hon. members who have already seen this machine in action will know that the whole process is mechanised and that the particulars are sorted mechanically. Even the transfer of certain particulars from one card in the register, consisting of various cards, to an identity card is done mechanically. The machine functions at a very high speed and thus eliminates the employment of many typists, who would otherwise have been required. I can perhaps just give two examples of the way in which a system like this works. When we have such a system and my hon. friend, the Minister of Defence, asks me, for example, to supply a list of boys who will reach the age of 17 during 1951, I merely take the cards, put them through the machine which can deal with thousands per hour, and I present him with a list containing not only the registration numbers of those boys but also their names, mechanically typed, not by typists, but by the machine itself. With such a system all these difficulties will disappear. He will get a list of the names of boys who reach the age of 17 during that particular year. If any electoral officer in a constituency which is vacant requires the voters' list at any given date, we merely ask the Director of the Department concerned to furnish a list of persons who are over 21 years of age in that particular constituency and on that particular date, and the machine will automatically sort the

punched cards, and it will not only put them together, but will also type out the list which can serve as a voters' roll. All that is required after that is the printing of such a list, but the typed list is available to the electoral officer.

Mr. RUSSELL: Will that machine also vote for you?

*The MINISTER OF THE INTERIOR: These are things of which the Select Committee of 1935 never dreamed of because these machines are the result of technical developments since that time.

But there is a further reason why we should not take too much notice of the findings of the Select Committee of 1935, and that is that the idea of a population register in South Africa has gained much ground since 1935. In 1935 it was a comparatively novel idea in this country. But since that time it has gained a tremendous amount of ground. In 1944 an inter-departmental committee on social security was appointed. This committee presented its report in 1945 and I would just like to read to the House a few of the recommendations made by this committee, which are applicable to this idea of a population register. It concerns social security—

> That in the opinion of the committee (1) It is necessary for the purpose of levying contributions to the social security scheme for machinery to be set up for effecting the the registraton of all Europeans, Asiatics and Coloured persons over the age of 16 years, excluding housewives not gainfully occupied. (2) It will not be necessary in the initial stages of the scheme to extend such registration to Natives generally, but the question of such an extension as the scheme proceeds, should be carefully gone into by the Government.

Then I come to No. 4—

> (4) In view of the extensive registration that will be essential for the Social Security scheme, the Government should consider the desirability of providing a national population register which could be used for the Social Security scheme and for various wider purposes.

Mr. MITCHELL: All that they will need then is the money.

*The MINISTER OF THE INTERIOR: That was in 1944.

Mr. RUSSELL: In 1945.

*The MINISTER OF THE INTERIOR: Subsequently we had the so-called Fagan Report in 1947-'48. I may perhaps again refer to this report later, but I can say that the Fagan Commission strongly supported the introduction of a national register or a population register. I do not want to enter into the details of the recommendations at this stage; I am only referring to the general trend of the recommendation in this respect. I only want to show briefly how the idea of a population register gained ground since the deliberations of the Select Committee of 1935. Then finally I want to mention the Report which was submitted by the four Administrators in the beginning of 1948 to the Rt. Hon. member for Pretoria (East) (Field-Marshal Smuts) the then Prime Minister. The hon member for Natal (South Coast) (Mr. Mitchell) was one of them. They dealt with this matter in paragraph 55 of their Report under the caption, "National Registration and Native Census", and it may perhaps enlighten the House if I quote a few of the matters mentioned in that unanimous Report which was presented to the then Prime Minister by the four Administrators of that time. They said—

> This request . . .

This was said in connection with the census—

> . . . only touches the fringe of the problem, as at present there exists a most urgent and vital necessity for the establishment of what, for convenience may be termed a national register of all inhabitants of the Union, regardless of race, colour or creed, the responsibility whereof can rest with none other than the Union Government. Such registers exist in other countries and there seems to be no valid reason why the same should not apply in the Union.

Then they go on and give a brief description of their proposal, and then they say—

> A cursory glance at this proposal will show that it must have many advantages such as the establishment of identity control of illegal immigration, particularly non-European, from adjacent Territories, elimination of taxation evasion, assistance to police in the control of crime and vagrancy. In fact, the benefits are so obvious so as to require no further elaboration.

Mr. RUSSELL: That is where you got the particulars for your own speech.

*The MINISTER OF THE INTERIOR: I hope it is still the case. Then they conclude their remarks with this paragraph . . .

*An HON. MEMBER: What date was that?

*The MINISTER OF THE INTERIOR: January, 1948. The most important paragraph, from the point of view of members opposite, is the following—

> It is not anticipated . . .

I am not saying it; it is what the four Administrators said—

> . . . that the public would object to a national register if there is clear understanding of its object.

HON. MEMBERS: That is the point.

*The MINISTER OF THE INTERIOR: I fully agree with them. I also think that if there is proper understanding of the national register, the public will have no objections to it, and that is why hon. members opposite are so disappointed; the motive which they were trying to find did not exist a little over a year ago; meanwhile they stultified themselves by attacking a non-existent motive.

Then the four Administrators continued and ended their Report in these words—

> The Provinces, therefore, recommend its introduction.

All the four Provinces were unanimous on this point.

Mr. SULLIVAN: Does their recommendation include the identity card?

*The MINISTER OF THE INTERIOR: The hon. member for Berea (Mr. Sullivan) who knows something of Social Security or who professes to know something about Social Security, should know that a system like this cannot be operated, just as the English system cannot be operated, unless there is an identity card.

Mr. SULLIVAN: Did that recommendation . . .

Mr. SPEAKER: The hon. member should get up when he wants to put a question to the Minister.

Mr. SULLIVAN: I would like to know from the Minister whether the report to which he has referred, the 1948 Report of the Administrators, contains any specific reference to the issue of identity cards?

*The MINISTER OF THE INTERIOR: As far as I know it does not contain a specific reference to identity cards, but let me tell the hon. member that it was not excluded. One must assume that the only example which the committee had before it was the example of England. When I look at the constitution of that committee, I can hardly imagine that the hon. member for South Coast, for example, did not know about the legislation in England, and I can assure the hon. member for Durban (Berea) that the legislation in England does make provision for identity cards.

Mr. MITCHELL: May I ask you a question? I would like to ask the Minister why in reply to the question of the hon. member for Berea (Mr. Sullivan) yesterday, did the Minister not put that report on the Table for the information of members generally so that all members of the House could have access to the whole of that document? The Minister was asked yesterday whether he would make that document available for all hon. members so that they could know the contents of the whole document and it was stated that the answer would have to stand over.

The MINISTER OF THE INTERIOR: I am very sorry, Mr. Speaker, I think if the hon. member had been here yesterday he would have observed that I was not here.

Mr. MITCHELL: Your colleague gave your reply for you, which is quite common.

The MINISTER OF THE INTERIOR: As far as I know the hon. the Minister said that the reply had to stand over. I can assure the hon. member that the question has not even been put to me yet. I have not seen it.

Mr. MITCHELL: That is bad team-work.

Dr. STEENKAMP: That is very convenient.

The MINISTER OF THE INTERIOR: I do not know whether my hon. friends want the full report or only that portion dealing with paragraph 55.

Mr. MITCHELL: Why not the full report?

The MINISTER OF THE INTERIOR: I shall put the full report on paragraph 55 to them which, as far as I know, is the only paragraph dealing with this; I shall make it available to hon. members. I have already quoted the bulk of it.

Dr. STEENKAMP: When?

The MINISTER OF THE INTERIOR: My hon. friends will have sufficient time to study it and they need not worry that it will give them any assistance. I think on the contrary they may be surprised.

Mr. MITCHELL: Tell us about the identity passes.

*The MINISTER OF THE INTERIOR: May I just tell the hon. member that he once held an important post, and that when one is dealing with serious matters, it does not behove him or other members opposite to make nonsensical interjections of this nature.

An HON. MEMBER: The moment he opens his mouth, he puts his foot into it.

*The MINISTER OF THE INTERIOR: Let us go a little further and deal with the cost of such a system in South Africa. I have spoken about the practicability of this scheme and now I want to discuss the cost of putting such a scheme into operation; I do not include the Natives in my estimate of the cost. I shall presently tell the House what the position is with regard to the Natives. The cost can be split up under two headings, the first referring to the cost of establishing such a register and the second to the cost of keeping such a register up to date, in connection, i.e., with changes of address which occur from time to time.

As far as the cost of establishing such a register is concerned, I may point out that the normal census of 1951 for which provision will in any case have to be made in accordance with the law, will form the foundation of the register. No extra costs will be incurred in obtaining the information for the purpose of this register; the only expenditure that will be incurred will be that in connection with the tabulation of the information and the provision of cards and the register. Our census normally costs £330,000. We are compelled by law to have a census in 1951. According to the estimates of the Director of Census, £175,000 of that amount of £330,000 represents the cost of the census itself, while an amount of £155,000 will cover the cost of the tabulation of the data, a task which continues for years after the census has been held. I have laid on the Table today certain figures relating to agricultural and livestock production, which were obtained through the census of 1946. It has only now been tabled. The cost of the census, which is spread over a number of years, is £155,000, but the cost in connection with the survey itself is £175,000. This expenditure will in any case have to be incurred in connection with the census, which will be used as the source of the information required for the purposes of the register; in addition there will be the cost of establishing the register, the transfer of certain particulars to the register itself, the entries on the cards, etc., and it is estimated that this will amount to £165,000. That is the estimated cost of establishing the register. After the register has been established, it will be kept up to date by the entry of births which take place after the date of the census. The particulars obtained through the census held on a certain day will be entered into the register. Any births after that date, which normally would have to be registered, are also entered in the register; particulars regarding immigration will be obtained from time to time from immigration offices and will also be entered so that one can know at any given moment what the size of the country's population is. Provision is naturally also made for the cancellation of the names of deceased people. The Select Committee of 1935 was afraid of the cost of such a system. The Committee estimated that it would cost an amount of £75,000, and they regarded it as an excessive figure, particularly in comparison with the total Budget expenditure of the country, which at that time amounted to only £36,000,000. But since 1935 the major portion, or rather a substantial portion, of the expenditure in connection with registration has already been incurred, because, since 1935, as I have already pointed out, we have had the continuous registration of voters and a record of the activities of foreigners, together with changes of address in both cases to keep them up to date. It is estimated that to keep up to date the voters' lists and the records in connection with foreigners, it costs the country approximately £45,000 per year. This expenditure will be eliminated when we have only one system. They did not have that expenditure in 1935; this is expenditure which has been incurred since that time. It is now estimated that the extra cost of the population register will only be £115,000 per year. With the possible incorporation later on of the registration of births and deaths, there may still be a net saving on that figure. That will be the extra cost of establishing the register and keeping it up to date.

*Mr. MUSHET: And extra staff?

*The MINISTER OF THE INTERIOR: But the revenue that will accrue from supplying information contained in the register must also be taken into account. Addresses can be supplied at a certain fee. I have been informed that in Amsterdam, a city with a population of 800,000, the city register annually receives 1½ million inquiries. It is therefore a source of revenue which must be offset against the direct expenditure. I do not attach much importance to this. Having regard to the numerous inquiries which appear in the newspapers in connection with the latest address of certain people, it may be a big source of revenue, but I do not want to attach much monetary value to it. The indirect saving through greater efficiency and through the elimination of overlapping and unnecessary administrative work, is of far greater importance. I have been informed by the Department of Labour that they are experiencing great difficulty in tracing beneficiaries in their administration of the Wage Act and the other Acts with which they have to deal; they sometimes find it difficult to trace Natives, particularly to whom moneys are owed and whose present addresses are unknown to them. Those moneys are then placed in a reserve account, which causes them a great deal of unnecessary administrative work and is of no value to the beneficiaries. The Workmen's Compensation Commission has informed me that payments under that Act have to be made by crossed cheque. These people have

no banking accounts and because the Department is afraid that the cheque might fall into the hands of the wrong person, a crossed cheque has to be issued. The person concerned then generally brings the cheque back to have the crossing cancelled. This causes the Department much unnecessary work, which could be eliminated if one had a system of identity cards as is provided for in this Bill.

Then there is another possible source of saving. Hon members know that the voters' lists consist of big books that contain only one column per page. First the number is given; then the man's full name, "Jan Abraham Kriel", then his profession or trade, "carpenter", and then his address, "59, White Street". Why are all these things required? Why cannot one simply say, "J. A. Kriel"? All these additional particulars are necessary to establish the identity of "J. A. Kriel" and therefore we have to say "Jan Abraham Kriel" and not "J. A. Kriel". That is why one has to mention his profession or trade and his address. But under a system like this even though one retains the number of the voter, all that will be necessary will be "J. A. Kriel" and his identity number. When the Electoral Act is amended to bring it into conformity with this Bill, the voter will have to produce his or her identity card during the election, and the number of the identity card will simply be compared with the number on the voters' list; under those circumstances one would know immediately that the right person was voting, and in that way all danger of personation would be eliminated. There is this additional advantage that where fifty pages are required for a certain number of names, only twenty-five pages will have to be printed under this system; there would thus be a saving of fifty per cent. in printing costs.

Then we come to the question of drivers' licences. In most Provinces a photograph of the driver of a motor vehicle must appear on the licence for the purpose of identification. Under this system such a licence need not contain a photograph. All that will be required is the identity number of that particular individual. Under this system this unnecessary expenditure in connection with drivers' licences will be eliminated. I can mention an unlimited number of other examples. By means of this system we shall be able to eliminate fraud which is at present committed under various Acts. It may happen that benefits are claimed by people who are not entitled to them. It is difficult to ascertain whether they are the persons who are entitled to those benefits, and some of them succeed in obtaining moneys which do not belong to them, with the result that the State and the taxpayer suffer. Another factor, which I think is the deciding factor, concerns the collection of taxes. The experience of some other countries in this respect is that the costs involved in connection with a population register are more than justified by the increased revenue resulting from it. Such a register more than pays for itself. I asked the Commissioner of Inland Revenue for his opinion on this matter, because I noticed that the evidence of one of his predecessors was quoted by the Committee of 1935. I think he was Commissioner in 1925, and at a time when our Estimates of revenue amounted to a figure somewhere between £30,000,000 and £40,000,000, Mr. McLaghlan, the then Commissioner, expressed the view that under a system of population registration an additional amount of £150,000 would be collected by the State in the form of taxes which people would otherwise evade. If one takes present-day circumstances into consideration where the estimated revenue is between £140,000,000 and £150,000,000, and not somewhere between £30,000,000 and £40,000,000, one can work out the comparative figures. But other countries have proved that, apart from any other reason, this additional revenue is sufficient justification for the expenses of establishing and maintaining such a population register. I wish to add that the question of evading legitimately imposed taxation is a matter which affects all of us, at least all of us who are honest, and I think the hon. the Minister of Finance will have the support of the House in this matter. In the past a premium was often placed on tax evasion, a premium which was paid by the honest taxpayer. As far as the capital expenditure is concerned, it stands to reason that special provision will have to be made for the accommodation of a central office of this nature. It will have to be fireproof, and other specific requirements will have to be complied with. I do not want to look too far ahead, but it may be necessary later on to have centralisation of vital statistics under separate Departments; and when we make provision for a system of this nature we should build for the the future, and I do not intend to recommend some insignificant accommodation for such a system. I personally feel that the capital expenditure in this respect will not be less than £300,000. That figure represents the capital expenditure.

*Mr. MUSHET: And the annual expenditure?

*The MINISTER OF THE INTERIOR: Now I wish to say a few words about the register itself. So far I have spoken about the principle of the register in general. I now want to come to the Bill itself and its provisions. The register will be composed of a central register and certain district registers. Three main categories will be set up under the register, namely, South African citizens, non-South Africans who have the right of permanent residence, and temporary visitors who are staying here by virtue of a temporary permit of some kind or another.

Now I would like to draw the attention of the House to a few of the provisions of

this Bill the first of which is that only specified information, sanctioned by this House, will be incorporated in the register. There is no question of this legislation being used or abused for all sorts of purposes, as hon. members opposite think. This House will determine what that register may contain and what it may not contain. I know that we may be seriously criticised and that members opposite may say that we are making a mistake, that we should have done what Great Britain did, namely, to lay down by proclamation what the register should contain, so that the Minister will have the right to decide what particulars should be recorded in the register. We did not follow the example of Great Britain in this respect. We said that Parliament has to decide what information that register should contain and what information should be excluded. That provision is made in Clause 7, sub-clause 1.

In the second place I would also like to point out that the argument is often advanced — in my opinion, incorrectly — that a system of this nature encroaches upon the freedom of the individual; but let me say that the countries which adopted this system are the biggest protagonists of democracy. The countries which have adopted a system of this nature, and which I would like to mention here, are the biggest champions of democracy.

*Mr. BARLOW: What has that got to do with us?

*The MINISTER OF THE INTERIOR: I also want to say, in case the hon. member still has some doubts about it, that most of the things we are asking for in this Bill concern obligations which are already compulsory by virtue of existing legislation. If this Bill therefore contains anything that amounts to the curtailment of the individual's liberty, it should be remembered that it is only the extension of existing legislation. We already have compulsory registration in respect of births, marriages, deaths, voters, foreigners and people who are subject to military service. Is there anybody in this House who believes that the individual's freedom is being interfered with because of that compulsory registration? I have never heard complaints in this respect. Why should people complain now? Notification of changes of address is already compulsory in respect of voters, foreigners and people who are subject to military service. I have never heard that it constitutes any interference with the freedom of the individual; I still have to hear it. I may, perhaps, still hear it in this debate, but in that case it will be an afterthought.

The third point in connection with the register to which I would just like to draw the attention of the House is that special consideration will be shown to tourists and business visitors. We felt that the provisions of this Bill should not in any way hamper tourist traffic in South Africa. We realise that the tourist industry is one of the most important industries in South Africa and we do not want to do anything in this measure which will in any way hamper the development of that industry; that is why we have inserted the provision that in the case of temporary visitors the Immigration Officer will have the right to exempt such a visitor from certain of the provisions of this Act for a period of six months. His name will, of course, be recorded in the usual way, but he need not show an identity card, and he need not comply with some of the other provisions of the Act. Clause 21, sub-clause 2 reads as follows —

> An immigration officer may, subject to the directions of the Minister and for such period of not exceeding six months as he may deem fit, exempt from those provisions of this Act which relate to the production of identity cards, any person who enters the Union for a temporary purpose.

The next clause reads —

> The Director may extend any period for which an exemption has been granted under sub-section (2) by such further period or periods as he may deem fit.

This provision was included in this Bill with a view to facilitating matters for bona fide visitors and tourists.

The identity card will only have to be carried by persons over the age of sixteen. The identity card will only be issued to persons over sixteen years of age, and in the same way that Parliament decides what information should be included in the register, Parliament decides what information should be recorded on the identity card. The Minister will not have the right to add further information either in respect of the register or in respect of the identity card; in Clause 13 (2) hon. members will find what particulars are required in respect of the identity card. In the second place I would just like to explain that nobody will be compelled to carry that identity card constantly on his person, although we are convinced that the convenience and the size of the identity card will be such that everyone will feel that he or she should carry it of their own free will. In any case it will not be necessary for any person to have the identity card on him personally; and the issue thereof will also be a gradual process. After the particulars have been compiled by the Census Department notices will be issued and people who do not fetch their cards within a certain stipulated period will be guilty of a contravention of the Act. I may also state that the size of the identity card and other particulars will still have to be determined by way of regulation, but we had in mind the type of card which Canada and other

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countries adopted. It is an identity card which will not be easy to forge; people will not be able to forge the card; the card cannot easily be destroyed and it will be of a convenient size. The final shape of this identity card has not yet been decided upon. The card will be such that it will not bend easily and cannot be forged easily. The identity card can be renewed from time to time, particularly when the photograph is no longer a true reflection of the person concerned, or where it becomes mutilated. The most important aspect of the identity card is the identity number. That is the number denoting a specific person in respect of all the vital facts concerning him. The identity number is the key to the whole system and that number will appear on the identity card. That identity number consists of certain elements. It is not necessary for me to enter into all the details. I would just like to say for the satisfaction of many members who do not want to publish their age, that although the date of birth will have to be recorded in the register, the year of birth, if it is given — and I think it will have to be recorded — will appear on the identity card in the form of a code number. In any case these are particulars which can be decided upon later on.

*An HON. MEMBER: What about the women?

Mr. MITCHELL: Just wait until the women get hold of you.

*The MINISTER OF THE INTERIOR: I think the women in South Africa will not be more unreasonable than the women of Great Britain and Canada. The women of those countries accepted this system quite calmly. But I want to make it popular, and I am quite prepared to consider any representations in this respect. There is nothing in this Bill which makes its compulsory that one's age should appear on the identity card. The Bill does not mention it, and I shall welcome any representations which will make the system more popular.

I only want to say that the identity card will be identical in respect of both Europeans and Coloureds. Probably the identity card for the Natives will be different in size, for obvious reasons which I shall explain later on, but for the present the identity cards for Europeans and Coloureds will be identical.

I would just like to say here that I am prepared to consider representations in connection with the particulars recorded in the register and on the identity card; whether the information we require in terms of this Bill is adequate and whether we should not add more particulars to make the system more effective. I am prepared to give further consideration to this matter. An opportunity will be afforded to thrash out these matters when I refer this Bill to a Select Committee after it has passed the second reading. I have presented this Bill in its simplest form; members can decide whether it is desirable that more particulars be included in the register or whether the identity card should contain more information. As I have said, I intend referring this Bill after the second reading to a Select Committee with instructions, of course, to report within a specified period. Hon. members will realise that it is essential, with a view to the preparatory work which has to be done, that this legislation be placed on the Statute Book as soon as possible, but, as I have pointed out, the Select Committee will naturally not be empowered to decide on the principle involved. The Government assumes responsibility for the principle of this system, but there are many other matters on which the Select Committee can express its opinion, which I shall take into consideration with a view to any further amendment. I only want to warn the House that the Select Committee will not offer an opportunity to those who want to use its report as the basis of their arguments in the third reading debate. That is not the purpose in sending this Bill to a Select Committee, and it will not be allowed. For the present I have limited the particulars contained in the register and the particulars on the identity card to a minimum.

I would just like to say a few words in connection with the work that can be eliminated when we introduce a system of this kind. In the first place I want to say that the census to determine the size of the population, will to a large extent become redundant, but as an instrument to obtain information on the various phases of our national life, it will have to be retained. Those of us who have already filled in census forms know that they require a great deal of information, much more than is required under this Bill. The Department of Census wants to know what one's profession is; they want to know about one's farming activities, and they want to know how many children one has, etc., because they need this information for the purpose of tabulating vital statistics. In that sense, the census will still be necessary, but for the purpose of determining the size of the population on a specific date, the census will no longer be required. In the second place, this system once it is in operation, will largely eliminate separate registration of voters, although not altogether. The Department concerned will still have to publish voters' lists and arrange for elections, but their work will be greatly facilitated by this system and a great deal of the work which they now do in connection with the registration of voters will be eliminated. We will not be in a position to tell them what the qualifications of a Coloured voter are. That side of the work they will still have to attend to them-

selves. But what we will be able to furnish them with, is a list of Europeans over 21 years of age and a list of Coloureds over 21 years. We shall not be able to tell them whether those Coloured people possess the other necessary qualifications to be eligible for the vote. In that respect they will still have to do the work which they are doing at the present time, but a large proportion of their work in connection with the registration of voters will be eliminated. I take it that once this system is in full swing it will bring about the gradual elimination of many of the present Native passes. I think members opposite will admit that this is an advantage; and we hope to bring it about as soon as possible, once this system is in operation.

It is sometimes said that it is difficult to apply a system of this nature in a country like South Africa. The application of such a system is more difficult in a multi-racial country like ours. But for the very reason that this country is a multi-racial country, it is so much more essential to have such a system here. We cannot expect any Government to enforce the existing laws which provide for a certain amount of discrimination, if we withhold the machinery necessary for the application of that form of discrimination. We are faced with big difficulties, but it does not help us in any way to make those difficulties worse. When this system is in full operation it will probably embrace 12,000,000 people. I take it that as far as the classification of races is concerned, there will be no problems whatsoever in respect of 11,990,000 people. That stands to reason.

Mr. TOTHILL: But why worry about it then?

*The MINISTER OF THE INTERIOR: If only the hon. member would listen. I am glad that the hon. member wants to know why we should worry about it. There is no need for him to be concerned over it. Permit me to say that legislation of this nature is not only of the utmost importance to the 10,000 people who do need classification, but it is also in their own interests, looking at the matter from their point of view. Last year a great deal was said here about cases of hardship. We have also read letters in the newspapers, and in most cases they concern people who, in appearance, are Europeans, but who are in reality Coloureds; these cases cause all sorts of difficulties.

*Mr. S. J. M. STEYN: And also the other way about.

*The MINISTER OF THE INTERIOR: Yes, there are also people who are Coloured in appearance, although they are actually Europeans. They are placed in a difficult position because they are always obliged to furnish proof of their race. This system will solve their troubles. Under this system they will no longer find it difficult to prove their race. They will have their identity cards and they will be able to prove to anybody whether they are European or non-European. We will no longer have unpleasant scenes in our bioscopes and on our sports fields. In the absence of such a system people often make bona fide mistakes to their own detriment. Under this system they cannot make mistakes of that nature. I say, therefore, that for the sake of those 10,000 people particularly — although they may be small in number — we should introduce this system.

Hon. members must not think that this legislation introduces any racial discrimination.

*An HON. MEMBER: Is that so!

*The MINISTER OF THE INTERIOR: No, this legislation will not introduce any racial discrimination. This legislation only acknowledges what already exists not only in connection with the laws of the country but also in respect of our social life. Hon. members opposite always tell us that they are also in favour of social apartheid. Well, if they really are in favour of social apartheid, they should realise that machinery is being created here which will enable them to apply social apartheid and I think they should be grateful for it.

*Mr. TIGHY: We do not require a pass to prove it.

*The MINISTER OF THE INTERIOR: I trust that the machinery which we are now going to create for the application of our traditional national customs and laws, will operate without the least friction. That is the only purpose of this Bill.

I would like to say a few words on the question of the classification of races. I have already said that only a few people will be affected by this system and that it will be of great importance to them. It concerns their social status and therefore we shall take all possible precautionary measures against classification on an arbitrary basis. In the first place it is provided in Clause 11 and also in another clause that the Director, not only the census official who undertakes the survey, must in the first instance satisfy himself whether a person belongs to a certain race or not. He need not accept the classification of the census officer. He is not obliged to do so. But even though he does accept it or gives his own decision after having obtained information, it is provided that any person who considers himself aggrieved by such a classification may lodge an objection with the Director, who will refer it for decision to a Board consisting of three persons of whom the Chairman will be a judge or a magistrate, or an ex-judge or an ex-magistrate. This

Board will have to decide whether the aggrieved person was correctly classified or not. If the person still feels aggrieved by the decision of the judicial Board he may appeal to the provincial division of the Supreme Court, and if that does not satisfy him he may go to the Appellate Division in Bloemfontein.

Mr. SUTTER: Which will cost him £1,000.

*The MINISTER OF THE INTERIOR: If the hon. member is opposed to that provision will he move the deletion? At any rate we afford that person an opportunity to appeal. This right of appeal concerns objections lodged by the individual concerned. But it is also possible for somebody else to lodge an objection to the classification of another person. We do not want to exclude that right, but we want to make it difficult for such a person to lodge objections. It is therefore provided that a person who lodges an objection to the classification of another person shall deposit an amount of £10. If the objection is overruled that money will be forfeited; furthermore, if the Board finds that such an objection is frivolous, the objector may be ordered to pay the costs of the party against whom the objection was lodged. But in this case the decision of the Board is final and the objector cannot appeal to any higher court. It is not his status that is at stake, but that of another person; that is why he cannot appeal against the Board's decision. This provision is included to protect people against malicious objections. We must remember that the objections which may be lodged against the classification of a person are governed by the provisions of the Act. If an objector says that he knows that another person's great-great-grandfather had Coloured blood, the objection will not be valid, because the Act stipulates that a person's appearance or social associations will be the deciding factor in the classification. Therefore objections founded on ancestry will not even be referred to the judicial Board. Such objections will immediately go to the wastepaper basket where they belong. Only well-founded objections will be referred to the Board, while objections which do not comply with the provisions of the Act will be kept secret and will go into oblivion. It is necessary to have a sympathetic administration for a ruling of this nature. The test, as stipulated by the law, is the opinion of a person's fellow citizens. For the present that is still a satisfactory test. I am afraid, however, that in twenty years' time it will no longer be a satisfactory test. The Mixed Marriages Commission of 1938 said that the test of racial classification by one's fellow citizens is to a large extent a true test, because we are living in a small country where a person's descent is generally known. I am afraid, however, that in respect of borderline cases, we are gradually arriving at a position where this practical and easy test will no longer be acceptable and where it will become necessary to adopt the more difficult tests which are applied in America. At present the opinion of our fellow citizens is still the correct opinion for all practical purposes, although not altogether. But if things continue to develop on the lines on which they have been developing lately, I'm afraid that in ten years' time we shall no longer be able to apply that test. That is why it is necessary that we determine the position now, as we are doing in this Bill. The definition in this Bill is similar to that in the Immorality Act and in the legislation in connection with regional areas; it is actually the same definition, although the wording is not similar, as that contained in the Mixed Marriages Act which was passed last year.

As I have said, this form of classification and these guaranteees will replace the present classification which in many cases is an ad hoc and hurried classification undertaken by people who do not possess adequate knowledge of these matters.

Now I want to say something about the position of the Natives. This is a matter which can be thrashed out further in the Select Committee, but the idea is, and I wish to emphasise it, that this Bill is aimed at embracing everybody, both European and non-European, man and wife, child and parent. It is only for certain practical reasons that it cannot be applied immediately to every one of the 12,000,000 people who will be subjected to the provisions of this Bill. At a later stage the Bill will be amended so as to put it clearly that it applies to everybody, but that it will only apply to certain groups after proclamation when it is considered practical to do so. At the moment the Bill does not apply to Native women and to Native children under 18 years of age. I intend introducing an amendment to make it clear that the Bill embraces everybody and that certain sections of the population may be excluded by proclamation for practical reasons because we do not immediately want to subject them to the obligations of this Act.

Mr. KAHN: What is the difficulty in respect of Native women?

*The MINISTER OF THE INTERIOR: I shall briefly state the reasons, the first of which is that there is at present no compulsory registration of births and deaths in the country areas. I am also considering the introduction of legislation in this respect as soon as possible. In the second place we had a census of both Europeans and Natives in 1936 and 1946. Normally speaking, we shall not have a census of Natives next year. That will only take place later on. But it may be that we will have a census of Natives next year, but if we do not have it, it may be necessary to postpone the application of this system to a later date

in respect of the whole population, without any exception.

The main reason is that from the administrative point of view it is not an easy undertaking to apply a system of this nature to 12,000,000 people immediately. If we apply the Act to Coloureds and Europeans and to Native males, who are subject to taxation, it would embrace about one-half of the population, namely, 6,000,000 out of the 12,000,000; the rest can then be included at a later date. As far as this aspect of the Bill is concerned, I have intimated to the Native Affairs Department that we are creating machinery which they will have to handle. It is for them to say what form it should take. I understand that Kenya is engaged in a Native registration system, and that the Department of Native Affairs is eager to obtain further particulars about the Kenya system; that is a further reason for not applying this system immediately to the Native population as a whole.

There are only two matters left which I want to mention briefly. They are fundamentally important. The first concerns the positon of South-West Africa. From the outset South-West Africa was not included in this Bill, although it provides that South-West Africa can be included by proclamation. We left it at that because we felt that this was a matter in connection with which South-West Africa should be consulted. Their present Government is on its last legs. Their Administrator also informed us that they feel that they are not in a position to express an opinion on such an important matter because their period of office will shortly expire. This is a matter which should be considered by a body which knows that it has a mandate from the people. But I am convinced that South-West Africa will eventually be eager to come into the scheme. I cannot for a moment imagine that South-West Africa will be prepared to become the dust-bin of South Africa's undesirables, people who will not be permitted to reside here because they are illegal immigrants or criminals, and who will emigrate to South-West Africa because that country has no system of population registration. I think that South-West Africa will decline the honour of offering asylum to people of that type. According to my conception of the intelligence of South-West Africa, they will definitely not be willing to become the dust-bin of people whom we have kicked out of this country.

In conclusion I want to say that this whole system will be under the supervision of the Statistical Council. This is a council brought into being under the Statistics Act, and provision is made that the Statistical Council will be empowered to investigate, from time to time, any matter connected with this Act. I may just add that the Statistical Council has expressed itself very strongly in favour of the introduction of a population register. The fact that the Statistical Council is entrusted with the task of supervising the functioning of this scheme in general is the best guarantee of the scientific character of this system and of its bona fides, if a guarantee of such a nature is required at all. They very strongly support the creation of machinery such as I have described to the House. I think I have dealt with all the main principles of the Bill. I do not want to enter into further details at this stage, and I move.

Field-Marshal SMUTS: Mr. Speaker, before referring to the speech of the hon. the Minister of the Interior, I would like to mention another matter of a more private character which affects him personally. I understand that today is the anniversary of the hon. Minister, and I think I am speaking on behalf of all members of this House if I congratulate him and wish him very many happy returns. He must, however, not think that as part of our good wishes to him we are going to give him an easy passage with regard to this particular Bill. He has struggled hard to make plain to the House the position he occupies in reference to this Bill, and that he wishes it to be passed into law. We on this side are going to contest the Bill from stage to stage and we will give it a hard passage.

It is all the more necessary because I think this Bill calls for a very close scrutiny —a very close scrutiny. It has implications which, although perhaps not on the surface, may have very far-reaching consequences. I am all the more moved towards this attitude by what has fallen from the hon. Minister himself. He spent about an hour and a half in discussing this Bill without coming to what I take to be its real object and intent. It took him an hour and a half in his speech before he came to the question of the racial classification under this Bill which, I think, is his real object and intent, which is the essence of this Bill. And this fact points to the necessity that we should give very close attention to this Bill and that the country should understand what really is at stake in this Bill.

Mr. Speaker, the Bill purports to be intended to institute a national registration and to supply certain identity cards to the persons registered. It is quite clear from the Bill itself and from what has now finally fallen from the Minister, that this is not a national registration and that we are not discussing national registration. It is registration of part of the population of this country. The precedence which the Minister has quoted of what has been done in other countries in this regard, does not really apply. The other countries to which he referred, have instituted a really national registration, which covers the whole population of the countries concerned. This is not intended

here, either in the terms of the Bill itself or of the concluding remarks of the hon. Minister. It is intended to cover in the first place, in actual fact, not more than half of the population of the country, and it is in that respect that it is not really a national registration.

No, Sir, we have to look more closely at this Bill. Much of the work of registration has already been done by our law here in South Africa, as the Minister has explained. All the necessary things that have to be provided for by way of registration are already authorised by the law; there registration exists in practice and is being carried out. A great deal — the Minister has set it out — a vast field has already been covered by registration under the existing law. But he wants to go further, and it is clear that the object of the Bill is to give expression to the policy of apartheid, of racial registration, which is the real underlying motive, which is the essence of this Bill. Well, Sir, I am giving no undue and incorrect interpretation of this Bill. It has been explained repeatedly by the Prime Minister, by his Press, by other members and by responsible Ministers in this House, that the object of this Bill is to carry out, to lay the foundation for the carrying out of that classification of the people of this country into racial classes, and is to lay the foundation for racial division in this country. It is common cause that that is so. There is no difference on that. I may say this also, I think it is perfectly fair and justified to say that the real object of this Bill is to provide for the elimination of the Coloured people of this country from the voters' roll. I go back to the speech made by the hon. the Prime Minister not so long ago, a few weeks ago in Paarl, where he explained the policy of his Government and of his party, and he said their policy in view of the dangers ahead, of the education of the Coloured people spreading in the country and the increased number of Coloured people coming on the voters' roll, was that it was necessary for them to take action. This is the action that is now being taken here. The whole object of this Bill is to provide by the law of the land a system by which quite easily, almost painlessly, the Coloured people can be taken off the voters' roll and be deprived of the franchise they possess today. I think it cannot be denied that this is the real object of the Bill.

I do not think the Government is really interested in the registration of the White people of this country. That largely exists already, as the Minister has explained; nor do I think the Government is very much interested in the registration of the Native people of the country. They show it clearly by the fact that even in this Bill they exclude half of the Native population from what is called the national register. This is evidence that they are not very keen about it. Nor should there be any reason why they should be; there is no urgency in the situation which calls for the registration of the Native people of this country. You may set aside the European population; you may set aside the Native population; the whole object, the real object of the Bill is to deal with the Coloured situation, and we must look upon it as the essence of this Bill. I think the essence of this Bill is given in Clause 5. All the rest is just padding in order to conceal the real motive behind this Bill. Clause 5 provides—

> (1) Every person whose name is included in the register shall be classified by the Director as a White person, a Coloured person or a Native, as the case may be, and every Coloured person and every Native whose name is so included shall be classified by the Director according to the ethnic or other group to which he belongs.
>
> (2) The Governor-General may by proclamation in the "Gazette" prescribe and define the ethnic or other groups into which Coloured persons and Natives shall be classified in terms of sub-section (1), and may in like manner amend or withdraw any such proclamation.
>
> (3) If at any time it appears to the Director that the classification of a person in terms of sub-section (1) is incorrect, he may, subject to the provisions of sub-section (7) of Section 11 and after notice to that person and, if that person is a minor, also his guardian, alter the classification of that person in the register.

This is the real guts of this Bill. They say it is a register of the country, a so-called national register. It is not a national register at all, but it is a register which will classify the people of the country into these three classes. This is the essential clause of the Bill. No, Sir, I think this is not a national register at all. It is a Nationalist register, a Nationalist plan in order to carry out the policy of apartheid as far as the Coloured people are concerned. I say the Bill means this and very little else. The rest that it means, all the points that the Minister has discussed at great length today, are beside the mark. That is the real aim and object of the Bill.

Now, how is this going to be carried out? I have read the basic clause of the Bill, Clause 5. How is this going to be done; how is this classification going to be carried out? We know the Director will rely on the census figures given by the enumerators, who are not trained persons for the purpose of distinguishing whether a person is White, Coloured or Native. We have a definition of a coloured person in the Bill, and it is left

to quite ordinary and untrained persons, to the enumerators who are not at all trained for this job, to say who is a White Person, who a Coloured person, and who a Native. When we dealt with the Mixed Marriages Bill, there, at any rate, the persons who had to decide had some training; they were persons of intelligence and education and experience, and they had to deal with this matter. Marriage officers are either magistrates or parsons, people of education and training. The enumerators who will do this classification into White, Coloured and Native, will be quite ordinary persons not trained for this purpose.

The MINISTER OF THE INTERIOR: What about the persons who compile the voters' lists?

Field-Marshal: SMUTS: That has nothing to do with it. That is something quite different. The voters' lists will be settled on the basis of this work.

The MINISTER OF THE INTERIOR: But at present they have to decide whether a person is White or Coloured.

Field-Marshal SMUTS: No, that is quite a different thing. The Minister is trifling with this serious matter. That is the point. Under this legislation, under this national register, the people of the country have to be divided into these classes and it is left to ordinary enumerators, of whom there will be hundreds and probably thousands — we know the nondescript people appointed in order to carry out a census. They have no understanding of this matter. They will be the people to do this job and who, according to their own prejudices and points of view, will decide who are coloured and who are not. Is it a fair thing to leave in the hands of people of this class who are untrained? It is impossible. That is not all. The door is being opened to objectors. When the returns come in and persons are classified as White or not White, objectors can make objections. The door is open to informers. The door is open to all sorts of mischief-makers and people who have an axe to gind, people with racial prejudice and people who have politi-poisoned minds in regard to these matters. That is how this classification will take place. These are not trained people, not people trained to judge impartially, and who can do the job objectively. These are ordinary people subject to their prejudices and subject to their particular political points of view, who will have to judge. Well, I think a matter like this requires the very serious consideration of this House. One can conceive what is going to happen. The Minister says this does not concern many people. After all, it may only be ten thousand. Is it not a matter for serious concern; are we not to do justice? Have we not to see that no injustice is done? This is a matter of very grave importance, of the political rights of people, of the status of people as citizens; and should that be lightly dealt with at random and in a slipshod way? Surely we cannot leave it at that. The provision which is here made, that there may be appeal to the courts of the land, I think is no remedy at all for the evil to which I have pointed. What is this Board? We know that a number of commissions have been appointed in this country, and if this Board is to be of the same political character and qualification as we have recently seen, then I have no confidence whatsoever in a board appointed by this Government.

The aggrieved person may finally appeal to the Court. Who is going to do that, and how can we put people in this position that an injustice is done to them, their status is affected, their vital rights are affected, but they can appeal to the court. Surely I do not think this is the way in which we should deal with a matter of this very grave nature.

The MINISTER OF THE INTERIOR: Under the Electoral Act there is appeal to the court, and you have never complained about that.

Field-Marshal SMUTS: I cannot conceive that we should leave people to the mercy of informers, that we should leave them to the mercy of spies. That is what will happen. There will be axes to grind. There will be lots of trouble. This Bill is creating a source of friction and ill-feeling in the country which we should never tolerate in this country. The results of these inquiries will be included in the register and part of this register will be public property. It will be published in the various offices and people can see what the results are. No privacy is left. It is an invasion into the rights of every proper citizen of the country, of whatever colour he may be, and which he should retain inviolate. I do not think this is the way to deal with a matter of this importance.

I see there is a provision that the Director may call on a person for information, which means that the Director, if he is not satisfied — whether he is a prejudiced person or not I do not know — can call on a person whose White of Coloured character is in dispute, and he can cross-examine him on this particular point. An eventual injustice may result. If we look at the machinery for settling whether a person is White or Coloured, I say I would not like to be subjected to it and I do not like to subject my fellow citizens to it. It is a wrong machinery. We should not leave matters of this nature to the haphazard decision of enumerators who may be quite innocent, but who are ignorant and unversed in these matters, or to informers who have an axe to grind, or subject people whose status is in question to a cross-examination by the Director or anybody else.

I do not see how you can expect the co-operation of the people to a situation like that. It is quite clear and it needs no argument, that we can only carry out a national registration if you carry public opinion with you, if you carry the wholehearted co-operation of the people with you. That was the report of the Select Committee which sat in 1935. It was said also by the Department of the Interior which made a report at that time. They said a system like this could not succeed and be carried out successfully unless you have the wholehearted co-operation of the people concerned. When you have a situation created under the law which makes it almost impossible for the people to co-operate, you cannot expect success. The Native people will think they will be subjected to another pass. The Coloured people will not know where they are. They will be chivvied about by nondescript enumerators and then they will have to apppear before a director or a board, to retain their rights. Surely, how can you expect co-operation from the population of the country in those circumstances? I think it is an intolerable situation. The friction will be such that these people will be driven to evasion. We have seen what has happened in the country. Take our pass laws. We see that our pass laws have led to this result. They are not obeyed, but they are disobeyed and flouted. Thousands or tens of thousands of people are in gaol or under punishment from day to day and from year to year in this country. It is all because the people concerned will not co-operate. They think it is an injustice which is applied to them.

The PRIME MINISTER: Would you abolish those laws?

Field-Marshal SMUTS: No, I do not want to abolish them. My point is this. Unless you carry the people with you in legislation of this nature, you simply leave the door open to disobedience, to flouting of the law and to evasion.

The MINISTER OF THE INTERIOR: Then you should advocate the abolition of all laws.

The MINISTER OF JUSTICE: To be logical then, you should abolish the law.

Field-Marshal SMUTS: I am not talking about abolition. I am saying that the sort of thing we see in regard to the pass laws we shall see in regard to this legislation. There is no question about that. I think even Europeans will resent, in a large measure, what is being done here. By means of this legislation you create a feeling of injustice, a feeling of unfairness, a feeling that people do not get fair play, which must make it almost impossible to expect a willing obedience of this law.

The MINISTER OF JUSTICE: Why?

Field-Marshal SMUTS: It makes it almost impossible to carry out this law effectively. The Coloured people will simply look upon this Bill, if it is passed, as a slur upon them.

The MINISTER OF THE INTERIOR: Why?

Dr. VAN NIEROP: Do you think it is?

Field-Marshal SMUTS: Cannot hon. members on the other side put themselves in the place of the other man for a moment? Cannot they do it? This card, given to a Coloured man, with the endorsement on it that he is a Coloured man . . .

Dr. VAN NIEROP: What is wrong with it?

The MINISTER OF THE INTERIOR: They are proud of it.

Field-Marshal SMUTS: Yes, just as the hon. the Minister would be proud in similar circumstances.

Dr. VAN NIEROP: What is wrong with it?

Field-Marshal SMUTS: I say that it is trifling with justice and fair play. This Bill, if it becomes law, will lead to a state of affairs in which even this card will be looked upon as being in the nature of a pass.

Dr. VAN NIEROP: But Europeans will have it, too.

Field-Marshal SMUTS: You cannot judge these matters by what Europeans in other countries think about it; other countries whose circumstances are entirely different from the circumstances in our country. This idea that there is some stigma attached to this card will spread amongst our people. And you will find opposition not only among the Natives who will look upon it as another pass, or the Coloured people who will look upon it as a new stigma, but even among the Europeans.

The PRIME MINISTER: Is it a stigma to call a Coloured man a Coloured person?

Field-Marshal SMUTS: Hon. members opposite who, with their ideological ideas, rush into this thing, may find out that they are making a very great mistake from their own point of view. I can well imagine our white women saying: "Why should we carry this document when Native women are exempt?"

Dr. STEENKAMP: That is their apartheid.

Field-Marshal SMUTS: The mistress will have to carry her identity card, and her maid in the kitchen will not be forced to carry it. I say that you are creating an atmosphere of friction and misunderstanding in this country.

The MINISTER OF THE INTERIOR: Not we.

Field-Marshal SMUTS: No doubt the Minister suggests that it is arguments such as those I use which will create trouble. Do not let us trifle with this thing. Here we are touching things which go pretty deep in this country, and we might very easily find —even hon. members opposite may find— that they have raised a spirit in this country which will make the carrying out of this Bill, when it passes into law, a very difficult matter. We have this report of the Select Committee of 1935 which was dead against this. They were dead against the expense. At that time there was a proper inquiry, not as in this case, where we come forward with a Bill from a Government Department without proper inquiry. Proper inquiry was made in 1935 and the result of that was that the Select Committee recommended that that Bill should not be proceeded with. Let me just read to hon. members the findings of that committee which, in spite of what the Minister said, still applies very largely at the present time, and in some respects applies more forcibly today than they did at that time. The committee said—

> Your committee having taken evidence on the question of the compilation of a national register referred to it, while conscious of the many advantages such a scheme might offer, if completely effective, finds, so far as the evidence laid before it goes, that the carrying out of such a scheme would be (a) impracticable in South Africa . . .

That still holds good today and now more than ever, after all this apartheid nonsense has been started in South Africa.

The MINISTER OF THE INTERIOR: "It is part of our tradition."

The MINISTER OF JUSTICE: This "segregation nonsense".

Field-Marshal SMUTS: It went on to say—

> . . . owing to the vast expense to the country and the shifting nature of the population; (b) too costly as shown in the memorandum submitted by the Department of the Interior and (c) of little value unless it comprises all sections of the community, unless it is really a general register and is unable at the present time, in the absence of further inquiry, to recommend it.

Well, that further inquiry has not been held. Nothing has been done. What happens now is that without further inquiry we have this Bill flung before us, the primary object of which is to give effect to the policy and the ideas of the party opposite with regard to segregating the Coloured people from the voters' roll. I think that nothing that the Minister has said really alters what the Select Committee found in 1935. What we are going to have after this Bill, if it becomes law, is a vast new machine added to the administration of this country. We are already lacking in manpower. We know how difficult it is even today to find the necessary personnel to carry on the ordinary work, not only the industrial work of this country, but the administration of this country. We know that we cannot find the police we want. We cannot find the civil servants we want in this country to do our work. Here now another vast horde of civil servants will have to be created and a great administrative machine saddled on this country simply to give effect to this policy of apartheid and all that it involves, and then there is the question of the cost to consider. The Minister has tried to explain that the cost will not be very great. In fact, listening to his speech on this point, I thought that we were really going to benefit financially from this measure. That was the only conclusion to which I could come, that there was so much financial advantage to be derived from it, that the Minister of Finance might welcome this as another source of income to the country.

Mr. MUSHET: Economy.

Field-Marshal SMUTS: No, Sir, that is too clever. That sort of thing won't go down, and we know as a fact that what this Bill means is another heavy addition to the already top-heavy administration of this country and another heavy additional burden on the people of this country. Is this the time to come forward with a measure of this character? Have we not other business in this House that needs our attention?

An HON. MEMBER: What about the Rents Bill for example?

Field-Marshal SMUTS: We know what the position in this country is . . .

Mr. SUTTER: You could build a lot of houses for £300,000.

Field-Marshal SMUTS: . . . and the people want practical measures that will deal with their real interests, measures that will deal with bread-and-butter politics, as it is

called, but not this sort of ideological legislation which will do this country no good, which will simply increase the spirit of frustration in this country and which will eventually increase the bitterness which is growing up in this country. Why at this time should we go in for this sort of legislation? I think we shall not be serving the interests of this country nor the interests of any party in this House — even hon. members opposite may find out that what I say is true — by indulging in this sort of legislation at this time. The Select Committee of 1935 said that this sort of legislation is not suited to South Africa, that it is impracticable in South Africa, and that is the very essence of the position. What you can do in other countries, in old settled countries . . .

An HON. MEMBER: Like Canada.

Field-Marshal SMUTS: . . . in a country like Belgium or Holland, you cannot do in South Africa. We are a young country, we are a growing country, we are a country of free people where our people are accustomed to move in their own way, and where they are accustomed to live in their own way. We are not a regimented society, and what is happening more and more under this regime is the creation of a regimented South Africa, something that our people will not tolerate, and I can conceive of no measure more calculated to bring about a regimented South Africa, and a regimented society than a Bill of this sort.

Mr. SUTTER: A la Joe.

Field-Marshal SMUTS: Our people like to be free. This is really a pioneer country and a pioneer community. Laws that fit old communities cannot be applied here. Look at the trouble we have in regard to the registration of voters. All parties in this House know that in all our big centres the movement of population is such that almost from month to month there is a complete change of the population. We who have to deal with these matters politically know that that is the state of affairs. What is going to happen under this Bill? Those people who are continually on the move from one place to another will now have to notify the Director of Census of every change of address, so that the register may be kept up to date. They will not do so. We know that they do not do so now under the Electoral Laws. We know that even when they are compelled by law for electoral purposes to do so, they will not do so. No, Sir, we are simply beating the air and we are trying to lay a burden on the people of this country which is alien to their spirit and to their outlook and to their habits and which they are simply going to flout, and the result will be that we shall have a register that will be faulty and unreliable, unless you continually haul these people before the courts, and inflict upon them the punishment for which provision is made in this Bill. That is what is going to happen. Apply this register to Cape Town or Durban or Johannesburg or any of the big centres, and you will find that people will not carry out the provisions of this legislation. People will not do this notification which they are compelled to do in order to keep this register up to date. If you want to carry out the provisions of the law you will have to punish these people and you will add another class of prisoner in this country. The number of statutory criminals that we are making in South Africa, Sir, is one of the blots in our society and on our administration in South Africa.

The MINISTER OF JUSTICE: You should be the last person to complain about that.

Field-Marshal SMUTS: We are passing laws which we know will not be carried out and which will only lead to evasion and towards the creation of law-breakers. I feel that a Bill of this kind is alien to the spirit of South Africa. It will be deeply resented by sections of our people, sections of our people who may be a minority, but are not the rights of the minority just as sacred to the Minister as those of the majority?

The MINISTER OF JUSTICE: You should know.

Field-Marshal SMUTS: What you do even to the last of them will be recorded and will be remembered.

The MINISTER OF JUSTICE: We have experience of that

Field-Marshal SMUTS: I think that all this probing into private affairs, this listening to informers, this effort to classify what is unclassifiable, what is impossible to achieve, will create a situation which will hit this country hard in years to come.

The MINISTER OF THE INTERIOR: You must abolish all laws then.

Field-Marshal SMUTS: I think a law of this nature will do more harm not only here in South Africa and abroad, but generally to the conscience of many people than we realise today, and that being so, I think we should give this matter very careful thought before we pass legislation of this kind. I feel that the hint that was given by the Select Committee of 1935 should be followed up. Before we pass any legislation of this kind, there should be further inquiry by a Select Committee or otherwise before we take action. The Minister says that his intention is that after the second reading has been

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taken and the principles have been tackled — the principles which he says should be left to the Government and should not be touched — this Bill may be sent to a Select Committee. What is the use of that? If we are to have a proper inquiry let the inquiry take place before we come to the second reading. Once you have passed the second reading, once you have settled the principles, then, of course, it is useless to make further inquiries, and in those circumstances, Sir, I would urge the Government very strongly to send this Bill to a Select Committee or a commission of inquiry before the second reading is passed. We have many reasons for asking that. The hon. the Minister is himself not yet easy in his mind whether this measure should be applied to Natives. He has told us so. [Time extended.]

The MINISTER OF THE INTERIOR: There is no question about that at all; it will be applied to Natives.

Field-Marshal SMUTS: I am on the point of finishing. The Minister is in doubt on that score; he is in doubt about South-West Africa. He says it cannot be applied now to South-West Africa. Why not gain time? Why not have an inquiry now which may eliminate a number of difficulties which I have been mentioning and which will make the Bill a more practical one and which will perhaps remove from it what is fundamentally a blot on it? Why not do that? Why force the issue now and land this country in a position which may for the moment help the party opposite but which will create a situation which they themselves, in years to come, will regard as just as lamentable and which they will hate and regret just as much as we would do on this side of the House. I would appeal very strongly to this House, Sir, to go slow over this matter. It may be that we are only dealing with the interests of 10,000 people; I do not know how many there are, but you are dealing with the conscience of hundreds of thousands in this country. You are dealing with a matter which perhaps is causing more heart-searching not only at UNO but here in our own country than anything else I can think of, and I would call for a pause. I would call for delay and for more consideration before we rush into a place from which it would be impossible for us afterwards to retreat. I beg to move the following amendment—

> To omit all the words after "That" and to substitute "the Order for the second reading of the Bill be discharged and that the subject of the Bill be referred to a Select Committee for inquiry and report, the Committee to have power to take evidence and call for papers and to have leave to bring up an amended Bill".

Col. JORDAN: Mr. Speaker, it is my privilege to second the amendment which has just been moved by the Rt. Hon. the Leader of the Opposition. The view which this side of the House takes of the Bill has been defined by the Rt. Hon. the Leader of the Opposition, and I now propose to supplement the case which he has made against the Bill by defining specifically the special grounds upon which we think this Bill is wholly objectionable. The first is that the Bill is unnecessary; secondly, we say that it is quite impracticable and impossible to administer. We say that it is vicious in its detailed principles; that it offends racial susceptibilities; that it places the stigma of carrying passes upon persons who have not hitherto been required to carry passes; and that the hon. the Minister is choosing to introduce it at a time when we cannot afford to alienate further hostile feelings abroad — external feelings against South Africa.

An HON MEMBER: What nonsense.

Col. JORDAN: I propose, Sir to examine this Bill from those angles. The first point that arises, therefore, is whether the Bill is necessary. A highly placed civil servant, when giving evidence before the Select Committee on delegated legislation last year, complained that Parliament does not sufficiently examine the necessity for measures which it is called upon to consider and that, when one comes to deal with the principle of a Bill, Parliament is a little apt to overlook that the question of necessity is one which warrants the closest examination. I should like to assure the hon. the Minister that from all sides, certainly from all quarters on this side of the House, that point will not be overlooked on this occasion. The hon. the Minister has indicated the extent to which registration in some form or another exists in this country today, and, although his list was not an exhaustive list, I do not think that I should traverse it for this reason — that the Bill, which is now before the House, does not purport in any way to take the place of any of the measures in terms of which registration is compulsory. In no sense is it a consolidating measure, nor, in point of actual fact, will this measure add anything whatsoever to the vital statistics in relation to the population of the Union which are compiled under existing statutes. All that the hon. the Minister can say is that this measure will have the effect of collecting all that information into one volume, and for the sake of that, plus, of course, the passes which are so essential for the achievement of the real purpose of this Bill, he is prepared to incur the enormous cost involved in the introduction and the administration of this measure.

That is all I wish to say in regard to registration. Now, I want to come to the question as to what necessity there is for us to carry passes and why there should be

the discrimination referred to by the Rt. Hon. the Leader of the Opposition in regard to persons who shall carry passes. The hon. the Minister suggested that one of the useful purposes, which the carrying of passes will produce, is that the card can be displayed by a voter when he goes to a polling booth, in that the voters' list will now have incorporated in it the identity number of every voter. The Rt. Hon. the Leader of the Opposition has already indicated the extraordinary difficulty which is presented today by the maintenance of voters' list in an up-to-date form, and if the proposals of the hon. the Minister is that this shall be used as a means to avoid personation, then it seems to me that he is pinning his faith to something that can represent no more really than a vary slender hope. The objects of this Bill are not what the long title says they are or what the White Paper says they are.

Before I come to that, I would like, particularly on this day of all other days in the year, to compliment the hon. the Minister on having on this occasion cured an omission to which his attention was drawn at the time of his introduction into this House of the Citizenship Bill of last Session. At that time it was the normal practice only to furnish a White Paper to the House in the case of an amending Bill, and I feel that the hon. the Minister is entitled to an expression of our appreciation for having provided the House with a White Paper in connection with this Bill, which is in no sense an amending Bill.

In order to ascertain what the real objects of this Bill are, it is necessary to examine the background represented by legislation already enacted by this Government, and legislation which this Government has in contemplation. The background as far as existing legislation or immediately contemplated legislation is concerned, consists of the Mixed Marriages Act, the Immorality Bill which is in the course of its stages before this House, and now this Bill. These three measures represent, what I may term, the overt acts, but there is the background as well of the intentions, of clearly expressed intentions. There is the intention to abolish the Native Representatives in this House. There is the expressed intention to remove the Coloured voters from the common roll, and, as the Rt. Hon. the Leader of the Opposition has said, the only real intention underlying this Bill is to facilitate that particular plan, namely, the removal of the Coloured voter from the common roll. We have suggested — in fact, it has been argued by the Rt. Hon. the Leader of the Opposition with great force — that this Bill is an impracticable Bill. But the hon. the Minister, in the very long and careful speech which he addressed to the House, made certain discoveries in which we on this side of the House were naturally intensely interested. We heard him say that one of the reasons why in 1935 any scheme, such as is now proposed in this measure, was impracticable was because no such thing as a Hollerith machine then existed. One was left under the impression that the hon. the Minister had almost discovered the existence of those machines only today.

The MINISTER OF THE INTERIOR: Has there been no technical advance since 1935?

Col. JORDAN: There have been considerable advances since 1935 I quite agree, Mr. Speaker, but it may interest the hon. Minister to know that very shortly after Union they were introduced into the Railway Service for the purpose of their pension scheme, and that in 1935 they were in extensive use in the Railway Administration and in most municipalities, and that there has been little, if any, major improvement in the mechanism of this Hollerith machinery since 1935.

Mr. RUSSELL: Except that the price has been doubled.

Col. JORDAN: Except, as I am reminded, that the price has been doubled, but we are becoming so accustomed now with this Government to prices being doubled that I cannot be expected to express any surprise at that.

Now, Mr. Speaker, the hon. the Minister is gifted with a singular ability to avoid the employment of candour when dealing with any point that arises in the course of debate. The Rt. Hon. the Leader of the Opposition very rightly, very properly and very accurately, stated that to leave a decision on whether a person is White, Coloured or Native to the type of person employed as an enumerator in taking a census is an improper procedure to suggest. The hon. Minister's reply was, "Yes, but it is people of that type who compile the voters' roll, in that they compile the census, and the voters' roll is taken from the census." But surely the hon. the Minister is not going to suggest for a single moment that the question of the vote is as important as the question of status, racial status, that is involved in this particular Bill? That is hardly credible coming from anyone who belongs to a party which worships blood like the Nationalist Party does on the basis of the ill example set in that regard by the Nazis, whom this Government emulates in every way it can.

I want to come to another point which was raised by the Rt. Hon. the Leader of the Opposition and which was scouted by the hon. the Minister, and that was when he was told that there had been no sort of inquiry since the inquiry of 1935. The hon. Minister claims that there has been such an inquiry. I have not the slightest

doubt that we can accept without any reservation whatever what he says in that regard. What did he say? He said that the Director of Census and one other gentleman had undertaken an investigation of the whole question. Mr. Speaker, that is not the sort of inquiry to which the Rt. Hon. the Leader of the Opposition was referring. That is not the sort of inquiry which is calculated to satisfy the public. That is not the sort of inquiry which is likely to satisfy this House. That was an inquiry which was held in camera, and, in any event, it was an inquiry held by persons who were under no duty apparently to record the evidence which led them to their conclusions, and an inquiry the evidence of which was not laid before this House, and whose report was not even laid before this House.

The hon. member for Pretoria (District) (Mr. Oost), in the course of the 1935 Select Committee deliberations, suggested a commission of experts. I do not know whether the hon. Minister thinks that this hole-and-corner inquiry constituted such a commission of experts as was then contemplated. I say, with great respect, that when the hon. the Minister suggests that there has been an inquiry he is trifling with the House.

Now I suggested that one of the objections to this Bill is that it is vicious in its detailed provisions. The Rt. Hon. the Leader of the Opposition dealt with what I might term the third-party objector. Under this Bill, as it is framed, witch-hunts are invited, objections to classifications are virtually invited, the deterrents are completely negligible and there is no prohibition whatever upon the activities of the wielders of poisoned pens. And under Clause 5, as at present drafted, without any question of a formal objection at all, the Director might well be found to act even upon an anonymous communication and, without any risk of incurring any penalty as far as the anonymous objector is concerned, put the person whose classification is attacked to the cost of defending himself.

Now, Mr. Speaker, what does this amount to, this introduction of objections by one person to the classification of another? Is it not really this? Is it not a disguised form of the Nazi practice of delation, the denouncement of one person by another, the setting of one person against another in this country, as they had it in Nazi Germany, as you have it in totalitarian countries, whether the totalitarianism takes the form of Nazism, Communism or the Nationalism of this country?

The MINISTER OF LABOUR: You are now putting your foot into it.

Col. JORDAN: That is exactly what this Bill will do. Mr. Speaker, I suggested a moment ago that the Nationalist Party worships blood in much the same way as the Nazis did, and I wonder whether I may quote an authority, a very well known one. I want to make two quotations from it. The first is—

> What makes the people, or to be more correct a race, is not language but blood.

I do not know whether that appeals to the hon. members opposite. And I want to go on with another quotation from the same work—

> The State is only a means to an end. Its end and purpose is to preserve and promote a community of human beings who are physically as well as spiritually kindred. Above all it must preserve the existence of the race, thereby providing the indispensable conditions of the free development of all the forces dormant in the race. A great part of these faculties will always have to be employed in the first place to maintain the physical existence of the Reich.

And so on. This represents the doctrine which underlies the introduction of this Bill! This doctrine was framed by a gentleman named Adolph Hitler and the quotations are from his book, "Mein Kampf".

If one thing has emerged clearly from the very fact of the introduction of this measure it is that the influence of the Broederbond has increased, is increasing, and should be diminished.

Does the hon. the Minister, if I may pass on to the vicious and impracticable and stupid features of this Bill, really imagine that the provision he makes in relation to the notification of changes of address will ever be carried out? In the case of Europeans they are to have one week; they have to notify in writing. Natives, who have to notify in some manner yet to be prescribed, are given the same period of one week to make the notification.

Mr. MITCHELL: Presumably by bush-telegram.

Col. JORDAN: That is one suggestion at least as constructive as any provision contained in the Bill — that they should employ the bush-telegraph. Clause 14 of the Bill establishes what is in fact the creation of a police State. Under that clause of the Bill — the Rt. Hon. the Leader of the Opposition referred to it in another way — a policeman will be able to stop a motor-car driven by a European woman and containing in the back seat a Native nurse and a white child, demand from the European woman her pass and not be under any duty to make a similiar demand upon the lady's Native servant. The hon. the Minister will be hard put to it, and I give him every credit for extra-

ordinary ingenuity, to devise any insult which will be more bitterly resented by the womanhood of South Africa than that which he has succeeded in devising in this particular Bill. Another rather objectionable feature of this Bill is that it contains a wholly unwarranted insult to the poor, and it takes this form — that if, by any chance, you cannot afford to pay for a photograph to be sent to the Director, you disclose that position to him and he says to you, "Very well, then, you shall occupy the same position as a Native under this legislation, and as we give the Native a free pass, a free photograph, we will give one to you, too" There are to be maintained at magistrates' courts more or less duplicates, in respect of that magisterial district, of the register maintained at the central office. That will provide entirely adequate facilities, and one must congratulate the hon. the Minister on that, for as much snooping as people like to undertake. If you want to look up the age of your neighbour's wife, you will be able to do so without any great difficulty.

Mr. S. E. WARREN: Now, now!

Col. JORDAN: I must say that even a fee of a shilling is prescribed for the privilege . . .

The MINISTER OF THE INTERIOR: Read the Bill again. It is not there.

Col. JORDAN: I doubt whether the ladies would like this and they are not likely to like the Minister for this.

The MINISTER OF THE INTERIOR: I think you should read the Bill again.

Mr. A. STEYN: Have you read it?

Col. JORDAN: I have no doubt that the hon. member can read the Bill, but I do doubt whether he could read it intelligently.

The MINISTER OF THE INTERIOR: You could not even read it the other way.

Col. JORDAN: I want to say that one can go on through this Bill finding example after example of provisions that are either unwise or objectionable in either one form or another. But I want to pass on to the view that will be taken of this Bill by the world outside South Africa. We seem, or this Government, seems, to be flaunting its disregard of foreign opinion on every possible occasion which it can seize, and the hon. the Minister should remember that this Bill will be read against the background provided by his other Bills, provided by the evil intentions of this Government. Does he really believe for a moment that he will bluff the world? Then I want to suggest that he is suffering under a very serious illusion. Mr. Speaker, when the last complaint that was formulated against the Union by India and which went to the United Nations, was formulated it took a form which it had not taken before. The complaint was not limited to the treatment of Indian nationals in South Africa or of Indian nationals of South Africa, South African nationals of Indian blood. But the complaint was taken to South Africa's treatment of Asiatics in South Africa or to other persons of colour contained in the population of this country. Now the case against any interference of UNO was argued by the hon. the Minister of Economic Affairs and he based his arguments on exactly the same grounds, he based his arguments on the same points, put forward by his predecessors at UNO, that is to say by the Rt. Hon. the Leader of the Opposition and by the hon. member for Salt River (Mr. Lawrence); they were his predecessors there. Now he argued the matter with great skill — that I think he is entitled to get credit for. He had good precedents to help him.

An HON. MEMBER: He himself said so.

Col. JORDAN: He did not admit that he had good precedents to help him, but the point I want to make is that that matter went to a vote and there were 47 nations voting against South Africa on that occasion; South Africa voted alone. Of those 47 nations, there was a large number whom we can regard as friends, France, The Netherlands, New Zealand, Norway, Sweden, the United States of America, Australia, Canada, Denmark — those are all friends of this country or they were friends until this Government came into office. The remainder of the nations who voted against us were the non-European nations of the world, whose total population exceeds half the total population of the world. By those nations, and even the nations friendly disposed to us, this third Bill, now introduced by this Government, will be regarded again as a defiant gesture by this Government. The hon. the Minister has attempted to suggest to this House that this Bill was prepared as a result of a very careful investigation of officials and, no doubt, he would have us to believe that the Bill has been very carefully drafted. Mr. Speaker, something has crept into the White Paper, which relates to the identity number but which has not found its way into the Bill. If the hon. the Minister will look at page 4 of the White Paper, he will find that the identity number is described. It is rather a curious thing that a White Paper should anticipate a proposed regulation; generally it is limited to matter contained in the Bill. But this does show the care with which the whole matter has been investigated, because it says—

> An identity number will be assigned to every person whose name is included in the register. This number will consist of four parts, namely—

(1) The last two digits of the person's year of birth;

(2) the census number of the district of birth;

(3) the registration number in the birth register of the person concerned;

Number (4) is not relevant. But I do suggest that if there is any attempt to devise identity numbers on that system, the hon. the Minister will find great difficulty in finding the registration number in the birth register of persons born outside South Africa, as many of us in this country have been. The point is relatively minor and I don't propose to carry it any further, except to make it clear . . .

The MINISTER OF THE INTERIOR: You do not deny that they have a birth date?

Col. JORDAN: No, we share that honour with the Minister. All that I have to say in regard to the hon. the Minister is that Nature was not entirely true to herself in that his birthday should really have occurred on the first of April. Mr. Speaker, this Bill is filled with defects and with blemishes. This Bill is a potential source of very great misery in this country and this Bill will tend to accentuate, just as effectively as the Mixed Marriages Act and the Immorality Bill, racial hatred and racial animosity. This Bill is pre-eminently a measure which should go to a Select Committee before its second reading and the Minister himself has given us, perhaps, the best reason why that should be so. It is not possible to produce in this House in the course of debate the report on which he relies to establish either the necessity of this Bill or its form. This side of the House has had no opportunity to examine that report, but if the Bill goes to a Select Committee before the second reading and before the principle of the Bill is settled, it will be possible for all sides of the House to be made aware of the contents of that report, which is at present withheld from us.

The MINISTER OF THE INTERIOR: Which report are you referring to?

Col. JORDAN: The report of the investigation, which I understand has been made by two gentlemen, of whom the Director of Census was one, and I made the point to the hon. the Minister earlier, but he was engaged at that time, I think, in more hilarious activities, no doubt induced by a birthday spirit. I was making the point to him that we on this side of the House have not seen that report; we have no idea of what evidence was examined by the gentlemen who did report; and we had no idea, therefore, whether their conclusions were well founded; we have no indication of what systems of national registration they examined, we don't know, for instance, whether they share the ignorance of the hon. the Minister that in 1935 the only country with a population registration was Holland.

The MINISTER OF THE INTERIOR: I never said that. I said that the only experience which the 1935 commission had before it was the experience of Holland.

Col. JORDAN: I accept the correction. It may be that the only country whose system was examined, as far as we know, by this informal commission appointed by the hon. the Minister, was that of Holland.

The MINISTER OF THE INTERIOR: No, I told you.

Col. JORDAN: We don't know whether they examined the systems of France, Sweden or any of these other countries. We are entitled to know that and, if the Bill goes to a Select Committee before the second reading, that information will be made available in the form of evidence before the Select Committee. That is the very least that Parliament and the country are entitled to expect from the hands of the hon. the Minister. For those reasons my submission is that, having regard to the necessity for a proper and a thorough investigation and having regard to the pernicious features of the Bill, the wholly objectionable features of this Bill and its general character, the case for the reference of this Bill to a Select Committee before the second reading has been made overwhelmingly.

*Mr. J. J. FOUCHÉ: I am indeed a disappointed man today.

*Dr. STEENKAMP: You will still experience many more disappointments.

*Mr. J. J. FOUCHÉ: The hon. member for Drakensberg (Dr. Steenkamp) is one of the people who make me very disappointed with life. I am especially disappointed because I always believed that it was not only this side of the House who believed that it was possible to keep the European race in South Africa pure, but I also believed that there was a strong element on the other side of the House who believed that it was possible to keep the races apart and thus to keep the European race pure. The Rt. Hon. the Leader of the Opposition used these words today; he said, "You cannot classify what is not classifiable." The hon. member for Rondebosch (Col. Jordan), who has just sat down, raised this point again that we cannot introduce legislation which will distinguish between the races in this country, because by doing so we offend oversea countries. If we in South Africa have reached the stage where we must admit, and where a leader of South Africa must admit, that it has become impossible to draw a

line of demarcation or to differentiate, if I may put it that way, between European and non-European in this country, if that is the accepted point of view, then we have lost or abandoned the struggle to maintain a White race in this country. I can offer no other explanation. If it is impossible to draw a line of demarcation it is in practice impossible to keep our race pure. The Rt. Hon. the Leader of the Opposition said that the real aim of this Bill was merely to distinguish between the races in South Africa, or between colour groups in South Africa. I want to ask you this question: What gives the Rt. Hon. member the right to make such an unreasonable accusation? If the hon. Minister did one thing this afternoon, it was to point out clearly the necessity of legislation of this nature. The Rt. Hon. the Leader of the Opposition, who spoke on behalf of the Opposition, did not in any way deal with the points raised by the hon. the Minister of the Interior. He merely made the accusation that the main object of this Bill, once again, is to differentiate between the races. I really think that is a very unreasonable accusation and it cannot be substantiated. We admit, at least this side of the House admits, that there is a difference between the races and that the various races should be kept pure. We admit that, but to say that that is the main reason for the introduction of this legislation is really a very unreasonable accusation. But the most extraordinary statement made by the Rt. Hon. member was this: He stated that this Bill was going to be a medium solely for the purpose of removing the non-European voters from the voters' roll. That is a curious statement and it seems to me — I want to level this accusation now — that the Rt. Hon. the Leader of the Opposition is trying to keep on the voters' roll voters who were unlawfully registered, because this legislation cannot disfranchise a non-European voter who is lawfully entitled to vote. At its worst, this Bill can only disfranchise people who were unlawfully placed on the voters' roll. But if the Rt. Hon. the Leader of the Opposition insists that that is the case and if the main objection to this Bill is that we are going to use this legislation to keep non-European voters off the voters' roll, then in actual fact practically no objection can be taken to this legislation. I think you will admit that if that was one of the main points raised by the Rt. Hon. the Leader of the Opposition, then he did not really say much. The hon. member raised another point, namely, that experienced enumerators are not engaged on the taking of the census and that it is left to those people to classify the Europeans, non-Europeans and Natives who are to be placed on the register. This state of affairs has often been discussed here in connection with the compilation of the voters' roll. The position is simply this, that the people themselves usually state what they are. The person concerned tells the enumerator whether he is a European or a non-European. It is only in those cases where a definite objection is lodged, or where it is actually believed that a mistake has been made, that a note is made and the case further investigated. That is no valid objection therefore. On no previous occasion have trained people been engaged on the taking of a census or the compilation of the voters' roll. Unqualified people have always done it. There have never been any complaints in that regard. The hon. member for Rondebosch now says that previously there were no complaints in connection with the voters' roll because the voters' roll did not affect the status of a person. Now that people will be given a status on account of the fact that they will be classified under a definite section, there will be complaints. It is not quite clear to me what the hon. member's views are on the so-called status. But I want to tell him this, that in the past it definitely made a difference to a person whether he was placed on the voters' roll as a non-European voter or as a European voter. I think the hon. member would have been the first to lodge a complaint if he had been placed on the voters' roll as a non-European voter.

*An HON. MEMBER: No, he would not have complained.

*Mr. J. J. FOUCHÉ There are unkind people here who say that he would not have complained. I still think he would have complained. I really feel that in this connection hon. members on the other side of the House raised arguments which, in actual fact, are conflicting. We have had this trouble all along.

The Rt. Hon. the Leader of the Opposition then raised the following argument; he says that we are now giving spies and evil-doers an opportunity to spy on the citizens of this country. Mr. Speaker, we are living in a curious world. That is really so. Imagine the hon. the Leader of the Opposition making that accusation against us on this side of the House when only a few years previously he himself was guilty of that; when opportunities were given to the lowest of spies to do espionage work, to slander decent citizens of this country and to get them into trouble. As a result of that scandalmongering the hon. member flung people into the internment camps and because he listened to the scandalmongering of these spies he caused the greatest sorrow and trouble in this country. He comes here this afternoon and accuses us of playing into the hands of people of that type. If there is one thing this Bill does it is to protect our citizens against the spreading of ill-feeling and the laying of false charges by certain people. We on this side take up a

strong stand as far as that point is concerned. I am afraid the hon. member failed this afternoon to show why the principle of this Bill should not be accepted. I believe that the hon. member failed completely to show any reason why this Bill should be referred to a Select Committee before the second reading.

If ever there has been a Bill which has been besmirched in advance and in connection with which a concentrated effort has been made in advance to get the people up in arms against the Bill, to make it repugnant to the public, then it is this Bill. We still remember the notorious United Party pass, which, in short, we called the Sap-pass. We know now that that pass was a fabrication. The people of South Africa know that that pass was a fabrication, but in spite of that an attempt is again being made, by means of interjections, to bring the people of South Africa under the impression that this Bill is nothing but an attempt to make the people of South Africa carry a pass.

One of the objections is that there is no necessity in South Africa for legislation of this nature. The hon. the Minister made out a particularly strong case to prove that legislation of this nature was indeed necessary. I want to go a little deeper into this aspect of the matter. I feel that the citizens of this country should be protected against unlawful immigrants. We in South Africa know that this is a great problem which confronts us in the Union. Tens of thousands of Natives cross our borders every year. They come and live in our country and it is extremely difficult to ascertain where they come from and whether or not they are Union Natives. Those Natives eventually settle in the reserves. Those reserves are over-populated, over-stocked and trampled out. Thousands of these Natives settle in the reserves and remain there for a considerable time. Thousands of them find their way to the big cities and to the locations of our towns. It is extremely difficult to determine from time to time who are Union Natives and who are not. If this system of registration is introduced it will be obvious who are Union Natives and it will be easy to prove who are not Union Natives.

I go further. We know that it is the considered opinion of the country that the different racial groups should live apart, and if we have a sytem such as this in operation, not only will it be a measure of protection against unlawful immigrants as far as Union Natives are concerned, but it will also be a measure of protection as far as our non-Europeans are concerned. We will be able to determine when there is an influx of non-Europeans into Native areas and an influx of Natives into non-European areas. Shortly, under present conditions, it will be very difficult to distinguish between non-Europeans and Natives. Natives are daily pouring into the areas of the non-Europeans, and, bearing in mind this movement on the part of the population, a system to this nature will be of inestimable value to the country.

You cannot get away from the fact that we are a country of many races and the people of South Africa have decided once and for all that in this country we must keep the different races pure.

*Dr. VAN NIEROP: The hon. member for Drakensberg (Dr. Steenkamp) will probably agree with that.

*Dr. STEENKAMP: Nobody has ever disagreed with that.

*Mr. J. J. FOUCHÉ: Yes, the point is that we in South Africa have definitely decided that purity of race must be maintained. What I find strange is this, that whenever we introduce legislation in which we recognise the prinicple of apartheid between the races we have this remarkable experience that the liberalists happily join in the fight on the side of the United Party; that the Communists happily join in the fight on the side of the United Party, that the Native Representatives wholeheartedly associate themselves with the United Party in that fight, and that the Labour Party eagerly joins them in their fight against that legislation. I definitely have no objection to the fact that those people sometimes agree. It is remarkable, however, that they only agree when we want to recognise the principle, by way of legislation, that the races must be kept apart and that their purity must be maintained. There are people in this country who are actually offended when we recognise the colour bar in our legislation. We have a group of liberalists who actually believe in the intermingling of the races and because of that they want to do away completely with the colour bar. That is one group.

*Mr. LOVELL: That is not our point of view.

*Mr. J. J. FOUCHÉ: Every sane person knows that there are some people who have those ideas. Then there is another group who believe in apartheid, but they do not believe that that apartheid should be recognised legislatively because it gives offence to the non-Europeans in this country. Is there anybody who can get up in this House and say that this legislation gives offence to any race and that it discriminates against any race? We in South Africa must differentiate between the races, but does differentiation necessarily mean discrimination? Since we recognise that there are racial differences, we in South Africa cannot say that any one race is likely to feel offended. I quite understand that there are people who say that a race may take offence when it is being dis-

criminated against, but in this legislation there is no single act of race discrimination. We merely recognise the difference between the races.

Mr. Speaker, bearing in mind the fact that this is a day which the Minister is commemorating, and bearing in mind the fact that he had the courage of his convictions to place this important legislation before the House this afternoon, I beg to move—

That the debate be now adjourned.

Dr. VAN NIEROP: I second.

Agreed to.

Debate adjourned; to be resumed on 9th March.

IRON AND STEEL INDUSTRY AMENDMENT BILL.

Second Order read: Third reading, Iron and Steel Industry Amendment Bill.

The MINISTER OF ECONOMIC AFFAIRS: I move—

That the Bill be now read a third time.

Mr. MUSHET: During the second reading debate, I brought some matters to the attention of the hon. the Minister and he was good enough to deal with them in his reply. I must say that after I had heard the Minister's reply, I was more worried about some of those matters than I was before he made his speech. I have been content that when these utilities were set up in the country, the idea was that we were setting up a system that would be a business affair. These utilities were primarily to carry on business. You had a corporation like Escom, supplying electricity, a business undertaking supplying a commodity that had to be supplied on competitive terms and at economic rates. And this House, in passing the Bill setting up that corporation, was most careful indeed that it would be run absolutely on business lines. We did everything we could to avoid any political intrusion and interference, in order to ensure that the economic effort of the corporation would not be interfered with. The same in regard to Iscor. The Bill which set up this corporation had exactly the same idea. As you are aware, originally it was considered that Iscor would be safeguarded in this respect because shares were offered to the public. It was hoped that the public would very readily subscribe, and provision was made in the Bill that these private shareholders would be represented on the board of the corporation. That was all set out in the Bill.

Well, Sir, the late Dr. van der Bijl was asked to take over Iscor. He had had a very successful career in Escom, and as a matter of fact the Electricity Supply Commission of this country is an undertaking of which we are all very proud. Dr. van der Byl gave Escom a great reputation and he made his reputation in that undertaking. He came to Iscor and he had a very difficult task, and I want to say here that very few men could have tackled that task as he did and with the success he had. We know that Iscor had been under the harrow; it had had a very difficult time, and very few men could have accomplished what he did.

During the time he was Managing Director of Iscor, as this House is aware, he stuck to the principle of no political interference in Iscor. Here, Mr. Speaker, I would like to ask the Minister a question. In reference to Dr. van der Byl, he seemed to cast some kind of cloud on this distinguished and great South African. We on this side of the House feel that the outstanding work of Dr. van der Byl is such that no suspicion or no reflection or no detraction of his great and outstanding services to this country should take place. No apology is necessary for Dr. van der Byl. His contribution to the industries of this country, his leadership to South Africa in this regard, has been outstanding and is recognised throughout the world. I do hope that the hon. Minister of Economic Affairs does not wish to give the impression that a reflection was cast on the ability and integrity or on the leadership of Dr. van der Byl. He was most outstanding and he stood for this principle that business was business, and that politics should not interfere with business. In his hands this side of Iscor was very well preserved. In fact, the criticism began to arise that perhaps we did not have sufficient control, or had no control at all, over Iscor. Undoubtedly, the time was arriving when we would have to see to it that Parliament and the State had some more say in Iscor than it had in the past and that we would have to point out to even a great leader and capable man like Dr. van der Byl that, since the Government of the country had the entire shareholding of the undertaking — a few shares were still held by the public, but they were so few that they did not count, and those shareholders were not represented on the board — we felt that the time had arrived when something should be done in regard to certain control or oversight over the undertaking such as we did not have in the past. I appreciate very well that when the new Minister began with his new job, he was faced with this difficulty. And then he explained the other day that he thought there was no need for us to worry here in Parliament. That was more or less the impression he gave the House: Parliament need not worry about Iscor since I have taken over as Minister of Economic Affairs, because Iscor is safe in my hands. He told

THURSDAY, 9th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

POPULATION REGISTRATION BILL.

First Order read: Adjourned debate on motion for Second reading, Population Registration Bill to be resumed.

[Debate on motion by the Minister of the Interior, upon which an amendment had been moved by Field-Marshal Smuts, adjourned on 8th March, resumed.]

*Mr. J. J. FOUCHÉ: When my speech was interrupted yesterday afternoon by the adjournment of the debate, I was pointing out that in spite of what is being asserted by the other side of the House, this legislation will also be of immense value to the non-European population. I was mentioning how it would be of value to them in connection with the over-crowding of their areas by Natives from Native areas just as it will be of immense value to the Native in South Africa in preventing the over-crowding of their areas by unlawful immigration into those areas.

But there is something else in connection with which this legislation will be of immeasurable benefit to the non-European population. We know that the objection is often raised that there are so many border-line cases between White and Coloured that it is impossible to draw a line of demarcation, and that the existence of these border-line cases will continually lead to more and more difficulties. Yesterday the report of the Select Committee of 1935 was often quoted. I also want to quote something now, not from the report, but from the evidence of Professor Arndt in giving evidence on this matter. He said this—

> I have had great experience of the difficulties that we experience in South Africa as a result of colour differences. We have here a registration of births and deaths, but all those difficulties will automatically be done away with, because once a register is in force, there must be a gradual improvement.

It is clear that with legislation of this nature there is a prospect that there will be a decrease in the number of these border-line cases, but because a stigma attaches in South Africa to children born out of marriages where the parents belong to different races as far as colour is concerned —and, as the Hon. Leader of the Opposition said, a stigma will continue to attach to people where it is evident that they belong to a hybrid race, and because that is the position, it is clear today that where hybridisation does take place, it takes place between people who either will not or cannot adapt themselves to society or to the conventions of the country. The English-speaking people have a very apt word to describe those people; they are called misfits.

That hybridisation takes place today between misfits and what becomes of the descendants of those misfits? What becomes of that hybrid race? In South Africa that hybrid nation is today being pushed into the class of the non-Europeans and, Mr. Speaker, no self-respecting nation or race can tolerate such a state of affairs and where legislation is introduced to prohibit or to reduce this hybridisation in the future, that legislation must be of tremendous advantage to our non-European population. The non-European population in this country has already developed into an independent nation and I am convinced that no self-respecting nation will be satisfied to have their numbers increased daily in this way. I am convinced that as the national pride, the national consciousness, of the non-European population develops this procedure will become more repugnant to them, and it will ultimately lead to a feeling of hatred. For that reason I definitely believe that this legislation will be of inestimable value to our non-European population.

Another objection has been raised to this legislation, namely, that it will cause too much inconvenience to the people. The hon. the Minister was very clear on that point yesterday and we know that the legislation has been drafted with a view to causing as little inconvenience as possible, but there are a few changes that I would like to see in this legislation. We realise that the register and our identity cards will be of great practical value but I would ask the Minister whether the profession or trade of the person cannot be recorded in the register. In future when we get to the stage where we have organised labour in this country and when it will be systematically regulated, that information contained in the register will be of great value. For that reason I plead for its inclusion in the register. I personally cannot see that notification of a change in the nature of one's work will entail any great difficulty. Notice must in any case be given of change of address, and change of employment is usually coupled with a change of address. I cannot see, therefore, why there should be any objection to this.

I realise that one of the great objections is that an opportunity is now being given to evil-doers to blackmail people in connection with their descent, etc. I know there are appropriate precautionary measures in the law against this but I would like to ask the hon. the Minister whether it is possible to introduce stronger and more effective precautionary measures in this connection. For example, we have Act No. 8 of 1947,

the Commission Act which will be applicable to this Act. According to Section 4 of the Commission Act the board which is appointed to deal with all complaints in connection with the classification of the people, must hold its meetings in public and I would plead with the Minister that the provisions of Section 4 be not applied to this legislation. We know that under certain circumstances the chairman will be empowered to take evidence in camera but I would urge the Minister that evidence be taken in camera in all cases. It can be of no use to the public to hold these meeetings in public, and it would certainly be useful to hold them in camera. I would urge that this be provided for. Yesterday the report of 1935 was again referred to in order to prove that legislation of this nature can be of no practical benefit to the nation. But what hon. gentlemen omitted to quote was the evidence of prominent people who emphasised the practical value of legislation of this nature. Inter alia, Mr. Boezaart said this in his evidence—

> Having regard to the advantages of the scheme and the indirect saving which will accrue, it would still be advisable to establish the registration of the population even if the cost thereof were higher than the cost of the present system, but I will show that even in direct outlay there will be a saving if the registration becomes an accomplished fact.

He was the Registrar-General. He went on to say—

> To give figures will not be possible for me without the necessary data, but it must be clear that by the amalgamation of three divisions and the abolishment of a fourth considerable saving will be effected.
>
> The cost of the census of 1921 and 1922 was £216,651. What the annual cost of the Voters' Roll amounts to I cannot say nor can I say how much more the Commissioner of Inland Revenue will be able to collect if he is supplied with a complete list of the taxable inhabitants of the Union, but Mr. McLaghlan, the former Commissioner of Inland Revenue, said it would be a large amount.
>
> To those indirect savings must be added the large number of hours spent now by the police in tracing people who owe money to the Government, fugitives from justice, etc.; the cost of tracing persons liable for military duty and last but not least the large amount the municipalities will be able to save by making extracts from the Population Register instead of having to send out canvassers and to compile their own Voters' Rolls.
>
> Ultimately, consideration should be given to the benefit that would accrue to the general public and especially to professional men, traders, etc.

You notice, therefore, that even in those years there were prominent people who, in their evidence, emphasised the great benefits that would flow from a register. I want to return now to the actual source of the opposition to this Bill as it was put forward yesterday by speakers on the other side of the House.

Yesterday, the Leader of the Opposition, as the mouthpiece of the United Party, took the stand that the party refused to recognise the colour bar in our legislation. Yesterday the hon. the Minister spoke about the machinery that will be used in the classification of the population.

*Mr. BARLOW: You are completely wrong.

*Mr. J. J. FOUCHÉ: If the law had allowed me to do so, there is certain machinery that I would very much have liked to employ against the hon. member for Hospital (Mr. Barlow. The Rt. Hon. the Leader of the Opposition said—

> In this legislation an attempt is being made to lay down a basis for the classification of the races, but that is impossible.

He based his objection to this legislation on that. I want to state that according to the principles of this Bill, the difference between the races is recognised, but there is no racial discrimination, and in this connection I want to discuss the difference between the Nationalist Party and the United Party. I do this especially to emphasise the difference which exists between the two sides of the House in connection with the principles of the Bill. Allow me to state—I want to repeat it—that as far as this matter is concerned, we are divided into two groups. There is the big group that believes in separation of the races. and there is the small group that openly admits that they do not believe in racial segregation in South Africa. The group which alleges that they believe in racial segregation is again sub-divided into two groups. There is the one group, the Nationalist Party, for instance, who believe that racial segregation and the maintenance of racial purity should be recognised and encouraged by legislation, and then there is the other group, the United Party, for instance, and their supporters, who, according to the attitude they adopted yesterday, believe that racial segregation and the maintenance of racial purity should not be recognised or encouraged by way of legislation.

*Mr. BARLOW: Do you believe that?

*Mr. J. J. FOUCHÉ: I will believe anything that is bad of the party to which you belong. It is not necessary for me to prove that the Nationalist Party actually believes in the principle of racial segregation and racial purity and that we recognise and try

to encourage it in our legislation. That was the basis on which the Nationalist Party went to the electorate and the Nationalist Party is endeavouring in every possible way to give effect to the policy that they advocated. I want to state clearly that when the Nationalist Party introduced apartheid administratively on our trains and in the post offices, the other side of the House ardently fought against it. At a later stage we introduced legislation. We have the Prohibition on Mixed Marriages Act in which this difference is recognised while at the same time there is no discrimination. The other side of the House fought that legislation tooth and nail. We introduced the Immorality Bill and that was fought tooth and nail by the other side of the House. Again they are fighting against this Bill because it recognises the different racial groups in this country. I want to put this question: What is the practical difference between the liberalist, who says that he does not believe in the colour bar in this country and that he does not believe in the purity of the races, and the attitude which the United Party adopts in consistently refusing to recognise the difference between the races in our legislation? Yesterday they went a good deal further and the Leader of the Opposition, speaking on their behalf, stated that it was impossible at the present time to recognise the difference between the races and to make any distinction between them. He said —

> You are trying to classify what is unclassifiable.

That is the truth of the matter as regards these two viewpoints in connection with the future of white South Africa. There is practically no difference between the viewpoint of the extreme liberalists and the viewpoint of the United Party. If we adopt the attitude today that it is impossible to bring about racial segregation on a colour basis then we must also admit that in future it will be impossible to keep the European race pure. Then it is clear that we have already lost the battle. Why has that change come about? In 1922, for instance, the Rt. Hon. the Leader of the Opposition said that there must be absolute segregation in South Africa. In those years he pleaded for absolute segregation. He advocated that the Natives in South Africa should only be migrant labourers. Even in 1936 the Rt. Hon. member voted with Gen. Hertzog in favour of our segregation laws, but in 1944 in a speech in the Cape Town City Hall, he completely discarded the principle of segregation, and again in 1948 he stated very clearly that segregation as we know it and as contained in the Hertzog legislation, has become a practical impossibility. It is very clear to us why the Rt. Hon member has undergone this transformation. The hon. member has come to the conclusion that apartheid, in every respect, has become a practical impossibility. Firstly, the Rt. Hon. member stated that apartheid in the commercial sphere was impossible and impracticable. Subsequently the Rt. Hon member stated that apartheid and the differentiation between racial groups socially was impracticable and offensive. It was for that reason that we encountered opposition from the other side of the House when we introduced apartheid in post offices, on the trains and in other places. Now the Rt. Hon. member states that differentiation between the races on the ground of colour has also become an impossibility and that it is impracticable and offensive. I put this question: If that is the point of view of the Rt. Hon. the Leader of the Opposition, what alternative is left to us? It seems to me that he is consistently adopting the attitude that differentiation between the various colour groups in South Africa is impossible and that it is therefore in practice impossible to follow a policy of apartheid. But if the Rt. Hon. the Leader of the Opposition, at this advanced stage in his life, accepts the principle that in practice it is impossible to draw a line of distinction between European and non-European in South Africa, I can assure him that white South Africa will really not honour his memory. Yesterday he did his utmost to fill the people of South Africa, especially white South Africa, with a feeling of despair. He informed the people, and especially white South Africa, that our hopes of having a white race in years to come have been destroyed because even today it is not practical to draw a line of distinction. I quote what the Rt. Hon. member said —

> You are trying to classify what is unclassifiable.

The hon. member for Rondebosch (Col. Jordan) in his conceit — or is that the wrong word — went even further and made the accusation that we on this side of the House honour the principle of Hitlerism because we believe in the building up of a nation on the foundation of blood. I want to assure the hon. member that if the United Party in South Africa discards that cornerstone of blood, as far as colour distinction is concerned, our White race will fight them with all the intelligence and the power God has given us. We will fight that principle and we will fight the United Party on that point from the north to the south and from the west to the east. If the United Party identifies itself with the hon. member for Rondebosch and accepts that principle we will fight it with the last drop of our white blood and the last drop of sweat of our labour. I want to assure the United Party that if they have reached the stage where they discard the principle of purity of blood in the building up of a nation, we will fight them as long as we have any breath left.

Mr. LOVELL: The hon. member for Smithfield (Mr. J. J. Fouché), who has just sat down spoke very passionately, but what he said, to my mind, was altogether irrelevant to the Bill under discussion. He made out that the United Party was quite keen on doing away with racial discrimination in this country, colour discrimination in this country, and he waxed very eloquently and very passionately on that theme, believing that in fact that is their policy. But in truth, Mr. Speaker, it is the policy of the hon. Minister of the Interior in this Bill to do away with colour discrimination, because instead of only asking Natives to carry passes, he wants everybody to carry a pass.

This Bill has two formal objects. The first object is the creation of a national register — not only a national register, but a national personal register. I would like to stress the word "personal". The second formal object of this Bill is to impose an obligation upon all citizens, with few exceptions, to carry and produce on demand, or within seven days, an identity card — on demand by a policeman or other authorised officer, and if he fails or if she fails to produce the identity card, he or she render themselves liable to a criminal penalty, a £50 fine and three months' imprisonment with hard labour. I would like, apart from the formal objects, to come to the real objects of this Bill and in doing so, I want to touch on some of the objects which have been put forward in the Press and by speakers. Let us take the first object which it is suggested will be served by the introduction of this Bill. It is that this Bill is going to implement the Government's policy of apartheid. Mr. Speaker, I am not in favour of this policy of apartheid as enunciated by the Government, but I don't see how this Bill can in any way implement the Government's policy any further than it has been implemented up to now. How will an identity card or a register distinguish any more clearly between Coloured, Native and White than their own skins do? They are easily distinguishable without any register whatsoever, and it seems to me that this register and this identity card cannot make that distinction any clearer than it is now. Mr. Speaker, I do not quite agree with the Hon. Leader of the Opposition when he says that the real kernel of this Bill is Section 5. Section 5 is that section which refers to classifying of the people of this country into their various colours, White, Black and Coloured. I shall tell you why I say so. I think the good Lord has already provided the register by making some of us white, some of us black and some of us coloured, and the Minister of the Interior's register will only be a duplicate of the good Lord's register. It cannot make any difference, Mr. Speaker, whatever the rules, to the policy of apartheid being introduced. The features of persons according to their colour are easily distinguishable and I cannot see how this Bill can further the policy of apartheid. Is the object statistical or demographical? Is the object to provide better statistical information? Now a personal register is unnecessary to provide statistical information. An impersonal register will give you all the details from the point of view of population, growth of population, type of population, etc., and you don't need a personal register at all. I don't think those are the objects which the hon. the Minister of the Interior intends this Bill to serve. It has other objects. But before I go on to that aspect of the matter I would like to touch on what he said about one point, which to me seems to be the main point in this debate and in this Bill. He said: "It has been argued that in principle national registration is interference with personal freedom, but (he went ont to say) the countries which have adopted that system include the leaders of democracy." Now that is an argument, I presume, as to why we should give up our freedom because in certain other countries, among them the leading countries of democracy, that freedom was apparently given up. Mr. Speaker, may I remind this House that when a national register and an identity card were imposed on the British people that was done to secure their very much greater freedom. It was done during a war. They were fighting against mighty Powers, and it was done so that the security of their island could be maintained. It was done because the Government said: "We know that it is an invasion of your personal liberty but in order to secure the liberty of the country against a foreign invasion, we hope you will allow us a national register, so that we can register every person in the land and keep a check on everybody and not allow spies and members of foreign governments to infiltrate in here. It was only introduced in these Western democracies when some bigger freedom was called for. Then smaller freedoms were given up.

The MINISTER OF LABOUR: But why don't they discontinue the system now?

Mr. LOVELL: It is only, Mr. Speaker, because in Europe the contiguity of countries like France and Belgium is such that you can't distinguish between a Belgian and a Frenchman except by some form of registration, that these things have become necessary, but in this country we can distinguish between a white man and a black man and a Coloured man without any identity card. The Minister of the Interior, and, I believe, also the Rt. Hon. the Leader of the Opposition, spoke about the 10,000 persons about whom a certain amount of difficulty would be incurred, and I think the Minister of the Interior said that that is not an important aspect of this Bill. First of all may I ask: Who made it difficult for these 10,000 people? The Government has made it difficult. Now

that they have made it difficult for these people, they have to create more laws to get out of these difficulties. But I say again, and I want to emphasise it, that you do not need identity cards to distinguish between the various races in this country because they are easily distinguishable already. Another point about the identity cards in countries like England and Holland is that we must not forget that during the war they treated that war as a people's war. We all know that if you go into the army you are issued with an identity card, you give up your freedom because you know that in the army an identity card is essential. In a people's war, the whole people is involved and when they take part in a war, whether as civilians or in the army, there is no difficulty whatsoever in allowing the Government to issue identity cards. I want to emphasise that it is only when some great issue can be served by a Bill of this nature, which is an invasion of personal liberties, that any Government has the right to call upon its people to give up a very important aspect of their personal freedom and liberty. I have examined, Mr. Speaker, what I call not the real objects of this Bill. The real objects of this Bill are political. One of the objects in the issuing of identity cards to non-Europeans, Indians, etc., was to enable the Government to control them politically. I say that the reason why we are now being called upon to vote for identity cards is so that the Government may control not only non-Europeans but also the European population politically for its own ends. The hon. member for Smithfield said that the object of this Bill was to control thousands of foreign Natives coming into the country. But you have got them under control. They all hold passes. A policeman can at any time go up to a non-European and demand his pass to discover whether he is a foreign Native or a Native of this country. There is no difficulty at all and it is completely misleading to say that you will control the influx of these thousands of people by giving them another identity card. They have one already and no purpose can be served by giving them a second identity card. What I say is this, that we have had experience in this country of the issuing of identity cards to a large section of our population. And what has that experience been? It has led to thousands of persons being convicted, it has led to resentment against the police and has led to a situation which should turn our faces from extending the issue of identity cards to other people, including the white races of this country. Our experience should have taught us that identity cards or passes, or whatever you would like to call them, are not such as to be of practical use in South Africa.

In one sense I welcome this Bill because I think it is a challenge to all South Africans who value the principles of freedom and liberty. I welcome it because I think it will awaken the dormant antagonism of both Afrikaans-speaking and English-speaking South Africans — their traditional fear of an invasion by the minions of the Government of their private lives and their liberty as individuals. I will show that this Bill goes even further than to cause people to take out an identity card. I want to refer to Clause 14, which, I think, is the kernel of this Bill. I'd like to read it again, although it has been read before. The more you read it, the more it sinks in—

> (a) every person whose name is by this Act required to be included in the register, other than a person of whose identity card some other person has the custody in terms of any regulation; and
>
> (b) every person who in terms of any regulation has the custody of an identity card relating to any other person whose name is by this Act required to be included in the register.
>
> shall upon demand by any person authorised thereto by the Director or any member of the police, or within seven days of the date of such demand, produce his identity card or the identity card of which he has the custody, as the case may be, to that authorised person or that member of the police, or at a police station indicated by the person concerned and recorded by the authorised person or the member of the police, as the case may be.

Let us consider what this means. This is represented as a very inoffensive provision. It is said that this identity card is not a pass, that this identity card is merely a document which must be produced within seven days, like a driver's licence, a Parliamentary pass or something like that. But it has a most offensive result. The fact that one need not produce the identity card unless upon demand within seven days at the nearest police station, gives nonetheless the policeman the right to ask for it.

Mr. G. P. STEYN: The position is the same in respect of a driver's licence.

Mr. LOVELL: A policeman, as the Act now stands, is very limited in his powers as to what he can do. What he can do in regard to demanding a person's name and address, is laid down in Section 27 (3) of the Criminal Procedure and Evidence Act of 1917—

> A policeman may call upon any person whom he has power to arrest, any person reasonably suspected of having committed an offence and any person who may in his opinion be able to give evidence in regard to the committal of an offence, to give his name and address.

Beyond those powers no policeman or anybody else can go, nor can he ask me or anybody else for my name and address in this country. No policeman can come to a meeting and go up to the chairman or to any member of the meeting and ask him for his name and address. No policeman can go up to any one walking in the street and ask him for his name and address, except if he be involved in the commission of a crime. That is a very good rule because one of the liberties which we have succeeded in getting over a long period of centuries is the right to be anonymous as far as the police are concerned. We have had that right for so long in South Africa that we have forgotten its true value. The only persons whom the police should know by name are criminals and the persons whom the police should not know by name are the rest of the community. Under this law a policeman can come up to you without any motive whatever or with the wrong motive, if need be, and he can say to you: "I demand to see your identity card." You will then reply: "I am sorry I have not got it on me." He will then say: "You will kindly produce your identity card to the police station within seven days." Having said that he will thereupon call upon you to furnish your name and address. You will then refer him to the Criminal Procedure Act and tell him: "You cannot have my name and address because a policeman cannot have my name and address until I am involved in the commission of a crime." He will turn round to you and refer you to another section of the Criminal Procedure Act which reads as follows—

> Any police officer may without any order or warrant of arrest, arrest any person who obstructs a policeman or other police officer while in the execution of his duty.

He will tell you that if you refuse to give your name and address immediately he demands it, not within seven days, that you are obstructing him in the course of his duty and that if you do not give him your name and address he will arrest you. Those are his powers, Mr. Speaker, and I would like this House to realise what the Government is doing when it brings in a so-called inoffensive clause giving a person seven days within which to produce an identity card.

I think this Bill is a misnomer. It should not be called a Population Registration Bill; it should be called a Pass Registration Bill, because in effect there is no difference between a pass which you are obliged to carry if you are a Native and his document which you are obliged only to produce within seven days, if you have to give your name and address to the police. This is how the policeman deals with the Native population. He goes up to a Native for any motive he likes; not the motive that he must have reasonable grounds that he is involved in the commission of an offence; he goes up to a Native as he has the right to do, and he demands his name and address and his pass. That is what he will be able to do to every single European in this country if he so wishes. I have no desire as a citizen of this country to be at the beck and call of the police for motives which they need not even disclose to me, or for personal motives. There is another name for this Bill. It should really be called an Amendment to the Criminal Procedure Act, because that is what it amounts to. Whereas the Criminal Procedure Act, after careful consideration, limited the powers of police interference with the personal liberties and the freedom of movement of persons in this country, this Bill has had the effect or will have the effect virtually of amending the Criminal Procedure Act and making it possible for the police to come up to you at any time of the day or night and interfere with you for personal motives or for motives which they refuse to disclose. There is no difference, as I say, between the identity card of this Bill and the pass which a non-European is now obliged to carry and I hope I have been able to convince this House that that is the position. I say that to call this an identity card is a euphemism and a cloak and it is not a correct description at all.

I say, moreover, that this Bill really presents the Opposition with a theme worthy of a Macaulay or a Milton, the theme of a Government ready to turn the powers entrusted to it for the good of all to its own selfish ends and uses and the trampling out of its subjects' liberties.

The introduction of a Bill such as this turned me naturally to those shelves of the library which contain the volumes which deal with the rise of freedom in our country and in the country of our forebears, Britain and Holland, and it caused me inevitably to drink deeply from the pure fountains of liberty and justice. The first volume was the volume containing Magna Charta, and I would like to dwell a little on it. Some members may ask what Magna Charta has to do with us. I hope I shall be able to show that Magna Charta is as much ours as it is that of an Englishman or an American, because Magna Charta is something of ours as well as it is something of England's or America's. The white population in this country comes from Holland and England. Those are the two main countries from which we spring. That document, that charter, is as much ours as it is anybody else's. At any rate, that document and the history of it, as everybody knows, as every schoolboy knows — that charter of liberty came into being because a certain King John, known as the Bad King John, tried to arrogate to himself too many powers as against his subjects, with this result that baron, Church and vassal rose up against him and at the point of the sword

demanded that he relieve himself of some of these arbitrary powers and that he state in black and white what his rights were as against the population. I think it is the only occasion in the history of the world where a people has forced its ruler to limit the powers which he had arrogated unto himself. Those powers were limited and they were limited again from generation to generation. The history of both England and Holland run according to that pattern. It is a pattern of the struggle of the people, the struggle for nationhood on the part of the people against rulers, kings and potentates.

An HON. MEMBER: They still had identity cards.

Mr. LOVELL: The hon. member says that they had identity cards. I have already told him that they only got them because they were trying to get greater freedom, not for statistical or other purposes. All the great liberties which came of that struggle are enshrined in our law. They are enshrined in our laws so that he who runs may read them, and although it is known that we have no code or constitution such as they have in Continental countries laying down the rights and liberties of the subject, we have something which is much more precious. We have no pious declarations of liberty or justice, like those they had even in pre-Hitler Germany, which were swept aside with a wave of the hand. Our freedoms are contained in Statutes, in the Common Law, and in the decisions of judges, higgledy-piggledy, all over the place, but gleaming like jewels in the whole fabric of our law. May I mention some of the examples of the liberties which we have. One of them is the rule contained in our Criminal Procedure Act, a rule which frees us from arbitrary arrest. We also have in our Common Law and under our Statute Law the writ of habeas corpus. These things are not dead letters. We use them every day. May I quote to you the simple case of a non-European which was decided last year in a Witwatersrand court. A non-European was sentenced to a fine or alternatively imprisonment, but did not have the money to pay the fine and then went to prison. He was then contracted out to a farmer. His relatives came to pay the fine. The gaoler said, "I cannot give the prisoner to you because he is on some farm." A writ of habeas corpus was issued, Mr. Speaker. The gaoler had to appear before a judge of the Supreme Court and he had to free the humble Native under one of the laws of our land. This is how that law is set out in Magna Charta. The words sound sweet and fitting to me, although when you see them in dry law books they seem prosaic. They are most polite and they are part of our system.

> No freeman shall be arrested or detained in prison, or deprived of his freehold, or outlawed or banished, or in any way molested, and we will not set forth against him nor send against him, unless by the lawful judgment of his peers and by the law of the land.

Those are the ancient words of Magna Charta and you will find those ancient words in modern language, contained in the Criminal and Procedure Act. The right to be tried without languishing in a dungeon, the right to be brought to trial immediately, is a further example. This most important right is contained in only a few words in our Criminal Code.

An HON. MEMBER: Why was that not practised during the war?

Mr. LOVELL: I knew that hon. members on that side would refer to the war period when hon. gentlemen who are now in opposition were on the Government benches, and when to some extent they suspended those rights. Many countries did; they declared martial law. That is no excuse for doing these things in times of peace. That is no excuse for violating the sanctity of persons and property. I am enunciating principles. You will find them in detail in tiny little paragraphs in statutes and judgments and the Common Law of our land. We have the presumption of innocence in our fine, free country, the presumption that you are not guilty until you are proved guilty, that you are presumed innocent until you are proved guilty. Why is it that we have little or no third degree from the police in this country? Why is it, Mr. Speaker? It is for this very good reason that a man who is arrested is treated as an innocent man. That is why we have so little third degree in this country, whereas on the continent, as everybody knows, there is a great deal of it. I want to speak, too, Sir, about the traditions of South Africa. And I want to put this question. When did all South Africans unite on the few occasions when they did unite? You know, Sir, what we South Africans are like. We have so many political parties and we are always fighting. But when did we unite? And may I put this thesis forward that we united only on those occasions when the Government in power tried to interfere with our liberty. Those occasions are all well known to hon. members. One occasion was when Lord Charles Somerset tried to stop the freedom of the Press. Who united our people? Persons like Fairburn, Pringle and Faure. Here we have English and Afrikaans names. Who united in the Anti-convict League, when they wanted to make South Africa a penal settlement? the Afrikaans- and English-speaking people united like one man. Why did they unite? They united on an occasion when the Government sought

to interfere and to ride rough-shod over their liberties. Take the Great Trek. We know the example of the 1820 Settlers and of their co-operation with the Voortrekkers. Why was there that sympathy? Because I suggest that the 1820 Settlers had a sympathy with the Voortrekkers when they left this land. They sympathised with their views, because they thought that they were justified in feeling that they were being oppressed by the then Government. Mr. Speaker, that is the tradition of South Africa; that we unite when we feel that our liberties are in danger. I am not now addressing any particular group or party. We unite, then, when our liberties and our freedoms are in danger I accuse this Government in connection with this Bill of being a most un-South African government. A South African government should know these traditions. I am not simply slinging mud. I mean what I say. I say that they have done many things while they have been in power which are un-South African. The other day they wanted us to set up a commission to discuss the freedom of the Press, but the real thing they wanted to discuss was the control of external and internal reporting. That is an un-South African motive. The hon. the Minister of Economic Affairs — I hope in the heat of the moment, but it was not a South African moment (if I may excuse him that way) — said that he wanted to banish a foreign correspondent who issued inaccurate news about this country. That is an un-South African thing to do. One of the hon. gentlemen on that side said that he wanted to deport the Ballingers, the Barlows, the Kahns and the Sackses.

HON. MEMBERS: Hear, hear.

Mr. S. J. M. STEYN: There you have it.

Dr. VAN NIEROP: Is that un-South African?

Mr. LOVELL: That is a most un-South African attitude. It is an attitude which is very foreign to our traditions. Then the hon. the Minister who is piloting this Bill through the House likes taking people's passports away from them. I know his answer. He says the Communists are dangerous and he does not want them tripping about Europe and saying adverse things about this country. But he touches not only the Communists, he touches other people, too. If a girl gets a bursary to go and study in India the hon. the Minister of the Interior refuses to give her a passport. If a trade union elects a Coloured person to represent them overseas, the Minister of the Interior quickly pounces upon her passport. Sir, the principles of freedom are indivisible, and once you start taking freedom away in bits and pieces, you can take it away entirely. The hon. Government — if I can call them honourable — have interfered with the rights of members of Parliament to address the people of this country. They have tried to arrogate to their Ministers plenary powers beyond the scrutiny of Parliament. Here I refer to the Citizenship Act. They have threatened to visit their wrath on a series of associations who do not agree with their views. Is that a South African act, to threaten to visit your wrath upon a group of people who do not agree with you politically? Is that a South African act or an un-South African act? Because the National Union of S.A. Students have a more liberal view on the Native question than the Government has, is it right to say that they have no right to exist? That comes from a responsible Minister of the Government. I accuse this Government of being guilty of a numerous number of un-South African acts, and I say that in this particular Bill they are going beyond what they should dare to do politically even for their own sakes.

I want to show the House how this Bill will work. A trade union has a meeting, a trade union that does not agree with the Government on its labour policy or on its trade union policy, or any policy you like. We know that this Government has already started to send police to trade union meetings. What they can now do is this: they can now send detectives in and station policemen at the door, and when people leave the hall the police can demand their identity cards and their names and addresses. All these names and addresses can be given to the Department of the Interior to be docketed by the Minister of the Interior for future use, as the occasion arises. I say this is a dangerous Bill, and I ask not only members of my own party and of the larger Opposition party to consider it carefully and to vote against it, I ask members of the Government . . . [Laughter.] I am not concerned with the jeers of some hon. members on that side. I am appealing to members of the Government, to the thinking members of the Government. There are thinking members of the Government and I ask them to consider carefully what we are doing in this Bill. It is no good being sarcastic. If the hon. the Minister will tell me that the object of this Bill is apartheid I will tell him that that is the very object which will be defeated by this Bill. Just as the arrogance of King John united all the barons, the Church and the vassals, so this Bill will unite against him White and Black and Coloured in this country. By means of this Bill the Government will drive together persons who do not usually act together; when they find out what the object of this Bill is they will unite against this Government, and the Government will find that so far from the apartheid policy being furthered by this Bill, it will destroy their whole apartheid policy. They will find that there is a closer union between White and Black and Coloured in opposition to them against this Bill.

Dr. VAN NIEROP: If you like your friends, have them.

An HON. MEMBER: You should welcome that.

Mr. RUSSELL: You should not talk about that.

Mr. LOVELL: I refer to the information that the hon. the Minister of the Interior will get when he sends policemen to attend meetings, not only of trade unions but any sort of meeting, for example a meeting organised to protest against the removal of Coloured people from the common roll. The police will take everybody's name, and then when you want a passport to go out of this country, the hon. the Minister of the Interior will refuse it and he will also refuse to give his reasons for doing so.

Mr. Speaker I am not romancing about this. May I quote what the judges have said about the Minister in this matter of passports? The judges said some caustic things about the hon. the Minister in the case of the Minister of the Interior v. Dadoo in 1949.

One of the three points taken on appeal were that the appellant in dispossessing respondent of his passport had exercised a prerogative of State and that his act was not cognisable by a court of law.

That is the attitude that the Minister adopts. The hon. Justice Malan said—

> The contention on the first point is based solely on so-called prerogative of the Crown or State . . . that undefined nebulous relic of the autocratic power of kings of the dim past which is alleged still to exist and which is in modern times usually invoked by those who have arrogated to themselves autocratic power and who upon this power being challenged are driven to seek refuge in its very questionable existence.

Sir, do not let us be side-tracked by Section 5 or any other section of this Bill; do not let us be side-tracked by apartheid or by statistics. Let us keep our eyes riveted on Section 14 which is the target aimed at in this Bill, the enslavement of all opposition in South Africa. To what great cause or issue is the Minister of the Interior asking us to give up this fundamental freedom? I ask this House not to surrender our liberty for that mess of potage, called administrative or statistical efficiency. I see the ghost of Lord Charles Somerset rise and walk again in these halls. Parliament was once the great champion of liberty. What role does this Minister want it to play now? This Bill, I say, is calculated to poison the wells of freedom. In conclusion, I say: Put not your trust in princes and do not surrender your liberties to King John, otherwise known as His Majesty, the Minister of the Interior. "Surely in vain is the net spread in the sight of any bird!" Remember that the price of liberty is eternal vigilance.

*Mr. ABRAHAM: The hon. member who has just spoken entertained us for quite a while on the principles of Magna Charta, and it seems to me that he read out something in connection with Magna Charta and then tried to couple it with the teachings of Karl Marx. That is the same kind of monstrosity as the mixed race which he would like to see in South Africa. The hon. member incidentally mentioned a few matters which we cannot simply allow to pass. The hon. member indicated here that a police officer could approach a person and demand his identity card without any reason and without any charge against that person. That sort of thing one can expect from a man who runs to the police whenever he finds himself in trouble. These people who call in the aid of the police now give the impression that the police are so inferior that they do not know what they are doing, that they will simply arrest a person whether they have any reason for doing so or not. The hon. member — I do not know whether I can call him an hon. member, because he expressed some doubt as to whether we on this side could be called hon. members, but surely we are an educated race and we are willing to call a member an hon. member unless he behaves dishonourably — the hon. member referred to history and he told us about the Voortrekkers and about the 1820 Settlers. I would just like to get it into his muddled head that it was exactly because of the same principles for which this Bill has been submitted to Parliament that the Voortrekkers emigrated to get away from the tyranny which preached to them the theory of equal rights. It is people like the hon. member and kindred souls who are the apostles and disciples of liberalism, who would like to see the disappearance of all dividing lines between Europeans and non-Europeans in South Africa so that they can act as a select group of white commissioners of a Coloured, inter-mixed, half-breed generation in South Africa. That is what they would like to see and that is the reason why the hon. member puts forward such a plea for an attitude like the one he took up here today. I do not think it is necessary for me to say more about the hon. member because he rummaged in criminal procedure about which he does not seem to know very much. I do not think it is necessary to pay any more attention to him.

I would like to confine my remarks to the real provisions of this Bill. The Magna Charta was mentioned here. If ever there was a Magna Charta in South Africa then this Bill which we are now discussing is the Magna Charta for the races of South Africa, not only for one race but for all the races because this Bill is the law that

will decide the identity of every person in South Africa. For the first time in our eventful history this law will lay down that a line must be drawn and where that line must be drawn between the different ethnic groups living here in our fatherland. No business undertaking in the world can carry on properly or be placed on a sound basis unless it has a sound system of book-keeping. Book-keeping is as old as humanity itself. And this Bill is nothing but a new system of population book-keeping that is being introduced into South Africa, a system of book-keeping of the population that has become essential owing to the essential demands of our society. The population of South Africa is so constituted, our race relations are such that we cannot do otherwise than design a type of book-keeping that will reflect the position as it really is and not as some people assert that it should be, or as some people would like to see it. Our social attitude usually causes the greatest difficulty in this country because it is a multi-racial country. That is why we have many difficulties in connection with the races and why our statistics in this country should be such that we can at any time see the position of this or that group in our population as shown by the statistics.

*Mr. BARLOW: Your name will be placed in the stud register.

*Mr. ABRAHAM: If there is a stud register you will not get into it because you are a nobody.

*An HON. MEMBER: Shot.

*Mr. ABRAHAM: It is the case with every racial community in the world that it is distinguished by the world at large on the grounds of its characteristic qualities. Speaking from an ethnic point of view we may say that every race in the world bears a stamp that characterises it, namely the stamp of racial homogeneity. A white community came here to South Africa and established itself here among Coloured communities and a third community originated as the result of inter-breeding. Between those two communities, between the black man and the white man, a third group came into being and that third group is the Coloured man who is mainly responsible for our difficulties in connection with the problem of racial inter-breeding in South Africa. Last year we passed the Mixed Marriages Bill in this House. We have just amended the Immorality Act and this Bill which is now before the House is not only a necessity but it is essential for the better relations and for the better administration of the Europeans. We hear a great deal about human liberties. The hon. member for Benoni (Mr. Lovell) also spoke here about human liberty. He forgot, however, to quote other authorities and he omitted to tell us that human liberties cannot be absolute. Man keeps his own liberties in check and legislation is nothing more or less than a method invented by mankind to protect itself against itself. But when we have to deal with any contentious matter, when we have to deal with a matter involving difficulties, when we have to deal with a case where we cannot decide whether it will be possible to do as we wish or whether we shall be obliged to do it in the only way possible, then those people never have the courage of their convictions, they never have the courage to say: Such and such is the rule and such are the regulations we have to lay down. If the legislators of the world and those who had to formulate the laws argued like that throughout the long centuries of the world's history, saying that every matter involving difficulties must be deferred and allowed to develop, trusting that the question may eventually solve itself, what a chaos this world would have been by now. I maintain that we in South Africa are already a century late in respect of this situation, that the position has become chaotic in South Africa. The position has become chaotic, so much so that a famous man like the Rt. Hon. the Leader of the Opposition, that man who is described by the foreign Press as an international statesman, as a great internationalist — one who may be a great internationalist, but who has shown no signs of nationalism as yet — I maintain that the position has become so chaotic that even the Rt. Hon. the Leader of the Opposition yesterday said here in this House: What is unclassifiable cannot be classified. What an admission from a father of a nation, who has grown grey in the service of that nation.

*Mr. BARLOW: And you are a thoroughbred Syrian.

*Mr. ABRAHAM: I would rather be a thorough-bred Syrian than one of those half-breeds which you want in this country. That hon. member persistently tries to interrupt me and I just want to tell him that he may persist from morning till night and he will get it in the neck time and again because he has become so vulnerable as the result of all the blunders perpetrated by him in this House that it is not difficult to silence him effectively whenever he makes an interjection.

It has become necessary to compile these statistics. Our friends on the other side are complaining that we now want the Europeans to carry a pass. We know all about the pass they put forward. They try to frighten the people by saying that we now want the Europeans to carry passes. I would like to point out to them what the effect on the countries overseas must be if they should hear that the Rt. Hon. the Leader of the

Opposition has lost courage here, that he has surrendered, that he is running away, stating that the position has become such that we cannot draw a dividing line any more. When this side of the House proposes legislation in order to deal with certain public evils, then the only answer they can give is that we must leave it to public opinion and to education to do what is necessary. Let us see how far that attitude has brought us. Thus far we still have a white race in South Africa. I fully acknowledge this fact. We have a white race here in spite of the fact that we have been living among non-Europeans. The public opinion of the people of South Africa is based on deep-seated religious and juridical concepts brought here by our ancestors. It is those concepts that have been responsible for the fact that white has remained white and Coloured has remained Coloured. But in spite of that we have a situation here today which has moved the Rt. Hon. the Leader of the Opposition to say that he has lost courage and that we cannot classify any more because our population has become unclassifiable. Now I would like to ask the Rt. Hon. the Leader of the Opposition this question: Recently he stated by implication here in this House that he was in favour of the mastery (baasskap) of the white man. And, like "His Master's Voice", all his views were approved by the members behind him. Now I want to ask him this. If he said here three weeks ago that he stood for the mastery of the white man in South Africa, and if he now tells us that we cannot classify the Coloured people in South Africa, who then, must become the masters in this country? If we cannot classify the Coloured people, then how can we classify the Europeans? If he can decide who is white, then he must also be able to decide who is Coloured; then he must also be able to distinguish between Natives and Coloured people in South Africa.

On the one hand the Rt. Hon. the Leader of the Opposition says that he believes in the mastery of the white man, but on the other hand he says that the position has become so chaotic that we cannot classify the races in South Africa any more. Mr. Speaker, the main bone of contention in connection with the Bill before the House, as viewed by the Opposition, seems to be this: They do not want to see the dividing lines between the races clearly defined. No, they do not want that in South Africa. The people on the other side are liberalists, so much so that they do not want to see the provisions of this Bill carried out. It is the liberalists who are pleading that it must not be adopted and it is an attitude which they have brought from overseas, because it is an imperialistic attitude. Your imperialist does not worry about the racial purity of the races falling under his control and within certain spheres governed by him. In their home country, that country from which imperialism emanates, everything has to be pure and correct, but in the subordinate territories a race of half-breeds is quite in order. That is the point of view of those people on the other side. They try to court the votes of the Coloured people by opposing this Bill. They want to carry the Coloured people over the dividing line of apartheid to the White man. I accuse them of trying to inject into White South Africa a stream of colour such as we have not known before. And then they are the people who have the audacity in war-time to wave flags and blow trumpets, shouting and carrying on under the slogan of: South Africa First. I remember the days when they were the people who threw eggs and tomatoes at us and who assaulted Gen. Hertzog in the street because he had spoken of "South Africa First." But when we lay a Bill here before this House to place the interests of South Africa first, this is the way those members on the other side behave.

Here in my hand I hold the pass which they used during the Provincial Council elections. Never has a more heinous, a dirtier and meaner political falsification been exposed in South Africa. Those who framed this falsification should have landed in gaol. It was a falsification before the eyes of the nation.

*An HON. MEMBER: Quite true.

*Mr. ABRAHAM: Certainly it is a falsification. It is a pity that the hon. member for Alberton (Mr. S. J. M. Steyn) is not here. On the Witwatersrand he said the following shortly before the Provincial Council elections—

> How would you feel about it if a policeman flashed a torch in your face, or in the face of your mother or your wife and asked her in the evening for her pass to make sure that she was not Coloured?

And he went on—

> This is the way the Nationalists are planning to insult your womenfolk.

This is the sort of thing we get from people who tell the nation that they are responsible people. These are the people who ask the nation to regard them as an alternative Government for this country. These are the people who tell us that they can guide the destiny of the Afrikaner nation to a safe destination. No, those people should rather keep quiet. They really have no case in respect of this matter. They are the Opposition now and they simply oppose everything. I want to ask them this: Let anyone of them, not excluding the hon. member for Hospital (Mr. Barlow), point out to me what social legislation the United Party has introduced in the course of its history for the

purpose of safeguarding the White race in South Africa. Come on, this is a challenge. Get up and tell the people of South Africa and tell this House what social legislation you have introduced in order to safeguard White South Africa. The hon. member for Hospital is showing me a red book and a yellow book. That is quite right. He is always red at first and then yellow. I just want to add this: We have before us here a Bill for the registration of the population. The hon. member for Rondebosch (Col. Jordan) — if he is not listening to me now I hope he will read what I said — coupled this Bill with the South African Citizenship Law. I think he was right in doing so. The South African Citizenship Law stipulated who can be, may be and will be citizens of South Africa. This Bill in connection with population registration will tell us who is White, who is Coloured and who is a Native in South Africa. Thus we have built up South Africa. Thus we shall keep the races separated (apart). But now those people try to obstruct our efforts. The United Party is very much concerned over the fact that this Bill is going to be introduced. I really cannot see why. Yet I must say that this Bill is going to be our guiding principle in the future; it will be a guiding principle on our road to greatness here in South Africa. But if we have to proceed, leaving conditions as we found them here, we shall find it impossible to become great. We shall find ourselves degenerating and becoming a race of Creoles as they have in South America. We are often told by people who have travelled overseas that persons in England, Holland or France would not believe that they were Afrikaners, simply because they did not expect us to be white. And now we have to be told by the Rt. Hon. Leader of the Opposition that we have reached a condition in South Africa that has made it impossible to classify the races. What must the outside world think of this? No wonder South Africa has been made the football of the nations by that unholy body, the U.N.O. It is because those members on the other side do not know whither our nation is moving that they are becoming the unconscious instruments of Liberalism. The United Party has now finally shown its colours. There can be no more doubt as to where they stand. Our people and the world know that the super de luxe Liberalists are found in that party.

For the first time in history this Bill will give the Coloured man the opportunity of developing and growing according to his own rights. Last but not least, this Bill will stand as an everlasting landmark from which the three races in South Africa will each steer their own course.

*Dr. STEENKAMP: I tried to listen attentively to the hon. member who has just spoken, but because of his fidgeting and because of his gesticulations I could really understand very little of what he said. Allow me to add, Mr. Speaker, that as the result of those gesticulations it seems to me that he should be regarded as unclassifiable I think that in his case one may use the words of the Bible, slightly distorted. It says in the Bible: "Abraham, Abraham, whither art thou going?" We would like to say to this hon. member: "Abraham, Abraham, whence comest thou?"

*Mr. ABRAHAM: From Prieska.

*Dr. STEENKAMP: The hon. friend has said a good deal here about true Afrikaners: We, the Afrikaners, we shall see to it that there is no hybridisation; we, the Afrikaners, have laid the foundation. And then he told us that the ultra-Liberalists were sitting on this side, but there are Afrikaners among us whose ancestors have been in this country for the past 300 years and yet he wants to come and teach us what we, as Afrikaners, should do. He wanted to insult us by saying that some members on this side with Afrikaner names are in favour of miscegenation. What an insult; what a humiliation for the Afrikaner nation as such.

*Mr. MAREE: Can you tell us what you think of your Leader's remark that apartheid is nonsense?

*Dr. STEENKAMP: I do not intend digressing from the subject matter of this Bill this afternoon. Nevertheless, I shall tell you.

*The MINISTER OF THE INTERIOR: Was your Leader guilty of digression?

*Dr. STEENKAMP: No, I accuse the last two speakers of digressing from the subject matter of this Bill. The hon. member has asked me a question. The reply to it is a very clear answer that has often been explained here in this House. The principle, — I am repeating this and I am now repeating it for the last time — in connection with the colour question in this country, is the same for 99 per cent. of the European population. The apartheid policy of the Nationalist Party is a policy we do not want, because it is a fraudulent policy. It aims at outwitting the non-Europeans. That is why we do not want to carry out that form of apartheid. They are hawking about the races in order to catch votes.

*The MINISTER OF THE INTERIOR: What is your form of apartheid?

*Dr. STEENKAMP: It has often been explained in this House. Only a fortnight ago the Rt. Hon. the Leader of the Opposition explained it.

*The MINISTER OF THE INTERIOR: It is so contradictory that one cannot understand it.

*Dr. STEENKAMP: Now I would like to say a few words in connection with the speech made by my hon. friend whom I have known for so many years, the hon. member for Smithfield (Mr. J. J. Fouché). In his characteristically naive manner he let the cat out of the bag in connection with this Bill. He told us clearly what the purpose of this Bill is. The Minister of the Interior with his well known unparalleled political acumen, which in my opinion is of little national value, failed to mention the true purpose of the Bill. But the hon. member for Smithfield, a man who has become the successor in Smithfield of one of the greatest leaders of South Africa, namely, Gen. Hertzog, was honest enough to tell us immediately that the purpose of this Bill was the division of the races.

*Mr. J. J. FOUCHÉ: On a point of explanation, that is not correct. I did not say that that was the purpose of the Bill. What I said was that the Rt. Hon. the Leader of the Opposition had stated that that was the purpose of the Bill and that he had based his opposition to the Bill on that point.

*Dr. STEENKAMP: But by what the hon. member has just said, he has admitted that he had said that.

*Mr. J. J. FOUCHÉ: On a point of explanation, I have explained to the hon. member. I never said that this Bill was introduced with the purpose of dividing the races. I trust that the hon. member will accept what I say.

*Dr. STEENKAMP: I accept the explanation given by the hon. member. Allow me then to leave that hon. member now and to address myself to the hon. member who has just sat down the member for Groblersdal (Mr. Abraham). That principle was very clearly expounded by him. His whole speech was about the division of the races.

*Mr. ABRAHAM: On a point of explanation, I never used the expression "division of the races". All I said was that the Bill would now definitely define the different ethnic groups once and for all.

*Dr. STEENKAMP: I am glad to hear the hon. member admit that he said that. Allow me just to remind the hon. member that no pass, no legislation, no oppression and no division of the races will ever save this nation from miscegenation. The only thing that will keep us white in this country — as it has done during the past 300 years — is the matter of our attitude. It is a question of education. It is a question of cultural development. It is a question of racial pride. That is what will keep us white, but no law and no pass law will ever do that in this country.

*Dr. VAN NIEROP: Why do you call it a pass law?

*Dr. STEENKAMP: Because it is a pass law. The hon. member for Fauresmith also pointed out that we on this side of the House had failed to mention that a man like Boezaart had been in favour of national registration as early as 1921, 1922 and 1923. But he himself failed to explain to the House that Boezaart, although employed in South Africa, was a Hollander by birth. What he proposed to the then Minister was based on the Dutch system of that time and nothing more. But he also forgot to tell the House that all the South African officials were opposed to it at the time. I refer to Kincaid, Hoogenhout, Corbett, Gen. Brink, and I also refer to Dr. Holloway.

*The MINISTER OF THE INTERIOR: What about Dr. Arndt?

*Dr. STEENKAMP: The Minister had almost two hours to devote to his speech and I have only forty minutes. Yesterday, when the Minister began his speech, he said with political sarcasm that we on this side had found ourselves deeply disappointed in our expectations.

*An HON. MEMBER: Is that not so?

*Dr. STEENKAMP: No, it is not our expectations that have met with disappointment. The fact of the matter is that our premonitions have been confirmed. Our fears for South Africa in connection with this Bill have been clearly confirmed. But we have reason to be grateful because as the result of our agitation and as the result of our sabotage, if you wish to call it that, we have succeeded in thwarting certain sinister, foreign and devilish intentions of the Government. That is what we have accomplished. That is why, for example, we have no compulsory fingerprints in this Bill. It is the result of that agitation mentioned by the Minister.

But allow me to point out to the Minister that whereas he told us yesterday that in 1935 Holland alone had a system of national registration . . .

*The MINISTER OF THE INTERIOR: I never said so.

*Dr. STEENKAMP: Another denial. The Minister said that since that time other European countries have introduced national registration and he said that for that reason the members of the Select Committee could

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not obtain the evidence of those countries in 1935.

*The MINISTER OF THE INTERIOR: I did say that.

*Dr. STEENKAMP: And therefore he had found it necessary to send two officials overseas.

*The MINISTER OF THE INTERIOR: I stated very clearly that the 1935 Committee only had the evidence from Holland.

*Dr. STEENKAMP: The Committee did not have the evidence from Holland alone. In the evidence submitted to the 1935 Committee we find repeated references to Sweden, Denmark, France, Norway, Germany and Italy.

*The MINISTER OF THE INTERIOR: They did not know about it.

*Dr. STEENKAMP: The Minister must now give me a chance to say something in my forty minutes. I did not interrupt him once. Let us come to the Bill itself. This Bill, as the Minister has said — and I hope he does not deny it again — has a dual purpose. It is a dual Bill. The first part deals with population registration, as he calls it. The second part deals with the identity card, as he calls it, the registration card, known to us as the pass.

I hasten to admit at once that such a population registration, which falls under the first part of the Bill, may be of great value, that it has several advantages, it it can be a complete registration and if such a population register can be kept reasonably up to date, and if such a register contains all the possible information about a person. This population register, as the Minister has indicated, can be kept in a central office in Pretoria. And may I suggest, if the Bill is accepted, that there should be copies in the various districts, referring to persons living in those districts. Such a population register can be of great value to nearly all the Government Departments, as the Minister has pointed out. It can be of great value to commerce and the industries, to the labour bureau, for poor-relief, and so forth. It can be of great value to the military authorities because it will enable them to see which persons are or will soon be between the ages of 17 and 21. It can also be of great value in connection with the registration of voters.

*An HON. MEMBER: But . . .

*Dr. STEENKAMP: I am glad to see that the hon. member can think so logically, and that he realises the weaknesses of the Bill so well that he feels the necessity of a "but". It can be of great value to the police officials. But one absolute necessity, and an essential requirement, is that the population register must be, I repeat, as complete as possible and as up-to-date as possible. Only then will it be of any value in practice. And now I want to ask the further question: Is it practicable here in view of the conditions of this country?

*The MINISTER OF LABOUR: Do you support it in principle, apart from its practicability?

*Dr. STEENKAMP: Yes, I am talking about the first part, the national register.

*Dr. VAN NIEROP: You are making progress.

*Dr. STEENKAMP: It is very difficult in this country to get people, for instance, to register the births of all children without fail, and now this legislation is also going to include Natives to whom any form of registration will be an almost unknown novelty. It will be null and void.

*Dr. VAN NIEROP: But you do not sound like a United Party man.

*Dr. STEENKAMP: I am a member of the United Party. Just think of the floating, roaming population in our big cities. We know that there have been cases where as many as 30 per cent. to 80 per cent. of the voters have moved to other constituencies. We know what happens in constituencies like Gordonia, Namaqualand and Zoutpansberg, for instance, and when we introduced compulsory registration under the Electoral Act a few years ago we thought that everything would go smoothly. But what has experience taught us? You know that compulsory registration is practically a dead letter, and if it had not been for the efforts of the political party organisations, a very small percentage of our voters would have been registered even under this compulsion, and the authorities would have been at a loss what to do. The same is the case with changes of address. How can we expect a better position in respect of this compulsory legislation in such circumstances? It will be the same story over again. The Electoral Law has failed as far as the vote is concerned and it has failed in spite of the fact that severe penalties were provided for. What assurance is there that we shall be more successful in this case, in spite of the penalties provided for under this Bill? If, according to this system of national registration, a person does not, for instance, report his change of address, this entire national register, of course, becomes incomplete and useless. It will also become null and void as far as the police are concerned. I believe the hon. the Minister also referred to the fact that the first part of this national registration will do away with the census. Taking the

countries where national registration has been introduced, we find that not one of those countries has done away with the census. But the most important factor and the main consideration in connection with any national registration is surely the question of gaining the whole-hearted co-operation of the population, the whole-hearted co-operation of the public. If you are assured of their goodwill you will have no trouble in connection with the introduction of a national register. If, however, that co-operation and that goodwill is lacking, one simply cannot expect any success. No matter how ideal one's intentions may be, they are doomed to failure. Without going into the matter any further and without giving any reasons, I declare that the people of South Africa, especially the European population, are opposed to national registration. Rightly or wrongly they regard this whole matter with suspicion. It is because of their past that a large proportion of our nation instinctively feel themselves opposed to it. The whole psychology of the South African nation causes it to regard any form of registration with disfavour. They are afraid that it will curtail their liberties. In their opinion it savours too much of the methods of dictators and dictatorial forms of government. They are afraid that it might imply a check on their liberty. The entire psychological make-up of White South Africa is opposed to it. In this connection I believe in the words somebody used: "When people resist a curtailment of their liberty, their instincts are right." The Bill does not make provision for all sections of the nation either. It does not, for instance, provide for the registration of a large section of the Bantu race.

*The MINISTER OF THE INTERIOR: Did you not listen to what I said yesterday?

*Dr. STEENKAMP: I listened to everything. I am following the wording in this Bill. It says in this Bill that all the Native women and the Natives under 18 years of age will not be registered.

*Mr. POTGIETER: That will come later.

*Dr. STEENKAMP: It may come later. Quite right.

*The MINISTER OF THE INTERIOR: Allow me just to give a personal explanation. I said that the Bill as it stands seems to give the impression that it will only be applied to certain sections of the population. Provision has indeed been made in Clause 22 for applying it to the other section of the Bantu population by means of a proclamation, and then I said that it was my intention to propose an amendment which would remove all doubts concerning its application to the entire population of South Africa, and I added that I would make certain provisions to enable us for practical reasons to avoid by proclamation application of the Bill in respect of certain sections to which it cannot be applied at the moment.

*Dr. STEENKAMP: No matter what the hon. Minister says, we have the Bill before us and I am not concerned with anything he intends to do or not to do. One thing is certain, and I am glad, that already he realises the rottenness of the measure. We have not even come to the Government yet, and already this is the position. But what is the Government going to do with those who do not obey the demands of this legislation? Can the Government give us the assurance today that Europeans, Coloured people and Native men will be prosecuted if they do not meet the demands of this Bill?

*Mr. S. E. WARREN: Yes, of course.

*Dr. STEENKAMP: I am putting the question to the hon. Minister. If all those who do not carry out the provisions of the Bill are going to be prosecuted it will certainly cause a great deal of consternation especially among the European section of the population.

*Mr. S. E. WARREN: No, that is only your opinion.

*Dr. STEENKAMP: I would like to inform the hon. member for Swellendam that if there are to be prosecutions, there will be so many that our law courts will be full to overflowing; our magistrates will not be able to cope with all the work and the people will react so strongly, in the political sphere as well, that no Government would dare to do it. I wish to say that according to my opinion this Bill is nothing other than what it was said to be by the hon. member for Benoni (Mr. Lovell) and the Rt. Hon. the Leader of the Opposition, namely, that it is a measure to be applied only in connection with the Coloured people. They have to be deprived of their votes. Get their names into the register so that we may know who they are and we shall deal with them. Let us be honest. I do not mind if my hon. friends come forward with legislation to deprive the Coloured people of their votes. The hon. the Minister has every right to do so, but then he should tell us frankly what his purpose is and he should not come in a roundabout way, telling us that he aims at national registration, knowing that he cannot carry that into effect.

*The MINISTER OF THE INTERIOR: How can I deprive anyone of his vote?

*Dr. STEENKAMP: The Bill lays down that all are to be registered excepting the Native women and the Natives under 18 years. If one looks at this matter in its right perspective, its gravity becomes apparent. This Bill in its present form makes

provision for the carrying of passes by white women.

*Mr. S. J. M. STEYN: Shame.

*Dr. STEENKAMP: This same Bill does not, however provide for the carrying of passes by Native women. White women are compelled to register and to give certain personal information.

*Mr. A. STEYN: Nonsense.

*Dr. STEENKAMP: It is not nonsense. It says so there. These are facts.

*The MINISTER OF THE INTERIOR: Read the Bill.

*Dr. STEENKAMP: The European woman has to register. She is placed under a certain obligation, but the black woman, the Bantu woman, the Native woman, the Coloured woman (meid), as she is called, goes free.

*The MINISTER OF THE INTERIOR: Read Clause 22 first and then you can talk.

*Dr. STEENKAMP: I have read it. The hon. the Minister will have the opportunity of tearing my statement to pieces when he replies.

*The MINISTER OF THE INTERIOR: I want to help you on to the right track now rather than tear you to pieces later.

*Dr. STEENKAMP: Under this Bill it is, for instance, not necessary for the Native woman to carry her age around with her on a piece of paper or a pass. It is not necessary for her to satisfy the curiosity of a policeman or offical by carrying this scrap of paper, this pass, but the white woman has to give personal information to the satisfaction of such inquisitive officials. The farmer's wife will have to carry a pass because she can be compelled to produce it at any time.

*The MINISTER OF THE INTERIOR: That is untrue and you know it.

*Dr. STEENKAMP: It is the women, the mothers of our nation, who have to carry this pass. Not the Native women, only the white women. We want to know why there should be this humiliation for the women of our country? I assure you that we, the so-called Liberalists, will plead for the welfare and the rights of the white woman in this country. We on this side wish to have nothing to do with this carrying of passes. We protest most strongly against this violation of our feelings and our traditions. We do not want it and we will fight against it to the bitter end. It is nothing but a piece of pernicious legislation and we will fight against it to the bitter end. The Minister says I am not speaking the truth, that I am proclaiming an untruth.

*The MINISTER OF THE INTERIOR: But that is what you have done.

*Dr. STEENKAMP: Here it says—

> A register of the population of the Union is compiled with the exception of all female Natives and all male Natives who have not yet reached the age of 18 years.

*The MINISTER OF THE INTERIOR: Read Clause 22 as well and when you have read it you will not repeat this nonsense.

*Dr. STEENKAMP: Does the hon. the Minister wish to deny it today? We are only in the early stages of the debate and already he is running away. Now let the Minister tell me whether he is going to alter the Bill after I have pointed out the possibility of this insult to the white women.

*The MINISTER OF THE INTERIOR: I said so yesterday. Allow me, on a point of personal explanation, to quote what I said, seeing that some doubt has been expressed as to whether I said this yesterday. I think I am allowed to read from the Hansard report, which I received a moment ago, in regard to the words I used yesterday. This is what I said yesterday—

> Just one more word about the position of the Natives. I may add that it is a matter which I think can be further thrashed out in the Select Committee, but the idea is, and I wish to give it prominence, that this Bill envisages the application of its provisions to all, Europeans and non-Europeans, men and women, children and parents. It is only due to certain practical reasons that it is impossible to apply it immediately to all the 12,000,000 persons who fall under the Bill.

*Dr. STEENKAMP: On a point of order. I must now insist on my rights, please.

*The MINISTER OF THE INTERIOR: My words were questioned. I said yesterday—

> Later on an amendment will be made in the Bill to make it clear that it is applicable to all, but that its application to certain groups can be brought about by proclamation when it becomes practicable to apply it in their case. At present it

says in the Bill that it is not applicable to Native women and children under 18 years. I intend to amend it in order to make it clear that the Bill includes everybody and that certain sections may be excluded by proclamation for practical reasons, because we do not want to include them under the practical obligation of the law immediately.

Mr. SUTTER: I rise on a point of order. It is now the fourth time during this debate that this happens. Will the hon. member for Drakensberg (Dr. Steenkamp) be credited with the time occupied by the hon. Minister?

*The DEPUTY SPEAKER: Yes.

*Dr. STEENKAMP: The hon. Minister has now risen and he has explained to us here that for practical reasons it was not possible to include Native women, but that it may perhaps become his intention to do so later. We on this side of the House demand on behalf of the white women of South Africa that it shall be done immediately if this Bill is passed. We are against this principle of carrying passes, but if we are compelled by this legislation, then we beseech you on behalf of the European women that no exceptions be made, so that we do not have a situation where the white woman is compelled to carry a pass while the Bantu woman need not carry it. It is precisely because of the practical difficulties standing in our way that we ask the Minister, with due deference, though firmly, to refer this whole principle to a Select Committee.

*Mr. S. E. WARREN: No.

*Dr. STEENKAMP: The hon. member may also give evidence there in spite of all his ignorance, but give the people of South Africa the opportunity of stating their case.

*Mr. BOTHA: Go and tell that to Prieska.

*Dr. STEENKAMP: To the hon. member who has just interrupted me I would like to say in the words of Multatuli: He has no other physical defect than his ugly face. I wish to request the hon. Minister in all seriousness and not for political reasons, please to refer this matter to a Select Committee, and then, when the Select Committee, in view of the evidence it has heard, comes here and advises us to introduce such a national registration, then in all probability I, at least, shall support him.

*Mr. OOST: I must say that the hon. member for Drakensberg (Dr. Steenkamp) has at least managed to get away from the Coloured people for a while. All those who spoke before him on the other side of the House shouted nothing but "Coloured people, Coloured people", warning us of difficulties in connection with the Coloured people and talking about unjust treatment of the Coloured people. The hon. member for Drakensberg at least tried to point to further objections against this Bill, and perhaps he is right in respect of certain points. There are points in this Bill which I, too, would perhaps like to change, and the hon. Minister has apparently also felt this, because he has indicated that he will refer this Bill to a Select Committee where certain points, like those raised by the hon. member for Drakensberg, can be considered and dealt with. But I hasten to warn the hon. member immediately that he is mistaken. He has not been properly informed, certainly not historically. In the beginning of his speech he mentioned that a Select Committee was appointed in 1935. That is correct. He also said that at the time this system was not accepted because the only one who wished to introduce the system was a Hollander by the name of Boezaart. The hon. member forgot that he was not merely a Hollander. He was born in Holland, but he was also an official in the days of the old Republics, and I do not think the hon. member for Drakensberg was born under a free flag.

*Dr. STEENKAMP: My father was a rebel.

*Mr. OOST: The fact that the hon. member enjoyed the company of his father does not seem to benefit him very much at present. At any rate it is a historic fact that this system was known in the days of the Republics.

*Dr. STEENKAMP: Yes.

*Mr. OOST: But the hon. member said that nobody knew the system except the Hollanders. I still remember very well that when one travelled from one ward to another, one had to give notification of change of address within fourteen days. Of course, the system was not complicated but it worked very well, so much so, that when the war broke out the commandos were very well organised and each field-cornet knew exactly where his burgers were and where he had to look for them. In this respect the hon. member was not right.

*Dr. STEENKAMP: I was referring to Europe.

*Mr. OOST: But the hon. member tried to show that this system was a foreign system, and I maintain that it is a system that was used successfully in this country and that it is not a foreign system.

*Dr. STEENKAMP: Yet you were a member of the Select Committee.

*Mr. OOST: I just want to give the hon. member the correct information to put him on the right track, something which he really

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needs after that speech of his. I want to give him a little more historical information. I suppose the hon. member heard that the Leader of the Opposition mentioned the 1935 report in his speech. Now I want to tell you to what this report owes its origin. There was a proposal made here by the hon. member for Germiston (Mr. Strauss) to obtain a purer and better list of voters. It was a proposal to institute an investigation into compulsory registration and compulsory voting. I then proposed an amendment asking also for an investigation into the advisability or otherwise of introducing a system of general registration of the population. That was the amendment. Then a Select Committee was appointed and they investigated the matter, and this brings me to what the Rt. Hon. the Leader of the Opposition read out to us yesterday, read out correctly, from this report. He said that it was rejected. But he did not read out to us that there had been an amendment, which is also mentioned in the report, another amendment proposed by me, stating that we did not know enough about that system as yet and that therefore a Commission should be appointed by the Government to investigate this system (of registration). Allow me also to inform the hon. member that that amendment of mine was rejected by merely one vote. If the Chairman had cast his vote in favour of my amendment the investigation into the registration would have taken place as early as that. But because his vote was not cast in my favour, this investigation has only taken place now, fifteen years later. There the hon. member has an account of the true historical events behind the Blue Book and behind this whole affair.

I am very grateful to the Minister, and the people should also be grateful that he has succeeded in obtaining the services of two competent officials who, as we are informed, have visited eight countries and have made an extensive study of the registration systems in those countries. Allow me to add that in those days, in 1935, one of the arguments advanced against this system was that there was no population registration in England and it was argued that if it did not exist in England why should we have it here? Well, that argument does not apply any more, because the Minister clearly informed us yesterday that England has a population register today. So that argument falls away and for the sake of information I may add that this population register has never existed in one country alone. It was the practice in several countries since the time of Napoleon. The history of the matter is that Napoleon, after sacrificing hundreds of thousands of young men in a war, compiled a population register to get new recruits, to discover which section of the population could be called up next. Ever since that time there have been national registers. Ever since that time we have had population registers. Every now and again one country or another improved its population register, with the result that in some countries, like Holland, for instance, as the Minister has told us here, they have a system that is well-nigh perfect. One of the important officials in Holland has testified to the great importance of a good population register to a country. I wish, therefore, to ask the hon. member whether he thinks that this population register is just a little plaything to be treated lightly and against which the nation is to be incited. That is what he did today. The hon. member also spoke about the housewife who will require a pass and about her servant in the kitchen who need not have one.

*An HON. MEMBER: Yet that is the case.

*Mr. OOST: He forgets that he is carrying a pass himself and that all of us, sitting here, carry passes; this is mine; this is is my pass — this green pass. Are you then so strongly opposed to that green pass? If so, why not throw it away and pay your own travelling expenses? No, Mr. Speaker, there are thousands of people in this country who carry other passes. What is your motor-car licence but a pass?

*Mr. TIGHY: Who says that?

*Mr. OOST: The hon. member must not try to create the impression that the mothers of the nation will be lowered to the status of Coloured women, and I feel convinced that if the mothers understand this matter properly they will be proud to be able to prove to any person at any moment that they are citizens of South Africa.

*Dr. STEENKAMP: The women will not carry them.

*Mr. OOST: I cannot say that I am in complete agreement with everything contained in this Bill. I do not, for instance, like Clause 13 which makes provision for the photograph. I believe that as far back as 1937 — I think it was in 1937 — the late Mr. Grobler introduced a Bill here with the provision that certain Natives who had reached a higher level of civilisation should not be required to carry an ordinary pass but that they should have a regular pass on which their photographs would appear. So this is not a novelty, but nevertheless I am opposed to the photograph idea, for various reasons. The hon. member will probably be terribly shocked if I say it, but I do not believe in the photograph system. I believe in the finger-print system, and if anyone ought to think this system awful, it is I. Allow me to tell the hon. member that I have a great deal of experience of these things. From 1900 to 1918 I was the un-

wanted and unwilling guest of His Majesty in various prisons and in each prison where I came I had to give my "pedigree". They never demanded my thumbprint for the simple reason that I would not have been willing to give it even if they had beaten me to death, because I did not want to be classified in the same category as criminals. But if I can now establish my South African citizenship by means of my thumbprint, I shall be proud of it, and I think the hon. the Minister, as well as the chairman of the Committee, ought to take this into consideration. I think it will be very difficult, especially if we take into account the way in which hon. members are reported to be inciting the people outside in connection with things that will never happen, yet I do believe that by means of propaganda or otherwise we could teach the people that this mark is nothing more than a finger-print and that in many cases it is much better than the system of photographs.

*Mr. TIGHY: You are shocking the country.

*Mr. OOST: I am convinced that if the Select Committee should decide to amend this Bill to that effect, making this thumbprint official, that in the course of time people will realise its great importance and the great saving it will bring about and they will realise that in that way everything becomes much easier, better and more effective.

*An HON. MEMBER: Why do you not propose such an amendment?

*Mr. OOST: I shall not propose any amendment, because the Minister himself has felt that certain improvements are necessary in this Bill and because he has undertaken to refer the Bill to a Select Committee after the second reading.

*Mr. TIGHY: Will you advocate it before the Select Committee?

*Mr. OOST: I shall say this, especially after the summary given by the Minister, that I am convinced of the great advantages to be gained by this country from a population register — a population register, not a national register. It is not a register of the nation alone but a register of all who are in South Africa. It is not a national register, as the hon. member for Drakensberg called it, but a population register, a register of the population of the whole of South Africa, eventually to include the Natives. Allow me to tell the hon. member that in my opinion the sooner that is done the better. The position in that respect, namely, the control of the Natives, has been in a terrible state of chaos since the regime of the previous Government, and I feel that something should be done to improve the position in regard to control over the Natives, as soon as possible. I cannot recall a time in all the years that I have participated in public affairs when such a chaotic position existed in connection with our control over the Natives. We know what the causes are. I do not want to blame anybody, but it is a known fact that during the war years the police received instructions to treat the Natives gently as it says in the Bible. We all know what the consequences of that policy are, and we have to stand the consequences and we have to eradicate those consequences. In order to regain once more a well-controlled social structure it will be necessary to apply the provisions of this Bill thoroughly to Natives, or else we may expect a great deal of misery in the future.

*Maj. VAN DER BYL: That is not what your Minister said.

*Mr. OOST: There is something else I would like to say with reference to the speech of the Rt. Hon. Leader of the Opposition, but I think I may leave the matter there in view of the exposition I have given here concerning the past history of the Bill. The hon. member for Drakensberg stated here that they were also in favour of maintaining the status of the White man. I accept that whole-heartedly. I am glad to hear it. I feel that all who are South Africans cannot but feel that the dividing line between Europeans and non-Europeans should be observed. But then how can it be explained that whenever a speaker on the other side rises to say something about this Bill, only one cry is set up and that is: "Oh, the poor Coloured people are treated so badly." To me it looks like a shameless courting of the Coloured vote, and the Coloured people themselves, the good ones among them — and fortunately there are many good Coloured people — will be able to estimate that courting of their votes at its true value.

Dr. GLUCKMAN: Mr. Speaker, I am glad that I am following the hon. member for Pretoria (District) (Mr. Oost) in this debate. Firstly, because he is a man who enjoys universal respect in this House and secondly because he was closely associated with the Select Committee of 1935 to which much reference has already been made and, I have no doubt, to which more reference will be made in the course of this debate. I was particularly interested in his comments pertaining to his amendment and what might have happened had it been carried. I am sure the hon. member must know the final paragraph of the report of that committee — the final paragraph which I now read. I would not have done so had it not been for the speech made by the hon. member. It is precisely what the Rt. Hon. the Leader of the Opposition asked for in his amendment yesterday. To begin with there are a few preambles—

Your committee having taken evidence on the question of the compilation of a national register, referred to it, while conscious of the many advantages such a scheme might offer, if completely effective, find, as far as the evidence before it goes, that the carrying out of such a scheme would be—

(a) impracticable in South Africa owing to the vast expanse of territory, and the shifting nature of the population;

(b) too costly as shown in the memorandum submitted by the Department of the Interior; and

(c) of little value unless it comprises all sections of the community;

and is unable at the present time, in the absence of further inquiry, to recommend it.

Then comes the final paragraph which, as I said, is precisely that contained in the amendment moved by the Rt. Hon. the Leader of the Opposition—

Your committee is further in favour of the principle of compulsory voting on the lines of the Australian system, but is not in favour of its introduction until such time as the views of the public thereon have been fully ascertained, and accordingly recommends that the Government appoint a commission to take evidence and to report on the extent to which the public are in favour of the introduction of this system and, if found to be practicable, to work out the details of such system as would be best suited to the special conditions prevailing in South Africa.

In other words, the recommendations of the committee of which the hon. member for Pretoria (District) was a member were that further investigation should take place, and that the principle of the measure should be investigated — not as the Minister of the Interior wants this House to do; that is, to accept the principle and merely have a Select Committee to work out the details — that the principle itself should be thoroughly investigated and recommendations then made.

I felt that I should take this opportunity to remind the House of the findings of the committee at that time. I was also interested in the hon. member's reference to the rather older history as affecting Holland. He referred to Napoleon. Napoleon was at that time the dictator of the whole of the Western Continental Europe. All nations were at that time in a state of subjugation. The conditions then might well have made that kind of national registration practicable. But the hon. member will be the first to admit that what might have been practicable a century or so ago is not necessarily practicable in South Africa today. While on this point it might not be lacking in interest for this House to have repeated to it a further paragraph from the report of the 1935 committee of which the hon. member was a member—

It is problematical, however, in the age in which we live and having regard to the psychology of the two principal White races of South Africa, the thinly populated areas of the country and the floating nature of the population in many parts, whether the scheme can be successfully applied to the Union.

Here we have the views of a committee of which the hon. member was a member. These views were expressed fifteen years ago. It will be my duty in the course of my remarks to ask the hon. the Minister of the Interior to point out in what respects the findings of fifteen years ago have been altered by present circumstances.

The MINISTER OF THE INTERIOR: I have already done so.

Dr. GLUCKMAN: I have listened to the Minister's speech: the only thing that emerged from it was that the mechanics of registration have been somewhat streamlined.

Mr. SERFONTEIN: What about the countries he mentioned?

Dr. GLUCKMAN: The Minister devoted no less than an hour and a half yesterday to an attempt to convince this House and presumably also the country that the kind of Bill which is before the House now was vitally necessary — that it was necessary to provide statistics without which a modern State cannot be suitably and properly administered. Whilst he carefully itemised all the reasons why such a system would be of service to the country, two questions, however, still remain unanswered. The first is, what purpose will this Bill really serve, and the second is, why does the Government choose this occasion, in the midst of all our other preoccupations, to introduce a measure of this kind? The hon. the Minister quoted other countries to indicate that what was good there should also be of great use in South Africa. He informed the House that compulsory national registers were operating in Canada, Holland, France, Italy, Kenya and in Israel. The first obvious question to which an answer should be given is this: Is the racial composition of those other countries, other than Kenya, the same as the racial compo-

sition of South Africa? Are they countries in which there are heterogeneous populations, with all the difficulties attendant upon carrying out a scheme of this kind?

The MINISTER OF THE INTERIOR: All the more reason why it should be introduced.

Dr. GLUCKMAN: Not at all. In Kenya there is a national register. Are all the Natives included in it or not?

The MINISTER OF THE INTERIOR: Yes, all those over the age of 16.

Dr. GLUCKMAN: There is the greatest difference in the world between the introduction of a national register in countries such as those he has named and its introduction in this country. In each of these countries you have a homogeneous population.

The MINISTER OF THE INTERIOR: What about Kenya?

Dr. GLUCKMAN: In Kenya it has been introduced for all sections of the population, which is not being done here. The difference, of course, is that in those countries there is a genuine desire to know the people of those countries in order that they might be given the necessary franchise and other privileges which appertain to people in democratic countries. From the nature of its introduction, from the context of this Bill — the fact that it is one of a series of measures which obviously aim at quite a different set of circumstances — the introduction of this Bill is entirely different to the introduction of national registers in the countries to which he has referred.

Mr. SCHOLTZ: If the Natives were to be included, would you be satisfied then?

Dr. GLUCKMAN: In other countries the introduction of national registration was not to enable the Governments to carry out a policy to which our Government is committed. In this country it is the policy of apartheid — and to compile family registers, that is provided for in this Bill, and not so much as to achieve sound administration. The hon. the Minister and his supporters cannot claim that that is the reason for the introduction of this measure. The Minister, who is perhaps the cleverest, the most ambitious Minister in that Cabinet, is rapidly leading his Government into disrepute. He has been responsible for a series of measures, each one of which is undoubtedly causing a great deal of hardship. The introduction of this measure, in addition to its imracticability, in addition to its untimeliness, may yet prove to be the political downfall of his party and the Minister may be the first to be debunked by his own followers.

*Mr. SERFONTEIN: You have him terribly worried.

Dr. GLUCKMAN: The Minister has attempted to give some reasons why the circumstances at the present time are different to the circumstances that prevailed in 1935 when the Select Committee sat. He attempted to indicate that their findings, some of which I have already mentioned, are not applicable now. Their finding was that this scheme was impracticable, that the whole scheme was too costly, that it would be of little value unless it comprises all sections of the community. In dealing with these adverse features, the Minister attempted to indicate that the circumstances prevailing at the present time are entirely different. Can he in his reply give us any reasons why the statement then made by Col. Hoogenhout, who was Secretary for the Interior, has in any way changed now. The remark he made then was as follows —

> The success of a national population registration scheme would depend in its initial stages on whether its establishment, based, as it would be, on compulsion would meet with public approval and with the whole-hearted co-operation of all those on whom would devolve the duty of notification.

Does that condition not still operate? In the light of what he has already heard, is he satisfied that this measure, if passed, can ever hope to enjoy the whole-hearted co-operation of the people, the co-operation which the Select Committee of 1935 visualised as being essential and which the then Secretary for the Interior described as one of the essential conditions. In this respect, at any rate, the position today is no different from what it was found to be in 1935. The present Minister of Defence (Mr. F. C. Erasmus), who was a member of this Committee, made the following statement —

> It would be impracticable in South Africa, owing to the vast expanse of territory and the shifting nature of the population.

Has anything happened to change that position? Are our spaces any less vast, and does our population move less frequently?

The MINISTER OF THE INTERIOR: Are our ox wagons any slower?

Dr. GLUCKMAN: The Minister of Defence also said that it was too costly, as was shown in the memorandum submitted by the Department of the Interior at that time. The estimated cost of the scheme was £65,000. Yesterday the Minister gave us a Bill of Costs, which is something like £300,000 in respect of capital expenditure connected with

the introduction of the scheme and £300,000 for its maintenance. Is that not so? A further point made by the present Minister of Defence was that it would be of little value unless it comprised all sections of the community; here we come up against the point made by the hon. member for Drakensberg (Dr. Steenkamp) which has not been suitably dealt with by the Minister.

Another important witness who appeared before this Committee was Dr. J. E. Holloway, who was at that time Director of Census and Statistics, and this is what he said—

> People will say that the Government wants White people to carry passes nowadays. Unless you can get the fullest co-operation of the public your registration will be an entirely valueless thing.

Won't people say exactly the same thing today? The Rt. Hon. the Leader of the Opposition correctly stated the main purpose of this Bill. It has also been stated by other members on this side. We think the purpose of the Bill was obviously evaded by the Minister in introducing it. Members on the Government benches were quite surprised when the Leader of the Opposition pointed out that this Bill was primarily intended to sort out the races in this country. If that is the intention, why did the hon. the Minister of the Interior not make that perfectly clear. Why did he not, as was his duty to this House and to the country, state plainly that the object of this Bill was this: that it is the first measure in the final ascertaining of the Coloured population of this country who, no doubt by a second measure, would be taken off the common roll and put on a separate roll. It is small wonder that the then Committee was worried about the expense. The Minister told us yesterday what expense would be involved in the introduction of this measure. The interesting thing was that he attempted to indicate that it would be a sort of revenue-producing agency. If the Minister wants to spend money on statistics why does he not take heed of something that happened here quite a short while ago. This is a cutting from one of our newspapers. It refers to the visit to this country of an important industrialist from abroad who, when interviewed, made the following statement (as reported in the Press)—

> He said that a great deal of money was being lost to the Union in the form of investment because of our lack of statistical data in connection with commerce and industry.

The report goes on to say—

> Men from abroad with money to invest here, he said, wanted to know the consuming capacity of the Union, the availability of labour, present and future transport and power facilities, water supplies and so on.
>
> Recently potential investors from Britain and the United States controlling funds up to a total of £40,000,000 had left the Union in disgust because they could not get the information they wanted or find anyone who seemed interested in getting it for them.

I say that if the Minister wanted to spend money usefully at a time like the present, in order to further the interests of the country, the interests which are a constant cause of concern to his colleague, the hon. the Minister of Economic Affairs, why does he not devote this money, at a time when the Minister of Finance is pleading with all Departments to cut down expenditure on social services, to this kind of statistics; why does he choose this occasion to foist a measure of this kind on the people and on the House? What is interesting is this. The Minister referred yesterday to the fact that two of his senior officials travelled far and wide and came back to this country richly endowed with information as to what is happening in other countries. On the basis of that information, he was quite prepared, so he said, to carry on now and to give the country the benefits of all the best from all the other countries. Let me read to the House what one of these senior officers of his Department said with regard to the present difficulties under which the Department labours—

> In an address to the Paarl Chamber of Commerce on February 13, Mr. J. I. Raats, Director of Census and Statistics, said that a grave defect in the Union's statistical services was the length of time that elapsed between the collection of data and the publication of reports.
>
> Another serious defect was the lack of one or more indices of current tendencies in the Union's economic life. Nothing was known about the investing capacity of the country. The labour market was a closed book.
>
> Although the office of Census and Statistics had done good work it was losing the battle in other ways.

Then the report goes on to say—

> This was impossible at present because of the lack of trained men and the heterogeneous population of the country.

Here you have a Department attempting to give of its best, attempting to provide essential information under great difficulties Then this is the Department which is now going to be loaded still further by this cumbersome, unnecessary, costly new machine. Again and

again one hears the hon. the Minister of Finance plead in this House that members should not ask for new services, that the country should not ask for the introduction of new legislation because every new measure means new administration, means new personnel, means accommodation and all those other things which naturally increase national expenditure. In the face of those pleadings, is it not amazing, unless there is no kind of joint Cabinet responsibility that another colleague should pick on this occasion to introduce a measure of this kind, a measure which will mean personnel and money, neither of which is freely available at the present time. Yet, Sir, we heard yesterday from the Minister what he maintains this Bill will do. Why did he not tell us what it will not do? It has already been indicated that this Bill will not replace the census. It is useless as a source of vital statistics, especially as Native women and children are eliminated. It will not assist the police in any way. He knows perfectly well that the Bill as it now stands, with the machinery which is being provided, will offer any amount of opportunity for evasion. The honest man will register. The evildoers will easily dodge the inefficient net. There is no measure which can be less welcome, which can be less acceptable to the House and the country than a measure of this kind and at the present time. Statistics are necessary. The greatest need in this country is vital statistics. For years the report of the Department of Public Health has drawn the attention of this House and of the country to the fact that we have no vital statistics dealing wih the non-European peoples. And always the answer was given by other Governments as well as by this Government that there were difficulties of personnel and difficulties of finance. And yet these statistics which are so vital to any nation, upon which depends the planning of health and social services, are being still left in abeyance, and the House and the country is asked to introduce a measure such as is before us now. The Minister himself stated that the fact that there was no compulsory registration of Native births and deaths, was one of the reasons why he did not at present consider it advisable to include the whole Native population under this Bill. Surely it will be much better if we planned to introduce vital statistics at this stage instead of proceeding with a measure of this kind.

The real motive of the Bill has been made quite clear by every speaker, with the exception of the hon. the Minister himself. They jeered when the Rt. Hon. the Leader of the Opposition indicated the real racial purpose of this Bill. But why should they be so reluctant to admit the real purpose of the Bill? Surely they read their own newspapers. "Die Burger", in its leading article of February 21st, made this statement—

> The Nationalist Party and its ally were put into power to carry out the policy of apartheid. To do this effectively the Government must first have at its disposal a national register. Dr. Malan has more than once said that a national register is the whole basis of an apartheid plan. Not only separate residential areas but separation of the races in whatever sphere is hardly possible without it.

HON. MEMBERS: Hear, hear.

Dr. GLUCKMAN: Then why does the Minister of the Interior not say so? Why does he take one and a half hours to explain how this Bill will bring revenue to his colleague, the Minister of Finance, and he does not mention the purpose?

The MINISTER OF THE INTERIOR: You did not understand my Afrikaans.

Dr. GLUCKMAN: Yes, I understand all your Afrikaans quite well. No, in this quotation from "Die Burger" we have the real reason for the Bill, and it could have been stated in three minutes.

Mr. RUSSELL: Does the leading article give any of the reasons advanced by the Minister?

Dr. GLUCKMAN: Those are the only reasons I can find. There is another interesting sidelight on the real purpose of this Bill, and that is found in the February issue of "Die Kruithoring". In this article reference is made to the rapidly rising number of Coloured schoolchildren. Reference is made to the fact that in 1946 there were more European than Coloured schoolchildren, but in 1949 there were 14,000 more Coloured schoolchildren, and then the article continues—

> In the 19 Cape constituencies there were already 32,850 Coloured voters. Taking these facts into consideration makes the removal of Coloured people from the common voters' roll in the Cape all the more necessary.

Thus it is quite clear, by reading the current newspapers, as to how the political events have compelled the Minister of the Interior to come forward now with this bit of legislation.

Mr. Speaker, I cannot do better than read to the House a summary of this Bill, produced by a keen student of South African politics and a man deeply devoted to the fostering of good race relations. This summary is so perfect that I want to read it to the House to have it on record in Hansard—

To sum up — the chief reason for the National Registration Bill is not statistical; it is to enable the Government to put apartheid into effect. It will provide elaborate and expensive machinery for invading our privacy and for encouraging the common informer. It will result in hardship and personal suffering to many European and Coloured families. It will foster widespread suspicion, and fear and hatred among the Natives, Coloured and Europeans. It threatens to trample on elementary personal rights and liberties. Altogether, it is one of the most sinister pieces of proposed legislation that has come before this country. If it is passed into law, it will disrupt our body politic as no other law has done.

That, Sir, is a summary by a man who means well by South Africa and who has studied political trends probably more carefully than the members on the Government benches. This Bill represents yet another dose of doctrine. It is part of the Government's deliberate policy of tampering with the franchise so as to ensure its own permanence in office. There are ample evidences of that right through the two years in which the Government has been in power. We have had first of all the amendment to the Electoral Act in the first Session for the purpose of disfranchising anti-Nationalist voters. Secondly, we have had the Citizenship Bill to keep potential opponents off the voters' roll. We have had the suspension of immigration in case newcomers voted the wrong way. Now we have this Bill so as to declare more voters Coloured, and at a later stage no doubt to disfranchise them. We have had the repeated threat of the abolition of the Natives' Representatives in this House. Last, but no least, we have had legislation to give over-representation to South-West Africa in the confident hope that the majority of its voters will be Nationalists and send a majority of National representatives to this House. One must examine this Bill in its right context — as another part of the over-all plan which has but one object, the object to which I have referred. The amazing thing is this: that a Government which came into power on a minority vote, a Government confronted with serious economic and major national problems, should have set itself the task to try to give effect to legislation such as I have mentioned. One hoped that the Government would have given its attention to matters of such great importance as soil erosion, Native housing, cost of living, and national health. They claimed to be a competent and business-like Government, ready to tackle the problems of the nation and the State, yet we found that they had hardly taken office when they embarked on legislation of the kind before the House today. How can this Government with its record expect the House or the country to do anything but oppose, and oppose most strenuously, a Bill of this nature? I hope, Sir, that this debate will convince many hon. members on the Government benches that they have a Minister who is a source of danger to their party, to the Government and to the country.

*Mr. VAN DEN HEEVER: If one listens to the hon. member who has just sat down, one becomes all the more convinced that the people of South Africa in May, 1948, did the right thing in removing members like those sitting opposite once and for all from the Government benches, and that they did the right thing in once and for all removing a crowd of people who are so frivolous and so ill-advised as to take up the time of the House with rubbishy talks, like those by Leo Marquard. [Interjections.] The hon. member who has just sat down and who was a Minister in the former Cabinet does not know the legislation of this country. That is perfectly clear, from what he said here this afternoon. He comes here and tells us that this Bill has been introduced with a view to removing the Coloured voters from the Common Voters' Rolls so as to put them on a separate roll. Is he really so uninformed that he does not even know that there already are in existence separate Rolls for Coloured Voters? Doesn't he even know that? If he doesn't know that then it is very difficult to understand how the hon. member for Pretoria (East) (Field-Marshal Smuts) could ever have taken such a man into his Cabinet. The hon. member went even further in regard to the Coloured question. He stated that we are now trying to pass a measure to enable us to purify the Voters' Roll. Does he really want a Coloured man who appears on the European Voters' Roll to remain there? And does he also want a White man's name appearing on the Coloured Voters' Roll to remain there? Does he want this injustice towards both sections to be perpetuated? He also told us that although the hon. the Minister of Finance had said that we must save money, the Government had none-the-less come along with this new service. Let me say at once that this new service will bring about much greater economies, will mean a greater saving than the amount which will be spent on it. It pays the country to introduce such a new service. If we have such a population register many things will be achieved which will result in considerable savings to the Government to the country and to the commercial community. We shall be able to ascertain the whereabouts of people throughout the country if it should be necessary to obtain their names and addresses for business purposes and for other purposes.

I do not, however, wish to spend too much time on the hon. member. The basis for the remarks of the hon. member for Yeoville (Dr. Gluckman) lies in those stories which Mr. Leo Marquard has written for the "Cape Times". If we read what Mr. Mar-

quard has written in the past 25 years, we can come to only one conclusion and that is that he has become so obsessed with liberalistic ideas that he is now simply out to sow seeds of dissension between European and non-European and that he always chooses the side of the non-European. That is precisely what he has been doing so far. He pretends to be a scientist whereas in actual fact he is nothing but a quack. We need not take any notice of him, nor do we need take notice of the frivolities proclaimed by the hon. member opposite.

*The MINISTER OF THE INTERIOR: He advocates equality in every respect.

*Mr. VAN DEN HEEVER: Yes, in that respect he is exactly like the hon. member for Wynberg (Capt. Butters), who has advocated that all non-Europeans throughout the country be allowed to have the franchise on a basis of equality with Europeans. The hon. member for Springs (Mr. Sutter) smiles, and apparently he agrees with it.

The amendment moved by the Rt. Hon. the Leader of the Opposition is a very illogical one after the speech made by him in this House. In his speech he condemned the whole of the Bill together with everything in it. Yet in spite of that, he has moved an amendment to the effect that the Bill should be referred to a Select Committee before the second reading. To make a proposal of that kind is simply playing with the House. In principle they are opposed to the idea of a national register and later on I shall deal with the reasons why they are opposed to it. But the amendment which they have proposed indicates that they are prepared to accept one or other registration system and therefore a Select Committee must now draft a new Bill. Hon. members opposite will be of no assistance whatsoever on a Select Committee if it is to be appointed before the second reading. If on the other hand it is appointed after the second reading, after the principle of the Bill has been adopted by the House, then they will be able to assist us in working out the details of the measure. We are giving them the opportunity to assist us in that way by referring the Bill after the second reading to a Select Committee.

Now let me come to the question of "apartheid". Hon. members opposite have held forth assiduously about the reasons why we want this measure to be passed. They suspect this to be a measure which we want to enable us to put our policy of "apartheid" through. [Interjections.] As far as they are concerned apartheid is a monstrosity and for that reason they oppose everything which may assist us in putting that policy into effect. This Bill, in my opinion, is a foundation stone to the whole apartheid structure which is being established.

*Mr. TIGHY: So you admit it?

*Mr. VAN DEN HEEVER: Yes, I say so.

*Mr. TIGHY: Thank you very much, but then you leave your Minister in the lurch.

*Mr. VAN DEN HEEVER: The hon. member has not followed what the Minister said — he failed to understand what the Minister said if he can now come here and make remarks of that kind. Let me say this, that the United Party is not opposing this Bill on the very loose grounds which they have raised here. Those loose and ill-considered grounds which they have put forward are nothing but nonsense. They are opposing this Bill simply because it constitutes such a foundation stone. They are not opposing it because of the expense connected with it — they dare not deny that there is a lot of good in the Bill but in spite of that they oppose the Bill on those grounds which they have put forward. But the real reason why they oppose it is purely and simply because it is a foundation stone for the carrying out of the apartheid policy. It is one of the foundation stones as the Prime Minister has stated from time to time. Instead of their saying that they are opposed to apartheid and that they will fight apartheid, the one after the other gets up and says that they also stand for white domination. We know, however, that they are opposed to apartheid and that that is why they fight this Bill. We are engaged here in laying the foundation for the carrying out of our policy, for a structure which may perhaps take 50 or 100 years to complete. And once this has been achieved it will be recognised that this Bill has been one of the foundation stones. This Bill is essential. It is our ideal and eventually every racial group will be able to maintain its own identity. It will be able to maintain its own development, the non-Europeans under the guardianship of the Europeans; but they will be able to develop in order to have their own identity and to maintain it.

The hon. member for Drakensberg (Dr. Steenkamp) (previously member for Vryheid, where he was defeated) is in this position that every time he gets up to make a speech, finds that by the time he sits down his Afrikaner point of view has become a bit more blunted than it was before. The hon. member is terribly indignant at the fact that we on this side should accuse members opposite of not standing for absolute social segregation between the different races in the country. May I be allowed to remind the hon. member of what happened in this House last week. When the Immorality Act Amendment Bill was before the House, only one substantial argument was raised against the Bill from the other side — all the rest was nothing but idle talk — and that

argument was about the poor sailors — the hardships suffered by the sailors were of greater importance to them than our domestic problems. The hon. member for Brakpan (Mr. Trollip) was the first to raise that point. Their slogan was "Give the sailor a Coloured woman" — the consequences to our racial problems, as far as they were concerned, were less important.

*Mr. TIGHY: They may possibly make a mistake where you are concerned.

*Mr. VAN DEN HEEVER: I want to tell the hon. member for Johannesburg (West) (Mr. Tighy) that one would have to have a tremendous imagination to mistake him for a platinum blonde — he finds it necessary all day long to advertise on which side he stands and he should now stop looking for others behind the door where he himself is standing. Now let me come back to the Bill itself. The United Party members are the very last to complain about the introduction of a register of individuals in South Africa. They were the very first to introduce such a register, because after the outbreak of the war they started a personal register.

*Mr. BARLOW: [Inaudible.]

*Mr. VAN DEN HEEVER: I want to say this to the hon. member for Hospital (Mr. Barlow) that an individual who has no respect for his own ancestors cannot expect us to have respect for him, nor can he be expected to have respect for his own descendants. Last year in this House he told us that his great-grandfather and his grandfather invariably had to be carted to bed drunk every night. But what I want to say is that it is hon. members opposite who made a start with the registration of people in South Africa. They, however, did it secretly. This was done by the Truth Legion, whose members went through the country like spies in the night and put people's names on the list together with all kinds of false and libellous remarks alongside. They had that register and they put false information on that register as a result of which people were put in gaol and behind barbed wire in camps. In consequence of all this they interfered with the promotion of certain officials. And it is because they know how that sort of thing can be abused and because they have done it themselves that they now imagine that this Government will do the same sort of thing. They did not publish their register of persons. No, they hid it in dark places. Their register of persons could not be displayed in order to show whose names were on it. I say that the register which they compiled was administratively one of the lowest things ever perpetrated in South Africa, and it is because they themselves used to hide behind doors that they now look for us in the same place.

We can assure the people of South Africa of this, that the present Government will never descend to such administrative depths as we experienced under the regime of the former Government. Let them show us the lists of this Truth Legion and let us see whose names appear on that list.

When the names are put down for the national register the same procedure will be followed as has been followed in the past when a census is enumerated. But the trouble is that hon. members opposite always have in their minds the lists, the registers, which were framed by the Truth Legion. The members of the Truth Legion were not known to the people whose names had been inserted in the list. But when the national register is compiled, the people who will go round to collect the names will be known to the public. They will be officials of the Government for the time they are doing this work — we are not going to hide those names. When a name is put down, the individual whose name is taken will be given the opportunity of saying that he should be inserted in this or that group. The compiler will certify the correctness of a registration, and only if there is a difference of opinion will a case be reported to the Director of Census. That procedure has been followed in the past in connection with every census return. On the census return is noted whether a person is Coloured, whether he is a Native or whether he is a European. In every census that has been the procedure. Now, however, that procedure, according to the Opposition, has suddenly become impracticable. In this connection I want to ask hon. members opposite what happens in Israeli.

*Mr. BARLOW: Ask the hon. member opposite.

*Mr. VAN DEN HEEVER: No, we can ask the hon. member for Benoni (Mr. Lovell), the hon. member for Hillbrow (Dr. Friedman) and the hon. member for Cape Western (Mr. Kahn) what they do about the Arabs in Israeli. There they also have a personal register and there, too, there is a mixture of races. Take a country like Kenya where there are also different races. There they have Europeans, Indians, Coloureds and Natives and there they also have such a register, but here we are now suddenly told that it is impracticable. I also want to point out that classification only occurs once. If a classification has been made for the census, it is all over and done with. [Interruptions.]

Mr. TIGHY: You take a hell of a lot . . .

*Mr. OLIVIER: On a point of order, Mr. Speaker, is an hon. member permitted to use such language in the House? Does it

conform with the dignity of the House for an hon. member to say, "You take a hell of a lot . . ."?

Mr. TIGHY: I withdraw it.

*Mr. VAN DEN HEEVER: Hon. members should pay no attention to the hon. member's remarks. Let his remarks be printed in Hansard, so that we can use them when we want to. Anyhow, the child is classified at birth. Hon. members representing Cape constituencies know the difficulties we are faced with when the children go to school and when the principals of different schools have to classify them. We now propose doing so before the child reaches the intellectual stage, and when this sort of thing will not make an impression on the children's minds. If the child is to be classified later, when it goes to school, he may feel hurt or embarrassed. The classification will now be done before the child reaches that stage. Hon. members opposite cannot tell me that in their hearts they are in favour of our having to wait until the child is seven years of age, and let them be classified when they go to school, which is being done today on a large scale, especially in the western parts of the Cape.

The Rt. Hon. the Leader of the Opposition said that he had no confidence in the Council to be appointed under this Bill. Let me ask him this question: Who appoints the judges — are they not appointed by the Ministers? Let us assume that the very worst should happen in connection with such a council. Let us assume that the council should consist of people who are in favour of apartheid — as the hon. member now fears. What advantage can a member of the council derive by wrongly classifying an individual? What sense would there be in a person wrongly classifying a man? He would only make a fool of himself by wrongly classifying an individual, because the error would have to be remedied.

Hon. members opposite naturally always look for sinister motives. We expect it of them, but we have no fear of such things happening. We shall be able to account for what we do to the public of this country. The "pass", as hon. members opposite have called it, is not a pass to be carried by the individual at all times. An individual will be allowed to produce it within seven days if necessary. The hon. member should know that. In regard to the Electoral Act, I should like to see the provisions made effective. If there is a photograph on the identification certificate and if it has to be produced at the poll for identification purposes under the Electoral Act, one will immediately be able to determine whether the individual concerned has the right to vote or not. But there will be no need for such a card to be in the individual's possession wherever he goes. The hon. member said earlier on that one would have to carry it in one's pocket everywhere. That would be the position with the "S.A.P.-Pass".

*Mr. DU TOIT: If a man goes to Newlands he will have to carry it with him.

*Mr. VAN DEN HEEVER: He could take it with him for a specific purpose. We are naturally conscious of the fact that hon. members opposite are very disappointed at not finding in this Bill what they had hoped to find in it. The monstrous things which they prophesied in regard to this Bill and which they wanted to exploit are not in it. What has been their attitude during the past 12 months since before the Provincial Elections. We had repeated signs of senile decay as far as the Opposition was concerned. They started off with the S.A.P. pass—which on the 9th March did not pay them any dividends. They carried on with it at Mayfair, and then they came along with their "lemon tree", they came along with a new symbol of victory "together we grow", but the thing wouldn't grow, and in the end their motto was altered to read "together we grow old". And finally they came forward with a very previous thing, which caused their leader to get a black eye the week after. They conceived the idea of a beehive and they sent out circular letters stating that they would accept members of the beehives. They issued various kinds of bee symbols which would display the fact that the bearers were members of the beehives. The one symbol was that of a grub. I have such a symbol in my hand — and this is the sort of thing which a member of the hive had to wear on his jacket. This was supposed to be the counterpart to the "kruithoring" (powderhorn) which we bear as our emblem; I must admit that I have not found a solitary hon. member opposite wearing such an emblem. This thing, this emblem, is the reproduction of a grub and on it appears the word "grub". I have had this given to me by an old man, who has gone on pension, and this old man said to me: "Old chap, up to now I have always belonged to the United Party, but they are going mad now — show it to them in Parliament and tell them what it is". He is an old man now. Here is the letter which the United Party sent out and the heading is "Biggest and best beloved queen bee".

An HON. MEMBER: We have heard all that before.

*Mr. VAN DEN HEEVER: Well, it will do you good to hear it again.

*Mr. S. J. M. STEYN: Who circulated that letter?

*Mr. VAN DEN HEEVER: "The biggest and best beloved queen bee". It comes from

your Hyde Park branch. The signature at the bottom of the letter is not quite clear, but it could be Marais Steyn as well as anything else.

*Mr. S. J. M. STEYN: There you lie.

*Mr. VAN DEN HEEVER: Exactly, just as I expected. There we have it. They are ashamed to put their signatures to a letter containing their own party symbol.

*Mr. OLIVIER: On a point of order, can we allow an hon. member to use such words. The hon. member for Alberton used the words, "There you lie".

*Mr. RUSSELL: I used that expression.

*Mr. S. J. M. STEYN: I also did and I also said that the hon. member suggested that my signature was on that letter and I said that he lied.

*Mr. VAN DEN HEEVER: I never said that his name was on the letter—I said that it might be his name as well as anyone else's.

*Mr. OLIVIER: I am asking that the hon. member for Alberton withdraw his remark.

*Mr. RUSSELL: On a point of order, may I ask whether the hon. member is allowed to make such an insinuation?

The DEPUTY SPEAKER: If the hon. member for Alberton did say it, then he must withdraw it.

*Mr. S. J. M. STEYN: I withdraw.

*The MINISTER OF TRANSPORT: The hon. member for Woodstock (Mr. Russell) has stated that he also said it.

*The DEPUTY SPEAKER: Then I must ask the hon. member also to withdraw it.

Mr. RUSSELL: I withdraw with the greatest of pleasure any remarks which I made in connection with these matters, in spite of the fact that many comments could be made.

*The MINISTER OF TRANSPORT: On a point of order, the rule is that an hon. member must withdraw unconditionally.

*The DEPUTY SPEAKER: The hon. member must withdraw unconditionally.

Mr. RUSSELL: I withdraw the word "lie".

*Mr. TIGHY: As the hon. member has now withdrawn, should not the hon. member for Pretoria (Central) (Mr. Van den Heever) also withdraw that this alleged letter, according to him, was sent out by Mr. Marais Steyn?

*HON. MEMBERS: He never said it.

*The DEPUTY SPEAKER: The hon. member may proceed

*Mr. VAN DEN HEEVER: I have said that hon. members opposite are now ashamed of having their signatures attached to that letter.

*Mr. S. J. M. STEYN: You know that it is a branch secretary.

*Mr. VAN DEN HEEVER: We don't know it. It states here that it is the queen bee. I want to proceed now and I want to refer to the "S.A.P. pass", which hon. members opposite exploited last year. I would refer hon. members to Clause 13 (2) of the Bill which lays down what an individual's identification certificate has to contain, and the following details are allowed and nothing more—

(a) his name and sex.

(b) his classification in accordance with Clause 5.

(c) his citizenship or nationality.

(d) his personal number.

(e) a recent photograph of himself and

(f) the date of issue of the certificate.

Those are the only details to be shown on a small neat card, which the Minister will, no doubt, when the time comes, show to the House and which, no doubt, will also be shown to the Select Committee. I have also seen a print of it in one of the newspapers. But here I have this "thing" on which members opposite fought the elections and by means of which they misled the public — and that is why they are now so disappointed at the fact that not one of these "monstrous" things which they told the public about is to appear in this identification certificate, and they are now discouraged because they cannot make any political capital out of it. At the top of the so-called "S.A.P. pass" appear the words "Apartheid regulations" and then follow the words: "Identification pass for Europeans". Then—

Houer/Holder

Ras/Race

No .....

and then the following words—

This pass is valid for 12 months only in the province of issue and must be renewed on expiry. Penalty in default of renewal £50 fine, or 6 months on conviction.

And then we come to the inside and there it says this—

Thumb impression to be registered hereunder on receipt of the pass.

And then a space is left and on the right-hand side a thumb impression is shown. And further they allege that the following details will have to given—

Naam/Name .....
Adres/Address .....
Beroep/Occupation .....
Godsdiens/Religion .....
Geslag/Sex .....
Land van Herkoms/
Country of Origin .....
Kiesafdeling/Constituency .....

VOOROUERS — ANCESTRY.

Van Vaderskant:	Van Moederskant:
Grootvader / Paternal Grandfather.	Grootvader/ Maternal Grandfather.
Naam/Name	Naam/Name .....
Ras/Race	Ras/Race .....
Grootmoeder/ Grandmother.	Grootmoeder/ Grandmother.
Naam/Name	Naam/Name .....
Ras/Race	Ras/Race .....
Vader/Father.	Moeder/Mother.
Naam/Name	Naam/Name .....
Ras/Race	Ras/Race .....

And then it says further—

This card must be produced on instructions from police officials or civil servants.

And then according to this "S.A.P. pass" the following details have to be filled in: No. of passport, investments outside the Union, former names — it would be interesting to get the former names of a number of hon. members of the other side — And then follow — Rank in war 1939-'45, schools the individual has attended, which schools attended by children, home language, number of radio sets and for which party the individual has voted at the previous elections.

*HON. MEMBERS: Shame.

*Mr. VAN DEN HEEVER: I can quite appreciate that the question of home language plagues some of their consciences and that for that reason they make provision in their pass for their home language. Many hon. members opposite whose mother tongue was Afrikaans and whose home language is now English will find it very hard to answer this question. I think it pricks their conscience very badly. In regard to this "rank in the last war" — that, of course links up with the Truth Legion which we had during the war. And then it is contended that the date of issue, the province and the police station will have to be filled in.

*Mr. S. J. M. STEYN: You should also quote page 4.

*Mr. VAN DEN HEEVER: Yes, that is in English only. I shall read it—

"Things have come to pretty pass. The Nationalist Government plans legislation which will make it compulsory for all white men and women to carry a pass which will prove that they are of European descent.

Stop the coming of the Gestapo!
Vote United Party.
Return a Democratic Government!
Pass this on.

*Mr. S. J. M. STEYN: Hear, hear.

*Mr. VAN DEN HEEVER: Of course the member of the Truth Legion — barbed wire fencing, democracy of the United Party. That is the S.A.P. pass with which they tried to mislead the electors. This thing was issued — and the name appears at the bottom — "by V. van Rensburg, Trysa Buildings, Pretoria". It has established that no such person exists in Trysa Buildings. There is no such person to be found in Pretoria. It is a fraudulent thing from beginning to end.

*The MINISTER OF THE INTERIOR: We gave them the opportunity to repudiate it in this House but they haven't done so.

*Mr. S. J. M. STEYN: There is such a person as Miss van Rensburg in Trysa Buildings. I accept full responsibility for the pass.

*Mr. VAN DEN HEEVER: We have gone through the building and every individual there has denied it. But it is very admirable on the part of the hon. member to accept responsibility for the misrepresentation of this identification certificate. Well, the public will get used to this registration. It is a matter of civil duty just as it is the duty of citizens to register births, deaths and marriages. As time goes on the public will get used to it, and as far as the classification is concerned we shall now determine once and for all into which group people resort and if it were only for that purpose, it would justify all the expense. Let me add that civil duty is something to which a nation must be educated, and must be

brought up. I do do not share the fears of hon. members opposite that people will fail in their duties. Let me in passing quote what one of their people said on the occasion when it had been proposed here that voting should be made compulsory. This was said by no one less than the hon. member for Germiston (District) (Mr. Strauss), who on the 5th March, 1935, said: "It is a question whether the franchise is a privilege, a right, or whether it is a civic duty." Anything in the interest of the public imposed on the public is "a civic duty". And then the hon. member went on—

> If it is a civic duty, as I believe it is, then I think that people should carry out their civic duty, and so one finds in the countries where compulsory voting is in vogue, that these people who do not agree at one time to vote very readily became educated into a full appreciation and use of these rights and privileges.

For that reason he advocated compulsory voting at elections. One finds the same basic idea here. It is a civic duty and if once it is laid down it will be looked upon in that light and I am convinced that people will carry out their duty. That doesn't mean that people who do not do their duty are to be prosecuted at once. We shall have to educate these people and if after a number of years there should still be some who are deliberately stubborn, then it will be oppropriate to take action. With these words I shall conclude. I repeat that what I have quoted here was said in 1935 by the present Deputy Leader of the United Party (Mr. Strauss).

Mr. FRIELINGHAUS: Mr. Speaker, it was sheer unadulterated audacity on the part of the hon. member who has just sat down when he accused the hon. member for Johannesburg (West) (Mr. Tighy) of not being mistaken for a platinum blond. I hand it to him that he has got a colossal nerve. May I say as a South African-born citizen and one who loves this country . . .

Mr. G. F. H. BEKKER: Of German descent.

Mr. FRIELINGHAUS: There is my old friend from Cradock again. I do not know how one can keep him in order, but what I was saying is this that as a South African I am proud of my country, proud of the freedom enjoyed by my country and the citizens of that country, and I do not want to see this country turned into a Nazi Germany, a Franco Spain, or a Stalin Russia. For that reason I am one of those who lends my voice to the protests against this Bill. I cannot understand those of you on the other side who have always preached "South Africa First", regardless of every other part of the world, and who have always said what a wonderful country ours is, that you are prepared to subject yourselves to a sort of semi-slavery and to the whims of a dictatorship Government. [Interruptions.] You might not like it, but let us be quite honest and open about this thing . . .

Mr. LUDICK: [Inaudible.]

Mr. FRIELINGHAUS: There you go interrupting again. If the member for Cradock were only a duck and said "Quack, quack," we could understand it, but it is a question of a sheep and they are always "bah-ing". Mr. Speaker, let us even allow that this is a good Bill, and even if it were a satisfactory Bill we have a right to protest on behalf of the country. What do we find today? All around us the lower-income groups are on the brink of starvation; our housing position is in a terrible state; we are told over and over again by the Minister of Finance that no money can be raised for extra feeding and extra housing to give these people a better way of living. But money can be found for the first introduction of a system, shall I say of a Nazi system?

Mr. Speaker, let us eliminate altogether this wonderful enthusiasm on that side for this control; because they have always had control, they have always had to jump to the crack of the whip, they were never allowed to say anything against whatever their Ministers bring up; whereas on this side we are given freedom of speech, and have always had it.

Mr. G. F. H. BEKKER: What a statement.

Mr. SERFONTEIN: What about Kalie Rood?

Mr. FRIELINGHAUS: What about him? I know nothing about it. Mr. Speaker, all this bluff and blarney about this Bill coming in and the various reasons given for it really makes me wonder why they cannot, or let me say why the Minister cannot, be as honest as many of the members on his side who have openly stated that it is a question of their apartheid.

Mr. BOLTMAN: Do you accuse the Minister of dishonesty?

Mr. FRIELINGHAUS: No, no. He is not honest enough. [Laughter.] I only want him to be a little more honest and to say, "What we are doing this for is to get hold of the non-European and the Coloured people." If he would come with a separate Bill, that the non-Europeans should have passes, we might be able to say that he had the courage of his convictions. But he is trying to do it in a roundabout way. And that is what we

on this side of the House really object to. But it is not only that. There are a lot of good things perhaps from the point of view of registration, but why cannot it be done by means of ordinary census? You have all your figures there. You only need to put a few other things to that. But what is the purpose of the pass? Why?

HON. MEMBERS: Why not?

Mr. FRIELINGHAUS: Mr. Speaker, we have also been told by the hon. Minister that this Bill will lessen the cost as regards the voters' roll. How is it going to do that? We will still have to have the voters' roll in every possible sphere. So I do not see how that can be put forward as an excuse for wanting to bring in this Bill.

Reference has been made to what was said by the 1935 committee. I think it very necessary to bring to the notice of this House that since 1935, which was just four years before the outbreak of war, conditions had really very little time to change. But since the war — and everything has happened during the war and since to scatter our population and to make an intention of this sort not really worth while — the conditions existing today make it more than ever necessary to bring to the notice of the Minister the fact that a matter of this sort should at any rate still be delayed for some considerable time. Our whole population is fluctuating every day with new industries coming up, and in all ways the whole movement of our population is such that we cannot get a proper census or proper registration brought in which would not have to be altered every five or six weeks.

Now, Mr. Speaker, we come to this question of the photograph for the pass, taken at the age of sixteen. I am sorry about the hon. member for Pretoria (District) (Mr. Oost). I wonder what use that pass with his photograph taken at the age of sixteen or twenty would be to him now? Would he be recognised? Of course not. There are many people today who change — maybe it would not affect the hon. the Minister of Defence; I believe he is one of those who do not change very much — but there are others again who change very, very considerably. So I would like to ask the Minister how often these photographs are to be changed, and who is going to pay for all these changes? Because if they are going to be really worth while they must be such that they can more or less be recognised.

Mr. S. E. WARREN: Recent photograph, it says.

Mr. FRIELINGHAUS: I sincerely hope the Minister is not going to confirm that. The Bill says "a recent photograph". What does the Minister mean; how often has it got to be taken and the old one replaced; and who is going to pay for it? That is what we would like to know. And then again would it not be putting thousands of people in an invidious position? Who is to judge whether a person can afford to have a photograph taken or not? I know many medium-income group people for whom the saving of a shilling or two means a little extra food for their family. And yet they want a man to go cap in hand and ask to have his photograph taken free of charge, and to be told, "Get into the queue with the Natives."

Now, Mr. Speaker, I do feel that if this thing is going to be done it must be done properly and fairly; let the Government do the right thing and let everybody have free photographs rather than submit any people to humiliation. What is going to happen to the people in the country districts? They have got a long way to come to the towns to have their photograph taken. How are the platteland people coming in to have their photographs taken for 1s.? It can never be done.

HON. MEMBERS: Hear, hear.

Mr. FRIELINGHAUS: It may be done in the thickly populated areas, but it certainly cannot be done in the platteland. They are the ones who are going to suffer.

There is another thing. The Bill says that a director is not obliged to accept the classification of an applicant. Well, Mr. Speaker, you know there are serious fines for anybody giving false information, and I feel that the director should be compelled to accept the classification and if it is found to be wrong, let the person concerned put up the money to prove that it is incorrect, rather than put it the other way round. On the other hand, where a man is genuinely a European and he is altered on the register from European to Coloured, has he got to pay all the expense in connection with verifying his just and righteous claim to be a European?

HON. MEMBERS: Hear, hear.

Mr. FRIELINGHAUS: What right has the director, I ask, to take him off the European roll and put him on the non-Eurpean roll when he is fully justified to be on the European roll? Moreover, has he got to pay the costs? And how long is it going to take? I sincerely hope that something will be done in that respect, at any rate I think the Minister will be fair enough to agree that as there is a penalty attached to false information, he should allow the information to stand as it comes out in the census.

I would also like to ask the Minister — I do not suggest that it is going to be a help — but he did say when he was speaking that this Bill would be a help in the carrying out

of the Immorality Bill. I do not know how it is going to be done, because after all it has nothing to do with the pass. [Laughter.] It is purely a question of whether the man is to be considered white or not.

Mr. TIGHY: No, the woman.

Mr. FRIELINGHAUS: The woman. I am merely asking because the Minister did say it would help, and I would like him to enlarge on just how it would help. I do not quite know why all the Opposition people have worked themselves up into the frenzy some of them have over this question of carrying passes . . .

HON. MEMBERS: Hear, hear.

Mr. FRIELINGHAUS: Mr. Speaker, they must know that I could not be right in both cases, because it is certainly not the Opposition who are supporting the carrying of passes. [Laughter.]

Dr. FRIEDMAN: Big minds take advantage of a mistake.

Mr. FRIELINGHAUS: The Government people are agitating for the carrying of passes. Why? There might be a few exceptions, I admit, but on the whole I cannot understand it. Really, fancy having to carry a pass around! The Minister says it is not necessary to carry a pass, but what he did say is this, and these are his very words: "There is no compulsion, but it might be useful to do so". Is there any sinister meaning in this? Have they got anything at the back of their minds, that one has got to carry this pass around? "It might be useful to do so." I would like to ask the Minister whether in his life in this country has he ever found it necessary yet to produce a pass? [Interruptions.]

The MINISTER OF THE INTERIOR: Yes, as a proof of identity.

Mr. FRIELINGHAUS: Not a pass.

Mr. W. C. DU PLESSIS: What about your parliamentary railway pass?

Mr. FRIELINGHAUS: That is quite a different matter.

Mr. BARLOW: Only a fool would think of that.

Mr. FRIELINGHAUS: Mr. Speaker, when hon. members have finished their little fight, perhaps I shall be able to get on with my speech. How can the Minister say that it will be useful to carry about this pass? There are many of us who have never had any occasion to produce any sort of pass, and I do not think anybody on the other side has had occasion to produce a pass, so why is it necessary today for this agitation to carry a pass? If we were to say to the Minister that this Bill can go through if he eliminates the carrying of a pass, what would he say? No fear, this carrying of a pass is essential. It is part and parcel of some scheme that we are frightened of, and we have every right to be frightened of it, because I cannot see any freedom-loving South African willingly undertake to carry a pass which is to be produced at the whim of any policeman who chooses to demand it.

Mr. BARLOW: Expressly the white women.

Mr. FRIELINGHAUS: I do not want to bring white women into this debate.

Mr. BARLOW: No, you must bring them in.

Mr. FRIELINGHAUS: I rather wanted to confine myself to men. It is a little heartening sometimes, Sir, when we get some good humour out of the anxious moments that we have to go through when some of the Government speakers are on their feet agitating for the carrying of this pass.

Mr. BOLTMAN: What do you produce when the ticket examiner asks for your ticket?

Mr. SUTTER: A lemon.

Mr. BOLTMAN: What about your railway pass?

Mr. FRIELINGHAUS: I do not mind having to produce anything when I want to produce it but I do not want to carry a document about which is to be produced at the whim of someone else.

Mr. BOLTMAN: What about your Parliamentary free pass?

Mr. FRIELINGHAUS: I do not have to carry it.

Mr. WARING: If the member for De Aar-Colesberg (Mr. Boltman) had his photograph on it they would not allow him to go through.

Mr. BOLTMAN: You are carrying a pass now.

Mr. FRIELINGHAUS: A number of members on the other side have given one of the reasons why it is necessary to have this pass, in other words, in order that you can distinguish between White, Coloured and Native. Are you going to hang passes round their necks so that you can see what they are and where they are and how they are? Otherwise how in heaven's name is a pass going to help you to distinguish between the three groups? I really cannot see it, and

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perhaps there is to be a little electric bulb on top for night work. I also feel in this connection that if it is necessary to have a pass, my advice to all our young sun-tanned South Africans would be to be careful when they decide to spend a day on the beach. You may go there as a White man and be run in and come back as a Coloured man. Sir, the whole thing, if it were not so serious, would be almost ludicrous. This is evidently so amusing that even the hon. the Prime Minister is smiling. That shows that even he can see some humour in this situation.

Mr. OLIVIER: He is smiling at your ignorance.

*Mr. TIGHY: Don't become so serious.

Mr. FRIELINGHAUS: The hon. the Minister has said that the Select Committee will not be permitted to decide matters of principle, the Government alone will be responsible for deciding matters of principle. Why fob us off with a Select Committee then? In other words, according to the Minister we shall only be able to dot an "i" here and cross a "t" there, but that is all we will be allowed to do as far as this Bill is concerned. We want to assist the Minister. We should like to be able to make some useful suggestions, especially with regard to the question of costs. And while I am talking about costs, where is the hon. the Minister of Transport? He accused the hon. member for Turffontein (Mr. (Mr. Sturrock) of making outrageous estimates. I would like to couple his name then with the name of the Minister of the Interior, because we are going to be lucky if the cost of this scheme eventually proves to be only three times as much as he says it is going to cost. I can picture the Minister of Finance wondering at night where this is going to end, where all this money is going to come from? Where are we going to get the staff? I can see trouble sticking out for the Minister of Finance and my sympathy goes out to him, but it does not go out to the Minister of the Interior. It does amuse me, Sir, to hear the sudden exuberance on the part of hon. members opposite and their willingness to quote the example of England when it suits them. A short while ago we heard that they stood supreme and that they did not care what other countries said, that they stood for South Africa, and South Africa first and last and now they quote England. Why should we be forced to produce passes and documents to any bobby who comes up to us and demands to see our pass?

In conclusion let me refer to one of the findings of this Committee that went into this matter in 1935. All the members of the committee were estimable gentlemen, well qualified to judge.

An HON. MEMBER: Even the Minister of Defence was a member.

Mr. FRIELINGHAUS: This is what the committee found—

> The scheme is impracticable in South Africa, owing to the vast expanse of territory . . .

Has that altered in any way? No, it has not. In fact, today we have more territory.

Mr. RUSSELL: Marion Island.

Mr. FRIELINGHAUS: The Committee went on to say—

> . . . and the shifting nature of the population.

I maintain that the population is shifting a jolly sight more than it did in 1935, as a result of the development of this country commercially and industrially. Then the Committee goes on to say—

> It would be too costly and of little value unless it comprised all sections of the community.

Does this scheme comprise all sections of the community? No. The three reasons which were therefore given by the committee in 1935 still hold good today. That was said by all the members, including Dr. Holloway, and surely the Minister of Finance is going to take some notice of what was said at that time by his chief executive officeer. The Committee also said—

> It is impossible and quite impracticable to register Natives.

Let me say in conclusion that we do want the Minister to appreciate our feelings in regard to this question of carrying a pass. We want to help him to get a better census, a better method of compiling the registration of all the activities of this country, I feel that I would be failing in my duty as the representative of my constituency if I did not protest most strongly against this effort on the part of the Government to force those people who have lived a free life to become enslaved under a new regime, and in saying that I feel that I am expressing the sentiments of all those who honestly believe in the freedom that we have enjoyed hitherto in this country and that we hope to continue to enjoy in this country.

*Mr. MENTZ: Mr. Speaker . . .

Mr. SUTTER: Now we are going to hear the big brain on the other side.

*Mr. MENTZ: . . . in the race between the members of the Commonwealth to introduce citizenship, South Africa was the last

and had it not been for the Nationalist Party Government on this side of the House, South Africa would not today have had the Citizenship Act on the Statute Book. I maintain that it was due to neglect on the part of the previous Government and not only due to neglect but due to fundamental differences in the ranks of that party itself that the party on the other side could not achieve anything; and whenever this side of the House comes forward with constructive measures we are thwarted, even if those measures are calculated to advance the development of the country. As regards national registration, South Africa is very much behind most of the Western European countries. I say that we have taken a back seat long enough, and this Government will ensure that South Africa, too, gets its national register. Members on the other side of the House got up and fought the Citizenship Bill tooth and nail. This evening I want to ask them whether they are ashamed of the Nationalist Party's achievements, the result of which is that today we have pure South African citizens. No, all that uproar has calmed down. The Rt. hon. the Leader of the Opposition now says in this debate: "We have decided to fight this Bill clause by clause." I want to predict that shortly after this measure has been placed on the Statute Book hon. members on the other side of the House will be proud to produce their identity cards and to say: "I am a citizen of South Africa; here is my card."

I am sorry that the provisions of this Bill cannot at once be applied to the entire population of South Africa, but it is obvious that this Bill cannot cover twelve million people immediately. It requires tremendous administrative work and hon. members on the other side of the House know that this Bill provides that this law can be applied by proclamation to those sections of the population which are not today covered.

*An HON. MEMBER: Clause 22 provides for that.

*Mr. MENTZ: It seems to me, though, that lately hon. members have opposed certain Bills without having gone to the trouble of studying them.

I want to deal briefly with the hon. member for Pretoria (East) (Field-Marshal Smuts). What arguments did he advance? He says this Bill does not cover the entire nation; it only deals with the non-Europeans in South Africa. Where does the Rt. hon. member see that? I am sure he cannot show that to us anywhere. The Bill specifically states that ultimately the entire nation will fall under its provisions and now the Rt. hon. member says that this Bill is drafted to apply to a certain section of the nation only, namely, the non-Europeans in South Africa. Let me say this quite candidly, without making a secret of it: When hon. members on the other side of the House allege that this Bill only applies to non-Europeans they have one motive only and that is that they want to retain the Coloured vote.

*Mr. TIGHY: They are not disfranchised under the Bill.

*Mr. MENTZ: They know what is coming.

*Mr. TIGHY: What is coming?

*Mr. MENTZ. This is only part of the apartheid policy of the Government.

*Mr. TIGHY: And what is coming?

*Mr. MENTZ: This evening in advance they are endeavouring to make the non-Europeans, especially those of this Province, believe that the Nationalist Party is hostile towards them and that this Bill constitutes a measure of oppression.

*An HON MEMBER: What about the white women?

*Mr. MENTZ: Let any one of the members on the other side of the House tell us what they ever did while they were in power to promote the interests of the non-Europeans in South Africa.

*Mr. TIGHY: We will do it.

*Mr. MENTZ: This evening I want to tell the United Party that hitherto the only thing they have done for the non-European is to use his vote, to use the non-European as a political football. My Leader indicated what the Nationalist Party Government intends doing for the non-Europeans in the future and the non-Europeans will welcome it. I say that even the non-Europeans realise today — and there are good and decent non-Europeans — that that side of the House has only known them during elections. They received nothing from that party except promises. Hon. members on the other side cannot say what they did to promote the interests of the non-Europeans. My Leader has already explained our attitude. We have the interests of the non-Europeans so much at heart that a separate department has been created to further their interests. Has the party on the other side ever thought of taking such a step?

*Mr. TIGHY: What else?

*Mr. MENTZ: Do not be so inquisitive. That was the main argument of the Rt. hon. member. The hon. member for Klip River gets up and what is his reply to an interjection? He says that in principle they support this Bill.

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*Mr. TIGHY: Not the member for Klip River, the hon. member for Drakensberg (Dr. Steenkamp).

*Mr. MENTZ: I mean the hon. member for Drakensberg. Is that the position; does the United Party support this Bill in principle?

*Dr. STEENKAMP: If it is practicable; I clearly said that. That is as far as the first part is concerned.

*Mr. MENTZ: What does the Rt. hon. the Leader of the Opposition, who gives the lead on that side, say? What does he say in his amendment? He wants to refer the Bill to a Select Committee before the second reading. Is that an indication that he accepts the principle? Before the second reading the principle can be altered, but not after the second reading. The Rt. hon. the Leader of the Opposition wants to change the principle of the Bill, so in that respect the hon. member for Drakensberg differs from his Leader. If he accepts the principle of the Bill let us refer it to a Select Committee after the second reading.

*Dr. STEENKAMP: I am definitely against the second part.

*Mr. MENTZ: The hon. member should be aware of the fact that if you refer a Bill to a Select Committee after the second reading, the principles of that Bill cannot be changed.

*Dr. STEENKAMP: Precisely. I am against the second part.

*Mr. MENTZ: The hon. member says he accepts the principle.

*Dr. STEENKAMP: On a point of explanation, I said that the principle as far as the first part, the national register, is concerned, is acceptable but I definitely do not support the second part, the identity card system.

*Mr. TIGHY: Do not distort his words.

*Mr. MENTZ: I knew the hon. member would be ashamed of his words.

*Dr. STEENKAMP: You must accept what I say; that is so.

*Mr. MENTZ: I asked the hon. member pointedly whether he is against the Bill in principle, and he said "no".

*Dr. STEENKAMP: I said that I was not against the principle of a national register, but I said I was against the second portion which I mentioned and I want to know, Mr. Speaker, whether the hon. member must not accept my word.

*Mr. SPEAKER: The hon. member for Westdene (Mr. Mentz) must accept the assurance of the hon. member.

*Mr. MENTZ: Very well, I accept it. The Rt. Hon. member says: "The real purpose of this Bill is to deal with the Coloureds, not with Europeans or Natives." The hon. member went further and said that the pivot around which everything revolves is Clause 5. In that respect he differs from some of his kindred spirits, but what did the hon. member for Pretoria (East) do? He read Clause 5 but he did not read sub-clause 7 of Clause 11. This sub-clause reads as follows—

> If at any time it appears to the Director that the classification of a person in terms of sub-section (1) is incorrect, he may, subject to the provisions . . .

You will remember that the Rt. Hon. member said: "The provisions of so and so"; he did not say which provisions—

> . . . subject to the provisions of sub-section 7 of Section 11 and after notice to that person and, if that person is a minor, also his guardian, after the classification of that person in the register.

He gave the impression that the directors could arbitrarily change the classification.

*Mr. TIGHY: No.

*Mr. MENTZ: Let me tell you to what this clause refers. It refers to the provisions of sub-clause (7) of Clause 11. This is what it says. Sub-clause (7) of Clause 11 reads as follows—

> The decision of a board shall be final and binding upon all persons, including the director: . . .

The sub-clause goes on to say—

> . . . Provided that any person who considers himself aggrieved by a decision of a board in regard to his own classification may within thirty days after the decision of the board has been given, appeal against that decision by way of application on notice of motion to the Provincial or Local Division of the Supreme Court of South Africa having jurisdiction in the area within which such person is ordinarily resident.

*Mr. TIGHY: That is the point.

*Mr. MENTZ: He wanted to create the impression that the directors had the power arbitrarily to change the classification in the register.

*Mr. TIGHY: The Rt. Hon. member did not say that.

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*Mr. MENTZ: What is unreasonable and unjust about it? If a person thinks that he has not been correctly classified, he can go to the director; then he can go to the judicial commission and then he can go to the Provincial and Local Division of the Supreme Court.

*Mr. TIGHY: And if he is a poor man?

*Mr. MENTZ: This is just a smoke-screen. They have no leg to stand on.

*Mr. S. J. M. STEYN: What happens if he is a poor man?

*Mr. MENTZ: The hon. member says that we are going to tamper with the status of the non-Europeans; that they are being humiliated. When the non-Europeans fill in their registration forms must they not state whether they are European or non-European? Does that not affect their status? No, my hon. friends now remain silent. I maintain that if in this case it is humiliating to be required to say whether he is a European or a non-European it is also humiliating to say whether he is a European or a non-European when he registers. No, the other side of the House has one motive only and that is to incite the non-Europeans and to endeavour to retain their vote. I want to say this to the hon. member for Johannesburg (West) (Mr. Tighy) who is so concerned about the Coloured vote in Cape Town, although he represents a Transvaal constituency, that before the next general election it will not be necessary for him to appeal to the Coloured vote in the Cape Province.

*Mr. TIGHY: I am not concerned about the Coloured vote. I am concerned about the White women of South Africa.

*Mr. MENTZ: Then we have the usual hair-raising stories of the hon. member for Rondebosch (Col. Jordan). What does he say: He gets up and refers to the complaints lodged at UNO in connection with the treatment of non-Europeans in South Africa. He says that 47 nations voted against South Africa and he wants to know how we can dare to do a thing like this. Must South Africa allow the United Nations to decide on European Christian civilisation in this country or must that be left to us in South Africa?

*Mr. S. J. M. STEYN: Must you carry a pass in order to be a Christian?

*Mr. MENTZ: What did the hon. member say?

*Mr. TIGHY: You replied before you knew what he was going to say.

*Mr. MENTZ: I will deal presently with the hon. member for Alberton (Mr. S. J. M. Steyn). I have not finished with him. I maintain that the time has arrived when we in South Africa should focus our eyes more on South Africa and its population and when we should be less concerned about overseas countries and even less about UNO. We must determine our own fate. If we were to leave our destiny in the hands of UNO, as it is composed today, I say: "Pity South Africa". When the party on the other side sat on these benches, they did not achieve anything to promote the interests of South Africa. They are powerless and divided. They could not achieve anything, but God be praised for the advent of the Nationalist Party Government which will tackle those problems with trust and confidence and solve them successfully, however great the dangers that threaten. This Bill is mainly divided into two large sections. The one section deals with the register itself. The hon. member for Pretoria (Central) (Mr. van den Heever) has already dealt with that. I do not want to go into details, but let any member on the other side tell us what details to which they object appear on the register. The only details that are required in that register are details which are required in other cases under other laws of the country, details which are given without anybody taking offence. Let my hon. friends tell us to which of those measures they object. They refuse to tell us; they remain silent.

*Mr. TIGHY: We are against the pass.

*Mr. MENTZ: It is not necessary for me to read it again but the register consists of two portions, namely, the people whose names can appear in the register and secondly the details of the register, and there is not one member on the other side who can say that he is against the details. We now come to the second portion, namely, the identity cards.

*Mr. TIGHY: Pass.

*Mr. MENTZ: Yes, the pass, as the hon. member calls it, and I want to say this to the hon. member for Alberton. He made the following admission in the House this evening: he said that he assumed full responsibility for that pass which we discussed last year in this House. He, as an ex-official of his party, since he assumes responsibility for that pass, should have had the moral courage to affix his signature to that pass. Why does he shield behind them? What did their newspapers say last year when they discussed that "SAP-pass"? They did did not say that it would probably be something like this; they said: "This is the pass which the Nationalist Party is going to give you in South Africa." Are you surprised that the Rt. Hon. the Leader of the Opposition said in this House that they were going to

fight this measure step by step, till the bitter end? Why? They have to make some effort to justify that misleading pass which they published less than a year ago as the pass which the Nationalist Party were going to issue. I wonder whether there is any member on the other side this evening who is not ashamed of that "SAP-pass" and the misleading propaganda they spread in their newspapers. I wonder whether they do not feel ashamed when they look at this identity card which the Minister is introducing.

*An HON. MEMBER: You should be grateful that we warned the nation.

*Mr. TIGHY: We caused you to beat a retreat.

*Mr. MENTZ: No, the people made you retreat, after all that misleading and false political propaganda. That is why my hon. friends are sitting on the other side of the House and that is why the electorate placed a man like the hon. the Minister of the Interior on these benches to tackle this matter.

*Mr. TIGHY: The pass came after the election.

*Mr. MENTZ: The hon. member says that the pass only come after the election. Was that not in fact one of the planks in their platform during the Provincial Council election? That pass was published before the Provincial Council elections. I want to put this question to the hon. member for Johannesburg (West). Before the Provincial Council elections on the Witwatersrand, did he and other United Party members not use that pass to scare the people away from the Nationalist Party?

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

*Mr. MENTZ: When business was suspended I was dealing with the "SAP-pass". After the hon. member for Alberton, a prominent official of the United Party, had admitted that he personally was responsible for that "SAP-pass", the hon. member for Johannesburg (West) stated that the "SAP-pass" was published after the election.

*Mr. TIGHY: I said after the Parliamentary election.

*Mr. MENTZ: But before the Provincial Council election?

*Mr. TIGHY: Yes.

*Mr. MENTZ: I take it that the hon. member now admits it. I want to deal just briefly with this pass. I have before me the original propaganda of the United Party in connection with this pass, as it appeared in their newspapers. This was the sort of misleading propaganda that was made by the United Party and none other than Mr. Oosthuizen, the Chief Secretary of the United Party, said this about the pass—

> The pass is nothing but a translation of the pass which was issued during the occupation of Holland.

He made that statement to the United Party afternoon paper in Pretoria. This statement was made and the propaganda of the United Party was started at the beginning of 1949. That was before the Provincial Council elections and it was part of the United Party's campaign. In this shameless manner they were trying to mislead the voters of South Africa with that propaganda. The hon. member for Alberton has now assumed responsibility for it and I want to point out that the following appeared on the front page of the pass which they published—

> Stop the coming of the Gestapo; vote United Party and return a democratic Government.

*Mr. S. J. M. STEYN: Hear, hear.

*Mr. MENTZ: What right have they to come and talk about a Gestapo in this House when it is a well known fact, which was proved in this House and which was disclosed during the investigations of the Railway Grievances Commission, that a Gestapo actually existed under the previous Government, especially on the Railways? Do they forget the existence of the Gestapo in Johannesburg as a section of the military police? Do they forget the hundreds and thousands of Afrikaners who were thrown into internment camps as a result of the activities of the Gestapo? Then they come and talk about democratic Government. Was that democracy? No, those members on the other side of the House have no right to talk about democracy, because democracy is foreign to them.

*Mr. S. J. M. STEYN: And where is that democracy now?

*Mr. MENTZ: When we look at this shameless deception the hon. member for Alberton should be ashamed of himself this evening. But they are putting up this fight as a smokescreen to cover that misleading propaganda. On this pass which they issued 27 questions are put to the voters. On the identity card which the Minister of the Interior dealt with here only seven questions appear. I want to give an example of the type of question that appears on their pass—

For which party did you vote at the previous election?

Can the hon. member understand now why the public has no faith in them? We know that the Electoral Act provides that the strictest secrecy must be observed in regard to the candidate for whom the voter voted. They are now trying to make the people disclose how they voted. That is a disgrace of the worst nature.

In reply to a question of the hon. member for Johannesburg (West). I said unequivocally that we were going to use this Bill in connection with the carrying out of our apartheid policy. I want to add this. Within a short space of time this Government will bring about total apartheid in the social, territorial and political spheres. We are doing it step by step and we will carry it to its logical conclusion.

*Mr. TIGHY: When are you going to remove the non-European from the voters' roll?

*Mr. MENTZ: We made that promise to the electorate and the hon. member need not worry about it. He need not be afraid. He is probably afraid.

*Mr. TIGHY: But when?

*Mr. MENTZ: We will do it at the right time. We will not be unduly hasty. The principle of apartheid will be applied everywhere. We will carry it out in the minutest detail. I am pleased that the hon. member for Drakensberg is present. He said that the United Party, by means of its propaganda, achieved one worthwhile object, and that is to force the Nationalist Party to abandon the idea of having fingerprint impressions on the pass.

*Dr. STEENKAMP: Hear, hear.

*Mr. MENTZ: I say that that is a shameless statement. I challenge that hon. member and the hon. member for Alberton, I challenge the whole United Party to say when it was ever the policy of the Nationalist Party to have those impressions on the identity cards of Europeans.

*Mr. S. J. M. STEYN: I accept that challenge.

*Mr. MENTZ: No; merely in order to have it recorded in Hansard the hon. member of Drakensberg made that statement here that the United Party had forced the Nationalist Party to abandon the idea of fingerprint impressions, and he thought nobody would react to it. I challenge him to tell us where and when it was ever the policy of the Nationalist Party to have fingerprint impressions on those cards.

Exception has also been taken to the seven days' grace for the notification of any changes of address. If we do not include that in the Bill, the Bill will not achieve its object. Under the Electoral Act notification must also be given of any change of address, but a much longer period is allowed. My experience is that the time allowed under the Electoral Act is far too long. In the end people forget to notify their change of address and they get into trouble. A period of seven days is sufficient. I will support that and I think the whole party on this side of the House will support it.

The hon. member for Yeoville (Dr. Gluckman) attacked the Minister of the Interior because according to him the Minister omitted to say that this measure will be used to give effect to the apartheid policy. The Minister of the Interior made no secret of that. The hon. member was either not present when the Minister made his speech, or else he does not understand Afrikaans very well. The Minister said it unequivocally. We make no secret of it. In this connection I want to ask the hon. member for Drakensberg whether he does not support the policy of apartheid.

*Dr. STEENKAMP: In principle I support apartheid.

*Mr. MENTZ: If that is his reply he ought to support this Bill because it will facilitate the carrying out of the policy of apartheid. I maintain that great advantages are embodied in this Bill. In the first place the identity of a person can be determined without any doubt. From birth till death every citizen will have one number and there will be no difficulty in determining his identity. It will be of inestimable help to us in connection with illegal immigration, and in the prevention of crime. Nobody can get away from that. It will help us in connection with the movement of labour, and will enable us to control it. When this Bill is passed and the cards have been issued — and the United Party admits this — we will be in a position to control the influx of Natives from one area into another and we will also be able to control labour. I hope the day will soon arrive when the Electoral Act will be amended in such a way as to conform to this Bill. It will prevent many cases of personation at elections. There will then be an end to the large number of ballot papers which are tendered. We welcome it and we trust they will also welcome it. Then there is the Workmen's Unemployment Act. Thousands of pounds have accumulated there and the people to whom the money is due cannot be traced. If this Bill is passed, it will be easy to trace those people.

I have not much time at my disposal, but I want to add this. The United Party is adopting a curious attitude in connection with this matter. As far back as 1948 all

four Provincial Administrators recommended the introduction of a national register in South Africa. Now the United Party opposes that very measure. That is not all. There is the report of the Social Security Commission of 1945. In that report it is recommended that a national register should be introduced. Even the Fagan Commission report, which caused such a sensation amongst them, recommended that. Prominent members of the United Party made that recommendation. Now the United Party stubbornly resists it, like a lot of obstinate mules. We cannot persuade them. Why not? The main reason is that they are divided in every respect. They are divided into at least two or three groups in connection with every measure; they cannot accept anything. There we have a prominent member of the United Party in their front benches who recommended national registration. The hon. member for Natal South Coast (Mr. Mitchell) was one of the Administrators who recommended it. But it is evident that the members of the United Party are all going their own way. On a previous occasion I stated that the United Party was without a policy and without direction. It seems as though the United Party is also without a leader, and it is not surprising that every one goes his own way. I understand that the hon. member for Troyeville (Mr. Kentridge) is the latest aspirant for the leadership of the United Party.

When I started I pointed out the benefits of national registration. I want to tell the Minister that the people of South Africa will be grateful for this Bill and they will welcome it. Let him continue with it. Let the dogs bark; we will carry on with it and make a success of it.

*Mr. TIGHY: The hon. member who has just sat down accused us of being obstinate mules. I would rather be amongst a lot of obstinate mules than amongst a lot of sheep following a mad goat. No wonder there is a shortage of mutton, because all the sheep are sitting opposite, and apparently they have the brains of sheep. I do not want to waste my time, however, by replying to the hon. member for Westdene (Mr. Mentz). It is not worth while doing so. The constituents of Westdene and also the women of Westdene will deal with him. He issued a challenge to the hon. member for Alberton (Mr. S. J. M. Steyn). He should hesitate before challenging a man like the hon. member for Alberton, because that member will make mincemeat of him. The hon. member for Alberton does not require my assistance and I shall leave it to him to reply to that challenge.

The Minister of the Interior introduced this Bill in melodious words, but the fact remains that if the United Party had not disclosed to the public what they intended doing, we would have had a pass in this country with all those particulars on against which we warned the public. I hope that members and I will live long enough to see it because if the Nationalist Party remains in power long enough we shall still get such a pass. I want to tell the Minister that if he and I live long enough and he remains in office long enough, all those particulars will be contained in the pass.

*Mr. SPEAKER: The hon. member should address the Chair.

*Mr. TIGHY: I am telling the hon. the Minister these things, Mr. Speaker. He introduced the Bill in melodious words, as I have already said. But in the course of his speech he landed in quick sand ("wildesand") and his supporters had to help him out.

*An HON. MEMBER: What type of sand?

*Mr. TIGHY: In quick sand ("wildesand"). You grew up alongside the banks of the Vaal River and you should know what it means. His supporters had to help him out. But instead of helping him out, they pulled him in deeper and deeper, so much so that when the Deputy Speaker was in the Chair this afternoon the hon. the Minister had to rise two or three times in order to explain his speech. The issue before the House at the moment is whether we should accept the Minister of the Interior's Bill or his speech. The rules of the House stipulate that we may only deal with what is before the House. At the moment the Minister's Bill and not his speech is before the House. The fact remains that according to the Bill it is a pass law, and the Minister cannot deny it.

*The MINISTER OF THE INTERIOR: I deny it.

*Mr. TIGHY: Now he is denying it. He tried to deny it in his introductory speech. We are not now dealing with his speech but with his Bill. In the second place the fact remains that this Bill discriminates against the European woman in South Africa. She will have to carry a pass, while the servant girl may go about without a pass. Do you deny it?

*The MINISTER OF THE INTERIOR: I deny that as well.

*Mr. TIGHY: All right, I accept the fact that the Minister denies it. My reply to his denial is as follows. The Minister himself suggested a Select Committee after the second reading. Now I would like to ask the Minister to tell us, assuming that this Bill will go to a Select Committee after the second reading, at what stage he will propose an amendment removing that discrimination between the servant girl ("meid") and the European woman?

*Dr. LOOCK: Is an hon. member permitted to speak of a "meid" in this House?

*Mr. TIGHY: If the Nationalist Party is so fond of saying "Native woman", then I shall also say Native woman. It will be interesting to learn from the Minister by virtue of what rule of the House he will be able to effect that amendment before the Bill goes to a Select Committee. If he cannot do it, he will simply have to tell the Select Committee beforehand what to report, and what right has he got to do so? He wants to usurp the right here to inform the Select Committee beforehand what they should report. That is cheek and shows disregard for the rules of this House. No, you must tell us under what rules you can effect that amendment before the Bill goes to the Select Committee.

*Mr. MAREE: On a point of order, Mr. Speaker, have you not already told the hon. member to address the Chair and not the Minister?

*Mr. TIGHY: One should not be so petty. I respect the Chair and also the person who is in the Chair, irrespective of the Chair itself. I want to ask the Minister to tell us under what rule of the House he can propose an amendment — before the Bill goes to the Select Committee — that will remove the discrimination in favour of the Native woman and against the European woman of South Africa. I trust that I have now penetrated that smoke-screen.

*The MINISTER OF LABOUR: [Inaudible.]

*Mr. TIGHY: We are not dealing with the Minister of Labour now. He will still get his chance to perform the Hottentot reel before we have done with him. I challenge the Minister of the Interior to tell us how he is going to change the Bill to remove the discrimination between the kitchen girl ("kombuismeid") and the housewife. [Laughter.] If members then want me to put it that way, I shall say the Native kitchen woman and the housewife. If the hon. member for Kuruman (Mr. Olivier) wants it that way, I shall also say Mrs. Native servant.

*Mr. OLIVIER: You are measuring another man's corn by your own bushel.

*Mr. TIGHY: I do not know how the hon. member can accuse me of doing that. The Minister of the Interior will have to admit that as the Bill now is, it discriminates against the European woman of South Africa in favour of her Native or Coloured servant.

*The MINISTER OF THE INTERIOR: It has already been denied.

*Mr. TIGHY: Well, then the Minister should deny his own Bill. Then he is repudiating his own Bill. What must the public of South Africa think of a Cabinet Minister who denies what is contained in his own Bill? Or is the Minister already on the run? Is it a case of run, rabbit, run? In the second place I want the Minister to accept my challenge and to tells us at what stage an amendment can be effected to remove this discrimination if the Bill goes to a Select Committee after the second reading.

*The MINISTER OF THE INTERIOR: It will take place at the right time.

*Mr. TIGHY: I doubt whether the Minister introduced his Bill at the right time. I hope these two points have now been settled. You have reduced the status of the European woman in South Africa to a level below that of her Coloured servant, and even if the hon. the Minister were to effect an amendment as he intends doing, the European woman and the Coloured servant would then only be on the same level. I go further and I say that this Bill is a second dummy given to the people of South Africa. The first dummy was the Citizenship Bill and this Bill is the second one. I shall tell the House why I am saying it. It is a dummy for the voters to keep them quiet, and it is being given to them in order to hide from them the fact that that party opposite is powerless to carry out its policy of apartheid, nationalisation, establishing a republic, etc. That party cannot really carry out a policy and now they want to give the public of South Africa a dummy to keep them quiet until such time as they can get rid of the Minister of Finance. That is the truth. This legislation, just like other legislation of this nature, is nothing else but a dummy to keep the public quiet for the time that they are not in a position to carry out their real policy. We have waiting a long time for their real policy, but in an agreement between the Prime Minister and the Minister of Finance they have admitted that they cannot carry out their policy. Now they had to find something to dish up to the public and they produced this Bill. It is the sugar coating of the aloe pill. It is an old Afrikaner custom, as the hon. member for Kuruman will know, to sugar the aloe pill before one gives it to somebody to swallow; the Governmen knows very well that if the people were to taste the aloe they would kick the Government out of office. The hon. the Minister said in his speech that this Bill forms part of the policy of apartheid, and other speakers also admitted that it is the logical outcome of the apartheid policy. One would like to know what attitude the other ally of the Government is adopting in this matter, particularly with a view to the fact that the Leader of the Afrikaner

Party has repeatedly expressed his unwillingness to accept the political apartheid policy of the Nationalist Party. This is the foundation of political apartheid.

HON. MEMBERS: Hear, hear.

*Mr. TIGHY: Good; but we would therefore like to know what the attitude of your ally the Minister of Finance is, particularly in view of the fact that the Minister of Lands stated in a speech that the Government wants to get rid of the Minister of Finance as soon as possible. I hope that the hon. the Minister of Finance will participate in this debate.

Time and again he has publicly rejected the apartheid policy of the Government, but in order to keep the Government in office for a while, the Prime Minister and the Minister of Finance negotiated a compromise. The Prime Minister capitulated. Now we are asking this evening what the attitude of the Minister of Finance is in connection with this Bill, seeing that hon. members opposite admit that it is the foundation of the apartheid policy. The Nationalist Party is undoubtedly afraid to say straight out how they are going to carry out the apartheid policy; they are carrying out the policy peacemeal, and if it continues at this tempo we shall find that the whole apartheid policy is being carried out under another name. I hope that the hon. the Minister of Finance will tell us what his views are on this matter. The hon. the Minister of the Interior referred to the necessity of introducing this legislation at this stage. The country is undoubtedly suffering today. In the cities the people are hard pressed. I admit that the farmers in the platteland are still finding things comparatively easy. Your constituents are still having an easy time, they are still living on the fat left to them by the United Party Government, but in the cities the people are suffering. Hon. members opposite cannot deny the fact that we had a financial crisis between August and December last year, and if it had not been for the Minister of Finance's policy of financing the country's administration by means of short-term loans, even the Government might not have been able to meet its obligations. That crisis was cause by the legislation which they passed during the previous Session, namely the Citizenship Act. That legislation was an insult . . .

*The SPEAKER: The hon. member may not discuss a Bill which has already been passed by this House.

*Mr. TIGHY: This Bill which is before us now will undoubtedly also be instrumental in undermining the confidence in South Africa. South Africa is not an isolated island. South Africa's domestic policy has far-reaching repercussions abroad. The Minister of Finance has helped you to survive the crisis period. You do not respect him for it. In spite of his help, the Government continues in headlong career to do the very things which undermine the confidence in South Africa. We hope that they will again be helped out of their difficulties. I am pleased that the hon. the Minister of Finance is present. During this Session he has repeatedly appealed to the House, and particularly to this side of the House, to assist him in effecting savings. I do not want to accuse the hon. Minister this evening of being inconsistent, but the fact is that one cannot on the one hand appeal to the House to assist one in effecting savings, while on the other hand one supports legislation which will cause more expenditure. The Minister of the Interior said yesterday that this legislation may cost the country £300,000. But that is a mere guess, it is not based on a scientific calculation. Reference has already been made to the findings of the Select Committee of 1935, and I do not want to refer to it, but I would like to point out that the number of ordinary civil servants already totals 108,000, while there are 92,000 Railway officials in the country. The salaries and wages of the civil servants amount to £36,127,000 and those of the Railway officials amount to £61,000,000. In making the necessary calculations, one finds that one-twelfth of the European population of South Africa are civil servants, and furthermore that 66 per cent of last year's estimated expenditure of £148,000,000, consisted of wages and salaries of officials. And now the Nationalist Party introduces legislation which will cause the appointment of more boards and the employment of more officials. Is that extra expenditure justified? I want to suggest here in all seriousness that we re-introduce the old system which we had before the present Minister of Finance held his present portfolio; under that system a Bill introduced in this House had to be accompanied by a balance sheet, by means of which the public of South Africa and especially the Treasury, could be informed of the expenditure in connection with a Bill. I think it is essential, particularly in view of this type of political juggling which we have today. South Africa is undoubtedly sick and tired of legislation, or to use the English word, of "over-legislation". Taking into consideration the size of the European population of this country, I think there is no country in the world which has so many laws as we have here, and now we must get this legislation which will cause the country more annoyance and bigger expenditure, just for the sake of satisfying the conceit of the Minister of the Interior. I want to emphasise the fact that this legislation is not necessary at this stage. There is other work that can be tackled instead of population registration. There are hundreds of people unemployed in the build-

ing trade, and there are many people who are working short time in the Railway service. There are many other things which the Government can undertake instead of registering the population. If a war was imminent such legislation might perhaps have been necessary, but there is no prospect of a war and even if we were to have a war, the Nationalist Party would in any case remain neutral. I say that this legislation is not necessary. This Bill is aimed at insulting the European population, and at making White kaffirs of the Europeans. It is a White kaffir Act. The White man and the White woman will now have to carry a pass.

*Dr. LOOCK: And what about the Native? And what about England?

*Mr. TIGHY: The hon. member for Vereeniging (Dr. Loock) is just as hopelessly lost as he was yesterday evening when he lost his way between Vereeniging and Van der Bijl Park; he has now again got lost on the way between the registration in England and the registration in South Africa. His party is always boasting of their "South Africa First" policy. Why are they now running to another country? There is no need for this legislation. If a war had been imminent it might perhaps have been justified. You may perhaps advance the argument that it is necessary to know what has become of the illegal immigrants. I want to say at this stage that the Nationalist Party is grossly insulting the European women. I know it hurts. Are hon. members opposite willing to have new photographs taken of themselves, two or three times in succession within a short space of time, and are they willing to reply to the delicate questions of the officials? I also want to know on what grounds they can say that it does not constitute a pass. We must confine ourselves to the Bill as it is worded, and allow me to make a little comparison. If your wife goes on holiday she will have to see to it that she takes her pass with her, but the kitchen girl can go on holiday and return, without requiring the pass. On what grounds do members opposite say that it does not amount to discrimination against the European woman? Can the hon. the Prime Minister tell me this evening that if this Bill is passed as it stands, and his wife leaves Pretoria to spend a month's holiday in Durban, that it will not be necessary for her to take her pass with her. According to this Bill she will have to carry her pass with her. The seven days' grace within which one will have to produce one's identity card is nothing but a little castor-oil poured on the wounds.

*Mr. A. STEYN: It seems to me as if you have had castor oil.

*Dr. LOOCK: May I ask the hon. member a question?

*Mr. TIGHY: My time is limited. Hon. members are laughing, but I want to assure them that they will no longer laugh when they meet the women of South Africa and they are called to account in respect of this point. They must not evade the question. They must either admit or deny that it would be necessary for the Prime Minister's wife to carry her identity card, her pass, with her when she leaves Pretoria for a holiday in Durban.

*Dr. LOOCK: And if she goes to Lourenco Marques?

*Mr. TIGHY: But if the servant girl, Coloured or Native, of the Prime Minister's wife goes on holiday, she does not need a pass. The hon. the Minister of the Interior tried to give an explanation by saying that he is going to amend the Bill in this respect, but we are not dealing with speeches here, but with the Bill as it will go to the Select Committee. The difference is that if this Bill were to be further dealt with by this House in Committee, then the hon. the Minister would have the opportunity of effecting the amendment. We thank him for the concession in that he wants to propose an amendment; it would be possible for him to propose such an amendment in the Select Committee, but surely, Mr. Speaker, the Minister of the Interior is not going to allow himself to be appointed by your kindness a member of the Select Committee. Therefore we on this side of the House are only concerned with the Bill as it stands, and the National Party Government cannot get away from the fact that they want to assign the European woman in South Africa a lower status than that of the servant girl. That is undoubtedly the position. I want to tell the Government that in public life there are three parties which one should never attack or give offence to. In the first place one should never give offence to the women; secondly, one should never attack the Church.

*An HON MEMBER: What about Conroy?

*Mr. TIGHY: In the third place one should not attack the Press. If any public man wants to arrange for his early political funeral, he should attack one of these three. This Government has already attacked the Press during the last few weeks, and in this legislation the woman of South Africa is not being attacked, but grossly insulted. Hon. members opposite who are always playing on the sentiments of the people and who always speak of the virtuous women of South Africa, are now lowering the status of that virtuous woman to a level below the status of the Coloured servant girl of the women of South Africa. They are trifling with the feelings of the people, and their disregard of human feelings will cause the Government's downfall.

*Mr. NEL: The House will not take it amiss if I do not refer to the speech made by the hon. member for Johannesburg (West) (Mr. Tighy). Hon. members will have observed that he is panic-stricken. He feels, as it were, that he has already been caught by the population register. Not only is his pass becoming darker and darker, but the whole atmosphere around him and the whole future of his party is becoming more and more gloomy.

I want to be very brief. I would just like to avail myself of this opportunity, in the first place, to congratulate the hon. Minister and the Government most heartily on the introduction of this Population Registration Bill, and to thank them for it. In this Bill one actually perceives the touch and far-sightedness of the true statesman. Not only is it necessary for the building up of our whole national life, but the Government in introducing this measure is especially rendering a great service to the whole cause of science and particularly the social sciences. Not only South Africa, but the whole of Africa should be grateful for the pioneering work which is being done here, and I do not doubt that in time to come it will be extended to the rest of Africa. I say that it denotes statesmanship. In the second place, I would just like to say that I am profoundly disappointed in the attitude which the other side of the House has adopted in this matter. Surely there are also people on that side of the House who are scientifically minded, people who are also interested in the future of our country, and yet we did not hear a single word of appreciation from that side in respect of the great service which is being rendered to South Africa by the introduction of this measure. In considering their whole campaign of arousing suspicion, this whole campaign of shameless deception which was carried on in connection with this matter, one must come to the conclusion that the other side of this House is not interested in the future of our people. If there is one thing in public life which has caused me disappointment, then it is this type of method, practised not only by individuals, but also by political parties and by a political party which surely must have a certain amount of tradition behind it. Is it right towards South Africa that responsible people and a responsible political party should make untrue propaganda against the people of South Africa? I do not know of any country in the world where such a thing happens. This propaganda campaign which we have had lately, has actually cast a slur on South Africa's good name, it has cast a slur on the moral aspect of our political life in this country. I think that these people who suggested this idea, must be ashamed to carry on this type of propaganda. It is not right towards this House and towards this country to adopt methods of this kind. But that is not all. If there is one thing that has disappointed me then it is that they are pursuing that policy, as I observed here today. It is our elementary duty in regard to this matter, although we may differ from each other and although we may fight each other, to display at least a certain measure of decency and sincerity in connection with this matter. It is not right that the matter should be distorted in this way and that it should be misrepresented to the people outside. I want to mention only one example of the method followed by them. One speaker after another tried to make the Coloured people outside believe that this whole Bill is actually aimed at committing an injustice against the Coloured people, and at deceiving the Coloured people. That was what their whole attack in connection with the Coloured people consisted of. It is not right and it is not fair. Members who spoke in that strain definitely know full well that that will not be the effect of the Bill, that that is not the implication of this Bill. Why do they adopt that method, when they know better? Here again we have an example of how they incite the Coloured people against this Bill and against the actions of the Nationalist Party. They must not forget that the reaction will be that the Coloured people will not only hate the Nationalist Party, but that they will hate the European in South Africa. That is what that sort of conduct will bring about. It is our duty to avoid such methods, particularly in connection with our racial problems. Let us thrash this matter out in a chivalrous and frank way; we should not drag racial questions into it in this way. In doing so, we render a disservice to the whole of the European population and the non-European population of the country.

I want to congratulate the Minister most heartily, in the first place, because I think this Bill will to a very large extent be the foundation on which we can build a united European population in South Africa. I am convinced that this legislation together with the Citizenship Act will bring about a united European nation in this country; just as the Citizenship Bill is a symbol of our nationhood, this population register will eventually develop into the great book of South Africa and the symbol of our pride in our nationhood. I am convinced that this Bill will draw the two European sections of our country closer to each other. To me it is the symbol of that unity which is awaiting South Africa in the future; and this population register which will draw us together and place us on a firm foundation will still become fertile soil on which the unity, the indestructible unity of the South African nation will be built up. I do not doubt that not only the Afrikaans-speaking section of the population but also the English-speaking section will be linked together on this foundation, and that a large section of the English-speaking people who are today attacking us on this question will, because of

this very legislation, say in the words of the English poet, but in respect of South Africa, "This is my land, my native land." I am convinced that this legislation will still become a mighty symbol that will unite us in a common pride in our descents, in our own future and in South Africa. I say that this legislation will without doubt still prove to be one of the mightiest symbols which will unite us in such a way that we shall have a common pride in our own descent and our own future in South Africa. In the same way I believe that this population register will also foster a sense of national pride amongst the other sections of the population, the non-European section of the population; I am convinced that the population register will also foster that same national pride amongst them. But that is not all; I want to thank the Minister because, in the second place, he is rendering a great service to science in South Africa by introducing this measure. I believe that this population register will to a great extent lay the foundation for the development of a mighty socio-economic life in South Africa. I am very glad that the Minister has announced that this population register will become the nucleus of bigger scientific developments which await South Africa and in this respect I particularly have in mind that it will become the nucleus of a properly equipped demographic institute in South Africa. Viewed from that angle, it can be of immeasurable value to us. We must not forget that the present age is the age of the demographic science. Just see what has happened in the other countries of the world. The world has awakened to the fact that its riches should not be looked for in the gold mines of the earth or in the earth itself, but in the people of a country. That is where the riches of every country lie. And because we will now be able to reach all the strata of the population of the country through the medium of this population register, the interests of each section can be properly looked after, and the necessary data can be obtained to build up that socio-economic life which each country needs so badly. Just look at the position in South Africa today in respect of our demography. It is a disgrace to our country. Take our Department of Census today. They have rendered good work with the staff which the various directors have had at their disposal, but it has been most difficult to obtain all the data, and half of the data required in connection with our population is still lacking. It will only now be possible to obtain the necessary data, now that the population register is being established. Now we are getting the foundation and the necessary machinery can now be put into operation to build up that demographic institute, which is absolutely necessary if we are to reach all the strata of the population. Through such a demographic institute one can look properly after the interests of all sections of the population; with the aid of such an institute one can ensure that every section of our population is properly looked after and properly served. Moreover, we should also remember that this is the age of the social sciences. It is only the nation which pays attention to its social sciences that progresses and is a healthy nation, and it is only that nation which pays attention to its social sciences that can become a greater nation. Fortunately we are already paying attention to this matter but it has so far mainly been limited to patchwork. It has so far still been a question of doing a little here and doing a little there. We have not yet had the opportunity of tackling the problem systematically. Now that this population register is being established we will have an opportunity in the near future to pay attention to this matter and to tackle the problem in an effective way. Members will see that with the aid of this system we will shortly be able to work out a scheme by means of which the necessary attention can be paid to the various sections of the population. Our age is the age of planning; any nation that does not plan is doomed. Our national life has become so complex and particularly our social life has become so complex that planning has become essential today. What is the present position in South Africa with regard to planning? We are one of the few countries today which do not follow a method and system of planning, because we do not possess the necessary data. Now that we are going to have population registration we will have the means whereby all matters pertaining to our national life can in the future be tackled through planning. If one takes into consideration the important part played by the demographic institutes in the planning of other countries, in the countries of Europe, it is obvious that it is a very essential institution; but we have an advantage over other countries in Europe in that we are using this great idea of a population registration system as our foundation on which our whole demographic science and all matters incidental thereto will be built. In other words, if we pursue this system in South Africa we will undoubtedly produce better results. In other words, by adopting this method we will have the best foundation and the best basis to build on.

But there is another very important reason why I heartily welcome and support this Bill and that is that this population registration provides the key to the solution of many of the racial questions and the racial problems in South Africa. I was surprised to hear that even the Rt. Hon. the Leader of the Opposition dared to suggest that this Bill would only give offence, that it would only cause confusion and lead to

other problems. He actually said that this Bill would cause a deterioration in our racial problems. Sir, he has no right to say so. In looking for the causes of our racial impacts there is only one conclusion that one can draw, and that is that this system of population registration will provide the key to the solution of many of our racial problems, together with the implications arising therefrom.

I would just like to dwell on a few of the causes of these racial clashes. Lately, much has been said here about the clashes between European and non-European. What is the cause of those clashes? One of the main causes is to be found in the fact that those clashes are actually clashes of interests; the interests of the two sections clash with each other. Both groups are afraid of each other today. That is one of the main reasons for the deterioration in our relations; this population registration system can be a powerful lever in ensuring that the interests of both sections, each in its own sphere, are properly looked after so that each section of the population will be able to live its own free life and so that each section in its own sphere and in its own way may become worthy citizens of South Africa, in their own interests and for the glory of South Africa. All those difficulties still exist today. It has often been said in this debate that Natives are disloyal. If there is one thing which hurts me, it is this type of remark. I am one of those who reject the idea that the Native is disloyal or that he is this, that, or the other. We should not forget that there is an element among the Natives today who prey on them like parasites, and a large percentage of the Native population feel deeply worried about this element. How can one solve this problem? In the past all sorts of methods have been tried, but one cannot really bring them to book. But now we are getting a method which will gradually bring that element to book. Under this registration system one will gradually evolve a system under which on the one hand the decent type of Native will be sorted out and on the other hand the other type will be sorted out. The latter type of Native will sort himself out. We should not forget that once a Native has had a photograph taken of himself he feels committed. He attaches a magic value to such a photograph. Today he boasts of the fact that nobody can corner him. I have in mind here an experience which I had in Pretoria the other day. A Native boy approached me and when I had finished speaking to him I discovered that he was using no less than five different names. He had a pass for each different name. I asked him how it was possible and he replied: "Master, when I started my name was Klaas. After I had stabbed my employer with a knife my name became George. And after I had stolen from another master my name was Edward, and I escaped the consequences of that crime, and after I had committed another crime, my name was So-and-So, but my resemblance is my own; my name is Klaas, and I cannot get away from that fact." That is the position we have in this country today. But this population registration system offers us an opportunity of controlling that element not only in the interests of the European population, but, I think, also in the interests of the Native population itself. In time to come, if we see this thing through, we will still live to see the day when the Native population will thank us on this side of the House for the introduction of this system, because they are facing dangers today which are as big as the danger facing the European.

It has been mentioned here that money will be squandered on this system. I want to make this prediction here tonight, that when this system has been in operation for a period of five years, one-quarter of the expenditure of the Police Department will become unnecessary. My assertion in this respect is well-founded, and anyone who studies this matter will agree with me. I say that once this system is in operation the Police Department alone will save about a quarter of what they are spending today in the combating of crime. This system will actually bring about the encircling of the criminal in South Africa; can the other side of the House not realise this? Mention has been made here of control. But members should not forget that the Natives in general cannot yet be regarded as grown-up people in the full sense of the word. The Native still has to be subjected to control, and one of the strongest reproaches which the chiefs and the elders amongst the Natives fling at our heads today is that we exercise no control over the young Natives. The whole system of control over the Native population is in a chaotic state. There is no proper control. Here we have a system for the first time in the history of the country which can provide effective control, not for the purpose of making slaves of the Natives; this side of the House has always opposed the idea of making slaves of the Natives. For that matter, there is no section of the population which treats the Natives so fairly and decently as the people represented by this side of the House. That cannot be denied. But I say that the Native population is worried today because there is no effective control over this element to which I have referred. Now we are getting a system which will remedy this position, and that side of the House is opposing us. What will it not mean to South Africa, and what will it not mean to the Native population itself if such a system is introduced? Once that system is in operation, we can again start building up that social structure of the Native population which is today lying in ruins. Then we can again build up a healthy family life for the Native. Just look at the social structure of the Native population to-

day. Just look at the Native's family life. That is one of the accusations against the White man. Sixty per cent. of the Native children born in the urban locations do not know who their fathers are. Sixty per cent. of those Native women in the urban locations no longer get married. They live together like animals. These are true facts. Is it right towards the Native population that we should permit these things to go on? Can one build up a future for South Africa under such conditions? Are we not deliberately creating criminals by permitting such conditions to go on? Under this Bill we are now getting a system by means of which we shall be enabled to control that sort of thing, a system on the basis of which we shall be able to build a future for the Natives; and now hon. members opposite come along and oppose this measure, and they actually oppose it on the basis of the argument that it will cause racial clashes. They never considered the matter. It is our duty to tackle this problem and to carry out this task, also for the sake of the Native population. Take the question of the influx of Natives into South Africa. This matter has already been referred to, but I would like to say here this evening that there are at least a million foreign Natives in South Africa today, if not more, and those foreign Natives hardly pay a single penny in the form of taxes. Is it right towards our population that this state of affairs should be permitted any longer? If hon. members want this sort of thing to continue, they should vote against this Bill. But if they do not want it, I cannot see how they can possibly have so little sense of duty as to reject this Bill. They have spoken about an injustice being committed against the Coloured people but do they then regard the Coloureds as nothing but animals? They are also human, they also have feelings like the white man. They are also family-conscious, just like the white man, but this sort of thing that is going on in South Africa today is responsible for the fact that the life of the Coloured person in South Africa today is a rack of humiliation. This constant pretence of being a European and going over to the European camp is causing countless sorrow and bitterness in the lives of the Coloured population. Let us give the Coloured person the opportunity of becoming proud of the fact that he belongs to the Coloured race, and why should he not take pride in the fact that he is Coloured? He has every right to be proud of it. Grant him that right and remove that source of social torture. I just want to mention this example in connection with something which happened about a year or two ago when a Coloured boy went to a European school, only to discover later on that he was a Coloured person. He took a rope, went to the nearest tree and hanged himself. Who is responsible for that sort of thing? It is the policy of the European that is responsible for these tragedies. They are the outcome of our policy. We should not allow these things to happen in our social life. This population register will remedy this position and will foster a sense of pride among the Native population; it will foster a sense of pride among the European population, and will foster a sense of pride among the Coloured population. Members opposite have suggested that we want to create an artificial situation. That is not true. We are concerned here with the factual position, a situation created by our Creator. We do not want to disturb the balance of the relations as laid down by our Creator. It has even been suggested in speeches that the Nationalist Party wants to use this population register as a brush with which to paint some people black, some people brown, and some people white. That is definitely not the Nationalist Party's aim in connection with this matter. Members know that the main purpose of this Bill is to remedy those social evils. All these arguments apply to every section of the population. I repeat that if members really have the interests of the Bantu at heart, if they are really interested in the future of all the non-Europeans, if they really want to build up a future for South Africa, a great future and a future of happiness, then there is only one thing to do: support this idea of a population register, which is the key to the building of a great and wonderful future for South Africa.

Mr. HENDERSON: I would like at the outset to congratulate the hon. the Minister on the convert he has made to the Bill in the last speaker. I was quite warmed by the hon. member's enthusiasm. I thought the debate had reached rather a cold, settled stage. But I was not impressed by the hon. member for Wonderboom (Mr. Nel) when he referred to the criticism that had come from this side of the House as being unfair to the people. That almost suggested that the Government was bestowing a gift on the people of this country in presenting this Bill. Nor was I impressed with his force of reasoning when he endeavoured to lecture members on this side of the House. I think I can say that in all fairness. He tried to lecture members on this side of the House and quoted the lines of Scott —

> Breathes there a man with a soul so dead . . .

Shall I say that that was a poor argument, that was not flattering, that it did not add a vestige of logic to that which the hon. member hoped to portray in his speech. Now I want to say this in all seriousness to the hon. the Minister that this Bill is not in line with the spirit of South Africa. It is not a Bill that will appeal, nor does it belong to the people of this country — it will be resented. If ever there has been people in a pioneering country with a spirit of independence, with freedom,

of thought and will, we have it in this country, and here you are going to introduce a measure which is going to regiment and which is going to be resented as time goes on when its implications are more fully realised. On the first flush it has a very political complexion, and it ties up with a good deal of political thinking. Let me just go into this and see how it could affect the people of this country. I want to say that it is a dangerous Bill. After all, you could add to this Bill just one clause and the effect would be that you could add such items as religion, political allegiance or claims to be a national or an unnational element. You see the scope, Sir?

Then I want to say that this card is undoubtedly a pass, there is no question about it. I venture to suggest to hon. members opposite in all seriousness that it will be resented not only by the people of this country, but by the various sections of the country, too, and I say they are entitled to resent it. Is this not a blatant endeavour to regiment the people; is this an endeavour to bring about an authoritarian state? I say that this is foreign to South Africa. It is foreign to the people of this country. And when is this register to be complete? The hon. the Minister did not make that clear. We know the difficulties. The difficulty in connection with the question of photographs was raised by a member on this side of the House. How long are you going to take to take all those photographs? I can imagine the vast amount of work there will be in the platteland, and who will pay for this pass? That is most important. I want to raise the question of costs with the hon. the Minister because he dealt with the question of costs, and this is part of it. Who is going to pay for the photographs. Will there be any charge or is the State going to pay for them?

Let me just look into the question of the wisdom or unwisdom of passing this Bill. You have the evidence which was given before the Select Committee of 1935, and I ask the Minister whether he is prepared to flout that inquiry because the evidence of that 1935 Committee is distinctly at variance with the principle of the Bill and the very intention of the Government. I see that the hon. the Minister of Defence was one of the members of that committee. When I see the three findings of that particular committee I am astounded that the Government has not hesitated instead of going ahead with this measure. The first criticism of the committee was that such a scheme is impracticable in South Africa. The next criticism was that it would be too costly and the third one is the criticism made by the Secretary of Finance. He says—

> People will say that the Government wants white people to carry passes nowadays.

The whole evidence of that committee should have influenced the Minister and the Government not to proceed with this measure and to have realised the implications. Instead of that the Minister has flown in the face of the Select Committee's findings. The hon. the Minister dealt with the economics of this Bill. He went so far as to say that the capital costs of the national register would not be less than £300,000. That is the capital cost. Then he went so far as to say that, of course, accommodation will have to be provided. Then one assumes, of course, that staff will have to be provided. One can imagine that formidable arrays of steel cabinets will be necessary and one can imagine what sort of building will be required. I calculate that you will need something like 14,000,000 to 16,000,000 records. This is a very big undertaking. Its costs are going to be considerable, but the hon. the Minister deals with the matter on the basis of a profit and loss account. He immediately looks to the interests of his colleague, the Minister of Finance and he says: "Yes, but we will collect more taxes; we will recoup the expenses of running this concern, and on balance it is not going to really cost the country a great deal." I suggest to the hon. the Minister that in saying that he was not in his usual good form because there he made an underestimate. He did not use his capacity as we have known him use it on previous occasions. The Minister should have gone further. He should have developed this profit and loss account; he should have shown a profit. I say that the cost of this is going to be incalculable, and when the Minister said that the capital cost will be £300,000, I say that he is only dealing with one item in the bill of costs, a mere aspect of the whole set-up of charges. I am not influenced by this argument which was advanced by the hon. the Minister. I am not influenced by his concern for the Minister of Finance, but what I am influenced by and concerned with is the fact that at a time like this, this Government comes forward with this extravagance not only of money, but extravagance at the expense of the feelings of the people of this country, and seeks to give a national register to the people of this country instead of food subsidies. We are told that there is no more money for food subsidies.

An HON. MEMBER: Or for houses.

Mr. HENDERSON: There is no money for food subsidies or houses but we have money for a pass system. Where is the money coming from? I hope the hon. the Minister of the Interior has satisfied himself on that subject. I say that the expense is going to be considerable. I say that this register will not be complete for many years and I say as an enactment it will be largely an added bad advertisement to this Govern-

ment. There is no question about it that this is a Bill that should have gone to a Select Committee in the first place. You cannot inflict on the people of the country a measure like this, drawn on hasty lines. Was the Minister advised by his two advisers who went overseas? Is that where he got the strength of his convictions? I say that this is a matter that should have been investigated from every aspect. It is an unpopular measure. It is a bad measure and here you are imposing it on the people of the country even before the principles of a sound Bill have been agreed upon. The hon. the Minister is, I have no doubt, a good lawyer, but I would say this, that he is not a good salesman. He has not sold this Bill to the Opposition and he is not selling this Bill to the country. I say that there will be resentment throughout the land.

Let us just look at this loose handling of the Bill, this rushing at extravagances. We have registration already, wherever it is necessary in this country today.

Mr. H. S. ERASMUS: That is so, wherever it is necessary you have it.

Mr. MITCHELL: He agrees with you that this Bill is unnecessary.

Mr. HENDERSON: Then what is the object of the Bill? Is the object of this Bill not largely to analyse the position of the Coloured people? I do not want to be unduly suspicious but I look for some aspect of reason in this Bill; I am looking for the motive behind it. I have in mind the policy which has been enunciated by the Government Party, the policy of a separate roll for the Coloured voters. Is that associated with this Bill?

Mr. H. S. ERASMUS: Their names are on a separate roll today.

Mr. HENDERSON: And then let me look at the practicability of this scheme. White women will be required to carry passes. Native women will not be required to carry passes. Passes have been associated in this country with good behaviour and the absence of passes has been associated with bad behaviour.

The MINISTER OF THE INTERIOR: Then you ought to be glad to wear one.

Mr. HENDERSON: Will the hon. the Minister listen to my case a little further? I say that white women are going to carry passes. Are the native women going to be in this position that when they look for work they will want to see who has a pass and who has not a pass?

The MINISTER OF THE INTERIOR: All the white women will have passes, if you want to call it that.

Mr. HENDERSON: Surely the pass system in this country has always been regarded more or less as a form of protection for society against criminals. Is it suggested that there are no criminals amongst native women?

The MINISTER OF THE INTERIOR: You should raise your protest in Great Britain.

Mr. HENDERSON: I am addressing the hon. the Minister in this House. The Minister has tried to point out the virtues of the pass system in Great Britain, in Europe, and especially in Germany.

The MINISTER OF THE INTERIOR: No, you do not find it in Germany.

Mr. HENDERSON: Let me remind the Minister that that is where the pass system gained its greatest reputation for efficiency.

The MINISTER OF THE INTERIOR: Look at the report of the Select Committee of 1935.

Mr. HENDERSON: In Germany the classification was on racial lines and also on religious lines. In Germany they gave privileges on the basis of the pass system. Now, if there is any suggestion that the Government is creating suspicion, I shall be content to leave it to the country to decide. Then the Minister mentioned the example of England. In England they have a pass system. But does the Minister know that the pass system or card system was introduced in England as a means of identifying the dead during the war period?

The MINISTER OF THE INTERIOR: Then it will serve a very useful purpose for the United Party.

Mr. HENDERSON: That was the beginning of the identity card system in Britain, and now it is only used in connection with rationing. I have become so used to the Minister stating his case well. I recall he has suggested that such a card system would be useful in this country and he suggested that it would be useful in connection with rationing. Now does the Minister expect conditions ahead which will require rationing?

The MINISTER OF THE INTERIOR: No, because there is a new Government.

Mr. HENDERSON: At any rate, I would like to ask the Minister this. If there is a famine in the country and we have to resort to rationing, are we not going to feed the native women?

The MINISTER OF THE INTERIOR: All of them will have identity cards.

Mr. TIGHY: What clause is that?

The MINISTER OF THE INTERIOR: Clause 22, read with clause 25.

Mr. HENDERSON: No, Mr. Speaker, the Minister has not sold this Bill to the Opposition or to the country. I say he has not made a convincing case and has not dealt with every aspect of it. He has pointed to the advantages of this system, but on the other side of the ledger there are distinct limitations. You are reflecting on the people of this country, on their love of freedom, on their rights as a young people in a young, pioneering country. This Bill will go down to the discredit of the Government.

Mr. HUGHES: They cannot be more discredited.

Mr. HENDERSON: I was encouraged to note the conversion in the member for Wonderboom. It seems otherwise there is a wall of prejudice consolidating itself in the form of support of the Government policy. It is difficult to establish minuses and plusses from the way in which the Minister introduced the Bill. Then you have the application of the measure. The Government will have to apply this Bill. The application of this Bill will be dangerous; it will be as offensive as the Bill itself. I say that the people of this country will resent the Bill and object to it. I believe it is un-South African and does not apply to this country. And I say in the end this Bill will go down to the discredit of the present Government.

*Mr. H. S. ERASMUS: The trouble with the Opposition is that they do not read the Bill before they make their speeches, and then they want to make certain submissions. For example, the hon. member who has just sat down, asked who were going to pay for the photographs. If he had read the Bill he would have known who is going to pay. It is very clear that that hon. member did not read the Bill. I refer to Clause 16—

> Every person whose name is included in the register, except a person who has not yet attained the age of sixteen years or a Native, shall, at his own expense and as often as it is or becomes necessary to issue an identity card to him, furnish the Director with two copies of a recent photograph of himself: Provided that if the Director is satisfied that it will cause undue hardship to a person to furnish the necessary photographs at his own expense, he may authorise the photograph of that person to be taken and copies thereof to be supplied at the expense of the State.

It is absolutely clear from this clause who has to pay. But the United Party wants to criticise the Bill and they do not even know the contents of the Bill.

Dr. FRIEDMAN: What about the poor whites?

*Mr. H. S. ERASMUS: That remark only shows the hon. member's ignorance. He evidently has not read the Bill either, or if he has read it, he read it very badly. It is stated very clearly that if the European is unable to pay, the State will pay. That is laid down in the Bill, and then an impertinent United Party member comes and asks who is to pay for it. They do not read the Bill and then they have the audacity to criticise it. No, the more they open their mouths, the more we get the impression that they do not know what they are talking about. They have had every opportunity to know this because they have been given every opportunity to study this Bill.

The United Party reminds me of a frightened person. A person who has lost as often as they have, also loses his confidence, with the result that he becomes suspicious. The entire United Party is a suspicious party. No matter what legislation the Government introduces they remain suspicious. They read words into the Bill which are not contained in it; and in the same way that a man who is frightened sees non-existing ghosts they do not notice what is contained in the Bill. Hon. members on the other side who have had such a lot to say about the Bill, have indicated clearly that they are filled with fear, and anyone who is filled with fear finds himself on uncertain ground. He has no foundation on which to stand. In the last few years the United Party has experienced nothing but setbacks and they have again resorted to racial hatred in South Africa. The party on the other side tries to sow racial hatred in South Africa in connection with every issue.

*Mr. S. J. M. STEYN: That is why all the races are together on this side.

*Mr. H. S. ERASMUS: When we introduce a Bill prohibiting mixed marriages, they incite the Coloureds and say that we insult the Coloureds. They say that we insult the Natives. When we introduce a Citizenship Bill they incite the English-speaking people against the Afrikaans-speaking people. They say that there is discrimination between English-speaking and Afrikaans-speaking people, as well as amongst English-speaking people. They say that we have introduced two types of citizenship and that we are discriminating between those who were born in this country and those who were not. That is the party which is mainly responsible for inciting the races against each other. One day the Indians

are incited and the next day the English-speaking people are incited against the Afrikaans-speaking people, and then again the Coloureds against the Europeans.

Mr. RUSSELL: Are you insinuating that we are responsible for the Durban riots?

*Mr. H. S. ERASMUS: I did not say a word about the Durban riots. I say that it is the party on the other side which incites the races against each other. That may be done unconsciously or it may be done deliberately. If it is being done unconsciously, then the party opposite must be a poor party, if they cannot realise the consequence of their actions. If they are doing it deliberately it is a very mean thing. That is not all in connection with that party. When it suits them they support apartheid. But when it does not suit them, they are against it. If the amendment of the Rt. Hon. the Leader of the Opposition proves one thing, it is that they are against apartheid. Because in his official amendment, moved on behalf of that party, the Rt. Hon. the Leader of the Opposition clearly indicated that this Bill should be rejected because it distinguishes between Coloureds and Europeans. We want to make no secret of this. By means of this Bill we draw a line of distinction between the different colours. Let me rather put it this way, that the line which already exists is accentuated. It has been proved very clearly that their main argument against this Bill is that it will promote the application of the policy of apartheid, and they are opposed to that. If they were in favour of apartheid, they would not have been against this Bill which accentuates the line of demarcation.

We go further; we see that they are without a policy. It is because they are without a policy that they have lost so much ground in this country and that they are getting weaker and weaker. When the Government lays a Bill before the House they lack the courage to state their policy as against the policy contained in the Bill. No, they usually move an amendment which is neither fish nor flesh. They do not move an amendment in which they say definitely that they are in favour of the Bill or against it. Take, for example, this Bill in connection with national registration. They do not state clearly in their amendment whether they are in favour of national registration or against it. They simply say that the Bill should be referred to a Select Committee. If they had a fixed policy they would have taken a certain stand in conformity with that policy. The people look to the different parties for guidance and how are the people to know what the attitude of the United Party is in connection with this matter? We do not know what they want; they simply want us to refer this Bill to a Select Committee. No, they are a party without a policy, not only as far as this Bill is concerned, but as far as all Bills introduced by this side are concerned, because they are always moving that type of amendment. When we sat on the Opposition benches we always moved constructive amendments. Whenever we were against a Bill introduced by the United Party, we moved a constructive amendment and we stated our point of view against that of the then Government. It was then clear to the people that the Opposition had a constructive policy, and for that reason the electorate put the Nationalist Party in power. I want to tell the United Party that as long as they remain a party without a policy the longer it will take them to get into power again. Today they are in the desert and they will remain there, mainly because they are without a policy and because they move amendments which do not make it clear to the public what their attitude is. The fact that they are without a policy was made clear in connection with the Bill on the Prohibition of Mixed Marriages. In that case, too, they did not have the courage to state whether they were in favour of the Bill or against it. They were neither here nor there. They adopted the same attitude in connection with the Citizenship Bill. They could not say openly whether they were in favour of it or against it. No, they merely said that a portion of the Bill was an insult to the so-called second-class citizens, but they did not say that they were in favour of that Bill or against it. We had the same position in connection with the Immorality Amendment Bill, which was introduced this Session. What was their argument? They were opposed to the Bill because they alleged that it was ineffective in prohibiting immorality. They did not have the courage to state openly whether they were in favour of the Bill or against it. No, they stated that it would not be effective. They did not have a definite policy. It is their duty as an Opposition to have a definite policy and to state their policy as against that of the Government.

We have the same position in connection with national registration. As long as they follow that policy and move no definite amendment, they will not get the support of the electorate. Now they state in their amendment that the Bill must be referred to a Select Committee after the second reading. When is a Bill referred to a Select Committee after the second reading? It is done when there is a possibility that the principle of the Bill will be altered. Mr. Speaker, we all admit and we all know that this Bill does not contain a new principle. It does not create a new principle. The portion which deals with national registration does not create a new policy, because we have registration for a number of

purposes. At birth every child has to be registered; every death must be registered. Under the provisions of the Defence Act all young men must be registered. We have already had registration in various forms. This registration will only be more comprehensive and all the data will be shown on the card. No new principle is being introduced. How can that principle be rejected at the second reading? Even this amendment which they have moved serves no purpose.

Moreover, they say that this Bill will cast a stigma on the non-Europeans. That is not so; on the contrary — and in this respect I agree with the hon. member for Wonderboom (Mr. Nel) — this Bill will not cast any stigma on anyone. What it will do will be to arouse a sense of national pride in the Coloureds. In the past the position has been very difficult for the Coloureds. Their chief aim has been to filter through into the ranks of the Europeans. They had no ambition to build up and to strengthen their own nationhood. By means of the different laws we have enacted, for example, the Prohibition of Mixed Marriages Act, that door is being closed to them and they are given an opportunity, in their own ranks, to aspire to a higher status for themselves. It creates new ideas and new ideologies in the minds of the Coloureds and, therefore, it cannot be a stigma. They will now attain a separate status.

It is clear that there are various advantages attached to this Bill. We have already heard, and it is well known that the Union of South Africa acts as a magnet to the Natives of Africa. In the past few years the Union Government has spent millions of pounds on pensions for Natives, and Natives from the whole of Africa have come to the Union in an endeavour to have pensions granted to them here. The trouble is that we have no means of ascertaining which of these Natives are Union Natives and which of them have crossed our borders. When our national register has been compiled it will be easy to prove which of these elderly Natives belong to the Union and are entitled to an old-age pension. If such a national register is not introduced, we may find that the European in South Africa is called upon to give pensions to Natives who cross our borders. A register such as this will enable us to trace our people. We will know which people are illegal immigrants who crossed our borders, especially in the case of Natives. I repeat that those Natives who cross our borders and who cannot be traced here may oppress our Native races, and our first duty is towards the Natives and Coloureds of our own country. If immigrants enter the country illegally, they can be identified and we can obviate this difficulty. Those Natives commit an injustice towards the Natives of South Africa.

This Bill does not cast a stigma on anyone. We can be sure that the honest man will not feel aggrieved. The scoundrel and the criminal may feel aggrieved, as well as the people who have aliases and who commit fraud. We on this side of the House are not prepared to let that type of person dominate us. The United Party must realise that they are playing into the hands of those dishonest people and that they are protecting them when they oppose the introduction of a national register. We will do everything in our power to keep that type of man well out of our midst.

I associate myself with this Bill and I want to congratulate the Minister on the fact that he introduced it. By co-operating in connection with this matter, and by having the courage to tackle and put through so many important and contentious Bills, I think the Nationalist Party and the Afrikaner Party have rendered a great service to this country. I want to point out to the United Party that during the past thirty years they have not gained an inch of ground. Since 1914 the original Nationalist Party has had a clear policy in connection with certain matters. It stood for a South African flag. The United Party fought against that, but they lost the fight and today we have our own flag. We stood for bilingualism. The United Party fought against that, but we obtained it. We fought for our independence. They fought us throughout, but we attained our objective. They have always been wrong in all measures they have opposed during the last thirty years. The national-minded section of South Africa stood for those measures, and in the end they were always successful. We have achieved our objective. That should be clear proof to them that they have always been wrong. The sooner they become aware of their mistakes, the better it will be for them. They must realise that the measures for which the Nationalist Party stands, are really measures which aim at promoting the interests of the nation, and that they should support those measures if they wish to get on to the right road.

Mr. SULLIVAN: When the hon. the Minister of the Interior introduced this Bill yesterday he went to considerable lengths to describe to us the advantages of a national register as laid down in this Bill. That was the sort of advantage which no doubt induced the four Provincial Administrators to make a recommendation for another and different system of registration. They, too, seemed to have neglected proper consideration of the practical difficulties and of the expense involved in the compilation of such a register. Now, Sir, I think it will be readily accepted that it is possible that the national register can replace much of the work involved in the compilation of the register of voters; much

of the work of enlistment under the present system in the Active Citizen Force. It may also incorporate births, marriages and deaths, and the registration of aliens. It may and will provide readily for State departments and research workers useful vital statistics. It may facilitate the control and payment of social pensions. Moreover, it can be claimed that the institution of this form of national registration, with the associated identity cards, could replace the multiplicity of passes which the natives are now obliged to carry, and in this way it may be possible that it would eliminate many of the constant causes of irritation amongst the native people. In that way it will relieve racial tension, for once the native realises that all South Africans, irrespective of colour, must register and must carry a pass, obviously it would predispose him to settle down more complacently under our existing legislative system as far as it governs him. The national register certainly will have administrative advantages. There is no doubt about that. But there are weightier considerations than that.

Now, when we consider the practice of national registration in other countries, and in our comparison keep steadily in mind the complex social structure of South Africa, the only conclusion, I think, the constructive mind can come to is that the special national register, population registration, which is proposed in this Bill before the House, is not necessary in South Africa. The Minister has constantly referred to the example of Great Britain. The position there, I submit, is no case at all for national registration in South Africa. In 1914 Great Britain first introduced a system of national registration, obviously for war purposes. On the coming of peace that original scheme was scrapped; and then again in 1939, by legislation and for purposes of national service, for purposes of defence, and particularly for purposes of rationing, the British Government introduced what is now the present system of national registration. It was introduced to meet a great national emergency. I think most members of this House will concur in that. It is maintained today as England is still in a state of national emergency. It is not meant to be permanent.

The MINISTER OF LABOUR: It is necessary in order to apply social security.

Mr. SULLIVAN: They had national registration a long time before they had social security. We live in altogether different conditions, and for us a national register as proposed is absolutely unnecessary.

I think we should get a very clear picture of what the practice is in other countries, and the conclusion it will bring us to is this, that in no country — I do not know the conditions in Russia and I can imagine that their system may require something different — but in no country in Western Europe and in the British Commonwealth of Nations is a system of national registration in practice which resembles this system which is to be introduced in South Africa. In Sweden and Denmark there is a simple system of registration, and no identification cards are issued, or according to the information I have, likely to be issued. In Belgium . . .

An HON. MEMBER: What about Canada?

Mr. SULLIVAN: In Canada the position is unique, as those members who read "Die Burger," will know. I will come to Canada later. In Britain, Belgium, France and Switzerland the position is that they have a national register and there are also identification cards. In Spain you have the most rigid system, very much like the system the Minister has introduced in this Bill—registration plus cards. But then, Spain is a police state and in a police state the tabulation in detail and photos of the citizens are necessary. I repeat that in no part of the British Commonwealth, not even Great Britain, do we find national registration such as is proposed by the Minister for South Africa.

Now in connection with Canada ("Die Burger" gave me this information), and I also have information from other sources—in 1940 population registration was established as a result of the war. It still exists, but in a very modified form. The original one of 1940 is not being maintained. All Canada has today is a national vital statistics index. That has now taken the place of the original 1940 system. The separate provinces issue individual certificates of birth, and that in fact is the whole system in Canada which has been referred to as an example that might well be followed in South Africa. If the Minister is prepared to introduce a system like that of Canada, there will be more sympathy with his proposal.

Now I have pointed out that the Commonwealth represents a free democracy. Such identification cards as are proposed for the Union, are repellent to every part of the Commonwealth. I have spoken to a leading representative from Australia. At the outbreak of the war Australia introduced a system of national registration together with identity cards. Immediately at the end of the war the long pent-up objection of the Australian people to the introduction of such a system, even during the war years, had to be respected and the whole system was scrapped. The hon. Minister of Labour referred to social security. Let me tell him that in Sweden they have an excellent system of social security, in Australia they also have a good system, and in New Zealand they have the very best system in the whole world; and in none of those countries

have they national registration as is proposed in this measure. It is quite impossible to accept the advice that if we want social security we can only have it on the basis of a national register as laid down here.

South Africa, Mr. Speaker, is stubborn to retain its democratic character against the great difficulties introduced by the Government; our people definitely do not like the pass system. I believe the people on the platteland will join the people in the towns in opposing such a pass and such a ticket of leave system. The experience of Europe will not help. Unlike South Africa, the people of Europe are living in an abnormal and unsettled economic and social order. If the people of Europe had the same prosperity and the same security and the same freedom as the people of South Africa enjoy today, they would very quickly and soon shed their systems of national registration, because it is regarded as regimentation and enforced discipline on the people.

The Minister has referred to Holland. I do not think the House has been given a true picture of the position in Holland. National registration has been in operation in Holland for a long time, but not the system we are discussing here. My information is that in Holland no identity cards are issued today. They were issued when the Nazis dominated Holland, and these identity cards stand for tyranny and the jackboot as far as Holland is concerned. The Dutch people would resent bitterly the imposition on them of identity cards on the same lines and for the same purpose as it was introduced by the Nazis.

It is therefore quite wrong to look to Great Britain and Canada and Holland for examples for the introduction of a system of identification cards such as is proposed in this Bill. I want to add the further comment that not only do I believe that the national registration which is proposed in this Bill — not the compilation of a national register, which is a different thing — but the whole Bill as presented to the House in two halves, is unnecessary. But I want to say this, that this step is quite inappropriate in South Africa. I have already indicated that and I want to go further. The whole reason for the introduction of this plan has been stated perfectly clearly to the people of South Africa by the official organ of the Nationalist Party. On the 21st of last month "Die Burger" published an excellent article, a very frank article, to explain the reason for the introduction of this system. I think it has already been quoted, but I want to refer to it again so that it can be kept in mind. The key to the Government's purpose in connection with national registration was laid down in that article. These are the words of "Die Burger" —

> More than once Dr. Malan has stated that national registration is the foundation of the whole plan of apartheid.

An HON. MEMBER: Hear, hear.

Mr. SULLIVAN: I am glad to hear that confirmation. "Die Burger" continues—

> If the Government is to carry out the policy for which it was elected, it must establish that register and it must get the support of those who approve of its broad policy.

That convinced me that in the hands of the Nationalist Party—I say this with due appreciation of the responsibility of such a statement—this plan we have before us to regiment our people, to make them pass carriers, to make them ticket-of-leave men and women; is meant, not merely for statistical purposes, not merely for defence work, not merely for the purpose of social administration; it is mainly to accomplish political ends; to upset the traditional social structure of the people, the cherished traditional liberty, and to achieve in as quick a time as possible certain political aims; to make the achievement of a sectional party policy possible, and to be foisted on the people. That is the disruptive aspect of this plan, and that is why this particular form of population registration which is formulated in the Bill is definitely inapplicable at the present time to South Africa.

There is another factor of great significance in the consideration of this system, to which I wish to refer in this debate. That is the widespread illiteracy among our Native people, the Coloured people and the Indians. The compilation of the census and the maintenance of a national registration system calls for the intelligent co-operation of all races. Now, how can that intelligent co-operation be forthcoming in view of the intricate amount of detail which is laid down in this Bill, from thousands of illiterates in South Africa? Mr. Speaker, we are attempting the impossible. We do not even record the births and deaths of the Native people. How then can we in this way, in one leap, adopt and make workable this colossal national registration, whether today or in five years' time, for the non-European people? It just cannot work. It cannot work now for our twelve million people. It will be a dead letter in two years. It is already dead in sections, as far as something like eight million of our people are concerned. Such a fantastic—I think the word fantastic describes it aptly—and tremendously costly plan we are prepared . . .

Mr. BOLTMAN: To join Sam Kahn.

Mr. SULLIVAN: The Government is prepared, and this House is asked to support

the Government, to scrap the free way of life which is interwoven in all that is best in this country and on which basis alone we can build up a secure and happy South Africa.

This Bill will require intensified police activity. That cannot be gainsaid by even the hottest protagonist of the Bill. This Bill will require virtually an army of public servants; it will require half a million pounds per year to administer. All this is herculean in the beginning, and it will fail. The social unrest it must inevitably generate, will be a heavy price to pay for the furtherance of a political creed from which the majority of these people, thank heaven, dissent. The white races of this country are dogged and determined in their independence. They are a proud people.

Mr. MAREE: Hear, hear.

Mr. SULLIVAN: I hope you will also say "hear, hear" to the logical consequences of that "hear, hear." They have come to regard any type of pass or identity card as a badge of a menial and servile status. They do not need to be reminded by the Minister of the Interior . . .

The MINISTER OF THE INTERIOR: Is that what they feel in Great Britain?

Mr. SULLIVAN: That is a different story. If the Minister tries to introduce into Great Britain what he is introducing in South Africa, he would be swallowed up in a storm of indignation. We do not need to be reminded as a white race how in 1939 and afterwards the use of national registers on these lines was dangerously abused by a despotic regime and by state absolutism.

The MINISTER OF THE INTERIOR: Where was it abused in 1939?

Mr. SULLIVAN: It was abused in Europe before 1939 and after 1939.

The MINISTER OF THE INTERIOR: I thought you were referring to Great Britain.

Mr. SULLIVAN: It was not in existence in Great Britain before 1939. We reject, Mr. Speaker, this symbol of a servile status. One member in the House today described the Government, quite rightly, as un-South African. This measure is un-South African, it is unnecessary, it is inappropriate and a wise government would never attempt to enforce its enactment on our people.

*Mr. UYS: The hon. member for Berea (Mr. Sullivan) who always pretends to be the apostle of social security in South Africa, and who has already belonged to three parties in order to have social security put into practice, had an opportunity today to support a Bill which would facilitate the introduction of social security in any country and also in South Africa. The laws relating to registration of the population in Canada and in England are definitely employed as instruments with which to carry out their systems of social security; and that is essential, particularly since the public also contributes towards the cost of social security. This Population Registration Bill which we have before us today, is necessary, and as the hon. the Minister has pointed out, this Bill will mean the consolidation of the existing registration measures. The Opposition says that the registration legislation in other countries in the world was introduced to facilitate the administration of those countries, but when we introduce such a measure in South Africa all sorts of sinister motives are ascribed to it. When we mention the examples of other countries in the Commonwealth like England and Canada, where legislation of this kind is already in existence, the Opposition asks us why we are following the example of England and Canada in this respect, and why we cannot stand on our own legs. Last year when the Citizenship Bill was introduced in this House and when British citizenship in respect of South Africans was abolished, they asked us why we did not follow the example of Britain and the Dominions by retaining British citizenship. The United Party always argue around the point, and when it suits them they hold England up as an example to strengthen their case, but when it does not suit them they condemn us for doing what England and the Dominions are doing, and accuse this Government of having sinister motives; then one is not permitted to follow the example of the Dominions. The hon. member for Berea said that this Bill was introduced with a view to carrying out the policy of apartheid, and because this Bill is said to have been introduced to implement the apartheid policy it constitutes an insult to the non-Europeans. It is alleged that this Government is suppressing the non-Europeans in South Africa still further, but in the same breath members opposite, like the Rt. Hon. the Leader of the Opposition and the hon. member for Johannesburg (West) (Mr. Tighy), and I think also the hon. member for Drakensberg (Dr. Steenkamp), say that this Bill was introduced with the specific idea of insulting the European women in South Africa. I cannot for a single moment see how if the Bill is aimed at insulting the non-Europeans in this country, it can simultaneously be aimed at insulting the European women of South Africa, who have always been the symbol of racial purity and who have kept the South African nation racially pure. These arguments advanced by members opposite to the effect that the Bill is specifically aimed at insulting the European women of South Africa and that it also constitutes an insult to the non-European women, are without substance, nor do I

think their arguments to the effect that the European by carrying the identity card will be reduced to the status of a servant girl ("meid"), are valid. The European woman takes pride in the fact that she is a white woman and it is largely due to her that the people of this country are still as white as they are today. If she has to take out an identity card, or a pass, as members opposite call it, on which it is stated that she is of European descent, she will regard it as an honour rather than an insult. The Rt. Hon. the Leader of the Opposition and other members of the United Party have said that this Bill is more specifically aimed at disenfranchising Coloured voters. Because the Nationalist Party did not introduce legislation to place the Coloureds on a separate list, the Opposition now has to look for something else with which to incite the Coloured people, and they say that we are now resorting to the introduction of this Bill with a view to removing the Coloureds from the voters' lists. But this Bill has nothing to do with the registration of Coloured voters. The Coloured people are registered on a separate roll although they vote with Europeans for European candidates. Under this Bill it has to be determined whether a person is a European or not, and whether a Coloured woman is Coloured or not. But hon. members opposite fear registration, because under this system the United Party will no longer be able to use Coloured women to vote as Europeans, as happened during the last election in the suburbs of Cape Town. That is why they fear registration. They are also afraid that they will no longer be able to get people, who pass as Coloureds in the Cape Province, onto the European voters' list in the Transvaal. So that they may vote in that province. That is one of the reasons why they fear this population registration; they fear it particularly with a view to the Coloureds on the voters' lists. When the United Party opposes this Bill in this House, they are actuated by only one motive in their opposition to this measure, and that is that they will now no longer be able to pursue the malpractices of the past when they illegally placed Coloured voters onto the voters' lists and when they placed Coloured women onto the European voters' lists in order to obtain their votes. Another argument advanced by the Opposition in support of their view that this Bill is not in the interests of the country, is that we are now discriminating between the various races in South Africa, between Natives and Coloureds and Europeans. But this classification has always been in existence. It is as old as the people of South Africa. It has been in existence for all these years, although it has never been laid down in legislation as clearly as it is being done now. It has been in existence in connection with school children, and particularly in that respect, this Bill will be of immeasurable value in determining now once and for all whether a person is white or not. Up to now the principle of the school or the school committee have had to decide the issue, but once there is a specific population register, the race of a person is laid down in that register. This Bill will make things easier in that respect, particularly in the Cape Province where there are people today whom it is hardly possible to classify. The Leader of the Opposition said that one can no longer classify people. I want to tell the Rt. Hon. the Leader of the Opposition that the European women will be proud to carry the identification card particularly having regard to what he has said. And it is not only the European women who will welcome this Bill. In today's "Argus" a letter is published from one of the unfortunate people to whom the Rt. Hon. the Leader of the Opposition has referred. I would just like to quote it—

> I am one of a family which is the result of a mixed marriage. The one is trampling the other down and yet we are the children of one mother and one father. Is it right?
>
> Certain of my brothers and sisters because they are of fair skin, can be treated as Europeans; but we darker ones have to be satisfied with whatever treatment we get.
>
> When we were small we were satisfied to be in each other's company; now we are of an understanding age we give each other the cold shoulder.
>
> So I hope the Government will succeed with the identification card system in putting people into the group to which they rightly belong.

At 10.25 p.m. the business under consideration was interrupted by Mr. Speaker in accordance with the Sessional Order adopted on 1st February, and the debate was adjourned; to be resumed on 13th March.

Mr. SPEAKER adjourned the House at 10.26 p.m.

FRIDAY, 10th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

QUESTIONS.

Commission on School Feeding Schemes.

I. Mr. MITCHELL asked the Minister of Education, Arts and Science:

(1) When was a Committee appointed to investigate school feeding schemes;

(2) who are the members of the Committee;

(3) what are the terms of reference of the Committee;

(4) whether the Provincial Administrations were consulted before the Committee was appointed; and

(4) whether there is a representative of the Provincial Administrations on the Committee.

The MINISTER OF EDUCATION, ARTS AND SCIENCE:

(1) The appointment of the Commission was published in the Government Gazette of the 20th of January last.

(2) The members are:

Prof. G. G. Cillié, chairman,
Prof. S. Pauw,
J. J. Boshoff, Esq.,
Dr. R. J. Smit,
H. C. van Niekerk, Esq.,
C. W. Prinsloo, Esq.,
J. H. du Plessis, Esq.

(3) The terms of reference are:

(a) Whether under-nourishment is prevalent to such an extent in the Union that it becomes essential to provide primary school children with additional food to render education more effective.

(b) If so, the extent of under-nourishment among the various racial groups in primary schools in the Union, having regard to their traditional customs and the requirements of education.

(c) Whether the under-nourishment so determined is due to inherent factors in our educational system, such as distances from school, long hours, etc., and/or to economic or social conditions.

(d) The desirability of providing the extra food, if any, in the family circle, or in conjunction with the school.

(e) Whether the augmentation of food, if any, for primary school children is a function of the education authority (Union or Provincial), or of another State department(s) in the light of experience gained with school feeding in the Union.

(f) The basis on which a feeding scheme, if recommended, should be organised to ensure effective feeding and financial control, and whether separate schemes for the different groups should be introduced.

(g) Such other matters as may affect the feeding of primary school children and on which the Commission may desire to submit recommendations.

(4) No.

(5) No Government Department or Provincial Administration is represented. The members were all appointed in their personal capacities.

Removal of Sea Park Halt.

II. Mr. MITCHELL asked the Minister of Transport:

(1) Whether representations have been made suggesting the removal of Sea Park Halt from its present site; if so, what alternative site is proposed;

(2) whether the Administration has come to any decision;

(3) whether he will give an assurance that before a decision is arrived at all sections of the public users will be given an opportunity to express their views.

The MINISTER OF TRANSPORT:

(1) Yes, to a site known as School Halt at mile post 73½.

(2) No.

(3) Yes.

Native Employees Recalled by Chiefs.

III. Mr. DAVIS asked the Minister of Native Affairs:

Whether it has been brought to his notice that numbers of Native domestic servants and factory employees in Johannesburg are leaving their employment in Johannesburg and on the Reef on instructions from their chiefs; if so, whether he is in a position to make a statement as to the reasons for such instructions; and, if not, whether he will cause an inquiry to be made in connection with such instructions.

The MINISTER OF NATIVE AFFAIRS:

I have no knowledge of any instructions alleged to have been issued by Native

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his report, which are found on pages 10, 11, 12, 13 and 14, are not specifically dealt with and no reference is made in the recommendations of the Select Committee to these recommendations submitted by the Auditor-General. I think that under these items there are certain amounts, the disposal of which, seems to have been irregular. The Auditor-General has been very conservative indeed in regard to the way in which this expenditure has been treated, dealing particularly with the excess on column one of the first schedule of the Appropriation Act and then referring to special items of expenditure. What I want to ask the hon. the Minister is, what steps are being taken, if any, to meet the objections which the Auditor-General has raised on several items, whether he is satisfied that the criticism of the Auditor-General is being met, including excesses on certain of these items which do seem rather extraordinary, such as expenditure on Votes for which no provision was made in the Estimates. Well, now, that dealt with the question of the Betterment Funds, and then they give a whole list of items in regard to which the original provision goes back to 1947-'48 and then they deal with expenditure right up to 1948-'49. There is one item here, "Payment of injury or duty pay in excess of authority".

The MINISTER OF TRANSPORT: Where is that?

Mr. POCOCK: On page 12, Item (5). That surely seems to be rather an extraordinary item. That is an item which surely calls for some explanation. Payments for injury on duty are made in accordance with the provisions of our Acts. Then there is another matter, a comparatively small item, "Leather Wallets for Airways Advertising". It says here—

> One hundred and eighty-five leather wallets were purchased for issue as a goodwill gesture to prominent personalities whose initials, along with the Airways insignia, were to be embossed thereon.

Well, Sir, I can appreciate the service, and I do not want to criticise this particular item, but, surely, provision should not be made for such an item in this way. There seems something wrong when matters like that have to be included under a special Vote covering items amounting to nearly £2,000,000. There are one or two other items here, such as "The installation of a switchboard without authority", but they are in themselves petty items, but what we are concerned about is this, Sir, whether the representations of the Auditor-General have been considered by the Select Committee. We have had no evidence on that, and we would like to know whether the hon. the Minister has taken note of the objections raised by the Auditor-General and what steps, if any, he has taken to meet those objections.

The MINISTER OF TRANSPORT: This question of unauthorised expenditure, as the hon. member for Sunnyside (Mr. Pocock) knows, is, of course, a hardy annual. There are always these expenses made and, of course, they cannot be made without having a thorough investigation into the reasons for them. If that were not done, then, of course, it would be a very dangerous principle indeed, but the usual procedure is that the Auditor-General reports at the end of the year that certain expenditure has been made for which the authorisation of Parliament was not acquired and those are then sent to the Select Committee on Railways and Harbours with the comments of the Auditor-General and with the replies of the General Manager. Now the Select Committee on Railways and Harbours goes very carefully into these matters and I can assure the hon. member for Sunnyside that even if in their report they do not state their reasons — I for many years have served on the Select Committee of Railways and Harbours, and exactly as in the case of the Select Committee on Public Accounts on which the hon. member for Sunnyside has served for many years — these items are gone into very carefully indeed. I would like to give the hon. member the assurance that it is the general practice to try and keep down unauthorised expenditure as far as possible and I think a certain amount of success can be claimed in that they are £750,000 to £1,000,000 less than last year. But I would like to refer the hon. member to page 10 at the end of item (2), where he will find the reply which the Railway Administration sent to the Auditor-General. This reply would be sent together with the remarks of the Auditor-General to the Select Committee and would be dealt with by the Select Committee. With regard to the other item which the hon. member raised of certain people who have been paid out with regard to injuries on service, these are what might be called "hard cases", very hard cases, and in some of them it was felt that for technical reasons these servants were getting less than they ought to get and so it was decided to make these payments to them and the Select Committee went into each of those cases and was satisfied that in each of these cases the payments were justified. With regard to this question of the leather wallets for Airways advertising, my great regret is that I never got one of them.

Mr. POCOCK: Perhaps because they were only given to important persons.

The MINISTER OF TRANSPORT: That must be the reason, or I have not got advertising value. Well, this matter, I think, has

been considerably criticised, it was criticised in the Press and without making any remarks of my own in regard to it, I doubt whether the Railways will go in for advertising stunts of that sort again.

Motion put and agreed to.

Bill read a second time.

House in Committee:

Clauses, Schedule and Title of the Bill, put and agreed to.

House Resumed:

The CHAIRMAN reported the Bill without amendment.

Bill read a third time.

POPULATION REGISTRATION BILL.

Fourth Order read: Adjourned debate on motion for second reading, Population Registration Bill, to be resumed.

[Debate on motion by the Minister of the Interior, upon which an amendment had been moved by Field-Marshal Smuts, adjourned on 9th March, resumed.]

*Mr. UYS: When the debate was adjourned on Thursday last, I was engaged in showing that people who today already are regarded as border-line cases welcome the Bill. I was also engaged on analysing the objections raised by the other side of the House. But I want to go further and point out that the Opposition, through the hon. member for Rondebosch (Col. Jordan), had accused the Minister of having disguised the real reason for the introduction of the Bill. He stated that the true reason for the introduction of the Bill was a desire to carry out the Government's apartheid policy. The Minister, however, when introducing the Bill in the second reading, told the House that this measure could be helpful in giving effect to the Government's apartheid policy, and, among other things, he referred to the Mixed Marriages Act, the Immorality Bill, the provision for separate living areas, the infiltration of Indians, etc., in connection with which the registration of the population could be of great assistance. The main reason, however, why the Opposition are fighting this Bill is because they want to oppose the Government's apartheid policy as they are afraid that the Bill will be used to put into force the apartheid policy for which the Government obtained a majority at the parliamentary elections. That is the real reason why they are opposing this measure.

The time has now come when the United Party must come forward with a clear policy in regard to the non-European problem in South Africa. The time has come for them to make their position quite clear. The hon. member for Hottentots Holland (Sir de Villiers Graaff) recently declared in the course of a speech that there no longer was any difference between the large parties on the colour problem or on the colour policy. He stated that the only difference existing between the parties was that they (the United Party) did not want any existing rights to be taken away, whereas it was the policy of the Government to take away existing rights. He further said that a committee could be appointed where this whole question could be discussed on common grounds. Judging by the Opposition's attitude, however, on this subject, I can no longer find any common ground on which the Government side and the Opposition can discuss this matter. They contest everything along the lines of apartheid. The hon. member for Drakensberg (Dr. Steenkamp) in the debate on this subject stated that the United Party also stood for separation and was not in favour of equality, that the United Party also stood for social separation; yet the Leader of the Opposition when the Bill was introduced declared that one could no longer classify that which no longer was amenable to classification. Now, I wonder how the Opposition want to draw a social dividing line when their Leader says that classification is no longer practicable. How is the hon. member for Drakensberg going to draw a dividing line if classification is on longer practicable. The United Party continues to oppose all apartheid measures put forward by this side of the House. If the Government takes any apartheid measures in connection with the post office, in connection with the railways, they oppose those measures. Step by step they fight any measures and any Bills introduced by this side of the House in which we want to make classifications between the white races and the coloured races in South Africa. In that respect one can hardly distinguish them from their allies on the cross benches. If one takes the policy of the United Party as lately outlined in this House and compares it with the policy of the hon. member for Cape Eastern Mrs. Ballinger), and even of the hon. member for Cape Western (Mr. Kahn), one finds a great deal of similarity and accord between their policies. I want to suggest that the United Party should once and for all formulate a policy for themselves. I do not know, however, whether such formulation would be of any use because they will have to lay down a different colour policy every fortnight, seeing that they are both in the habit of changing their attitude from day to day. But nonetheless the public will know for at least a fortnight at a time what the policy of the United Party is in connection with coloured questions. I also

want to suggest that the hon. member for East London (City) (Dr. Smit) and the hon. member for Pretoria (East) (Field-Marshal Smuts) and the hon. member for Cape Eastern should join together, but that they should co-opt the hon. member for Cape Eastern into the United Party, so that they can lay down a policy every fortnight with a view to the public knowing for at least a fortnight on end in what direction the United Party are going.

*Mr. WARING: What is your policy?

*Mr. UYS: The hon. member is so close to the hon. member for Cape Western as far as his colour policy is concerned that even without a committee to guide his course he will land alongside the hon. member for Cape Western. If the United Party continue to oppose any further legislation of this nature by which a colour dividing line may be drawn in accordance with the apartheid policy, then I say that the time has come for them to declare their policy for the guidance of the people of South Africa, a policy which does not change about from day to day in the way their present policy is doing; they should try to formulate something which will continue along one course instead of following one line one day and another the next. For the past nine or ten years the United Party has been pursuing the course of liberalism. In conclusion, I want to say this. We are grateful to the hon. the Minister for the introduction of his Bill and we hope he will not allow himself to be put off by the argument which has been adduced that certain people will be affronted by this measure. The white population of this country welcomes the Bill which provides a classification as to who are white and who are not white.

*Mr. S. J. M. STEYN: The hon. member for Bredasdorp (Mr. Uys) followed the same course as a large proportion of other members opposite have been doing. I am convinced that the Minister of the Interior is not very grateful to them for their contributions to this debate, because the Minister of the Interior went out of his way to disguise the real objects of this measure. He enumerated a whole series of possible advantages which might perhaps result from the adoption of this Bill. He said that it might eventually do away with the necessity of Natives having to carry passes. I must say that he held this out as a very vague possibility. He said that it would facilitate the difficulty of a census enumeration; it would prevent able-bodied men from evading military service; it would prevent people from evading taxation. And so the Minister went on, and in the end I felt somewhat disappointed that he did not tell us that in this measure we might even find a cure for colds and influenza. But what he only mentioned in passing was the fact that the only reason for the introduction of this Bill is that it is a prerequisite to the application of negative apartheid. For that reason we on this side are grateful to members opposite for the fact that when they took part in the debate, they at least did not try to cover up the true object of the Bill, because the one after the other emphatically stated that this Bill constitutes the corner-stone of apartheid.

*Mr. VAN DEN HEEVER: Not of negative apartheid.

*Mr. S. J. M. STEYN: The hon. member again comes along with a denial. I do not know whether the hon. member's conscience is pricking him. We are aware of the fact that the hon. member for Mossel Bay (Dr. van Nierop) by means of a question he asked expressed his strong disapproval of the B.B.C. having referred to this Bill as a racial Bill.

*Dr. VAN NIEROP: But it isn't a racial Bill.

*Mr. S. J. M. STEYN: It is a racial Bill because its object is racial separation in South Africa. It is essential for us to be clear about this Bill, and the only way to get that clarity is to go into its history. The idea of a pass system for Europeans was first of all raised by the hon. the Prime Minister at the Transvaal Congress of the Nationalist Party on the 16th November, 1948. At that juncture there was considerable pressure brought to bear on the Cabinet and on the leaders of the Nationalist Party that the wild promises which they had made in connection with apartheid during the 1948 elections must be given effect to. It was essential for the Party opposite to produce some excuse or other for its laxity and to hide the fact that the promises made by them and the undertakings given by them to the public in 1948 could not be carried out, and that they themselves probably had not believed that those promises could be carried out; it was for that reason that the Prime Minister at the Transvaal Congress of his Party, announced that they were unable to proceed with the apartheid policy in the way they would have liked to, because it was essential, first of all, to determine who was white and who was not white. And with that object in view, according to a report in "Die Burger" of the 17th November, the hon. the Prime Minister then announced that a registration Bill would be introduced during the next session of Parliament. This was not necessary at the time because of all the additional circumstances which have been mentioned here. According to the Prime Minister it was necessary for people to carry passes so that it could be determined who was white and who was not.

To me this is the most interesting aspect of this Bill: The white women and the white mothers of South Africa now have to carry a pass in order to satisfy a colour-blind Cabinet in its colour prejudice. That was the object with which this Bill was announced. The Prime Minister after that probably became aware of the fact that there were thousands of people in South Africa who felt alarmed and concerned at this proposal. The idea of a civilised nation having to carry passes first of all came into being in Europe at the time of the war. It was introduced by the Nazi leaders in Europe and it was carried through to a fine art. In the Netherlands it reached the stage where every Hollander had to carry no fewer than 14 passes. When the Prime Minister made this announcement there were, therefore, people who felt considerably alarmed and some of them approached the Prime Minister with a request for a clarification and an explanation. The Argus group of papers in South Africa aproached the Government, and the Prime Minister was kind enough to give them an explanation. Now I must repeat that the only reason adduced by the Prime Minister for the Bill on the 16th November was the racial consideration — the question of the separation of European and non-European. But he slept over the matter and probably he thought it over very carefully and in his interview with the Argus group he expatiated on the subject. He told them that such a pass law would probably bring with it further advantages economically, and advantages from the point of view of population statistics. But he also discussed the question of racial division and apartheid in the same way as he had done on a previous occasion.

*Mr. H. S. ERASMUS: Racial grouping.

*Mr. S. J. M. STEYN: Racial division is the word I used, after careful consideration. According to a report in "The Friend", a report which also appeared in other papers of the Argus Group, the Prime Minister said this—

> . . . the details are still to be decided upon. A person will be classified as a non-European if he has one-sixth non-European blood, if at least one of his grandparents was a non-European.

A few days later, on the 25th November, the Minister of Labour proceeded to Mayfair. The Nationalist Party had already begun to realise that the idea of a pass for our White population was not meeting with the approval of the public, and they realised that they must now try and put a better face on a bad case. Now I want hon. members to listen to what the Minister of Labour said there according to "Die Transvaler" of the 26th November . . .

*Mr. SUTTER: But can we believe "Die Transvaler"?

*Mr. S. J. M. STEYN: Well, I don't think that "Die Transvaler" would distort the words of the Minister of Labour. This is what he said—

> The Prime Minister, Dr. Malan, would be the very first to carry an identification card with him. I do not doubt that other members of the Cabinet will follow his example, so that it will not be a disgrace to carry an identification pass.

The Prime Minister is put forward as the victim. He will take the lead to show to White South Africa that the carrying of a pass is no disgrace. If we give this monstrosity its right name here in this House of Parliament, that is to say if we call it a pass law, we are met with shocked exclamations from members opposite. But we were told clearly by the Prime Minister and by the Minister of Labour and also by the Minister of Economic Affairs that the object of this Bill is to enable them to determine immediately who is white and who is not white.

*The MINISTER OF LABOUR: What is wrong with it.

*Mr. S. J. M. STEYN: The question now is in how many cases can there be any possible doubt or confusion as to whether a person is a European or not? And why must two and a half million undoubted White South Africans be subjected to the indignity of having to carry a pass for the sake of the colour prejudice of the present Government? We, on this side of the House have never experienced any difficulty in distinguishing between European and non-European. The Afrikaner, as such, has never experienced any difficulty in distinguishing between European and non-European. The fact that the Afrikaner in South Africa has been able to maintain his position as a White man for 300 years without the help of an Immorality Act, without the help of a Mixed Marriages Act and without a Pass Law is the best proof of it being absolutely unnecessary to impose this further humiliation on us.

When these things were going on, when we heard from the Prime Minister that we as Europeans would have to carry a pass, we on this side started feeling concerned and we decided to warn the people of South Africa against this un-national step on the part of the Government to apply a pass law to the people of South Africa. At the time of the Provincial elections a Miss van Rensburg approached me and suggested that we should issue a caricature pass to show the people what the pass which would be issued under this Bill would look like. She wanted, by means of a caricature pass, to

show the people what the pass of the purified Nationalist Party might look like. I was, at the time, chairman of the United Party's Publicity Committee, and I encouraged Miss van Rensburg to proceed with it. I felt, in the first place, that as the United Party represented the majority of the people of South Africa, it was the duty of the United Party to warn the people of what might happen under the present Government. If, as a party, we had not done this, we would have failed in our duty. In the second place, I thought that it was very fitting that this idea should have come from an Afrikaans-speaking daughter of the people who did not want the White women of South Africa to be compelled to carry a pass to satisfy the colour prejudices of the Prime Minister's Cabinet. In this debate we have beheld hon. members opposite vie with each other in expressing their indignation about this so-called Sap pass. It was a caricature pass, issued by us, because of what we had found might possibly appear in the pass of the purified Nationalist Party. It was based in the first place on the Prime Minister's announcements and his interviews with the Press, and in the second place it was based on an authoritative article, which on the 26th November, 1948, appeared in all the newspapers of the purified Nationalist Party, of the Nasionale Pers and of the Voortrekkerspers, an article written with the object of explaining this pass to the people. Now let us pause for a moment at what was announced in this article to the people. The article appeared in "Die Burger", in "Die Volksblad", in "Die Transvaler" and in "Die Oosterlig". I take "Die Burger" because it is the most respectable newspaper issued by the Nationalist Party. On the 22nd November "Die Burger" published this article under the following heading: "Advantages of National Registration; Details of Plan".

Before I go any further I want to emphasise this point that this was an inspired article which was issued also to all the other newspapers of the purified Nationalist Party and in the article was described how comprehensive and complete this inquisition under the pass law was going to be — it was to be so comprehensive and so complete that even a census would henceforth be unnecessary in South Africa. The article goes on to say this—

> A tremendous amount of work and expense will be involved in getting about 10 million people registered in the Union. This expenditure may, however, later on, render unnecessary a great deal more expenditure and more difficulty. If registration is once complete and kept up to date, a census will be unnecessary.

If we want to introduce a pass law for the purpose of rendering a census unnecessary, what details will then have to be noted against the name of every citizen in the population register on which the pass will be issued. First of all there will have to be the name, the origin of the individual, his religion, his home language, his income and all those details. It is on the ground of this kind of explanation issued officially by the Prime Minister's own newspapers that we issued this caricature pass with a view to warning the people.

*Dr. VAN NIEROP: What about the finger-prints?

*Mr. S. J. M. STEYN: I nearly forgot those. The hon. member for Mossel Bay is a good friend of mine, who always assists me with his interjections. I want to thank him for reminding me. The hon. member for Westdene (Mr. Mentz) challenged us to show that they had ever had in mind having finger-prints provided for on such a Nationalist pass. Let me read what was said in this article in "Die Burger", which was taken over by "Die Volksblad", "Die Transvaler" and "Die Oosterlig", what do they say?—

> On the Continent of Europe the card system has a much older origin. In the Netherlands a system is in vogue under which the individual not only affixes his signature to the card but also a photograph such as is used in regard to passports.

And now "Die Burger", "Die Transvaler", "Die Volksblad" and "Die Oosterlig" say this—

> In South Africa one's signature does not carry any great weight on account of the large number of illiterates. The question must therefore be decided whether fingerprints should appear on the card, apart from the photograph.

If one reads this sort of thing in the official organs of the Nationalist Party, then surely it is the duty of the United Party to make the people realise what they can expect if the policy of the Government on that side of the House is put into effect. It is for that reason that we put it on our caricature pass that the white man and the white woman would have to have their fingerprints affixed to the pass. And may I point out in this connection that the hon. member for Pretoria (District) (Mr. Oost) stated in this House last Thursday that he had not the slightest objection to every white man, woman and child having to have their fingerprints shown on the pass? That fits in with the conceptions of our present-day Government, and we need not be surprised at anything of that nature. Why then run away from the very thing which they themselves want

to do? Why then are we taken to task if we warn the country against it?

*An HON. MEMBER: We did not run away from our pass ideas — we are opposed to the S.A.P. pass.

*Mr. S. J. M. STEYN: Why call it the S.A.P. pass? Surely it is based on the declaration of policy of the present Government and on the statements which appeared in all the official organs of the Purified Nationalist Party. I have a copy here of the so-called S.A.P. pass. And let me say in passing that it will be worth the while of the Press Commission, if it is appointed to inquire why all the official organs of the Purified Nationalist Party, when they reprinted this so-called S.A.P. pass, omitted page 4, which explained the real objects and contents. All of them only published three pages of the S.A.P. pass, but they very carefully refrained from publishing the page in which we made it perfectly clear that it was a caricature and that it was based on the policy of the Purified Nationalist Party. They very carefully and deliberately refrained from publishing that. And there we have the honest journalism of the Purified Party.

I have a copy of the pass here. On page 1 we have the fingerprints. I have dealt with that point. Then the name is asked. To that nobody has any objection. The next question is what the individual's occupation is. Several hon. members opposite have already suggested an individual's occupation should be mentioned on the pass. The next question is what the individual's religion is.

*An HON. MEMBER: Why?

*Mr. S. J. M. STEYN: Hon. members opposite have complained very strongly that we intimated in this caricature pass that the Nationalist Party wanted to introduce a pass in which people were to be asked what their religion was. But how can that party give effect to its policy if it does not know what people's religion is? Are their memories so short? The Minister of Economic Affairs in 1939 introduced a Bill in this House to amend the laws relating to aliens and immigration, a Bill which was tantamount to a persecution of our Jewish friends and which they could only give effect to if they knew what a person's religion was. The Minister of Economic Affairs, so far, has never yet repudiated that policy; so far he has not apologised for it to our democratic South Africa, and if his policy had to be carried out, the pass would have to indicate what the individual's religion was. His proposal was that all immigrants who had come to this country after 1936 and who were not Christians should be sent away from this country. Consequently we were fully justified in inserting that question on the pass. It was an inquisition which the Government wanted to institute, and for that reason it was essential for the Minister to know the religion of the citizens of South Africa if his policy was to be put into force and effect. It was not merely a possibility, but it was probably essential to have that question inserted in the pass, if they wanted to carry out their policy.

The next question is what the person's country of origin is. The Prime Minister has declared time and again that a portion of our South African people is nothing but a fifth column. It is for that reason that we stated that one of the questions which would be asked was, what was the country of origin, because unless a South African forsakes his free democratic conceptions and embraces the narrow, stunted Nazi-nationalism of the Nationalist Party, he is not accepted as a Union citizen or as a South African in the fullest sense of the word.

The next question asked is what is the individual's constituency. What is wrong with that? The Minister of the Interior in his introductory remarks stated very clearly that the pass law would later on quite possibly render unnecessary a comprehensive votors' roll. If that is the case, then obviously there has to be a question regarding their constituency in which the individual is domiciled.

We next come to the question about the person's ancestors. On this so-called S.A.P. pass the question is asked who were the individual's four ancestors. What is wrong with that? The Prime Minister himself stated at the congress of the Nationalist Party that if we wanted to determine who was white and who was not, we had to know who the person's four grandparents were, because if one of the grandparents had non-white blood in his veins, then the individual was not white. This question is strictly in accordance with the explanation given by the Prime Minister.

What has scared hon. members off those ideas which they originally held? I am grateful that they are now pursuing a more intelligent policy than the policy proclamed by the Prime Minister at his congress. The answer simply is that they have abandoned these ideas because we pointed out these things and because we pointed out how ridiculous and unacceptable the ideas were which they proclaimed at the time. That is the reason why we published this so-called S.A.P. pass for the public to read, to show the people what we could expect from the Government, and as a result we caused the Government to realise that they were on the wrong track, in consequence of which the Government abandoned a great many of these things.

We go further . . .

*An HON. MEMBER: Yet, in spite of it, you lost the provincial elections.

*Mr. S. J. M. STEYN: The Purified Nationalist Party in the Cape Province lost the provincial elections. If they had achieved the same results as they achieved at the general elections, they would have had a majority in the Cape Provincial Council. We know that they are in the minority in the Cape and that is why I say that they lost the elections here. The people of South Africa are opposed to this pass law.

The next question on this caricature pass concerns the passport number. The Minister of the Interior stated clearly that this registration system would facilitate the administration of the law relating to the registration of aliens, and this can only be achieved if the passport number is inserted in the pass.

The next question is in regard to investments outside the Union. This is in respect of people who want to evade taxation, as the Minister of the Interior indicated when he explained the Bill.

The next question is: "Registration and rank in the 1939-1945 War."

*An HON. MEMBER: Where were you then?

*Mr. S. J. M. STEYN: Where I was during the war is not a question with which we are concerned at the moment. I was not a member of a political party, however, which wanted to conclude a cowardly, one-sided peace with Germany at a time when it looked as if the democratic Allies were getting the worst of it. How often did we not hear during the war years from hon. members opposite that they would call to account the "Hanskakies" and the "khaki knights"? How often did they not tell us that they would settle with those people who had been responsible for the war and who had carried on with the war? It was essential, as far as they were concerned, to know who were the people who had taken part in the 1939-'45 war.

The next question was which school an individual's children attended, and the person's home language. Is that question so far-fetched? Has not the Nationalist Party in the Transvaal passed an Ordinance to the effect that children, without their parents being allowed to choose, must attend a school where subjects are taught through the child's home language? If the Government and the Nationalist Party in the Provincial Council do not know what people's home language is, how will they be able to apply that law? What is there unfair in such a question?

Then there is a question, which I must admit, was not put in all seriousness.

*Mr. MENTZ: What about the question concerning the party to which a person belongs?

*Mr. S. J. M. STEYN: I am coming to that. This question was about the number of wireless sets a person possesses. The Minister of the Interior has been talking about evasion of taxation. There are thousands of people who have wireless sets which have not been licensed. A radio licence covers three radio sets, and there are quite a number of people who have more than three sets. This question, therefore, also comes under the Minister's idea about tax evasion.

Now we come to a question which seems to worry hon. members opposite a lot. The question is: "How did you vote at the 1948 election?" Well, what is wrong with that? This S.A.P. pass, as it was called, was a warning to the public of what could happen if members opposite were given the right to introduce a pass law in the Union. Have we forgotten that it is members opposite who, when it looked as if Hitler was going to win the war, announced their intentions to proclaim a republic, and that the Prime Minister clearly stated at the time that they in their republic would turn out the unnational elements and that they would lose their franchise rights; have we forgotten that he even went so far as to say that the people who wrote articles to the newspapers in opposition to their — the Nationalists' — policy would be charged with high treason? Were we not justified in those circumstances in warning the public that if those people came forward with their national population registration and their pass law, they would embark on a political inquisition against our supporters to find out who were the super-de-luxe national elements and who were the unnational elements who should be cut out? So much for the so-called pass law.

Arguments may possibly be adduced in favour of a population register. In times of national emergency arguments may also be adduced in favour of a pass. But, Mr. Speaker, under South Africa's present conditions there is no justification whatever for subjecting the people to this kind of regimentation. There is only one justification for it and that is that according to the admission made by the Nationalist Party itself, in a few thousand cases it may be impossible to distinguish between Europeans and non-Europeans; but that is all. If they want us to trust them with such regimentation, then we expect then openly to repudiate the policy announced by them, particularly before they came into power, and publicly to apologise to the public for having been misled by circumstances and for having proclaimed such irresponsible ballyhoo as they did proclaim. Before we can trust them with such legislation we want to be sure that at

the back of their minds they no longer have the idea of disfranchising so-called unnational elements. Those were the Prime Minister's own words. Has he ever repudiated them? Has he ever apologised to my hon. Leader for the statement in which he said: "I do not look upon Jan Smuts as an Afrikaner." He, Gen. Smuts, was one of the unnational elements.

*Mr. SUTTER: Disgraceful.

*Mr. S. J. M. STEYN: Can we trust them with a measure which will drastically interfere with the rights of free citizens of South Africa, which can be employed to give effect to their threats against people who politically do not agree with them?

There is one other aspect of this Bill which I wish to deal with briefly. In Clause 22 the Minister of the Interior arrogates unto himself the right to extend the provisions of this Bill to South-West Africa by way of proclamation. I must express my astonishment at the Minister ever having gone so far as to allow such a clause to be inserted. We must expect South-West Africa shortly to have its representation in this House.

*An HON. MEMBER: They will all be Nationalists.

*Mr. S. J. M. STEYN: I doubt whether they will be, but let us assume for the sake of argument that they will be Nationalists; the very least one can expect of the Minister and hon. members of the Cabinet, if they want this monstrosity of a Bill to be extended to South-West Africa, is that they will give South-West Africa's members of Parliament the opportunity of deciding whether they want this or whether they do not. Why disfranchise the representatives of South-West Africa on the eve of their coming here by a measure such as this, providing for proclamation rights in respect of South-West Africa, before they can express their judgment and their views on the matter? That is the measure of the frankness and justice with which the South-West Africa Bill has been introduced here. We were then told that South-West Africa had been consulted; we were told that financial measures would not be forced on to them except at their own request. We were told that they would, practically speaking, be given immediate representation in this House. Last year already there was talk of their being given representation. We are still waiting; we are aware of the real reason why we still have to wait. The true reason why we are still waiting for the six members of Parliament from South-West Africa is that the Prime Minister now realises that the hon. member for Vredefort (Mr. Klopper) has misled him by his reports regarding the political situation in South-West Africa.

*An HON. MEMBER: That is untrue.

*Mr. S. J. M. STEYN: And why should a Bill such as this be forced on South-West Africa without their being given the opportunity of expressing their own opinion about it? I now want to say this to the hon. the Minister of the Interior — and I hope he will give the matter his consideration — that he should avail himself of the earliest possible opportunity to propose to this side of the House that this Bill will not be applied to South-West Africa unless it be with the consent of the Legislative Assembly of South-West Africa, to be conveyed to this House by the Governor-General.

*An HON. MEMBER: Hear, hear.

*Dr. VAN NIEROP: He only gets a solitary "Hear, hear" from the other side.

*Mr. S. J. M. STEYN: This Bill is a monstrosity; this Bill is not going to be of the slightest assistance to South-West Africa in the pressing problems which it has to face. I fail to see how this Bill will have the effect of reducing Government expenditure; I fail to see how this Bill is going to secure employment for many people who today are uncertain in regard to their future. It can only assist the racial prejudices and the colour blindness of the present Government. This is a Bill to give free rein to bureaucracy in South Africa, to give police officials and representatives of the Director of Census and Statistics the right to molest the private citizen of South Africa. It can only be a charter for the suspicion-mongers, mischief-makers and individuals who want to interfere with others. It is alien to the South African spirit. It in no way interprets the freedom-loving spirit and the individualism of the Afrikaner. We can only express the hope that the Government and the Minister concerned will accept our advice and send this Bill to a Select Committe before the second reading so that we may meet together and see whether we cannot reconsider matters before we do anything which can do naught but bring disaster to South Africa and which will not bring us a step nearer to the solution of the real problems which we have to cope with in South Africa.

*Mr. BOTHA: Mr. Speaker, what a spectacle we witness here this afternoon. The hon. member for Alberton (Mr. S. J. M. Steyn), who pretends to be and actually is the chief propagandist of the official Opposition of this country, the so-called alternative Government, gets up here and admits that he had a hand in the issue of a false political document like the S.A.P. pass, and that he did not have the moral

courage to affix his signature to it, but had to hide behind the skirts of a woman. Here we have an example of a man who in respect of this S.A.P. pass, too, has remained true to his record during the war, when he also did not have the courage to risk his life while they were intimidating other people to endanger their lives. The hon. member for Alberton is used to launching agitations. We have lately got to know him as a man who personifies irresponsibility when he starts an agitation. When he started an agitation in the Railways he went out of his way to insult and to besmirch the railwaymen of South Africa. We saw him here this afternoon as a man who does not hesitate to hide behind the skirts of a woman when he wants to start an agitation. What is more, and I would also like to prove it here this afternoon, the hon. member for Alberton, when he starts an agitation, does not hesitate to incite non-Europeans against Europeans in this country.

He referred to South-West Africa. It is now known everywhere in South Africa that he is the chief author of these slanderous letters in this country. I have before me one of these slanderous letters, the so-called News Letter of the United Party, containing a symbol of mourning on the top. The hon. member spoke here this afternoon about South-West Africa, but he also referred to South-West Africa in one of these slanderous letters. And what did he write? He wrote, inter alia, that they are opposed to the arrangements which were arrived at with South-West Africa for various reasons, one of which was that Dr. Malan had made no provision to give the non-Europeans of South-West Africa representation in this Parliament. I challenge the hon. member for Alberton to tell this House this afternoon whether it is the policy of that Party that the non-Europeans of South-West Africa should have political representation.

*Mr. S. J. M. STEYN: Our attitude was clear.

*Mr. BOTHA: Or will he again get a woman to explain that to him as well?

*Mr. S. J. M. STEYN: On a point of order, Mr. Speaker, I do not know the rules well, but where an hon. member issues a challenge to a member who has already participated in the debate, will that hon. member have an opportunity of replying to the challenge?

*Mr. BOTHA: I suggest that the hon. member for Alberton ask Miss van Rensburg to draft his reply for him. No, Sir, here it is written, and we shall also tell the people of South-West Africa that this hon. member — a responsible member of his party, he is not very responsible, that I admit, but they regard him as responsible — sent an official communication into the country in which he advocated that the non-Europeans in South-West Africa should have political representation, and he went further. In anticipation he published this slanderous story that we will have trouble with UNO because we are not offering the Coloured people of South-West Africa political representation. In other words, he took part in the agitation of the Michael Scotts to incite UNO against South Africa. Knowing him as we have got to know him of late, we are not surprised to hear from his lips these irresponsible stories which he told here this afternoon. I think the House has gradually become used to it, and I think the United Party members are also gradually reaching the stage where they have to say to each other: "Oh for a Louis Esselen; if only we could only again find a man who displays a little responsibility in matters concerning our propaganda."

The hon. member also referred here with great gesticulation to the so-called insult to European women, but I would like to ask the hon. member this question. Did his Leader, the Rt. Hon. the Leader of the Opposition, not say in his speech the other day that this Government is trying to do the impossible in trying to separate Europeans from non-Europeans in this population register?

*HON. MEMBERS: Yes.

*Mr. BOTHA: And now I want to ask him, if he has any political intelligence, what that means. It means that it has been said by implication from that side of the House that no line of demarcation can be drawn today between the European woman and the Coloured woman.

*HON. MEMBERS: Nonsense.

*Mr. BOTHA: And if anything that has been said here contains an insult to the European women, then it is the statement that the United Party do not see their way clear to make that distinction.

Mr. WARING: And they pay him for talking such nonsense.

*Mr. BOTHA: If the hon. member will express himself a little more clearly I shall reply to him. I shall not hide behind the skirts of a woman. The hon. member should raise his voice a little. I understand him to say that I am being paid for it. I would just like to tell him that I earn my pay, but the hon. member for Alberton does not deserve a single penny for what he writes. If the hon. member for Alberton can be left to his own ignorance, I would like now to revert to

the Bill which is of more importance than he and his party put together. I would just like to say that by introducing this Bill, this Government has proved to the people of South Africa that it has the courage to establish a proper organisation for our State and for our national life, based on the democratic system. It will also prove that we want to establish a thorough and a voluntary basis for improved racial relations. What has particularly struck me in this debate, is the discouraging attitude adopted by members opposite in connection with this matter. As far as all our problems in South Africa are concerned the Opposition has apparently decided to throw up the sponge and to let matters take care of themselves; if one has to be dependent on action by that side of the House in matters affecting one's faith in the future of this country and one's judgment, then there will be no hope and no future for South Africa. They want to rouse suspicion in connection with everything that we do, and in doing so they are proving that they cannot form an alternative Government of this country. Before the 26th May we had weak Government; we had a good Opposition, but a disaster overtook the people on the 26th May in addition to the blessings which they received. The people exchanged a good Opposition for the weakest Opposition South Africa has ever known. Now this Government comes along and uses the democratic system — it does not violate the democratic basis of our national life — in an endeavour to lay a foundation and to create an organisation by means of which the State can be organised on a better basis. In reading the book by Burns, "A Challenge to Democracy", one finds the following passage—

> Dictatorship is the result of civil war, veiled or open but its advocates and supporters claim to stand for a common good . . .

Mr. BARLOW: Who wrote that? Michael Scott?

*Mr. BOTHA: If I reach the age of the hon. member for Hospital (Mr. Barlow) and I then make such nonsensical statements, I trust that I shall then no longer have the privilege of sitting in this House. He writes further—

> The alternative to dictatorship must be at least as attractive to those who are interested in public affairs, especially the youthful . . .

And then comes the important point—

> . . . It is not enough to repeat the sacred phrases of past generations about free "trade", "individual" liberty and Parliaments.

And then he goes on to say that democracy and particularly democracy in the Western world, must contain a message before it will appeal to the youth of the Western world. It must show that it has sufficient vitality to tackle and to solve the problems and the questions of present-day life without resorting to dictatorial methods. In this connection I believe that we have a Government in South Africa today which has introduced a measure founded on the democratic system of government; it is a measure which is already being applied successfully in other democratic countries of the world; this measure is not anti-democratic, but it appeals to the youth who believe in order, and who believe in better organisation, and who believe in a better arrangement between the various races in South Africa. This Bill is proof of the fact that a democratic State can be properly organised. It will provide a basis on which elections can be conducted in a better way. Today we are faced with the trouble in South Africa that while we have organisation in respect of each problem, we also have overlapping because there is no planned organisation, and through the medium of this population register we are laying the foundation for a planned organisation of our national life. In spite of what the hon. member for Alberton has said, this Bill constitutes a better and more effective way, and will provide a continuous population census. We know that we are still going to have a census of our population next year, but the Act concerned provides that after that census, there will be a population census only every ten years, and no longer every five years as in the past. One runs the risk that during that period of ten years the Government might lose touch with the development and the expansion of national life and the changes in the population figures, with the result that the Government will then not have the necessary control over the country and the people; and this Bill presents us with a better and a continuous census, irrespective of the census which we will have every ten years. When one visits a progressive farmer on a well-run farm, one finds that one of the first things he does is to determine the extent of his possessions, to determines the number of animals he has on the farm and all the particulars relating to those animals. In South Africa we have always had this cruel contrast, that while we have sufficient information and data about our stud animals, we know very little about the lives of the individual people, which is of far greater importance than the life of the animal on the farm. And yet, in spite of the fact that this population register provides us with improved organisation, in spite of the fact that it will form a better foundation for the future as far as our problems are concerned, it does not contain a new principle, as the hon. Minister has already said.

Every one of us who belongs to an Afrikaans church — I speak of it because I know something of it — knows that when one becomes a member of the church, one receives a certificate of membership, which is proof of one's membership of that church; one takes pride in possessing such a certificate which says that one is a member of that church. If it is not a disgrace to possess proof of one's membership of a certain church, then it is also no disgrace to possess proof of the fact that one is a citizen of South Africa. The example has been mentioned here — I do not want to repeat it, I only want to refer to it in passing — of one's driving licence. I can remember that from time to time, particularly in the Free State on certain appointed days the police would take up their appointed position at certain points and would ask the driver of any motor vehicle approaching the town for his driver's licence and would check up on the identity of the driver by inspecting the photograph on his driver's licence.

*An HON. MEMBER: And that was done under the S.A.P. administration.

*Mr. BOTHA: Yes, at that time we had a United Party administration.

*An HON. MEMBER: You may call them Saps.

*Mr. BOTHA: And, Sir, that was no disgrace, but now that they want to start an agitation, these measures, all of a sudden, are regarded as grave offences. I know it will be in vain if I ask that side of the House to assist us in placing a premium on the value of this identity card. I know it is asking too much from that side of the House as a whole, but what disappoints me is that there are young men on that side of the House, young men whose future is bound up with the future of South Africa, who display such a measure of irresponsibility and such lack of patriotism, that when one takes such a resolute step as this, such a far-reaching step, which will ensure or assist in ensuring the future of our national life, they display this lack of vision and lack of confidence in South Africa. [Interjections.]

*Mr. SPEAKER: Order, order! Will hon. members on that side please confine themselves to the debate which is taking place here, and stop the debate which is going on over there.

*Mr. BOTHA: Now I just want to come to another point which has not yet been mentioned. Apart from the fact that this system is in operation in Great Britain and in the Netherlands, apart from the fact that in a country like Belgium, as we have been informed, the young men and the young people vie with each other in their efforts to obtain that identity card because they take a pride in it, and apart from the fact that the Administrators, one of whom, the hon. member for South Coast (Mr. Mitchell) is now sitting opposite, associated themselves with it, there is this very important fact that the Fagan Commission, to which the hon. the Minister has referred, advocated the introduction of such a population register and of identity cards. Moreover, as far as the report of this Fagan Commission is concerned, the Rt. Hon. the Leader of the Opposition and his Party referred to this report of the Fagan Commission on various occasions, and now I would just like to read to the House what that Party said, inter alia in connection with the Fagan Commission. It is not necessary for me to read to the House how the Fagan Commission explicitly stated that they were in favour of a system of population registration as one of the means that will enable the State to tackle this problem of the urbanised Native, and how they also advocated the issue of identity cards. The Rt. Hon. the Leader of the Opposition said, inter alia, on the 17th May, 1948, according to the report in "Die Burger" —

> In the report of the Fagan Commission it said that the satellite Native townships for the housing of the Natives whose labour is required in the cities, will have to be built adjacent to the European cities. That is inevitable. We . . .

That means the United Party —

> . . . are going to implement the Fagan Report. That is one of the "things which we would still like to do — to prevent the country from being saddled with the impossible apartheid policy of the Opposition".

And now, according to the "Cape Times" of the 18th May, 1948, he goes further and says—

> The United Party, if returned to power, he (Field-Marshal Smuts) said, intended to implement on broad lines the policy recommended by the Fagan Commission.

*Mr. MITCHELL: Hear, hear.

*Mr. BOTHA: There is the man who formerly associated himself with the Fagan Commission, and who associated himself with the statement by the Rt. Hon. the Leader of the Opposition. I want to ask him whether we must assume that he is no longer in favour of the Fagan Report. There we also have the vice-president or vice-chairman of the United Party of the Cape Province, the hon. member for Hottentots Holland (Sir de Villiers Graaff). He is concerned over the non-European question in

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this country and he expresses his concern publicly. I want to ask him whether they are now running away from the recommendations of the Fagan Commission, namely, that we should have a population register and identity cards.

*Sir DE VILLIERS GRAAFF: Voluntary or not?

*Mr. SERFONTEIN: They say even under compulsion.

*Sir DE VILLIERS GRAAFF: You should read the recommendations before you talk about them.

*Mr. BOTHA: That is what they recommended.

*The MINISTER OF THE INTERIOR: Is the member for Hottentots Holland in favour of it?

*Mr. BOTHA: May I also read what the Rt. Hon. the Leader of the Opposition said in this House after the election of the 26th May, according to Hansard, Vol. 64, Col. 212. On that occasion he said . . .

Mr. MITCHELL: I cannot understand how anyone can reach such heights of enthusiasm in connection with such a subject.

*Mr. BOTHA: I can well understand that the hon. member for South Coast no longer becomes very enthusiastic about this matter. The Rt. Hon. the Leader of the Opposition said [Translation.]—

> The previous Government stated that it was prepared to implement on broad lines the recommendations of that report . . .

The report of the Fagan Commission—

> . . . in respect of the major problems. It was simply a confirmation of our policy.

And now that we are asking for a population register, they are suddenly seeking diabolical motives behind the whole scheme; now all of a sudden we are told that the Government is again introducing some diabolical measure. An irresponsible Opposition cannot escape the ultimate judgment of the people in that way, and we would like to ask them whether we can take the statements seriously which they make in this House from time to time. They should tell us in the first place whether they are still in favour of the recommendations of the Fagan Commission; and if they no longer support the Fagan Report, then the time has arrived when that party should decide once and for all what their policy is. I think that will probably be the best way out of the difficulty for them. The trouble with members opposite is that they are moving in opposite directions. There are a few amongst them who realise the dangers attached to the policy of equality, but they have neither the courage nor the strength within that party to resist the liberal group who are engaged in smashing them up and in rendering them more and more impotent. The United Party has succeeded in making the people believe today that they are following the middle course between separation and equality, but in view of that speech of the Leader of the Opposition and the speeches which we have had from the opposite side of the House up to now, it will no longer avail them to deny that they are in favour of a policy of gradual equality between European and non-European in South Africa. The only test which they apply is the test of education. They do not attach any value to the separation of the different racial groups, and when we level that accusation against them in the future they should be prepared to refrain from accusing us of misinterpreting their policy. The liberals in their party are controlling them, they have been overcome by the liberals, and not even by means of a disguised policy of equality. In their conduct in respect of the Mixed Marriages Act, the Immorality Act and this Bill they have proved that they are heading for equality, and they are doing it deliberately.

Mr. DU TOIT: Mr. Speaker, I do not propose to waste any time replying to the tirade of the hon. member who has just sat down. We know it is his job to make the sort of political speech he has made in the House this afternoon . . .

Dr. VAN NIEROP: Like the hon. member for Alberton (Mr. S. J. M. Steyn).

Mr. DU TOIT: It is his job, and he has gone out of his way to persuade the people outside that there is a surrender to liberalism in our party. He has attempted to distort the policy of our party, particularly in regard to our colour policy. He has reiterated the story that we on this side of the House stand for complete equality with the Coloured people and the Natives, and that we stand for Coloured assimilation, and he knows, as I have said so often before in this House, that that is a deliberate lie and a distortion of the facts. We have never on any occasion made such a statement of policy. We have always indicated very clearly that we still stand today where we stood many years ago when Gen. Hertzog was still our leader. We stand by that policy wherein we have laid down very clearly that as far as social equality is concerned we absolutely oppose anything of the kind. As far as our so-called policy of political equality is concerned we stand for the maintenace of the existing political rights of the Coloured people in

South Africa and economically our policy is that they shall be given every possible opportunity for advancement. That, Sir, very briefly, very concisely, I think, sets out exactly what is the colour policy of this side of the House. It is absurd for the hon. member to keep on repeating, as he did this afternoon, that we stand for a policy of equality; it is absolutely untrue, and I hope, Sir, that the next time any member of this House makes such a statement that it will be pointed out to him how absolutely wrong he is in doing so.

I want to come now to the provisions of the Bill. This Bill has been referred to as the "Pass Bill' and there is no doubt that that is the underlying feature of the measure before the House. But in order not to do the hon. the Minister an injustice, I want to say that the responsibility for the proper administrative functioning of this Bill when it becomes law — if that unfortunately should happen — will, like the Census Act, the Marriages, Births and Deaths Registration Act, and the Electoral Act, rest not only upon the Minister of the Interior, but also on his Department.

These Acts to which I have referred, if properly administered, should, collectively, give the Minister all the information he requires for his national register, for his self-titled "Book of Life", without the need for the introduction of this Bill. If the powers given him under those Acts are not sufficient for this purpose he could have them so amended as to give him the additional necessary powers required. Furthermore, Mr. Speaker, it would then be possible for him to obtain and collate all the required information without enforcing upon the European and Coloured citizens of our country the ignominy of having, like Natives, to carry passes which they can be required to produce at the whim and fancy of any official authorised to demand their production. I never thought that in this country our Europeans would be put on the same level as the Natives in having to carry passes. The need for the introduction of this Bill is, therefore, to my mind, nothing more than a complete admission of failure on the part of the Minister to properly guide and control the administration of Acts which his Department is called upon to perform. And, instead of putting up a smokescreen, by the introduction of this Bill, behind which to hide his own inefficiency and that of the Department under his control, he should resign his position as Minister.

Apparently, Mr. Speaker, the Minister is not aware that the three Acts to which I have referred reveal important flaws in their administration. If those vital statistics which have suddenly assumed such great significance were really required to establish his "Book of Life", surely, Mr. Speaker, if the Minister had taken some intelligent interest in the administration of those Acts, or sought to discover how they operate in practice, he would have discovered in the case of the Registration of Births and Deaths Act, for instance, that not only are Native births not required to be registered, but that European children could be and have been registered as Coloured, and similiarly that Coloured children could be and have been registered as Europeans; he would have discovered, in the case of the Census Act, that in many instances the officials concerned carried out their duties in a slip-shod way, resulting in hundreds of families not being approached to complete census forms.

The proof of this lies in the fact that hundreds of Coloured voters who had their names previously recorded in the section of the voters' roll for Coloured voters, found their names left off the first voters' roll to be published after the taking of the census. In the case of the Electoral Act it is laid down that there must be compulsory registration; and notwithstanding the fact that it is compulsory for any registered voter, under penalty of a fine or imprisonment, to notify his permanent change of residence within three months of making such change, thousands of registered voters failed to do so, and it is very largely due to the good offices of agents of political parties that his electoral officers are able to keep their registers fairly accurate.

Let me illustrate this point. In the Cape Province, in one constituency, a house-to-house canvass over a period of three months revealed that not only had 1,849 registered voters left the constituency without making known their change of address but an additional 597 had come into the constituency without notifying their change of address. The objections which were lodged against those having permanently left, totally 1,158, were upheld, and 138 changes of address in the constituency were registered by party agents; multiplied 150 times for the 150 constituencies those figures would reach thousands.

It will be said, no doubt, that the arguments I have advanced indicate all the more clearly the need for the compilation and keeping of a national register. On the contrary, Mr. Speaker, what I have said in regard to the inability of the electoral officers to enforce compulsory registration of change of address, on people who are educated, within a period of three months of such permanent change of address, shows most conclusively how utterly impossible it will be to administer an Act which provides, as does this Bill, that all persons registered must notify their change of address within seven days of such change, particularly when it is borne in mind that many of the people affected will have little or no education. It must therefore be obvious that if the Minister falls down on the

administration of this, the most important features of the Electoral Act, he would fail most miserably in keeping his "Book of Life" an authentic, up-to-date and reliable register. If, for no other reason, the House should refuse to vote the necessary funds, which the Minister airily estimates at £580,000 for the first year, for the purpose of establishing housing and maintaining his proposed "Book of Life" — book which in my opinion should find its proper resting place in the parliamentary waste-paper basket before the second reading of this Bill is over. The same sum of money spent in reducing the cost of living by the subsidisation of foodstuffs produced by the farmer — meat, dairy products, fruit — would be much appreciated by a long-suffering public under the rule of our irresponsible colour-phobia Government.

Sir, this Bill provides that failure to notify change of address within seven days carries with it a fine of £50, or six months' imprisonment. Already today under our existing pass laws our gaols are filled to overflowing. How many people can afford a fine of £50? Therefore, the majority are thrown into gaol; of if they are in the fortunate position of being able to pay the fine they will still have lost money — this will cause such hardship as has never been known before in South Africa. The result of the enforcement of this provision of the Bill, even if it were administratively possible to it carry out with the whole of the police force, the Defence Force, and, of course, the platteland army weekly stopping each individual for a check-up, will result in thousands of pounds having to be spent in bringing defaulters to trial and in providing gaol accommodation for them. This will entail disruption of work and economic loss not only to the worker and to his employer but to the country as a whole.

No, Mr. Speaker, if a national register — and I emphasise the word "national" — is required, I submit that it can be compiled at a far lower cost and with a far greater degree of accuracy inasmuch as it would cover the whole population in the Union — and not only part of the population as envisaged in this Bill — from the new census to be taken in 1951, provided it is done thoroughly by selected people, and the required information, under oath, if necessary, is called for. Furthermore, it would have the added advantage that the information given on the census forms would be of a confidential nature. Under this Bill the register is open to inspection and provides the opportunity for the making of malicious objections which may result in untold misery and expense to the person objected to and to the members of his family.

In his speech introducing the Bill, the Minister said: "If any objections were made by outside people they would have to make a £10 deposit which would be forfeit if the objection was not sustained, and if the objection was found to be mischievous the objector could be compelled to pay the costs of the other party." What the Minister did not say, however, and this puts an entirely different complexion on the matter — a black complexion, if I may say so — is the fact that the Bill provides under Section 11, sub-sections (1), (2), (3) and (4), that an objection may be lodged with the director without the necessity of making a deposit. This objection cannot then be referred by the director to the board which considers objections, unless a deposit is made. But — and here comes the trap — under Section 5(3) the director is empowered to alter any classification he has made without furnishing reasons. This can mean only one thing and that is that he can act on the information furnished by the objector although the objection has not been heard by the board. An appeal, at the expense of the unfortunate individual, can then be made to the board, but it may be safely and correctly assumed that those appointed to serve on such a board will be true disciples of the Government's apartheid doctrines, and unless the individual concerned is a Nationalist supporter — and that of course could happen — the chances of the appeal being successful would be very remote. As my Leader, the Rt. Hon. member for Pretoria (East) (Field-Marshal Smuts) has said, we on this side of the House have no confidence in any board set up by the present Government. Agents of the Nationalist Party in the certain and sure knowledge that the members of the appeal board to be set up under this Bill are political supporters of the Government would have no hesitation in continuing with renewed zest the witch-hunt which they have already carried out in certain Peninsula constituencies in an endeavuor to have registered European voters removed from the voters' rolls on the ground that they were Coloureds.

Several such cases have come to my notice in recent weeks, and I would like to quote one that concerned a married woman. She had been a registered voter in the constituency in which she had resided for years. An organiser of the Nationalist Party on a house-to-house canvass was informed that this woman was a Coloured person. An objection was lodged with the electoral office, and a junior official of the electoral office called at her home, informed her that her colour was in question and demanded to see her birth certificate. This she would not produce for private reasons, and she was taken off the European roll. Together with her European husband, she called at my office. Her appearance was European, and she informed me that in actual fact she was the illegitimate child of a European hotel-keeper and

a European barmaid Her father, at her birth, to avoid scandal had handed her over to one of the Coloured maids at the hotel who, on payment of a substantial sum of money agreed to register the child as her own and to bring it up as such. Her birth certificate stated that she was a child of mixed parents. She was at first sent to a Coloured school, but in later years a minister of the church interfered and she was sent to a European convent school. Subsequently she met her husband, and she told him the facts of the case. Today they have European children who go to a European school. I brought that case to the notice of the electoral officer and I am happy to say that in her case her name was restored to the voters' roll.

Dr. VAN NIEROP: You are quoting an exceptional case.

Mr. DU TOIT: It is not exceptional, there are many such cases in Cape Town, and the hon. member knows it.

The MINISTER OF THE INTERIOR: Such cases are a slur upon Europeans.

Mr. DU TOIT: The Minister talks about slurs on Europeans. This Bill is a slur on Europeans. Let me give the House another case. A young woman, European in appearance, the grandchild of mixed parentage, but the daughter of Coloured persons, has for a number of years been employed as a European by a large store in Cape Town. All day long she associates with Europeans, going back at night to her home and parents where she associates with Coloured people. By appearance she is European (it depends how you look at her — in what light), by association she is both European and Coloured; but one of her parents is Coloured and the other three-quarters Coloured. Perhaps the Minister would be kind enough to inform me what she is in terms of this Bill. If she is declared Coloured she will, of course, lose her job, and her whole future may be wrecked. Already home-life of Coloured families in the Cape is being broken up by this Bill. Near-whites are associating as much as possible with Europeans in the hope of being classified eventually as whites, even if it entails family sacrifices to do so.

Mr. Speaker, if the hon. Minister and his party were strictly honest in their intention to demarcate the various racial groups in South Africa, then it would be necessary to delve deeply into the ancestry of every European and Coloured citizen in this country. This the Government has not the moral courage to do, and accordingly this measure is at once exposed as a fraud and a delusion — a fraud because it would not permit of a genuine, complete national register being compiled, and a delusion because it would be totally impracticable to carry it out. If the Minister and his party would eschew all subterfuge it would be honestly admitted that the real purpose of this Bill is to enforce the carrying of passes by Coloured people. This the Minister let slip rather badly when he referred in his speech to the Newlands incident.

A writer put the whole position, as it obtains under this Government, in the following words —

> With their silly little Bills and formulas and nostrums, these blundering ideologists are not only failing in their primary duty of tackling the country's real problems. They are breaking down what has been built up, wrecking the delicate checks and balances of our multi-racial society, spreading distrust and hatred, straining racial relations to breaking point. Rand Natives riot while Nationalists fiddle with Immorality Bills and queues in post offices. Politicians scheme to disfranchise opposition voters, while the Coloured community, an integral and valuable unit in our society, is driven to frustration.
>
> In their parliamentary existence the Nationalists have not tackled one fundamental problem, from soil erosion and Native housing to the cost of living and national health. Even the routine business of administration has been sacrificed to doctrinairism. It would be bad enough if the deterioration in our affairs was the result of the sincere if misguided enthusiasms of dewy-eyed idealists. But behind the pretended idealism there is a calculated purpose. The Coloured community must be segregated for apartheid reasons — and at the same time anti-Nationalist voters are disfranchised. The populace must be registered in the name of apartheid — and more voters can be declared to be Coloured and in time disfranchised.

Dr. VAN NIEROP: Who said that?

Mr. DU TOIT: It doesn't matter who said it. These words are so wonderfully true that I feel they should be recorded in Hansard.

Mr. Speaker, the hon. the Minister referred in his speech to the so-called register of his as the "Book of Life". I can assure him that if this Bill is passed it will come to be known to the Coloured and non-European people, if not also to the European people, as the "Black Book of Oppression". I know that by sheer force of numbers they are going to force this Bill through the House, and once again I want to say to the hon. the Minister that if he believes that, by measures of this kind, he and his party will still remain in power, they are suffering under a very great illusion, and I challenge the hon. the Minister to go to the country on an issue of this kind. They dare not do it. There is no question at all that they believe that the only way in which they can win the next general

election is by taking away, as they are, piecemeal, existing rights of Coloured voters. This Bill is but one more step in that direction and must be expressed as such.

*Col. DÖHNE: This Bill can be regarded as the extension of South African nationalism and in order to understand the objection of the other side of the House to this measure, it is necessary to go a little bit into the past. It seems that hon. members on the other side do not realise yet that South African nationalism exists in South Africa today. The War of Independence was the beginning of South African nationalism. It was born at De Wildt, where Gen. Hertzog coined the motto, "South Africa First". The objection of that side of the House to this measure is the old objection, the old objection to this motto "South Africa First". We realise that. As I have said, not only is it a measure of extension; it is also an educational measure. It is a pity that at this stage in the history of South Africa we should still talk about an educational measure, and the reason for that is that those hon. friends are still standing with one foot only in South Africa and the other goodness only knows where. When the Citizenship Bill was introduced their attitude proved that they were standing with one foot in the domain of the Commonwealth. They have one foot in South Africa and it is immaterial to them where they stand with the other foot. In order to prove to my friends that that policy is wrong I want to review the past and show what their actions were and how they argued and fought against all measures affecting the development of South Africa politically, or affecting South Africa's greater independence, or even where you have a measure such as this which is in the interests of the country and the nation. Now we are witnessing this tragic spectacle. Whenever a nation is overpowered some of your own people invariably succumb to the enemy. When you talk about nationalism some of your own people fall in the struggle. We have members here who have succumbed. There we have the hon. member for Bloemfontein (City) (Dr. C. F. Steyn), who is one of those who succumbed. I notice that he is smiling, but there was a time he also believed in the motto "South Africa First". He does not believe in it today. As far as this measure is concerned, he no longer says "South Africa First". Let us go back and see how they strayed. As far as the Leader of the Opposition is concerned, we know that after Gen. Hertzog had laid down the principle of "South Africa First" he was one of those who shared the conviction of the then Prime Minister, that Gen. Hertzog, because he had laid down that doctrine, should be removed from the Cabinet. Because that doctrine was laid down, he grasped another hand that was stretched out to him and discarded the Broederbond. We come to the second point. When the war started in Europe, the late Gen. Hertzog and the late Gen. Botha disagreed in that regard. The difference of opinion was due to the fact that Gen. Hertzog maintained that according to the Constitution we had the right of secession and the right to remain neutral.

*Mr. BARLOW: What has that to do with the Native pass?

*Col. DÖHNE: The Prime Minister of England, Lloyd George, said that the war was being fought to protect the rights — inter alia, the right of secession — of the smaller nations.

*Mr. BARLOW: What has that to do with this matter?

*Col. DÖHNE: I mention that because you have been against every measure which has aimed at giving expression to South African nationalism. A deputation was sent to interview the British Prime Minister. What was his reply? He referred that deputation to this Parliament. We had the same position in 1926. I couple this matter to South African nationalism. I know that our friends opposite do not understand South African nationalism because they have consistently fought against it. The hon. member who has interrupted me, is never true to himself. He is always trying to be someone else. Members on the otherside are raising a hullabaloo because they do not like hearing these things. They find it unpleasant to be reminded of them. The Rt. Hon. the Leader of the Opposition has moved an amendment asking that this Bill be referred to a Select Committee before the second reading. We assume from his attitude that he has no serious objection to this measure, although he interpreted it in so many different ways. Throughout the years it has been their policy to take a stand against any measure which aims at giving effect to the principle of "South Africa First". In 1926 when our Statute Act was being drafted, a measure which would give us complete sovereignty, we had similar opposition from that side. They repeated the argument that we did not have the right of secession or the right of neutrality. Last year we again experienced that opposition in connection with the Citizenship Bill. On that occasion they spoke about public opinion and the fact that the whole world would be against us if we tried to attain South African citizenship. We were told that it would be an insult to one section or another; that we would shock oversea confidence in South Africa. Did that happen? No. All that hubbub has died down. All that uproar has subsided, because it was laughable and ridiculous. Similarly this uproar will subside because it is laughable and ridiculous.

God gave each person his individuality. There are no two people in the world who have the same finger-prints.

If I were given the choice, I would say that we should have our finger-prints on the identity cards. I would be proud of it. I would voluntarily put my finger-print on that document, because I know that no one can forge it. When we deal with the question of photographs we know it is being said in England that every person has a "double". I maintain that fingerprints protect a person, and I will give mine voluntarily.

*Mr. BARLOW: I can quite understand that.

*Col. DÖHNE: The hon. member is alluding to something else. It was not necessary for me, during the Rebellion to give my fingerprints. They did not ask me for it. They were entitled to do so if they so desired. Let me tell that hon member that I did not take flight because of any act I had committed. I had the courage of my convictions, but he fled. In the Free State when we had to fight for our freedom he fled and no one knew where he was. He is the last person who ought to speak here.

*Mr. BARLOW: Say that outside the House.

*Col. DÖHNE: I will say it outside. [Interjections.]

The DEPUTY SPEAKER: Order!

*Col. DÖHNE: I maintain that that party has always fought against nationalism. I have before me their "Election News" of 1932. The photograph of the Rt. Hon. the Leader of the Opposition appears on it. He wrote the foreword. In big black letters it says here: "Exterminate nationalism." [Laughter.] Members on the other side may laugh, but is my accusation false? They are the enemies of South African nationalism. They have one foot in South Africa, and the other foot all over the world. They are not sons of South Africa, and they do not want to be. That is why they fight against a measure like this, a measure which will stabilise the position in many spheres in South Africa. They want doubt to exist as far as one's identity is concerned.

It is surprising what those members actually want. I want to tell them what was said by two Zulus the other day in the course of a conversation. They are employed in a garage and they told me that they come from Ladysmith, Natal. They also told me that they came here to make some money and when I asked the one why he did not return he said: "No, master, I cannot return; I married a Bushman girl here and I have children with her. If I return I know my tribe will spit on me." That Zulu has his national pride. He knows that his tribe is proud. They are proud of their blood. They will welcome this measure because it will ensure separation between them and the other races; and they will be sure of their position in the future.

If the present position develops, this doubt as to identity will continue to exist and there will be certain sections which will not know whether they belong to the European race or to the non-European races. That section is growing; it is not getting smaller. If this House is fully alive to its responsibility towards posterity, it will introduce measures which will ensure a definite line of demarcation. The Minister told us that there are already about 10,000 of these people, and if we do not introduce a measure which will enable these people to know exactly where they belong, what will be the position ten years hence? Let us evince a greater sense of responsibility when an important measure of this kind is before the House, do not let us resort to arguments which are practically held up to ridicule by the people in the galleries, arguments that this measure is an insult to the European woman. Members who use that argument show that they did not study the Bill properly, and that they are simply prepared to use any argument against any measure introduced by this Government. But is it just towards South Africa; is it just towards all the races in South Africa to make that sort of statement here? No. I want to make an appeal, and an urgent appeal, to members on the other side to consider this measure on its merits. Do not draw all kinds of inferences from this measure, deductions which are entirely unfounded.

*Mr. BARLOW: One half of your members will still cross over to this side.

*Col. DÖHNE: A great deal has been said about public opinion. I maintain that public opinion demands this Bill.

*An HON. MEMBER: That will be determined at the next general election.

*Col. DÖHNE: Yes, at the next general election the public will put its stamp of approval on this Bill. We realise in what predicament members opposite are. That has been shown clearly. They have advanced all sorts of arguments but it has been clearly proved that they are against the Bill simply because it may lead to the abolition of the Coloured vote. They know that if that Coloured vote is abolished, they will never again hold the reins of government in this country. They are afraid of that. They are dependent on the Coloured

vote. The hon. member for Woodstock (Mr. Russell) laughs. He is dependent on the great number of Coloured voters in his constituency. He is one of those who find themselves in a predicament. But even that does not give members the right to characterise the Bill in the way they have done. I want to emphasise that this Government will definitely not be dictated to by the Opposition as to the measures it ought to introduce. At the proper time the Government will introduce the necessary measures in connection with the question which gives them so much cause for concern. They can be quite sure of that. All the arguments we have had from them are empty statements because they realise what this is leading to. I want to repeat this to those hon. members. Put an end once and for all to that fight against South African nationalism.

*Mr. RUSSELL: Nationalists.

*Col. DÖHNE: I am not talking about Nationalists. Put an end to that fight against nationalism. You will never exterminate nationalism in this country. Nationalism will destroy you.

Col. McMILLAN: I would like to mention to the hon. member who has just sat down, that I am sorry I do not agree with all his remarks. He said several of us on this side of the House had one foot in this country and one foot in another country. I was born and bred in this country, and no man is a truer and more honest South African than I am, and most of us on this side are the same, that is, born and bred in South Africa. I want him to bear that in mind, because it is perfectly true.

I am now speaking to the hon. the Minister of the Interior as a South African, and I want to put to him one or two points which are worrying me in the provisions of this Bill. The first is this. The hon. the Minister, when introducing the Bill, pointed out that advice was given to him by members of the Civil Service who had been sent overseas, and he actually mentioned Great Britain and the pass system in practice in that country. But whatever these advisers informed him, does not necessarily apply to this country. We have a totally different complex, a multiracial country full of difficulties. You cannot compare our troubles and difficulties with those of any other country in the world. It must be approached quite differently in every way, and from that point of view I wish to put the Minister a few questions in regard to the provisions contained in this Bill.

The first is in connection with Section 1(iii) —

> "Coloured person" means a person who is not a white person or a Native.

And then (xv) —

> "White person" means a person who in appearance obviously is, or who by general acceptance and repute is, a white person, but does not include a person who, although in appearance obviously a white person is by general acceptance and repute a Coloured person.

Then there is another paragraph in Section 19, again referring to a white person —

> A person who in appearance obviously is a white person shall for the purposes of this Act be presumed to be a white person until the contrary is proved.

I refer to those matters because I am particularly worried about the Coloured question. The first thing that will be done as regards this Bill, if it goes through — and I sincerely trust it will not go through, and I will give my reasons — the first vital classification will be at the next census, and it will be done by enumerators. The Rt. Hon. the Leader of the Opposition, when he first spoke on this motion, pointed out to the hon. the Minister the difficulties with which the enumerators were faced during the last census. He termed them, if I remember correctly, ordinary untrained people. That was my experience with the last census. I remember it very clearly. I would go as far as to describe them as nondescript temporary officials of the status of census officials. I remember that in my part of the country we had a very charming man, an assistant dipping inspector. He was asked by the local magistrate to do the job, to carry out a vey important census in our district. He had no telephone in his house. He understood very little Zulu and he found it very difficult to get round the whole of the district. I helped him because I was sorry for the man. I helped him as much as I could. He had the greatest difficulty in filling in the forms. He told me his time was very limited, and that he was doing this work for a very small extra remuneration. I had to help him to fill in all the census forms, for the Natives, the Indians and the Europeans where I lived.

I would like to ask the Minister what he intends doing when the next census is on hand. A terrific onus and responsibility is put on these enumerators who have to perform this vital work in connection with the working of the Bill. They are the people who will have to tell these people how to fill in their respective forms, and they will have to face this big difficulty of asking the various people questions in regard to their race and creed. I do know that the Director, according to the wording of the Bill, has the right at a later stage to reconsider or redesignate the race or creed of a particular person and call for evidence. But the point

is this: Have we as yet been able to define clearly and actually the difference between a white person and a Coloured person; is there a definite dividing line? And then, do we expect these men to accept the responsibility of going to the homes of people and of saying to them: You are a non-European, you are non-white, or you are a Coloured person? I mention this particularly, because we had trouble, which I would like the hon. Minister to remember, in regard to the Mixed Marriages Bill, particularly in Durban, with one section of the population, the Mauritians. I am quite prepared to admit that some of these Mauritians are Coloured and some of them are white. I mention this point because these people have definitely in the past been looked upon as Europeans. They are registered as Europeans. I would like to refer the hon. Minister and this House to a paragraph in a letter I wrote to the Minister on 28th September of last year—

> There were, nevertheless, instances in our multi-racial society which were bound to occur and which would cause not only tragedy, but a feeling of grave resentment against our European legislators, unless the matter was dealt with in full realisation of all its implications.

Then the Minister will remember that we had a very friendly discussion, and I would like to quote just two paragraphs out of a letter he wrote to me subsequently, in order to comment on them. The Minister said definitely—

> Each case is dealt with individually, since it is clear that some Mauritians may be Europeans and others non-Europeans, as in the case of South African citizens.

Then he went on to say—

> . . . if a person who claims to be European is able to show either that he is in appearance obviously a European or that he habitually consorts with Europeans as a European, and if his marriage to a European has been solemnised in good faith by a Marriage Officer, such a marriage will be deemed to be valid.

The point I am getting at is this. What are the enumerators going to do when they go into the homes of these people in my constituency and in other constituencies in South Africa? These people have been regarded as Europeans; they have been registered as Europeans and they have voted as Europeans. Their womenfolk have been registered as Europeans and they have voted as Europeans. Now, reading this as I read it, I can see innumerable difficulties. Those people, after all these years, although there are not many of them — there are quite a number of them — may suddenly be told by the enumerators or subsequently by the Director: "I am sorry, you are not a European; you are now a Coloured person." I want the House to realise the difficulty.

I am stating the position honestly. Those are the facts we must face. I know the difficulties are enormous, and what are we going to do? Does the hon. the Minister realise that in my constituency, and again elsewhere, in the Cape — I am only a visitor here during the Sessions, but I have seen the difficulties and have heard about them — there are families where some of the children are white and some of them are coloured. God forbid that these cards should be issued in such a way that some members of a family are regarded as Europeans and some as non-Europeans, in other words, Coloured. How are we going to obviate that?

The MINISTER OF THE INTERIOR: That happens today.

Col. McMILLAN: Exactly. I want the Minister to say how he will overcome those difficulties when it comes to the enumerators. What is going to happen — I want to be quite outspoken — when we have a case of a throwback. This has happened, and it will continue to happen in this country as well as in other countries. Does the Minister realise what difficulties his staff will have to face in connection with a throwback? All this shows what the difficulties will be in applying this Act.

I want to pass on to another point that really does worry me. I live near a Native Reserve. I know the Natives intimately; I know their language and their customs. They have had a pass for years. Now they will get a new pass, and I trust the hon. Minister will bear in mind that he should do his utmost to see that the right type of man, thoroughly qualified in Zulu, which is essential in my opinion, is sent to the Native locations and elsewhere to explain to the Natives what this new Bill means and what is expected of them; the whys and the wherefores, everything the Europeans are expected to do, everything the Coloured people are expected to do, and everything the Natives are expected to do; and also to explain to them this matter of the photographs. Does the Minister know anything about the Native Reserves? I trust the hon. Minister of Native Affairs will inform him, but until you have visited the Reserves you have no conception of the difficulties you have to face there. The people live miles apart. They are still a little wild; they are just quite simple human beings. Everything must be explained very clearly and concisely to them, otherwise it remains vague to them; and it must be explained to them by the right type of man. It will take ages to explain these things to them. It will take months to get them together, and I do not know how all this is going to happen.

Then we come to the penalties mentioned in the Bill. I know the Minister has done his best. I have read the Bill very carefully in regard to the safeguards for people against the poisoned pen. But it will happen. It will happen in my town; it will happen in Cape Town and elsewhere — the poisoned pen. That is a point we must not overlook. Then we have this provision in regard to people who fail to report their change of address. That is one point that must be explained very carefully to the Native. How are they going to do it? Many of them cannot read or write. They will have to wonder miles to the nearest magistrate to tell him that they are going to Durban, Ladysmith or Cape Town or elsewhere. I do not know how they are going to manage. These are uneducated people, and they will have to face this. I am pointing this out to the Minister, because I have studied this very carefully, and he has my sympathy if he wishes to enforce this Bill. I cannot sufficiently stress to the Minister that I consider this to be quite the wrong time and quite the wrong stage for introduction of this Bill, and I agree emphatically and wholeheartedly with what my Rt. Hon. Leader said, that this Bill should be sent to a Select Committee now, before we commit ourselves. I am not saying it because I am a member of this side of the House; I am not saying it because the hon. the Minister belongs to the other side of the House; I am speaking as a 100 per cent. South African. I am trying to impress upon the Minister the difficulties with which we are faced. I look upon it as an honour to be a member of this House and I realise — and I think we should all realise — our terrific responsibility as hon. members of this House, our responsibility to all races of our country. I have a fairly good knowledge of Afrikaans and if only I could have made the remarks I have made here this afternoon in Afrikaans I would have done so, and if I could have done so I would have ended up by saying: "Ek wil sê dat ek heeltemal opreg is en dat ek uit my hart praat."

*Mr. J. H. FOUCHÉ: We have been discussing this national registration for a few days now. I listened attentively to the previous speakers, and while the last speaker, the hon. member for Durban (Central) (Col. McMillan) was speaking I was suddenly reminded of a story I read as a child; it was about a farmer who went into the veld on horseback and who came across an infuriated ram attacking a tree. After a day or two, when he passed that spot again, he noticed that all that remained of the ram was the tail. I want to say that the infuriated United Party ram has also been attacking the Nationalist Party tree, and now, after the third day, all that remains of the United Party ram is its fat, "Sap"-ish tail, and if they continue with this debate there will be nothing left but greaves ("kaiings"). This idea of a national register is not new. As far back as 1921, the late Mr. Patrick Duncan, at that time Minister of Mines, saw the possible advantages of a national register. In 1934 the late Jan Hofmeyr thought about it also, and then, of course, we have the Select Committee of 1935. Hon. members on the other side naturally say that the measure is impracticable, but we know the United Party. They usually tackle a problem, but the moment difficulties confront them they beat a retreat; to use an English expression: "Every now and then they give the matter their attention and then the whole thing is dropped." Now they leave it to us to introduce this Bill. The hon. member for Boshof-Hoopstad (Mr. H. S. Erasmus) said that the United Party members were very suspicious. I definitely want to confirm that. They are particularly suspicious when the Minister of the Interior introduces a Bill. They are as frightened of him as the devil is of holy water. If the Minister says two times two make four the United Party want to hold a caucus meeting first to ascertain whether two times two really make four, or what the Minister meant when he said that two times two make four. They do not trust him, but it is particularly interesting to see the way in which hon. members of the Opposition approach this Bill. The Rt. Hon. the Leader of the Opposition said: "This is not a national register but a Nationalist register." Under this measure, apparently, he understands one thing only and that is the removal of the Coloured voter from the voters' roll. In direct contradiction to him the hon. member for Benoni (Mr. Lovell) said that as far as apartheid is concerned this register cannot achieve anything more than has already been achieved. What he said, therefore, was in direct conflict with what was said by his kindred spirits.

The hon. member for Rondebosch (Col. Jordan) made a statement here. He sees the influence of the Broederbond in this Bill. With apologies to Dr. Leipoldt, I want to say this to him, since he is always so concerned about the Broederbond—

> Op sy ou Ramkietjie met nog net een snaar,
> Speel ou P.J. in die maanlig deurmekaar,
> Al half-mal sê die mense wat hom hoor speel.
>
> (Old P.J. is strumming away in the moonlight on his guitar with only one string left. Those who hear him say he has become partly insane.)

When the hon. member for Rondebosch has a nightmare he blames the Broederbond. When he suffers from indigestion he blames

the Broederbond. The entire United Party cannot take two steps forward without looking round and blaming the Broederbond.

Then we have the hon. member for Port Elizabeth (South) (Mr. Frielinghaus). He reads into this Bill the methods of Nazi Germany and Franco Spain. That strayed German who marched against his own people wants to teach us what democracy is and what freedom is. Our ancestors trekked because they wanted to be free and today we understand only too well what the word "democracy" means and it is not necessary for him to teach us what freedom means. The hon. member for Berea (Mr. Sullivan) said that if the people of Europe enjoyed the same measure of freedom as we do here, they would abolish the national registration system. He admits therefore that under the present Government in South Africa we enjoy the greatest measure of freedom in the world and he asks that Europe should have the same measure of freedom as we have.

*Mr. TROLLIP: He is replying on behalf of the Minister.

*Mr. J. H. FOUCHÉ: I want to deal with another hon. member on that side of the House, the hon. member for Alberton (Mr. S. J. M. Steyn). The hon. member for George (Mr. Botha) has already settled accounts with him. The hon. member has told him that he shields behind the skirts of a woman. In future he will be known to us, not as Marais Steyn, but as Marie Steyn or Maria Steyn. Then we have the hon. member for Johannesburg (West) (Mr. Tighy) and the hon. member for Drakensberg (Dr. Steenkamp). With indignation and a catch in their voices they referred to the Coloured maid (meid) in the kitchen, and the fact that it will not be necessary for her to carry a pass. When one of our Ministers referred to "Hottentots" and "Coolies" those liberalists indignantly reprimanded the Minister and told him not to refer to them as "Hottentots" and "Coolies". But when those two members used the word "meid" the other side remained silent.

*Mr. BARLOW: What is a "meid"?

*Mr. J. H. FOUCHÉ: The members of the United Party are disappointed. In his speech the hon. the Minister took the sting out of their charges. The newspapers proclaimed in advance that anybody would be in a position to go to the Magistrate's Court to find out the age of any woman. This delighted them. Yes, the detectives, the spies would now be able to go to the Magistrate's Court and ascertain the age of any woman. When the Minister stated that the date of birth would appear in code form, one of the members on the other side indignantly shouted: "You are afraid of the women." The United Party is bitterly disappointed that the Minister is not going to make public the dates of birth of the women, so that they can say to the women: "This is what the Nationalist Party is doing." For example, they also said that is would be necessary for us to carry the pass with us. The Minister replied that that would be unnecessary. In that respect, too, the sting has been taken out of their criticism. It will not be necessary to carry the identity card with you.

*An HON. MEMBER: It is not a pass.

*Mr. J. H. FOUCHÉ: The United Party propagandist, the hon. member for Alberton (Mr. S. J. M. Steyn) admits that he said that we wanted to take the finger-prints of the people. Now they proclaim in their newspapers that the Government has abandoned that original idea of having the finger-prints of the Europeans on the identity card. They level the accusation at us that it was the Government's intention to have the finger-prints of the people on their passes. "Al gaan die leuen nog so snel, die waarheid agterhaal hom wel." (No matter how fast a lie travels, the truth always catches up with it.) I know those hon. members. They are preparing for an election. We were in power for only six months when they declared that we were going to have an election within six months.

*An HON. MEMBER: They do not believe that today.

*Mr. J. H. FOUCHÉ: Even during this year they went through my constituency saying that there was going to be trouble between the allies, between the Nationalist Party and the Afrikaner Party. It happened this year in my constituency; they stated that there was going to be a general election and they went so far as to nominate the candidates. Now with this national register . . .

*An HON. MEMBER: You are becoming afraid:

*Mr. J. H. FOUCHÉ I am not afraid to defend my Rustenburg seat.

*The MINISTER OF THE INTERIOR: You are not so easily frightened.

*Mr. J. H. FOUCHÉ: They proclaim in their newspapers that the national register is being introduced with one object only, namely, that the Nationalist Party wants to have an election this year. They keep the people in continual suspense. They produce one bogy this year and another bogy the following year, because they are afraid the people may lose interest. I want to draw attention to the whispering campaign they

are carrying on amongst the voters. They lack the courage to hold a public meeting and to allow the voters to choose their own chairman. They are continually carrying on with this whispering campaign. One of the first statements they made was that it would be necessary for one to have one's photograph on the identity card and that one would have to pay half-a-crown for it. They said: "Just imagine how many thousands of pounds will again go into the pockets of the Government under this measure." The people who must carry the identity cards, must in any case have their photographs on their driver's licence. The voters accepted that, but that is not pointed out to them. Then they talk about a police State; and it was said here that a woman driving a car can be stopped and that she will have to produce her pass. We know that is an untruth. A policeman will never stop a woman in the street and demand to see her identity card.

*Mr. BARLOW: That is what you say.

*Mr. J. H. FOUCHÉ: Yes, I am saying that and you will see that that is the case. They say further that you will have to produce your pass to prove that you are a European. They also say that before our daughters get married they will have to show their identity cards to the marriage officer to prove that they are Europeans. Do those hon. members not know that in the past the position in the Transvaal has been that when a marriage officer fills in the form one has to state whether or not one is a European? Everyone who gets married has to produce that proof: Now all of a sudden it will be the greatest crime in the world. Then they refer to the number that will appear on the identity card. One of their newspapers stated that we would have numbers, just like convicts.

*An HON. MEMBER: The hon. member for Hospital (Mr. Barlow), too.

*Mr. J. H. FOUCHÉ: Yes, he will also have a number. I do not want to deal with them any further. I said that if they continue with this debate there would be nothing of them left except the S.A.P. tail. I do not want to belittle them any more. Some of them will probably still take part in the debate and for that reason I do not want to hurt them any further. I want to point out what the advantages of this national register will be to the farming community. I received a letter from one of our intelligent farmers on the platteland — and those people are more intelligent than hon. members opposite. He wrote this —

> We experience a great deal of trouble in connection with the Master and Servant's Act. As the law stands it is very difficult to satisfy the farmers. The position is that if a farmer charges a servant for desertion, the Crown has to prove the validity of the contract which was entered into with the servant. One of the requirements is that when a Native is engaged as a servant a document of identification, in terms of Section 2 (1) of Act 24 of 1932 or a pass issued in terms of Proclamation 150 of 1934 (vide the decision in case of the Crown v. Mavuso, 1948, O.P.D. Summary of Decided Cases, No. 1 of 1948) must be shown to the farmer. If he fails to do this there is no valid contract and the Native must be discharged. Many magistrates do not interpret the law so strictly, but some magistrates do, and this causes discontent amongst many farmers. Most farmers think everything is in order if a written pass by a former employer or master is produced. In most cases they are a long distance away from the Native Commissioner and the people are unaware of the fact that they must first of all see the written document issued by the Native Commissioner.

In conclusion he says this—

> As far as the Master and Servant's Act is concerned, the national register or identity card which every Native over the age of 18 will have to carry, will be of inestimable value to the farmers.

On behalf of the farming community, especially the farming community on the platteland, I want to thank the Minister for introducing this Bill.

Mr. CHRISTIE: Mr. Speaker, the Nationalist Party won the election in 1948...

Mr. VAN NIEKERK: Do you know the Nationalist Party?

Mr. CHRISTIE: Only too well. When they won the election in 1948 they won it on the great cry, amongst other things, of apartheid. Because they won the election on that issue, they are now committed to do something about it. I said at that time and I repeat in this House that that was purely a political move; it was just a repetition of the black manifesto of 1929. Because they won the election on that platform, they are now committed to show the country that they are doing something with regard to this matter of apartheid. That was why we had the Mixed Marriages Act, to which everyone subscribes as far as the principle is concerned, but in respect of which everyone also agrees that it is futile when it comes to achieving the object it has in view. That measure was followed by the Immorality Amendment Bill. There again, whilst agreeing with the principle that we are all

opposed to immorality, whether it is between White and Coloured, between Black and White or even between White and White. The point is that this is not a matter that can possibly be dealt with by legislation. That is another futile effort on the part of the Government, so there again we find that the Government is becoming more and more entangled in this web as they try to extricate themselves from their difficulties with regard to this policy of so-called apartheid. Now we have this population Registration Bill and we are told by the Minister and we are told in the explanatory White Paper and it has been repeated on several occasions, that there are several countries which have this registration system. We are told that the Minister sent two of his departmental officials overseas to study the methods used in those countries but he has not told us what they saw and we have seen no report from those two members of his staff. We are simply left to infer that the system which the Minister is putting forward here applies in those countries and that there is the same necessity for it here as there is in those countries, but there could not possibly be the same necessity. Because it is quite frankly stated that the object of this measure is to secure a division of the population on colour lines. That position cannot possibly exist in Europe because they have not got the same problem there. We are, therefore, faced with the position that in actual fact the object of this Registration Bill is, first of all, to set up a register showing the division of the population, as far as the colour of their skins is concerned. I want to point out that I do not believe that with such a register as is proposed to be set up here, we can possibly administer such an Act in the sense of applying it to the various races in this country. It could not be done because it would require a very huge staff. The expenditure to the country would be such that this system could not possibly be used in the sense of checking up on all the individuals in this country, but I say that it can be used — and that is the great danger — in a discriminatory sense against any colour or against any group in a colour, and that goes for Europeans as well as Coloureds and Natives. Therein lies a danger to our personal and our political feeling. This system could be applied to all sections; it could be applied to all sections of the European population, and let me remind that side of the House that they will not always be the Government in power.

An HON. MEMBER: That is wishful thinking.

Mr. CHRISTIE: In placing this measure on the Statute Book they are going to be in this position, that what they may apply today to certain other political groups with whom they disagree — for example the provision in clause 14 with regard to the production of identity cards — may be applied tomorrow to the Broederbond or the Ossewabrandwag or to any other political group supporting that side of the House. An executive meeting of the Broederbond or an executive meeting of the Ossewabrandwag may be held, or members on that side of the House may be holding a meeting, and in terms of this clause they will have no protection when a police officer stands at the door and demands to see their identification cards. A duly authorised officer under this clause may come to your house when you have a private meeting there or may go to an executive meeting of the Broederbond, stand at the door, and demand your identification card. If you do not produce it he is entitled to ask you for your name and address. The police, appointed by the Government, may exercise this power, which will enable the Government to have a full record of the names and addresses of all those present at the meeting. [Laughter.] Hon. members may try to laugh it off, but no one knows better than members on the Government side that that may happen. They know that the danger is there. The position is that it is measures such as these from which have developed what is known as the police state, and I want to put it this way: It is not so much a question of what is in the Act as a question of administration. It would be a very easy matter for the Government, with this measure on the Statute Book to set up a police state; that is how these states are formed. They are always formed through the setting up of an identification system, a system to identify every person, a system to compel them to register.

Mr. G. F. H. BEKKER: Nonsense.

Mr. CHRISTIE: The hon. member for Cradock (Mr. G. F. H. Bekker) should really appreciate that danger. Apart from that, I would like to come to the question of the methods that they are going to adopt in giving effect to this measure. In the first instance I want to say that we in the Labour Party are entirely and totally opposed to this Bill. We see no reason why it should go to a Select Committee; it should be voted down in this House, a place where it should never have obtruded its head. This is a freedom-loving country; we are a democratic people. It is an insult to the intelligence of every section to place such a Bill before the House. If you ask what good this Bill is going to do to any section of the people, I can only say that it will perhaps be of some benefit to the photographic industry. I notice that it is laid down that recent photographs must be supplied. I take it that that means that you will have to

have your photograph taken every three years, so that will be an excellent thing for the photographers. If millions of people have to have their photographs taken at regular intervals, I think the photographic industry will flourish. The same applies to the printing industry.

Mr. MENTZ: The chemists are going to make money out of it.

Mr. CHRISTIE: There is no doubt that evidently the Government is very concerned about how they can approach this Bill, even with regard to the separation of the races on this register into specific groups — white, coloured and Native.

I propose to say a few words about the definitions, but before I come to the definitions, Clause 5 (2) says—

> The Governor-General may by proclamation in the Gazette prescribe and define the ethnic or other groups into which Coloured persons and other groups shall be classified in terms of sub-section (1), and may in like manner amend or withdraw any such proclamation.

Now I come to the definitions—

> "Ethnic or other group" means a group prescribed and defined by the Governor-General in terms of sub-section (2) of Section 5.

That is the Clause I have just read to the House, so there you have the extraordinary position that it is to be left to the Governor-General, which is really the Cabinet, to define what "ethnic group" really means, and we notice that this will be subject to amendment or withdrawal. They can amend or withdraw such proclamation. What does that mean? The Government will try to find a way out of the difficulty; they will try to find out exactly what constitutes a Coloured person and when they find that they cannot do so, it will be left to be decided by proclamation. I say that the way in which a Coloured person is to be tested should be clearly shown in this Bill. You must define what a Coloured person is and if you cannot define what a Coloured person is then you will never have a practicable Act that can be used in this process of separation. Will that committee of three that is going to be set up and that will decide in regard to appeal cases, will that committee of three appointed by the Government, with an ex-judge of the Supreme Court as Chairman, will they be better able to decide on cases like that, as to whether a man is Coloured or whether his is a European. We know quite well, Mr. Speaker, that in putting this forward and leaving it in this form, they quite clearly are taking up the line that they themselves are not in a position to define a Coloured person and they therefore leave it to be done by proclamation and they also leave a loophole that from time to time such a proclamation can be amended or withdrawn. Well, it certainly does not make sense to me and I don't think it should make sense to any hon. member of this House. I know, of course, that the hon. the Minister has drawn our attention to the fact that whilst Native women are exempt from the Bill and white women are not, any section of the Native population to which the provisions do not apply, may be included in the Act at some future date, until all the people are registered. Well, I would like him to explain why for the time being they are exempt, but a clause is inserted that at some future time they can be included.

The MINISTER OF THE INTERIOR: I indicated that I intend to amend this provision in the Bill. It will be applicable to all, with the right by proclamation to exempt certain groups where it is not practicable to apply the provision at the present moment.

Mr. CHRISTIE: Well, I just now referred to the difficulties of defining a Coloured person and now the hon. the Minister says that it will not be practicable to apply the Bill to certain sections.

The MINISTER OF THE INTERIOR: Not immediately.

Mr. CHRISTIE: Well, that is very interesting and I can see that the hon. the Minister himself has evidently not studied this aspect of setting up ethnic groups as he is trying to do in this Bill. I have tried to make myself a little acquainted with the subject and find that in ethnology there is a great deal of division of opinion amongst scientists, particularly on this question of colour. I have studied the book "Race: Science and Politics" by Ruth Benedict and find the following paragraph on page 31 —

> In all modern science there is no field where authorities differ more than in the classifications of human races. Some have separated races on the basis of geographical distribution, some on the basis of colour, some on the basis of cephalic index, some on a combination of several traits. Some have divided mankind into three races, some into seventeen, some into thirty-four. Some have made primary an ethnic group which another authority has made secondary.

Showing there a divergence of opinion, because on page 38 they say —

> Skin colour of itself, however, has very limited scientific use as a criterion of these

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primary races. The range in each group is very large and some groups of whites are darker than some negroes. Brocha, the French physical anthropologist, used 34 shades of skin colour and Deniker nine. Differentiation into shades is a help in one direction, but it makes the overlapping even more serious.

It is quite evident that the problem in this country is particularly wrapped up in the words "it makes the overlapping even more serious". Now, Mr. Speaker, this overlapping was referred to by several hon. members, who pointed out the difficulty in cases to decide one way or the other and the hon. the Minister himself in an interjection admitted that today the position is — it was in the course of the speech of the hon. member for Cape Flats (Mr. du Toit) — where certain children of a family are classed as Europeans and other children of the same family as Coloureds. That position exists to-day, and if that position is still going to exist, of what use is this Bill going to be? After all there is no doubt, there is no question about it, that the hon. the Minister and the Government are in a jam over this question of the Coloured people in South Africa. They cannot find a formula to show which are Coloured and which are white. As an ethnic group they don't exist. The ethnic groups from which they sprung are the Europeans on the one hand and the Bantu or the Natives or the Hottentots on the other hand. They themselves are not an ethnic group, but they have sprung from two or more ethnic groups. Now that in itself makes the position more difficult. I heard the hon. member for Wonderboom (Mr. Nel) say that the white person, the Native and the Coloured person should all be proud to have themselves registered as White, as Coloured and as Native. They should all be proud. But I think it is an insult to say that a white man must have himself registered as a white man if his culture, etc. proves that he is a white man. The hon. member for Wonderboom, in making that claim, said that the Natives should also be proud to be be registered as a Native. But it is obvious to all: We know the Native and if we see a white man, we know that he is a white man.

An HON. MEMBER: Oh Yes!

Mr. CHRISTIE: I think so. I hope so. When the hon. member for Wonderboom was referring to the White man, I take it he meant the man who behaves himself as a White man. I agree with the hon. member that some White men do not behave like White men. But when we come to the Coloureds I would like the hon. member for Wonderboom to tell me that a Coloured man will be glad to have his designation "Coloured", when perhaps he has believed in himself that he is a white person, when he is a person who has passed as a European. On the other hand you have a White man who appeared Coloured and he may be challenged and told that he is a Coloured man and he may be placed in a very difficult position. Some time ago we were told that to define whether a person was Coloured, one would have to go into the question whether his great grandfather or his great grandmother was perhaps a Native or a Coloured, and if so, that that would constitute proof that such a person belonged to the Coloured section. I recently read a story of a child in the United States, now an author. This boy had been regarded as a White. When grown-up he stated that while he was in his class at school as a boy — in certain States, particularly the Northern States you have classes with Negro and European children in the same class — the teacher asked that all the White children should stand up and this man stated that his parents had been very fair and he stood up and said that he was white. Then the teacher told him to sit down.

An HON. MEMBER: He was not an albino?

Mr. CHRISTIE: No, but in any case he said further that that was the first shock, the first tragedy in his life and when he went home he said to himself: I have to look at my mother with more careful eyes than I have ever done before and he remembered looking at his mother's face to see if she was really Coloured. What a tragedy for a young child. You are beginning that in South Africa.

Mr. LUDICK: Surely you are not serious.

Mr. CHRISTIE: I have just given one instance of that, but I do say this that it is clear, that it is evident from the Bill itself that neither the Government and therefore neither a board or a judge from the Supreme Court and no member of the Nationalist Party or any other party can give a definition of what "Coloured" means in South Africa. It cannot be done. But of course you will find some formula, and it can be amended or withdrawn, as the case may be, time and again. The point is: What is the object of the Bill itself. I said before we are entirely opposed to it, we believe that the object is merely a pretence, another deception, to make the people believe that this is a further instalment of the apartheid policy on which the Government won the election. We say that this is a Bill that can never work, but is full of dangers for certain sections, including sections of the Europeans as well as the Coloured population. I therefore say that the suggested comparison between where registration of population actually exists in Europe, with the position

in South Africa, is no comparison at all. The position there is entirely different. They introduced registration for a definite purpose, in Great Britain for rationing purposes, earlier on for security reasons during the war. The same applies to other countries. But never has there been a Registration Bill introduced in which it will be decided by the colour of a person in which ethnic group he falls. If the whole thing was not so tragic and did not bring with it so many dangers, it could be called laughable and something that brings no credit on the intelligence of this Government or the Nationalist Party.

Col. OOSTHUIZEN: Before I come to the main theme of my speech I want to refer to the speech of the hon. member for Rustenburg (Mr. J. H. Fouché), who, if I understood him correctly, said that the late Sir Patrick Duncan, at the time Minister of the Interior, was in favour of this kind of legislation. I want to tell him at once that he is quite wrong and I hope that the rest of his arguments were based on sounder foundations. I want to read a letter which was sent by the then Minister of the Interior to the Select Committee which in 1935 considered the question of population registration and compulsory registration and voting. The letter was addressed by Mr. Venn, Acting Secretary for the Interior to the then Registrar-General of Births, Marriages and Deaths—

> With reference to your Minute No. R.G. 1/786 of the 24th ultimo on the subject of a Population Register, I beg to inform you that the hon. the Minister considers the scheme an attractive one but not capable of being put into effect in this country with its constantly moving population.
>
> Mr. Duncan is of the opinion that if the necessary law were enacted it would become a dead letter as it would be quite impossible to carry it out with any approach to completeness.

And so this Bill will be, a dead letter, for the very same reasons. I am participating in this debate because I have always been opposed to the idea that you can solve the existing position by way of this kind of legislation. I am opposed to the idea of carrying any sort of identity card, or pass, or whatever you call it or to have my individual freedom interfered with by a Bill of this nature, and I feel, Sir, that the whole spirit of this country is entirely alien to this kind of legislation. I wonder whether it is still possible to reason with the hon. the Minister in any sort of sweet reasonableness. It seems to me that he has made up his mind to put through this Bill, no matter what opposition there may be in this House or in the country, and I am rather surprised, because after all I have always regarded the Minister as a man of great intelligence and I hope he has now reached the years of discretion, too, that he should have taken the occasion of his birthday to introduce this Bill, throwing this apple of discord right into the community of this country. It is nothing, Sir, but a packet of political mischief and I am sure the Minister realises that as well as anyone else. Now I think that if the Minister considers for a moment, he will probably find that his docket containing the Bill is marked "dangerous, to be handled with the very greatest care," and it is quite obvious that the hon. the Minister fears this Bill and fears the repercussions that will result from the introduction of this Bill into the House.

When we look at their Press before the introduction of the Bill, we find that they referred to it in a very timid way, they seem to shrink away from the issues that really underlie this Bill. We have a paper that we know fairly well called "Die Transvaler", and I think one of the Ministers is a director of "Die Transvaler", and all that paper could say about this Bill and in support of it was that its advantages outweigh its disadvantages and that it may assist the police to control vagrants in Johannesburg. Then we find a paper in my area, "Die Oosterlig" — I read these papers, because I think we all should know the opinions of our opponents, particularly in politics — and that paper calls it a wonderful service to the country, a national service — I think they should have said "a Nationalist service" — and that it was surprised that the United Party raised an agitation about this "innocent Bill", which was not nearly as bad as they expected it to be. That is the sort of thing we have. "Die Burger" on the other hand said that the Bill was necessary, that it was an indispensable part of the machinery of a modern State. I quite agree, maybe it is essential in certain modern States, but I think the paper should have gone on and should have said "in a modern police state" this machinery may be indispensible, because it would be an indispensible part of the machinery only of such a State and by the legislation we now have we are gradually drifting in that direction. At the same time, although the Minister did not clearly state that this was part of the policy of apartheid, "Die Burger" frankly said that that was one of the first essentials of the policy of apartheid, and hon. members who support apartheid should be very careful in what they were doing. It seems to me that that plea was rather a double-edged sword. Why should the public of this country be asked to accept this Bill merely as a measure to implement the policy of apartheid with which they may not be in agreement and a policy in a Bill which is entirely foreign to the freedom-loving people of this country. We don't like to be regimented and we don't like to carry passes, or an identification card, if you like — it is still exactly the same thing — and I think the Minister is

making a very great mistake in introducing legislation of this kind and he may find that during this year on which he has just entered he may meet with a very great deal of trouble in connection with what he started on on his birthday and he will only have himself to blame for it.

Now, Sir, I was amazed at the speeches made here by members on the opposite side. They claim that this Bill, which I have already described as nothing more than a packet full of political mischief . . .

An HON. MEMBER: Surely you are not serious.

Col. OOSTHUIZEN: It will act as a bookmark, but I think to be a good Nationalist, I am just beginning to realise that one has to have the sort of mentality that if your Press say certain things and when your Minister says certain things, you accept that, whether the statements made by them are contradictory or not. You just accept them completely and in good faith and so you carry on. Here we now have, members of the opposite party, who I know in their heart must feel that this Bill is entirely foreign to South Africa and to the people of South Africa, supporting it. I say that a Bill of this sort should not pass through this House until it has been more thoroughly investigated. Why then is the Government afraid of a Select Committee? Surely it is very necessary to have this Bill investigated now before the second reading. Let us send it to the Select Committee now, instead of after the second reading when the principle has already been forced down the throats of the people of this country. I think the hon. the Minister should show a little sense in this matter and should agree to the reference of this Bill to a Select Committee. Why, Sir, even when that Select Committee investigated this subject in 1935 and recommended against its introduction, it also dealt with the question of compulsory voting and there, although it was in favour of compulsory voting, it said that it should not be placed on the Statute Book until public opinion had been thoroughly investigated on that particular subject. That was a very much smaller thing in my opinion than the question of a national register with all the implications that lie behind it, and, Sir, the position is simply this, that the hon. the Minister should undoubtedly let this Bill go to a Select Committee. We are told, have been told in a very emotional way that the introduction of this Bill is part of the policy to save white South Africa. Well, I recall the definition of a diplomat. A diplomat was once described as a man who is appointed to avert a dangerous situation that might arise and which would never arise but for the appointment of the diplomat. Here, Sir, apparently, the Nationalist Party wants to save white South Africa. Why, Mr. Speaker, South Africa has saved itself for the last 300 years and will continue to save itself if politicians would only leave it alone, and one might well say that there is no danger to white South Africa, and there was no danger until our friends opposite occupied the Government benches and now want to save South Africa from dangers which would never have arisen but for their coming into power. I say this question is one which needs very careful consideration. Let me just deal for a moment with the recommendations of that Select Committee in 1935. I do not want to go very far into that, but we already know that the Select Committee found that such a system of population registration would be impracticable and costly. The reasons for its impracticability have already been stated and the position today has not improved in that direction, because the population is shifting on a bigger scale than ever before, and therefore that reason still remains. But let us view it from the point of view of cost. When you go into the question of cost, you find that the Minister has given us a figure, and I don't think that one can place a great deal of reliance on that particular figure when you come to think of it that millions of photographs will have to be taken and the tremendous staff that will have to be employed, you can see what the expense will be. I think the expense is more likely to run into millions than into under half a million. But let me draw his attention to the statement made quite recently by the Minister of Finance on the question of expenditure. I don't see how in the face of this statement the Minister of Finance can possibly vote for this particular Bill. It was only on Wednesday, the 8th of March, that a leading article in the "Cape Times" dealt with a statement by the Minister of Finance in Parliament on the 6th of March —

> In Parliament on Monday, Mr. Havenga, in something like despair, asked: "How can we reduce expenditure when Parliament for years goes on passing legislation involving us in new services and costs which increase year by year?" There could be no more forthright and logical condemnation of the Nationalists' pipe-dream about a population register. In the good old days a Select Committee rejected a population register because it was "too costly".

There could indeed be no more forthright condemnation of this Bill involving us in new services and new expenditure, costs which increase year by year. It is going to involve the country into extraordinarily heavy expenditure. But, Sir, moreover, we have not the man-power either to carry this out. To show how ridiculous the whole position is and that this Bill, even if it is passed, must be stillborn, which position we will unfortunately only realise when hundreds of thousands of

pounds have been spent, it is only necessary to point out that there is such a shortage of man-power that the Government cannot even deal with the vital statistics of this country. How can they possibly deal with the amount of work which is involved in this Bill?

Towards the end of January, S.A. Merchandising addressed an inquiry to the Director of Census and Statistics, Pretoria, about the progress of a "census of distribution and service establishments", initiated in September, 1947. Within a week the following reply had been received from the Acting Director of Census and Statistics —

> "I regret that I am not in a position to supply any details at the moment. The auditing of the census returns collected in connection with this census has been a task of some magnitude and owing to the shortage of trained staff it has been necessary to have work done on an overtime basis. Good progress has, however, been made and the work is nearing completion. Tabulation work is being commenced and it is hoped that preliminary results will become available within the next six months."

That is a comparatively short job compared with this question of a national register, and if that takes three years and is still incomplete — it is a job very vital to industry and the development of the country — when is the national register going to be completed? Never. But in the meantime the country will be involved in hundreds of thousands of pounds expenditure, and a great deal of ill-feeling will be engendered in the end. According to the evidence of the Select Committee, this scheme will be utterly and entirely impracticable. It was very clearly stated there that unless you can have a complete national register, it will be entirely worthless. The Minister has himself told us that he will not have a complete national register at the outset. He may later, by proclamation, bring in all sections of the population, but Native females and Native males under 18 will not be included at the outset. The Minister will, however, have an opportunity of explaining that. I cannot see how a national register for Natives can ever be complete. How are you going to tell the age of a Native under eighteen years? No registration of birth is required in the rural areas. The Natives do not know their own age. Are you going to judge their age by the length of their teeth or the colour of their eyes and hair? It is an utterly impossible scheme to carry out, and we have had it in the most definite evidence that, unless the register is in every way complete it will be perfectly worthless. But the Government is prepared to run the country into enormous expenditure without any benefit to the country in any way.

I say it would have been a very much more honest procedure for the Minister to introduce a Bill to remove the Coloured people from the voters' roll, which is the implication behind this Bill — to carry out the policy of apartheid, for which this Bill is designed. We have had that admitted in "Die Burger". We would have had a great deal more respect for the Minister and the Government. Honesty, after all, is the best policy, and these subterfuges in introducing legislation without any sort of thought of the expenditure the country will be put to, to achieve a political aim which in the end may be worthless, is something I just cannot understand.

Now, Sir, it has been pointed out that in Holland there is a national register. But the Select Committee made it quite clear that this was done by Napoleon, not with any idea of administrative benefits, but simply because he wanted recruits for his army, and it has taken eighty years to complete that register completely; and now they have to revise it and go over to another system. In this country it is impossible, and I hope the Minister will listen to reason. Let us allow sweet reasonableness to prevail. Surely this Bill is not so vital or urgent. It has been left in abeyance for 300 years, and why not leave it in abeyance until a Select Committee has had an opportunity to investigate the matter further? That was the finding of the Select Committee in 1935 — that the matter needs further investigation before it should be proceeded with. I say the Minister as a reasonable man should agree that this matter be referred to a Select Committee before the second reading. I cannot for the life of me see how certain hon. members on the other side, like the hon. member for Pretoria (District) (Mr. Oost), the hon. member for Vryburg (Mr. Viljoen), and the hon. Minister of Defence can vote for this Bill after the unanimous Select Committee report of which they were members; namely, that the Bill should not be proceeded with without further investigation. For me it is difficult to see how anyone can vote for the Bill in those circumstances.

Now, Sir, how are we going to administer this Bill? The Government cannot cope with the situation which has already arisen in the country. You are only making many more criminals. It has been pointed out how utterly impossible it will be to get people to notify changes of address; how onerous it will be not only on the non-European population, but also on the European population — it will be much more onerous on the non-European population — to get them to notify changes of address. It has already been pointed out how difficult it is to get them to notify changes of address in regard to the voters' roll. Under this Bill they have not only to notify changes of address of themselves, but also of their children, and I say

you are placing an onus on the European population, and a much greater onus on the non-European population, which can never be carried out. The result will be that these people will be liable to prosecution and to penalties under the Act. Is it reasonable in those circumstances not to refer this Bill to a Select Committee as required by the amendment moved by the Rt. Hon. the Leader of the Opposition?

The hon. member for Pretoria (District) referred to the pass he carries, and he also referred to the question of burgers having had to register change of address when they moved from one field-cornetcy to another. That is a very sound provision, but we already have a provision in that regard under our Defence Act, which makes registration and notification of changes of address compulsory in regard to young men over the age of seventeen. Why should we pass this Bill? It finds favour in the minds of the hon. member for Pretoria (District), who was one of the people who voted unanimously in the Select Committee that this Bill should not be proceeded with before further investigation. How will he square his conscience if he votes for this Bill in the face of that recommendation which still stands, and if he votes against this reasonable request that the Bill should be referred to a Select Committee before the second reading.

Mr. OOST: On a point of explanation, Mr. Speaker. The hon. member misunderstands the position. What I stated was that in the Select Committee the proposal was adopted by a majority of one. But there was an amendment, my amendment, that there should be further investigation and that the Bill should then be introduced. That is what the Minister has done. The Minister has followed that suggestion. The only difficulty is that it has taken fifteen years to do so.

Col. OOSTHUIZEN: Unfortunately I did not hear everything the hon. member said. I think the hon. member must have forgotten the purport of his amendment. This is what he proposed—

> To omit all the words after "register" and to substitute "is not prepared to recommend the adoption of such a system, as the evidence taken thereon is not sufficient, but is satisfied that the question should be further investigated by a commission of experts to be appointed by the Government.

But now the hon. member is quite prepared to vote for the measure without sending it to a Select Committee, although he wanted it to go to a commission of experts. Now he is quite prepared to vote for it simply because it is introduced by the Minister of the Interior. I say it is impossible for the hon. member to square his conscience over a thing like this, after he himself had moved an amendment of the nature now brought to our attention and quoted by me.

I want to deal with one or two clauses in the Bill. I want the hon. the Minister to listen to the point I want to make in regard to clause 10, which deals with objections. Any person can object to anybody appearing on the register or to the description of that person. I notice that he has included a provision that this person has the right to go to a board and I must say it is quite a good board constituted under this Act. But only in the case of a frivolous objection can the costs be awarded against the objector. I am going to ask the hon. the Minister to let the ordinary rule apply, and to let costs follow the result of the objection. Very often cases come before our courts which may be regarded as frivolous but there is no provision that the rule of costs should be otherwise. Why should the Minister seek to alter the usual process in this particular Bill? I would put this point very strongly to the Minister, that in my opinion you have a reasonable court, the court may find that some objections are frivolous; but let the court decide and let the costs follow the result of the application. Mostly it will be the lower-income group, poor people, Coloured people and border-line cases involved in these objections. It will be a great hardship on them if they have to appear to defend an objection, and unless it is found to be a frivolous objection, they will not get costs. In my opinion a man, before he brings in an objection, should be sure that he will succeed in cases of this specific nature. I make a very strong appeal to the Minister to give consideration to this point.

I would also like the Minister to consider the question of the very short time allowed for notifying a change of address. It is quite impracticable to give only seven days. A much longer period should be given. In conclusion I would just like to say to the Minister that he should give his serious attention to this amendment moved by the Rt. Hon. the Leader of the Opposition. He can lose nothing by sending the Bill to a Select Committee before the second reading, and if the evidence is such as to render a national register necessary in the interests of South Africa, and if the public is in favour of it, then I think the Bill will have a very much easier passage than can now be expected, because the whole principle of the Bill is alien to South Africa and the people of South Africa.

*Mr. VISSER: The hon. member who has just sat down seems to have serious objections to our having introduced this Bill at this stage. In view of the fact that these conditions in our country have

now been in existence for so long, he wants them to continue unchanged, for how long he did not tell us. But one thing is certain, and that is that this Bill is an essential part of the big frame for the apartheid policy of the Government. The hon. member for Johannesburg (City) (Mr. Christie) disappointed me with his speech. Usually I like listening to him, and having been a friend of his for many years, I think he had a very difficult task in delivering his speech today. It is no wonder that the hon. member for Troyeville (Mr. Kentridge) had to give him a hand now and then. The hon. member saw two bogies: The Broederbond bogy and the O.B. bogy. He sees these two bogies behind this Bill. He does not usually talk that way and one can sometimes listen to him. But it seems to me that those bogies have taken him off his course completely.

I want to consider and deal with this Bill from the angle of keeping the races in South Africa apart. I do not know to what extent the Minister is going to use the Coloured population and later on also the Native population to assist him in carrying out this Bill. In my opinion it is essential that he should make use of those people so that the provision of this Bill can be carried out successfully. I want to deal on broad lines with the position of the races, as it has developed not only in South Africa but also in Africa generally. The torch of civilisation, namely, knowledge, has penetrated the darkness and no longer comes only from the south — it also comes from the north. Simultaneously with the rapid growth of civilisation amongst the Native races of Africa there has also come the danger of the stream of Communism, which is also flowing through Africa, according to overseas newspaper reports. The 130,000,000 Natives in Africa are on the move. There is a movement from the north to the south and from the east to the west across the whole continent.

*Mr. KAHN: It is a movement for liberty.

*Mr. VISSER: Let us call it a movement for liberty or the awakening of nationhood. This is the break of dawn for Africa. The nations are awakening and they are seeking guidance. That guidance must come from the guardian, the White man. Years ago I attended a lecture by a highly educated missionary in Northern Africa, Dr. Karl Küum. He suggested that if we regarded the Native as a child, we could not go very far wrong when we judge his actions. And the child must receive guidance. That is what the Native needs. He must receive guidance from those who have the right to give that guidance; and who is more entitled to give that guidance to the Native, and also to a certain extent the Coloured, than the people who have adopted South Africa as their fatherland? In this matter I think the policy of mutual consultation is necessary. That is why I asked the hon. the Minister whether he is going to use the Coloureds to assist him in implementing this Bill, and whether he will later on use the Natives in this respect. We had such consultation more than half a century ago. I remember very well that a certain politician went to Griqualand East in 1906 to consult the father of Prof. Jabavu about an election which was going to be held in the Cape Province. We do to a certain extent consult the Coloured person and the Native in matters of politics, but the time has arrived when there should also be mutual consultation in connection with these important matters which I have mentioned and which are still in the melting pot, the question of keeping apart the races in this country. When we are after the votes of the Coloured people and the Natives, we consult them readily enough. The Natives' Representative Council as such, which is composed mainly of agitators, has completely missed its object in that respect, and that is why I am so glad that the Rt. Hon. the Prime Minister announced that a Department of Coloured Affairs would be created. I understand that this announcement by the Prime Minister caused general satisfaction amongst the Coloured people in the Western Province. There are many well-meaning Natives in the country, and there are many well-meaning Coloureds in the country whose advice could be used in the unfolding and implementation of this Bill. When this Bill is applied in the Native areas, it will certainly be necessary to have the assistance in this matter of the well-meaning Natives and the Native chiefs. In my opinion they could also be entrusted with the task of implementing an important part of this Bill, when it becomes law.

It is sometimes said by members of the Opposition that we want to oppress that section of the population. We are not oppressors. The Afrikaners have never been the oppressors of the Coloureds and the Natives in this country. If it had not been for the Voortrekkers there would not have been a prosperous Native population in the Transvaal today. The existence of a Native population in the Transvaal is due entirely to the protection afforded them by the Voortrekkers. No, Mr. Speaker, the Afrikaans-speaking section of the population are not oppressors. The great mission work done by the Dutch Church, both amongst the Coloured people in South Africa and amongst the Natives in Central Africa, is sufficient proof of that. The Coloured problem is so vast and so comprehensive and so well-nigh insoluble, that European South Africa —no, let me say the European peoples in Africa — will have to get together sooner or later to find a solution to the problems which will arise in the future. Great and

powerful countries have their eyes focused on Africa and we shall have to take that into account. The political parties should forgo their attitude of pride and defiance. The problem is too great. It affects the existence of the White man's civilisation.

I was very pleased at the attitude adopted by the Rt. Hon. the Leader of the Opposition. I was pleased that he offered the hand of sympathy and agreed with the Government that certain steps must be taken. I wish to stress this point. This is not a matter concerning the political parties in this country. It has been said repeatedly by the Rt. Hon. the Prime Minister that we should raise this whole matter above the sphere of party politics and that we, the people of this country, should solve this problem. That is the right spirit and the attitude which we should all adopt, not only when there are riots on the Rand, but also when we are engaged in giving guidance here in this House. The mighty current which is threatening to engulf South Africa, indeed, Africa is not aimed at any political party. If what I have advocated here is not carried out, Mr. Speaker, then I can only see a tragic future for the European population of South Africa. Then we shall feel sorry, and the word of the proverb will come true — Remorse always comes too late.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

*Mr. VISSER: Before the adjournment of the debate I was pointing out that we should raise this problem of the non-European races in this country above the sphere of party politics, and that we should not do so only, as the Rt. Hon. the Leader of the Opposition did, when there are racial riots. It is only then that he is willing to assist this side of the House. To prove my theory that that side of the House is willing to say "Let us co-operate, let us agree" only when danger threatens, as happened in Johannesburg, I just want to read to the House what the Rt. Hon. the Leader of the Opposition said at a meeting this afternoon —

> Fundamental liberties would be attacked if this Bill were passed. Dr. Donges, the Minister of the Interior, wanted a regimented society as the Germans had under Hitler. This will have an effect in this country which the people will not stand.

But he goes further. He beats wildly around him to see if he cannot find something to hit.

Mr. SUTTER: From what are you quoting?

*Mr. VISSER: He goes on to say . . .

*Mr. SPEAKER: Order, order! I must point out to the hon. member that according to the rules he may not read to the House the report of a speech made in Parliament during the same session. Rule 62 (1) reads as follows —

> No member while debating shall read from a printed newspaper or book the report of any speech made in Parliament during the same session, nor read extracts from newspapers or other documents referring to debates in this House during the same session.

*Mr. SERFONTEIN: On a point of order, may I ask whether that applies to a speech made outside the House?

*Mr. SPEAKER: The rule says explicitly —

> Extracts from newspapers . . . referring to debates in this House during the same session.

*Mr. VISSER: The Rt. Hon. the Leader of the Opposition said —

> The only happy man in South Africa today is the man who is pro-Hitler . . .

Mr. MITCHELL: Who was pro-Hitler?

*Mr. VISSER: That is irresponsible language.

*Dr. VAN NIEROP: He has Hitler on the brain.

*Mr. VISSER: That is provocative language. It is not right to incite people outside against the Government.

*The MINISTER OF LABOUR: He is becoming senile; don't you know it?

*Mr. VISSER: I also think so. If I may continue, I would like to express my opinion on this matter, for what it is worth. We are dealing with such a vast and comprehensive matter that it may be necessary to convene a conference of the nations in Southern Africa in order to have uniformity of action—a convention like the one that was held before unification, a National Convention. All the various interests could be represented at such a conference. We shall have to think in a big way in this matter; the pettiness and narrow-mindedness in connection with these matters, for the sake of advantage, will not take us anywhere; it will only make the situation in this country hopelessly worse. The Natives and the Coloureds are hearing too many divergent views today. They hear too many voices which do not agree, voices which tell him that their salvation lies in communism,

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voices which tell them that the white man is their enemy.

*Mr. KAHN: Who says so?

*Mr. VISSER: The Coloureds and the Natives are bewildered today. They are seeking guidance and they do not know which way to turn; they are wandering about aimlessly and without any direction, because they have been the tools of the agitators during all these years. They do not know what the white man wants; they hear that the white man speaks of a black peril. They themselves sense a white peril. The aim of the Bill before this House is to give guidance, to establish order.

*HON MEMBERS: Order, order.

*Mr. SPEAKER: I must point out to the hon. member that he may not walk between the speaker and the Chair.

*Mr. J. G. W. VAN NIEKERK: I?

*HON. MEMBERS: Yes.

Mr. POCOCK: Apologise to the Chair.

*Mr. SPEAKER: The hon. member may continue.

*Mr. VISSER: I have already said on a previous occasion that hon. members opposite, and for that matter the United Party as such, always take the part of and protect the weaker section of the non-Europeans, that section of the non-Europeans who are in favour of miscegenation and who want to continue propagating that unholy and immoral miscegenation. That is the section of the Coloured and the Native communities whom the Opposition use for their own political ends.

*Mr. DU TOIT: That is nonsense.

*Mr. VISSER: I am speaking of the weaker section of the Coloured population; there is also a good section. There is a thinking section among the Coloured population, not only here in Cape Town, but we also find them on the Rand, and I know what I am talking about because I was in close touch with them in the course of missionary work. There are honourable families amongst them who do everything in their power to prevent further miscegenation. They dislike the European and they dislike the Native in the sense that they want to preserve their own identity. They want to remain Coloured people—„bruin mense" as we call them in the Cape. I say that there are such Coloured people and if hon. members of the Opposition come into touch with that type of person they will discover, as I discovered, that they welcome legislation of this nature. They do not want to be white; nor do they want to be Natives. Last year a Coloured person said to me, "We want to be separate; we have reached nationhood; we want to marry amongst our own people. I am glad that apartheid will now be applied. I have nieces who now think that they are white people because they are educated. Apartheid will bring them back to their own people where they belong". Those are the very words which a Coloured person addressed to me last year in Cape Town. But let us hear what the Rev. Percy Attwell says. The Rev. Percy Attwell has been the spiritual leader of the Coloured people in Port Elizabeth for five years. He is at present the principal of the primary school for Coloureds. Speaking on behalf of the Coloureds he said—

> We as a Coloured community in South Africa want to retain our own identity and do not want to be absorbed in the ranks of the Natives or the Europeans.

Everything which the Government does to separate the races is described by hon. members opposite as an insult to the Coloureds or the Natives. I trust that the thinking or the educated Coloureds will support this legislation. It is a pity that they are constantly being made to believe that this Government is doing them an injustice and that they are being treated most unfairly. Why is this being done? What is the motive behind it? All the Coloured voters, or most Coloured voters, vote for members opposite when there is an election.

*Mr. DU TOIT: Why?

*Mr. VISSER: The Natives vote for the Native Representatives. What is the aim of members of the Opposition? Their object is still further to incite the Coloureds and the Natives—whose votes they already have—against the Government and the Nationalist Party, for election purposes.

*Mr. J. H. FOUCHÉ: They want to retain those votes.

*Mr. VISSER: I can only describe the spirit which has taken hold of them as a ravaging spirit, a spirit of sabotage. They want to sabotage everything which the Government introduces. They were not successful in their efforts to sabotage the country financially, and now in their fury they want to sabotage everything without exception. They are lashing out blindly in the hope of hitting someone.

*An HON. MEMBER: They will hit themselves.

*Mr. VISSER: They are so dissatisfied with their own fate, the position of their

party is so hopeless, and their future is so obscure that the only hope they have left, is to see whether a revolution cannot be fostered in South Africa and whether they cannot fish in those muddy waters; and they use the Coloureds and the Natives for that purpose. It is a most dangerous game, a game which may have fatal consequences, not only for the Nationalist Party, and not only for the Government, but also for the European population of South Africa.

The hon. member for Cape (Eastern) (Mrs. Ballinger) said the other day, in referring to the riots in Johannesburg, that she rejoiced in the fact that her prophecy had come true, and with a self-satisfied expression on her face, she added: "This is not the end but the beginning."

*Mr. MENTZ: They know it.

*Mr. VISSER: She reminded me of what was said by a highly placed official during the first World War when there were also riots in Johannesburg and when innocent people were also assaulted and their properties set on fire. What did this highly placed official say? He said: "Don't do it until next time." That is the spirit with which those people are imbued.

Mr. RUSSELL: That also applies to your speeches.

*Mr. VISSER: I think that the use of such inflammatory language outside this House should be made punishable under the law. We have listened to a multitude of these wild allegations and statements in this House lately.

Mr. SUTTER: You are thirty years behind the times.

*Mr. VISSER: What do hon. members opposite want to achieve by it other than to cause the Coloureds and the Natives to become still more and more rebellious? But this is a boomerang which will hit back at them.

An HON. MEMBER: There we have an example of bilingualism.

*Mr. VISSER: It is a boomerang which will hit back violently, and when it hits back it will not say that it was aimed at the Nationalist Party. No, it is aimed at the White man in general. I am not at all pessimistic about the preservation of the White man and his future position in this country, provided that we adopt this legislation and similar legislation and place it on the Statute Book. When the Coloureds and the Natives discover the propaganda which is today being made by the Opposition, they will leave the United Party and they will seek their salvation on this side of the House, which has their interests at heart, and which will truly afford them protection.

Sir DE VILLIERS GRAAFF: I think the friends of the hon. the Minister of the Interior on both sides of the House must have been really delighted with his presentation of this Bill, just as I feel the hon. the Minister must have been extremely disappointed with the sort of support he has been receiving from his own side in the course of this debate. In his presentation of the Bill, he evinced all that eloquence, all that artistry and all that aplomb for which we knew him so well when he was arguing a bad case at the Bar.

Mr. S. E. WARREN: Nonsense.

Sir DE VILLIERS GRAAFF: I heard an interjection from my old friend, the hon. member for Swellendam (Mr. S. E. Warren). I am not surprised he is enthusiastic tonight. I am told that when the Cabinet is enlarged he is going to be appointed Minister of Public Entertainment.

The hon. the Minister belongs to that profession which has justice for mother, the law for a wife and rhetoric as a mistress. In presenting this Bill one felt that he was flirting for an inordinately long time with his mistress. His presentation was plausible in the extreme, but even his artistry could not conceal one or two rather damming facts.

The MINISTER OF LABOUR: You are being carried away by your own eloquence.

Sir DE VILLIERS GRAAFF: I trust the hon. Minister will soon follow me. I have no doubt that he is always prepared to follow a good example. The hon. the Minister, Sir, despite all his efforts, was unable to conceal the fact that as the Bill now stands, and even when his amendments are introduced, provision will still remain whereby a European woman will have to carry an identity card whereas her Native maid will not.

Mr. S. E. WARREN: That is an old story.

*Mr. SUTTER: Swallow it.

Sir DE VILLIERS GRAAFF: Secondly . . .

The MINISTER OF THE INTERIOR: Have you also sunk to that?

Sir DE VILLIERS GRAAFF: I have not sunk to anything.

The MINISTER OF THE INTERIOR: Have you then risen to it?

Sir DE VILLIERS GRAAFF: I have merely listened to the Minister. The hon. the Minister's attempts to evade a true and correct reading of the Bill would have been most interesting were they not so amusing. I may say also that his indication that the ages of the ladies registered would not be revealed was a little hollow, when he issued a White Paper which revealed the code by which their date of birth can immediately be discovered by anyone looking at it. His case for the Bill would have been a great deal more convincing if he could have established that the introduction of a Bill of this kind would have resulted in the removal of the stigma attached to the carrying of passes, or that it would have tended to soften the pass laws as applied to the Native population in any degree. But I think he knows, as everyone on this side of the House knows, that both the Minister of Justice and the Minister of Native Affairs are more inclined to tighten up their laws than to lessen their effectiveness. It would have been a good argument also, Sir, if he could have told us that as a result of this register there would have been a complete register of Native births and deaths. Here again, Sir, he has had to admit that that effect will not be achieved. He has also indicated that when this Bill is introduced it will not be unnecessary to hold a census.

Mr. SUTTER: As usual he tried to skate over these things.

Sir DE VILLIERS GRAAFF: There was old evidence placed before the Commission which sat in 1935 on that subject.

The MINISTER OF LABOUR: The Minister never said that.

Sir DE VILLIERS GRAAFF: The Minister indicated that a census in the sense of counting the number of people would not be necessary but a census in the sense of enquiring into everyone's name and his occupation and his birth and various other particulars concerning himself would still remain necessary and the expense attached to it will still be the same. The then Director of Census, Mr. Carruthers, in giving evidence before the 1935 Committee, said that the census would be necessary every five or ten years notwithstanding a population register. The census questionnaire covers a considerable number of items. Mr. Hoogenhout, in giving evidence before the committee said that it was impossible to have a card system which could keep up to date as to information contained in the census forms. Mr. Carruthers went on to say, on page 27—

> In all countries where they have this population register they also have their quinquennial or decennial census.

Mr. Holloway stated—

> The system will not affect any saving of expenditure on the census. No country having a population register has dispensed with the census.

Therefore this cannot be one of the reasons for the introduction of this Bill.

The MINISTER OF THE INTERIOR: It was never suggested as a reason.

Sir DE VILLIERS GRAAFF: Mr. Speaker, I would never accuse the Minister falsely. I know him too well. I contend that if he had been able to suggest that as a result of having his register, he could do away with the census and avoid that expense, then he would have a good argument for introducing this Bill, but he has not got that argument.

The MINISTER OF THE INTERIOR: I do not want that argument. I have sufficient other excellent arguments.

Sir DE VILLIERS GRAAFF: The hon. the Minister has indicated perhaps various reasons for introducing this Bill and one of the reasons which might have been adduced, perhaps was that he would have had better statistical information. I doubt whether he will improve on the census and in any event the information given in the census is impersonal, whereas the information he now attempts to acquire is personal. He seems to indicate that the accuracy of the electoral role can be a great deal improved as the result of having this registration. Now Sir, in 1935 Mr. Hoogenhout, then Secretary of the Interior, said—

> I doubt very much whether your register will be any more complete than the voter's roll.

Dr. Holloway said—

> The office is staffed to deal with the normal flow of work. Suddenly there is an abnormal flow; some political crisis, a general election and the rolls are hopelessly out of date, and perhaps the majority may have been small.

I think, Sir, that since we have had compulsory registration, we know very well how diccult it is to get people to register their removals and changes of addresses from one constituency to another. In the constuency which I have the honour to represent there have been no less than 1,600 removals in the last seven months. I will not whet the hon. Minister's appetite by indicating to him how many were registered by the United Party. But I can give him the assurance that very big changes from time to time

take place in the population registered in each constituency.

It has also been suggested that it will be of assistance to the police to have these records. Now, Sir, that is something that was suggested before the Select Committee of 1935. The Secretary of the Interior then said—

> I do not know whether this system will provide the police with much information. Clearly if anyone wants is disappear he will not register.

The Minister was at pains in the course of his speech to indicate that he had a type of registration card which would not be forgeable. I think, Sir, the Bank of England knows very well how difficult it has been in the course of its entire history to stop forging things, difficult though it is to make £5 and ordinary £1 currency notes.

The MINISTER OF THE INTERIOR: Did it stop them from issuing notes in consequence?

Sir DE VILLIERS GRAAFF: Nor, Sir, are they indicating that that is a reason for issuing notes. The hon. the Minister has also been at pains to show that the revenue collection will be improved as the result of this system and he went so far as to quote to us the experience from other countries. Mr. Corbett, who was then, I think, Receiver of Revenue, in 1935 stated—

> Despite the national register I would still have to go on compiling my own register and checking them up with the population register.
>
> It would enable us to trace missing taxpayers; but when it was suggested that a central register should be prepared for the Rand, it was decided that the expense would not be worthwhile for catching a few such people.

He continued to say—

> I do not suppose that in Continental countries the national register takes the place of departmental records. I imagine it is rather used as a quarry for preparing them.

Then there was the suggestion, Sir, that this register would be of use in tracking down those individuals who are liable for voluntary military service. All the evidence adduced before the Committee in 1935 indicated that that was a case of using a roller to destroy a gnat and being quite unnecessary. The argument for a register on that basis seems to indicate that it will be of little use and more especially will it be of little real use in view of the Minister's present suggestion to have an incomplete register. The Minister, however, was perhaps conscious of these weaknesses and he suggested a few other reasons for this Bill and the passes he proposes to issue under it. He spoke about social services, pensions, family allowances, workmen's compensation, unemployment insurance—I will not repeat, Sir, the remarks of the hon. member for Berea (Mr. Sullivan), to indicate how well systems of that kind are working in countries where they have no such thing as a register at all. One of the papers supporting the party of the hon. the Minister suggested also that this system would make normal trade and commerce relatively easier. I would indicate to the hon. the Minister that what makes normal trade and commerce easy is the trust which the citizens of this country tend to have in each other. This idea of a national register is not a new one in South Africa. It was talked of in 1921, it was talked of again in 1934. On both occasions it was regarded as impracticable. In 1935 there was a Select Committee which went into the matter and many weaknesses have been indicated in the course of the study of those documents. The Secretary of the Interior in 1935 said that—

> At the present time, the psychology of the white races and the geographical distribution militate against a population register.

He thinks the scheme attractive but impracticable in South Africa owing to its constantly moving population—"quite impossible to carry it out with any approach to completeness", Messrs. Hoogenhout, Kincaid and Carruthers all agreed that such a system would be quite impracticable in respect of natives. Dr. Holloway went on to say—

> White South Africa won't easily put up with it. It will seem too closely allied to the pass system. "Unless you can get the fullest co-operation of your public your registration will be an entirely useless thing. If there is any large scale passive resistance the position becomes impossible". This would be worse than no registration, because one would then be drawing false conclusions owing to incomplete and inaccurate information.

Dr. Holloway gave other evidence in that connection, most of which was just as convincing as that which I have already read.

Mr. S. E. WARREN: In 1935?

Sir DE VILLIERS GRAAFF: That was in 1935, in the days when the brains of some hon. members worked more easily than today, and the evidence went to show that there were weaknesses in this scheme. Mr. Hoogenhout said—

> The scheme would prove effective only if every event and every movement which it is intended to record were reported within a very short period from the date of their occurrence. This would be difficult in South Africa owing to distances and lack of good communications in many parts.

And he also referred to the difficulty in identifying people in respect of whose movement, change of marital status, etc., reports were received—caused by parents and children having the same christian names. He continues—

> As regards Natives—difficulty is caused, inter alia, by varying forms of spelling Native names. As regards Coloured, reliance on voluntary submissions of information would be necessary, but this would break down and canvassing would be required throughout the Cape Province and Natal incurring wholly disproportionate costs for results obtained.

Then he continued—

> The success of the scheme would depend on public approval and whole-hearted co-operation plus the co-operation of the police, the Department of Immigration and other Government Departments.

He indicated that it would increase the work of the police very materially and that any attempt to check up, would result in more prosecutions and more difficulties. The hon. Minister, I think, a man with his legal training, appreciated the force of many of those arguments and he attempted to justify the introduction of the scheme and to prove that it would be feasible by adducing other arguments. As I understood it, one of his arguments was that the scheme had been applied in other lands, and because it had been so applied, he suggested that it proved that the Bill was useful and justified the expense. I do not want to accuse the hon. the Minister of misleading the House. Perhaps in a spirit of birthday expansiveness he went a little further than he intended to go. I would remind him, however, that a half truth is stepdaughter to deception. Now, Sir, he made reference to a number of countries, to Canada, Holland, Belgium, France, Italy, Sweden, Denmark, England, Kenya and Israel. Insofar as he says that some form of registration exists and functions in those countries, he is correct, but in most cases it is a very different form of registration from that which he is proposing in this Bill, and in at least some cases it is devoid of the objectionable features in this Bill. In Canada there is no national registration system as such, alhough citizens during the war carried mobilization papers, and they had what were called registration cards, giving their name and their address. At present the vital statistics system of that country is being reorganised and as the hon. the Minister no doubt will know, they are attempting to register all children under sixteen and there is also a registration of mothers, and by working backwards the plan seems to be to get some sort of register, but there is no more any necessity for carrying identity cards; birth cards are issued to people in the same way as we issue birth certificates. It is only in the province of Alberta, in the whole of Canada, where citizens carry identity cards.

In Sweden too, there is no national register but only a register of births, marriages, deaths and voters built up from the church registers and communicated to a central office. The ultimate result there is much the same as in the Union, and the hon. Minister might as well have referred to the Union as an example of a country having a national register justifying this Bill as to refer to Sweden. In Sweden, too, the issue of identity cards was considered but—I would draw the Minister's attention particularly to this—postponed. May I repeat that for the benefit of the hon. the Minister "the issue of identity cards was considered but postponed."

In Denmark, also mentioned by the hon. the Minister, there is a national register in Copenhagen, but no identity cards are issued to anybody.

In Holland there is a very comprehensive registration system based on the local municipalities, there is also provision in law for the issue and the carrying of identity cards, but despite the existence of that law, it has fallen into disuse because of the stigma attached to the carrying of identity cards or passes during the Nazi occupation. In fact in Holland the system is a complete dead-letter because of the spirit of independence and freedom of the Dutch people. I would like to remind the hon. the Minister that many people sitting on both sides of the House are descendants from that freedom-loving people.

Perhaps one of the most interesting systems which I have been able to examine, is that in operation in Kenya, where—as here, there is a heterogenous type of society.

Mr. SUTTER: Was that another example he quoted?

Sir DE VILLIERS GRAAFF: That was another example he quoted and it is an interesting example, because in 1920 in Kenya was introduced a system of registration and finger-printing for the entire population, but so far as I can make out it was only applied to male Africans. Provision was also made for the provision of identity cards to everyone.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

The MINISTER OF THE INTERIOR: Was that in 1920? And you say it was applicable to all sections?

Sir DE VILLIERS GRAAFF: The law was applicable to all sections, but as far as I know it was applied only to male Africans, i.e., actually applied. There was another law in 1948, and according to that law registration was to be applied to all males over 16, but owing to the opposition of the European population, finger-printing as far as Europeans were concerned, became obsolete. I would commend to the hon. the Minister three characteristics of this system. The first is that this registration applies only to males, not to females at all.

Mr. S. J. M. STEYN: Why didn't the hon. the Minister tell us?

Sir DE VILLIERS GRAAFF: Secondly, the registration for non-Africans is voluntary and thirdly this system of registration is applied on a non-racial basis. We find then, Sir, that of the countries referred to by the hon. the Minister, the sort of register of which he spoke appears in very few and we find that the application of the laws for the carrying of the identity cards or passes, applies only in one province in Canada, the province of Alberta, is not observed in Holland, is applied in Belgium, France and Italy and has been applied in England since the war, as far as I can make out only because its usefulness during the war and its usefulness for rationing purposes. I think, Sir, it was a war-introduction.

The MINISTER OF THE INTERIOR: It is still in force in England?

Sir DE VILLIERS GRAAFF: When I was in England last there was still rationing.

The MINISTER OF THE INTERIOR: Must you carry it on your person?

Sir DE VILLIERS GRAAFF: As far as I know, in order to draw rations, yes.

The MINISTER OF THE INTERIOR: But you don't carry it on your person if you don't go for rations?

Sir DE VILLIERS GRAAFF: I have not studied that point. I thought, Sir, that I had improved the Minister's education sufficiently, without going into these details.

The Minister also indicated that in 1935 the Select Committee had only limited external experience to rely upon. Now, Sir, if there is so much more external experience available at the moment, why is he afraid of sending this Bill to a Select Committee at this stage? Why is he afraid of submitting that evidence before the Select Committee, in order to enable the Select Committee to decide whether the principle enunciated in the Bill is acceptable in this country? Surely there is nothing to be afraid of if there is additional evidence. I cannot see why it is that because there is additional evidence, he does not want to send the Bill to a Select Committee at this stage. He also indicated that we have learnt a lot since the system of continuous registration and compulsory registration have come into force. What we have learnt as I indicated previously, is that it is extremely difficult to get people to notify their removals and changes of address. But what he has learnt should be put before the Select Committee so that the Select Committee can determine itself what the value is of that experience so expensively earned by his Department. He has also said that the idea of a population register has gained ground since 1935. In what respect has it gained ground? In 1944 there was an interdepartmental committee and as far as I know their report was not published and made available to the public. Secondly, in 1947-'48 there was the Fagan Report, but that provided for it upon a voluntary basis. And lastly there was the report of the Administrators of which so much play is made. But none of those reports mentions compulsory identity cards and the question of identity cards was not before the public and I think for the hon. Minister to come along now and say that there is a difference in the approach of the public to this matter today is a complete misunderstanding of the character of the South African people. The hon. the Minister is glaringly displaying his ignorance and showing how out of touch he is by suggesting that the people will have no objection to the carrying of these identity cards.

Now, Sir, here are all these elaborate provisions. What are they going to cost? The Select Committee in 1935 seemed to think that an additional expenditure would be incurred of about £71,000 per year, but that £17,000 per annum might be saved; that means that there would be an extra cost of some £54,000 per year. But that was to apply only to Europeans. The wage rate has changed since those days and he now wants to apply it to the whole population. One of his witnesses, Mr. Hoogenhout, at that time said that as far as he could see in South Africa it would cost £33,000 per annum and he thought you could take it at three times that, viz., £99,000 per annum for only the European population. He said that it might cost £99,000 per annum for only the European population and it seems to me that it is going to cost close on £300,000 or £400,000 per annum for the scheme which the hon. Minister has in view at the moment. Sir, these are important matters. If the hon. the Minister has evidence which disproves the evidence before that Select Com-

mittee, if he wishes to make out the case for the figures which he made use of in the course of his speech, why then is he afraid to bring those figures before the Select Committee and why is he afraid to let the Select Committee investigate carefully just what expenditure will be involved in carrying out this Bill? What can be the object of all this expenditure and the object of this Bill? The use of the register is obviously limited and the carrying of passes is obviously undesirable. The size of the penalty attached would indicate, I think, very clearly that the non-European population would be unable to pay the fines, and consequently we will have more people in our gaols. These are the real reasons which have been given by the hon. the Prime Minister and many of the later speakers on the hon. the Minister's side of the House viz. that it is to serve the cause of apartheid and that it is necessary in order that the present Government can carry out its policy of racial separation. I read in an article in the "Burger" on the 21st of February, to the effect that the Government was elected to carry out the policy of apartheid and that to do this, the Government must have a national register. The hon. the Prime Minister has said more than once that the national register is the basis of the whole policy of apartheid. What does that mean, Sir? It means that what the hon. the Minister has in view at the moment is the establishment of a human stud-book for the Union of South Africa and it means, Sir, that he is establishing that stud-book without going to the experts on his side of the House. I would not recommend that he went to the hon. member for Swellendam (Mr. S. E. Warren) on this subject, but the hon. member for Cradock (Mr. G. F. H. Bekker) has a great deal of experience in running breed-societies and the hon. the Minister of Finance has also got a lot of experience in that respect. They would have given him a good deal of advice and they would have been prepared to answer for him the question whether he can succeed in his object. Now, let us examine that. How is he going to keep this human stud-book of his up to date? How is he going to qualify those admitted to the studbook racially? Clearly, Sir, first of all your census enumerators will go round and initially they will place the people, inexpert though they are, in the various qualifications. Anyone who is not satisfied may object to the director and the director may cause investigations to be made, and here again I am at issue with the Minister, because the hon. the Minister said that no complaints could be made by an individual against the classification of another person without a deposit of £10. Perhaps that is what the Minister meant. The hon. the Minister will find that while the section dealing with the objections and provided that no objection may be referred to the relevant committee without the deposit of £10, nevertheless, once that information has been laid before the director without any deposit, the director, under Section 5 (3) can take notice of it. Section 5 (3) indicates that at any time it appears to the director that the classification of a person in terms of sub-section (1) is incorrect, he may after notification to such person alter his classification. Therefore it is wrong to say that you cannot object without depositing £10. You can write to the director without worrying about the £10 and the poison-pen people will find themselves in their glory the moment this Bill is put into operation. One of the other difficulties, Sir, is this, that when this matter is referred to the board for investigation, that board will sit under the Commissions Act and as the hon. Minister knows perfectly well, it is perfectly legal under the Commissions Act to exclude cross-examination. One feels therefore that the classification, the initial classification is an extremely unsatisfactory one also because of the definitions of the various classes of individuals whom the Minister is going to classify. I know a European is presumed to be European until the contrary is shown. A white person is one who is obviously white in appearance or is white by general repute and acceptance. The Bill presumes by Section 19 that a person who obviously looks white, is white until the contrary is proved. Now, Sir, when is the contrary proved? This is a matter we had trouble about under the Mixed Marriages Act and it seems that there is still a great deal of latitude in these definitions, a most unsatisfactory divergence in the standards of excellence which would never be tolerated by the hon. member for Cradock in laying down the rules and regulations of a stud-book. There is another additional difficulty. If a child's parents had been classified, then presumably that child will be classified in the same class as its parents. Let us presume for a moment that the child's parents have been classified as Europeans but that both these Europeans have impure blood. You might find in the course of generations that among those classified as Europeans, you will have many dark-eyed people with black hair and very olive-coloured skins. You might find that among those classified as, shall I say, non-Europeans, you will find some people with fair hair and blue eyes and comparatively white skins. The hon. member for Cradock and the hon. Minister of Finance would tell the hon. the Minister that you cannot run a stud-book without continuous inspection.

Mr. G. F. H. BEKKER: You want thoroughbreds.

Sir DE VILLIERS GRAAFF: Is this not meant to be a thoroughbred stud-book? Tell the Minister that. I am sure he will agree. It does seem to me that this is a most unsatisfactory system, a most unsatisfactory system because in the event of the matter being taken further than the committee, it will go to court, and going to court involves a great deal of expenditure. I know, the hon. members or the hon. Minister will say that the courts are open to anyone. One is reminded of the remark of the famous English judge who said "Justice, like the Ritz Hotel, is open to everyone; it costs a little to walk in." Now what will be the effect of this Bill. I think that as far as the Europeans are concerned it will be a dead letter in a very short time. I don't think that even the attempts by the Government Press to popularise this Bill, by indicating that the Prime Minister will be the first person to carry his identity card, will popularise it with the population of South Africa. I think, Sir, that unless the hon. the Minister is prepared to institute a system of fairly strict prosecutions, it will be observed hardly at all by the European population. The hon. Minister knows very well that he will have very great difficulties in enforcing it.

Mr. S. E. WARREN: Wishful thinking.

Sir DE VILLIERS GRAAFF: I wish it were wishful thinking. I would be so glad if it were, but I know the people of South Africa far too well to believe that they are prepared to carry passes. I know them far better than the hon. the Minister. I have been in contact with people overseas, particularly in Holland, who had to carry passes and I know what attitude they took up. Now, Sir, what will be the position in regard to the Coloured people? In regard to the Coloured people it will be the re-imposition of a pass-system to which they have not been subjected for over 100 years. Can one imagine that it will be gratefully accepted by them, or enthusiastically carried out? And then, Sir, what will the position be in regard to the Indians? The Indians in this country have already shown a tendency from time to time to passive resistance. I wonder what the position of the hon. Minister is going to be if they make up their minds that they are not going to carry out the provisions of this Bill?

The MINISTER OF THE INTERIOR: Is this an attempt at incitement?

Sir DE VILLIERS GRAAFF: I thought more highly of the Minister than that he would suggest anything of that kind. After all, the Minister is a man whom I watched standing up to bodyline bowling. I saw him stand up to the "Life" camera lady and I do not think he would sink as low as this. As for the Natives, it will be just another pass—just another pass, one more. And all this talk of consolidating passes, is something I must say I have not much confidence in. Now, Sir, it seems to me that this side has made out a very good case for an examination of this Bill by a Select Committee as far as its general application is concerned. There are, however, one or two other objections to its passage I wish to raise. There is this business of photographs. It will be a never-ending process of being photographed from time to time. I wonder how often it will be required of a person to have his photograph taken in his lifetime. I have seen a photograph of the Minister as a young man captaining a certain cricket XI—I think it was at the London University. A fine figure of a man he was, but we will not recognise him by that photo today.

Then there is another point which occurs to me. According to Clause 17 (2) (b) (ii) there are certain occasions where the Director may issue fairly full information concerning an individual to an enquiring party who pays the required fee, provided the Director is satisfied that it is in the interests of the person concerned to do so. Mr. Speaker, Sir, that is an unfair burden to place on a civil servant. How does he know when it is in the interests of the person concerned. Then there is a very familiar provision to stud-breeders, Clause 20 (1) (i). But this is a most unusual provision in a Bill of this kind, although it is well known in the regulations of the South African Stud Book Association. The clause provides—

> The Governor-General may make regulations as to the compilation, in relation to any class of persons whose names are included in the register, of family registers, the maintenance of such family registers and the particulars to be recorded therein.

What are these? Are they a sort of extended pedigree required for breeding purposes? We know all about them in our cattle-breeding societies. But I did not think they would ever be applied to human beings in this country. This Bill is an unsatisfactory Bill. This Bill indicates that the present Government is out of touch with the feelings of the people of South Africa; and while I, Sir, as a good South African must oppose it, I welcome it in one sense, because I know that Bills of this kind are every one of them a nail in the coffin of the present Government. I have no hesitation whatsoever in saying that there are few things that will contribute more to the rapid return to power of the party on this side, than the legislation adumbrated by the Minister in this Bill.

*Mr. P. J. H. LUTTIG: It is characteristic of the speeches to which we have listened from the opposite side, that members oppo-

site are very concerned over the Coloured vote, and we can understand why they are so concerned; they say that the Coloureds will be profundly affected by this Bill. They are dependent on the Coloured vote and they are trying to create the impression that they are the people who are the champions of the Coloured people in this House. But I want to put a question to the hon. member who has just sat down. He recently made a speech in East London in which he said that there is no longer much difference between the parties in respect of the colour question. I would like to ask him to tell us on what grounds he says that there is no longer much difference, in view of the fact that we have seen here that members opposite oppose every Bill which this side of the House introduces in order to preserve European civilisation in South Africa. He made that public statement and now I want to ask him on what grounds they oppose every measure introduced in this House for the purpose of preserving European civilisation in this country if there is no longer much difference. No, that is typical of members opposite. The hon. member also said that he doubted whether the Minister could feel proud of the assistance which he received from this side of the House. I would like to ask him to name three speakers on his side of the House who dealt with the Bill on its merits, who made speeches which were not merely frivolous and did not contain reproaches only. Those speeches contained nothing but reproaches and displayed a spirit of levity, but in no speech was this Bill dealt with on its merits. They see things in that Bill which do not exist at all. The hon. member who has just sat down, saw quite a number of imaginary things in connection with the implementation of the Bill, things which are not contained in the Bill at all. I take it that members opposite are very disappointed because this Bill does not provide that the identity card will contain all the particulars contained in the Sap-pass which they displayed publicly. I presume that they are very disappointed. It was a piece of propaganda which was false as they now admit. At first they pretended that the Sap-pass was an actual reproduction of a document already in existence in the Government offices.

*Mr. S. J. M. STEYN: Never; where do you get that from?

*Mr. P. J. H. LUTTIG: That was how the Press represented it to the public. Then it was proved that no such card had ever been drawn up. They then admitted that it was not a reproduction of a real pass; they intimated that it was the type of pass which was issued in Holland by the Germans. Fortunately there were Hollanders in this country who brought their identity cards with them, and in that respect too it proved to be a false document. Now they admit that it was a false document. The whole object of it was to catch votes. But if a political party admits that it used a forged document in its appeal to the public, for the purpose of catching votes, it is not entitled to the support of the people. The people gave their verdict on this matter, and that is why they sit where they are sitting today.

The hon. member for Johannesburg (West) (Mr. Tighy) also tried to play the role of a prophet. He said that he wanted to give the country the assurance that although they would not appear on the identity card immediately, questions about one's religion and political views would be added to the particulars on the card later on. Where does that appear in the Bill? Let him show the House where anything of this nature appears in this Bill which has been introduced. Nothing of that nature is contained in this Bill. Parliament is the only body which can insert such a provision. The hon. member for Drakensberg (Dr. Steenkamp) then came along and said that it was an insult to the European women; that it was an insult to them to have to carry an identity card.

*Dr. STEENKAMP: What are you going to do about it?

*Mr. P. J. H. LUTTIG: Is it an insult to the European women in other European countries that she is compelled to have an identity card? If the European woman feels insulted by it, then it is an insult to everybody who has to have an identity card. I have never heard that it is an insult to have to register births. It has never been an insult to a person who becomes a member of the church, to receive a certificate of membership. It has never been an insult to a woman or a man to have a driver's licence. But now all of a sudden, the fact that the woman has to receive an identity card which will show that she is a European woman, constitutes an insult to her. No, they simply do not want us to know who are Coloureds, and for that reason they do not want the people to carry identity cards. The hon. member for Drakensberg is a person who is probably more strongly in favour of apartheid and segregation than members on this side, when he appears on a platform outside this House. A few years ago he opened the Congress of the Jeugbond in Kimberley and there he made a speech in which he advocated apartheid more strongly than any member on this side of the House. He also got up here in this House and said that he was in favour of apartheid. But he does not lay down the policy of of his party. His Leader does that, and his Leader said here that we cannot classify what is unclassifiable. In other words, the

position has already become so bad that we can no longer tell which people are Coloureds, which people are Europeans, and which people are Natives. His policy amounts to saying that we should let matters take care of themselves—that we should become a yellow race. That is the policy of the Leader of the member for Drakensberg.

When we listen here to speeches by members opposite, it becomes clear that they are not in the least concerned over the future of European civilisation in this country. They are not in the least concerned over this matter. They oppose every Bill which makes provision for the preservation of European civilisation in this country. They have opposed every Bill which has been introduced up to the present. Take this Population Registration Bill. Many advantages can be gained from this measure, advantages which have already been mentioned. But I would just like to mention one particular advantage. Population registration will put a stop to an anomaly which often occurs in this country. One finds today that it sometimes happens that when a European man marries a Coloured woman and the child of the marriage has a light complexion, the husband registers the child as a European. If the next child is dark, the mother registers that child as Coloured. The child registered as a European attends a European school, and in the big cities one finds cases where the one child of the parents uses his birth certificate as an admission card to attend a European school, and the other child of the same parents takes his birth certificate along to a Coloured school. The tragedy does not stop there. The Coloured daughter with the European birth certificate becomes a teacher. She goes into the country and there marries a son of one of our foremost families. And then when a child is born to them, it is discovered that she is a Coloured person with a European birth certificate. This sort of thing will no longer occur if the children are properly registered under this system.

Now members opposite do not want us to separate the races from each other in this way. That sort of thing does occur and it occurs often. We know of such cases. Hon. members opposite say that it constitutes discrimination against the Coloured people. Where does the discrimination come in? The same provisions which apply to the Natives and the Coloureds also apply to the Europeans. Where does the discrimination come in? The same questions and the same particulars appear on that card in the case of each race. I shall be proud to possess such a card which shows that I am a European. The Coloured person should take pride in the fact that it is recorded on his card that he is Coloured, and the Native should feel proud of the fact that he has a certificate stating that he is a Native. Or are members opposite ashamed of the fact that their cards will show that they are Europeans?

*Mr. S. J. M. STEYN: Why should we get a pass to prove it?

*Mr. P. J. H. LUTTIG: I would rather carry a pass identifying me as a European than be subjected to the suspicion that I am a non-European. Various advantages of population registration have already been mentioned, and there are other advantages as well. It will foster a sense of national pride among the non-Europeans, in the same way as it will foster a sense of national pride among the Europeans. Let us consider the position of the Coloureds in this respect. Up to now the trouble has been the fact that the leading members of the Coloured community have been wanting to become Europeans. We had experience of that in connection with the Coloured Advisory Council which has now resigned. The members of the Council who did not agree with those members who wanted complete equality with the Europeans were in the minority. Those leading members of the Coloured community wanted to separate themselves from the less educated Coloured people. Members opposite are in favour of that policy and for that reason they do not want this identity card and population registration. We must have a system which will foster a sense of national pride, particularly amongst the Coloured people. The Opposition say that they also stand for European civilisation in this country. Now I would like to ask them whether anyone amongst them can tell me what steps they ever took when they were in power for the preservation of European population in this country.

*Dr. STEENKAMP: There is the influence of public opinion.

*Mr. P. J. H. LUTTIG: They say that it must be voluntary. The House will remember that the Native Representatives' Council suspended its activities in 1946 and refused to pursue its work unless all laws, in respect of which Natives were not placed on an equal footing with Europeans, were repealed. The House will remember the speech made in Kimberley in 1947 by the Chairman of the Coloured Teachers' Congress, in which he demanded for the Coloureds absolute equality with the Europeans. That happened during the period of office of the previous Government, and now members opposite say that we should make those people apartheid-conscious by means of education and that we should create apartheid through goodwill. Mr. Speaker, history has taught us that we cannot obtain apartheid by following a policy of goodwill. Legislation is required for it. We can only effect it by means of legislation.

But I want to ask members opposite to mention one single measure taken by them for the preservation of European civilisation in this country.

Mr. WARING: What about our immigration policy?

*Mr. P. J. H. LUTTIG: They wanted to get people here from overseas to counterbalance the Coloured races, but the hon. member knows that at the tempo at which immigration took place, it would have taken 160 years to obtain a European majority in this country.

Mr. WARING: Is that your reply?

*Mr. P. J. H. LUTTIG: My reply is that it provided no solution to the colour question. We also know that it was necessary to provide employment, housing, etc., for the immigrants. The hon. member also knows that the immigrants whom they brought here are responsible for the present unemployment in the building trade.

This Registration Bill will foster better relations between the Europeans and the Coloureds. Those Coloureds who wanted to be absorbed in the ranks of the Europeans, will now have to be registered with the Coloured people, and they will now have the opportunity to act on behalf of their own people and to assist in uplifting their own people. I am surprised at the attitude adopted by hon. members opposite. I want to ask them whether they are sincere in saying that they are in favour of the preservation of European civilisation in this country; and if they are sincere, why they oppose every measure taken by this Government to preserve European civilisation?

If their answer is in the negative, what is their solution then? They should tell us what their solution is. I know that a large proportion of those members are liberals. They believe in eventual equality. The Hon. the Leader of the Opposition said here during the discussion on the Asiatic Bill that non-Europeans should obtain more political rights as they become more educated.

*Dr. STEENKAMP: Who said that the segregation lines should be abolished when these people become educated?

*Mr. P. J. H. LUTTIG: I do not know who said it. But what I say is that the Hon. the Leader of the Opposition said in this House that as the non-Europeans become more educated their political rights should be extended. That is the policy of that party. That is the declaration of policy which they issued, namely, that as the non-Europeans become more educated more political rights should be given to them.

*Dr. STEENKAMP: And the Prime Minister agrees with that.

*Mr. P. J. H. LUTTIG: I want to repeat my question, and that is the question which every voter and every person in South Africa is asking them: Are they sincere in respect of the future of European civilisation in South Africa?

Mr. STUART: Mr. Speaker, it is necessary on a Bill like this, for members who represent the Africans to speak as early as possible. I can only say first what a deep feeling of gratitude it arouses in my heart, and I think in the hearts of all those who sit here with me, that at any rate one party, or shall I say two parties in this House, have had the guts to stand up to this infamous measure and to stand up to it in a way they have been doing and are still doing. It almost passes the wit of man that any body or group of people can be capable of being so schooled in repetitive nonsense as these gentlemen opposite who have been pouring out the venom of their souls.

I have never heard so much or imagined so much complicated inherited racial offensiveness in my life as in the course of this debate. It has been a profound disappointment to me, because I believed—there are exceptions of course—that broadly speaking hon. members on the other side have been playing apartheid for political advantage, and I did not realise that they have been bitten by a sort of rabies. Well, what can one do with mad dogs? Let them run down the street until they come to a fate they deserve to meet. As far as this Bill is concerned I am perfectly certain that the authors of it will find in the Bill the germ of their own final dissolution and destruction. From that point of view, and from that point of view only, I say that if the Bill passes, there is just that one consolation. Apart from that we have to put up with eccentricity to the maximum. It has been beautifully summed up by one of my correspondents who has put it this way—

> If this law is passed it will disrupt the body politic as no other law has done. It is one of the most sinister pieces of proposed legislation that has come forward in this country.

It is alleged by that master of suaviter in modo, the introducer of this Bill, that the Bill is entirely statistical. Statistical, and the statistician—when everybody knows that all his papers and every speaker on his side have given him away with five pounds of tea, even at the present price, and have emphasised that this is the basis of apartheid. Yet the Minister remains the statistician, the streamlined exponent of figures. I do not know what figures will be studied

under this Bill, but God help some of the people who have to face it.

Dr. LOOCK: Streamlined figures.

Mr. STUART: There we have another outburst from the hon. member who has made more of a pest of himself in that corner of the House than any other member. I refer to the recently returned member for Vereeniging (Dr. Loock). I do not like the look of him. [Laughter.] Particularly not on a subject like this. If I were him, I would shut up for life.

The MINISTER OF THE INTERIOR: Wad the guid Lord the giftie gie us, to see oorselves as ithers see us.

Mr. STUART: Let us forget the trivialities of the hon. member and let me go on to say that this Bill at a minimum will provide for elaborate and expensive machinery, as has been said by others, for invading our privacy, for breeding different types of informers right, left and centre, and producing Titus Oateses of all sorts. I think all things that squirmed in Hitler's Germany during the last fifteen years, sensing out whether some great-grandmother had had a nodding acquaintance with some Jewish friend, and all that sort of infamy will be set on foot by a bunch of people, half the supporters of whom would not care it to be known who their great-great-grandmothers might have been.

An HON. MEMBER: What do you mean?

Mr. STUART: What I say. When I say a thing I mean it. When you say a thing you do not mean it. You speak with your tongue in your cheek.

Mr. SPEAKER: Order, order!

An HON. MEMBER: He is out of order.

Mr. STUART: Mr. Speaker, this Bill is going to foster wide-spread suspicion and apprehension among the Natives, the Coloureds and the Europeans. It is going to do more than that and trample on elementary rights and liberties.

An HON. MEMBER: You are not allowed to read your speech.

Mr. STUART: This is the only time I have had a paper in my hand for a long time, and I read this quotation because it seems to me to be fundamental. Let us get down to bed-rock in connection with this sinister and curious Bill. Now I have mislaid one of my papers.

An HON. MEMBER: Can we come and help you?

Mr. STUART: I need no assistance from the Broederbond. I have the Minister's hallucinations here in the form of a Bill. Some of these sections are really quite funny, if they are not so damnably . . .

HON. MEMBERS: Order, order.

Mr. STUART: There is nothing wrong with that. A man can be damnably mistaken, and it can be said in English. The word "damn" is quite familiar on the tongues of hon. members opposite. But that is quite irrelevant because I am not using it in that sense. I am using it in the right sense and I say that this is a damnably unjust Bill. Take Section 5. I just want to show the injustices as we go along. Section 5—

> Every person whose name is included in the register shall be classified by the Director . . .

Fortunately the Director's name is not likely to be Dönges. That is a happy accident. The Director, whoever he may be, will have to do all the domineering in this business—

> . . . classified by the Director as a white person, a Coloured person or a Native, as the case may be . . .

And now—

> . . . and every Coloured person and every Native whose name is so included, shall be classified by the Director according to the ethnic or other group to which he belongs.

Not the whites. The whites get away with it completely. They are not classified according to ethnic groups. The fact that a sitting member of the Nationalist Party comes somewhere from the Western portion of Asia is quite irrevelant; that is not an ethnic group. He has passed the invisible barrier; loud cheers; he is white and does not require an ethnic group any more. My objection to not dividing the whites into ethnic groups is this. Why not have ethnic groups in this way: Pure white, that is No. 1; pure white as far as we can find out, that is No. 2; just a little bit coloured, that is No. 3; coloured, but mixes with white people enough to get away with it, that is No. 4. And then No. 5, Coloured but accepted as white until his son gives him away by coming out of the womb slightly tinted. Those are the ethnic groups of a great white nation now to be painted once and for all in the magnificent and ungetatable fashion as a white and pure white race. Mr. Speaker, this is not a Bill to register people. This is not primarily even a Bill to tabulate people. It is a Bill with

one result. I will give that result and then I will go into a little philosophical discussion as to whether those who drew the Bill knew what the results would be. The result is this — to declare that one and a half to two, to three, to four, to five per cent. . . .

An HON. MEMBER: To six, to seven, to eight.

Mr. STUART: Very often it is that, but we will cut it out at five. That percentage of people who voted for the Nationalist Party and members on that side, in the Transvaal particularly, because they had the reputation of being white, because they were nominally white, because they had been allowed — let us say, their little difficulties were overlooked — because they were taken for white, and now they want to be white and get a certificate that they are white. They have mixed with white people and now they wanted to be painted white forever. Then you have the large number of people who have been rich enough in doubtful cases to get the whiter child away to the select school, because they were able to pay the cash, and to send the darker one to Retreat—I can give you the names of the schools in most cases—those children are also going to get away with it.

They have been rich; the girls have been pretty and they have married wealthy men, and as I told you last year, Mr. Speaker, when we discussed the Mixed Marriages Bill, they paint their fingers so that you cannot see the tinted edges of their nails. They get stuff to get the kinks out of their hair; they get it all fixed up, and they are going to be painted white forever, forever and forever. I can only say that if it becomes statutorily enforcible to accept the people who are white under this Bill as white in fact, to accept them always as white, I won't and my family won't accept them as white, and my family is of the oldest of the British portion in South Africa, and I shall certainly warn any relative of mine, as I have done in the past, "If you go there, you will get a mixture which is not pure, if you go there, you will get a mixture which is pure. You can have what you like; take your choice. Marry whoever you please, but know what you are doing." There I agree with members on the other side; that is fine, but that is not going to get away with it and paint the half-dozen per cent. which I mentioned a moment ago or the seven or eight per cent., according to the hon. member for Vereeniging (Dr. Loock). He knows more about it than I do. They are not going to get away with that as far as the mass of the population of this country is concerned.

Now, Mr. Speaker, so much for Clause 5. No ethnics for Europeans, because you dare not. But plenty of ethnics for Coloureds and plenty of ethnics for Natives. They can have a wonderful time; the ethnics group can change from time to time. That is the funniest thing of all, because the Governor-General by proclamation can define an ethnic group, he can even define another group if there is not an ethnic group. What the other group is that is not an ethnic group I do not know. That is probably intermarriage where you determine the colour according to the blood count, or something like that. That is probably what it will be before we are through with this. Then it goes on in the usual way, giving the Director all the powers on earth. Then we come to Section 7 where we find more discrimination—boodles of it. Listen to Section 7—

> There shall, in respect of every person whose name is included in the register, other than a Native . . .

That is all right; we got the Natives over our left shoulder while we deal with the major ones—

> . . . be recorded in the register the following particulars and no other particulars whatsoever, namely—
>
> (a) his full name, sex and ordinary place of residence.

I do not know how the ladies are going to stick to it but then we have—

> (c) the date and place of his birth.

"His" includes "her" according to the Statutes so that every woman is going to have her date and place of birth down on the register and anybody can have a look at it if the Director thinks it is wise to let them have a look. These are not census papers that nobody is ever going to have a look at. These are register papers on which you can have a good time. You can find out exactly what the age of your best female enemy is, if you want to, under the new system. You can do all these things, and you can also find out in the case of a registered voter, a white or Coloured registered voter—

> The Electoral division and polling district in which he is registered as a voter . . .

But when it comes to a Native there is nothing of the kind. There is no record at all as to whether he is a registered voter. Why, in the name of all that is sacred, not? You have in your wonderful register, the register of the three classes, something so great that two-thirds of the civil servants and the rest of them are redundant. "This

is going to save you money; it is practically going to make money on its own," I think the Minister explained. The cash intake is going to be so enormous. Ye Gods, you should have three registers and save the State an enormous amount of money. Go the whole hog while you are at it. If the truth has nothing to do with these glorious claims, well make them. Mr. Speaker, in that register, which, he has claimed in detail, would simplify the list for Europeans, all the Minister had to do was to get from the registrar a list of Europeans over 21 years of age, and then he has the electoral list. All he has to do is to get from the registrar the list of Coloured people who have the vote and then he has that, but he has not even taken the trouble to ascertain the fact whether the black man is a registered voter. Why? Because when a policeman gets hold of a black man's pass and he finds out that he is a voter, the voter gets preferential treatment. This is the first step to apartheid. The voter has not yet been abolished. I am waitng for someone to come and abolish us. That is what I am here for; I am waiting for that fight, when it comes. I am going to meet that fight with the joy of a Christian martyr, if I might put it that way, and I don't think there will be so much martyrdom either. When that crowning act of breach of faith comes along and they try to take away the Native vote, then is the time to collect the fact that a man is a registered voter but if you are going to speak with two voices, if you are going to speak with one side of your face — I think I can call it two sides at a time—with one side of his face the Minister is explaining that he is going to save money by helping with the Electoral laws, but with the other side of his face he sort of carefully splits up the minor items—the fact that they are not to collect information as to who the Native registered voters are—then all I can say is that he is saving the electoral officer some of the work, but not the others, but his pretence that he is going to save money on the deal is utterly illusory and must be illusory and must be known to him to be illusory. So what. Mr. Speaker, I have met in die course of my career on the Bench a good many dilettantes in the general art of passing confidence tricks, stealing money and getting away with various things that were not wholly regarded enthusiastically by the more settled portion of the community. I have on occasion met wholesale fraud, but if this is not wholesale fraud on the Native voter, what is it? Perfectly definitely and perfectly deliberately, the Native voter has been left out. I speak hotly about it because I am the first Native Representative to speak on it. It is a point which is particularly offensive, obviously, to the people who represent the Natives here. The Native voters that I represent are as much entitled if they are going to be registered, to be registered properly. Don't fake your registration. That is the main point. Don't be dishonest about it. My Lord—I beg your pardon, Mr. Speaker—my thoughts flew back for a moment to happier places, but let us take another section. What about Section 8? In Section 8 you have to get a register containing the name and other particulars recorded in the register; you have the power to get it there. When an African, a miserable African, says "I am a registered voter", he has to produce a pass to that effect. The number of passes that the African will have to produce before this Bill is through is simply incredible. This Bill does not substitute the identity card for the Pass Law. That is quite obvious the moment one reads Section 14. Section 14 is in the unhappy position of having to mean one thing or another. Let us for a moment go into committee, if I may put it that way, with ourselves and with our consciences. Section 14 says—

> After a date to be fixed by the Governor-General by proclamation in the Gazette . . . Every person . . .

There are two classes, those who are allowed to carry their own passes and those who are hanging on to someone else's pass—

> . . . shall upon demand by any person authorised thereto by the Director or any member of the police, or within seven days of the date of such demand, produce his identity card.

Well, Sir, that means one of two things; it means upon demand or it means within seven days of demand. That either means that there are classes of people who have to produce on demand, because there is an infinity of regulations to come under this Act, as I shall show, either there are classes who have to produce on demand, or there are classes who have not got to produce until seven days later. That is quite simple. Either they are two classes or it is the same class. If it is the same class, if even the African has seven days within which to produce his registration card which, God forfend, I think unlikely, judging by the tone of the debate we have heard on that side—if that is so, then of course this is not a pass; it is a further registration that has got to be kept and produced on demand within seven days, in which case all the Pass Laws remain with all their mistakes and all their horrors and all their evils and all their expense and all their duplications. [Interjections.] Mr. Speaker, I cannot allow that to pass. The hon. member must keep quiet. He goes on not like a semi-halfwit, but like a sort of semi-colon in a speech, popping in and popping out all the time.

Dr. VAN NIEROP: Why don't you pop out?

Mr. STUART: I must say on this occasion he is singularly difficult to expose.

Mr. Speaker, it is all very well for the Minister to talk. They live in a rarified atmosphere at that end of the House, with the Speaker constantly calling interjectors to order. Down here we have sometimes something which even the Whips who are pretty tough would not fully understand the significance of. Section 14, let me put it again—and I want to know from the Minister, is it intended that the whole of the population, on demand, must show it, if they have got it and if not get seven days in which to show it, or does that mean an alternative clause, that part of the population which can be defined by regulation or in some other way, have got to show it on demand or go into gaol while the others only show it after seven days. I ask that question quite deliberately. I want to know what the Minister thinks that section means. If it means what it is apparently intended to mean then it is just bad drafting; it is shocking drafting. What does he mean? Does he mean that you must show it on demand if you have it and if you have not you get seven days to produce it, whoever you are, whether black, white or coloured, or does he mean that it is going to rest very lightly on the necks of the rich and the white and that they will be told that they can produce it within seven days, if they like, or send it round with one of the boys or with the butler? And if it is a Native, well, he must get exactly what happens to an African when he has not got his pass. We all know what that is.

Now let me come to another one. Here is a most delicious bit of misspelling or misdrafting. I refer to section 16. I think I will read it first as it ought to be read—

> Every person whose name is included in the register, except a person who has not yet attained the age of 16 years, or is a Native . . .

Those are the two classes, but actually they have left out the word "is," so the way it reads at present is this—

> Every person whose name is included in the register, except a person who has not yet attained the age of 16 years, or a Native . . .

How you attain a "Native" I do not know. There is some sort of horrid suggestion of slave trade about it. I think the Minister is going to put his "is" in before he has finished with the drafting of the Bill. But, Sir, let us go to Section 19. Now, that is a lovely, exciting section—

> Any person who in appearance obviously . . .

What a nasty word—obvious to what, as we said in the debate on the Mixed Marriages Bill—

> Any person who in appearance obviously is a White person shall, for the purposes of this Act, be presumed to be a White person . . .

That is to say, it must mean "shall be presumed to be a person who is in appearance obviously a white person," so that any person who is a person who is obviously a White person, and so on. Anybody is a White person who in appearance obviously is a White person, who, of course, would be somebody who obviously is one who is a White person. So there we are, and now we know it. That is what you have to ask your unfortunate magistrates to decide on. When is a White person not a White person? I think it depends very much on his party allegiance.

I do not like the regulation clause, Clause 20. If I had faith, if I had the faith of the angels in Heaven, faith, and was in love and charity to my neighbours, which the Minister, I am perfectly certain, has when he goes to Communion, and if all subsequent Ministers will have the same faith, love and charity . . .

Mr. H. S. ERASMUS: Amen.

Mr. STUART: So say all of us . . . If that is so, then I would not mind the Governor-General making a regulation as to the manner in which and the conditions subject to which an identity card shall be delivered to the person to whom it relates or who in terms of any regulation has the custody thereof. Now I wonder whether the identity card of a bunch of African prisoners in a farm labour colony—the kind that the Minister of Justice likes so much . . .

Mr. DAVIDOFF: Farm gaol.

Mr. STUART: . . . whether the cards can under regulation, be held by the master? Of course they can. You only need to make a regulation that any Native who comes on to a farm must hand over his identity card to the master. Manacles are not in it. It is the same old thing that Uncle Tom's Cabin tells about. It is the same old game; you just pass a regulation. The Minister can pass a great many things in his time, but he is going to pass a regulation that will get South Africa into a lot of trouble. God only knows what he is still going to do, but if the Minister does pass a regulation, and there is nothing to stop him passing a regulation, God can do anything and God in the form of the Director who is directed by the Minister from the top and the Cabinet who directs the Minister from there,

and the boss who directs the Cabinet—God forfend I do not know who the real boss of the Cabinet is—can give him instructions and they can do what they like with the regulations. They can pass regulations laying down that somebody else has to hold an identity card. Mr. Speaker, when a man has to produce his Dönges card, as I have no doubt they will be called in the course of generations, if they last so long, when he has to produce his identity card and he cannot because it happens to be held by his boss, oh, what a lovely hole he is in. I hope the Minister of Labour will make perfectly certain that any regulations that are passed under this type of legislation will not be allowed to chip in to the well-defined areas which I think he manages a good deal better than the gentleman who has introduced this Bill.

An HON. MEMBER: Your time is up.

Mr. STUART: The Speaker is in charge of the question of time, fortunately. Then there is Clause 20, sub-clause 1 (f) —

> The period of validity of identity cards issued to all persons generally or to any particular class of person . . .

Well, now, that is a good one—the period of validity. You take an African, with one set of clothes and half of that a sack, who is going to work on coal in one of our ports, and you give him, not a period of validity, it is the period that will last. You give him a piece of card and you tell him that that has to be produced. It is exactly like some of the things lying on the floor here, bits of old correspondence. It will last about a week, the thing cannot last. But if you are going to issue identity cards — forget about cards; stick to the identity. What you really want is a nice little identity disc for all European ladies in South Africa to carry round their necks, so that when they are approached by a policeman they can stick it out and say, "Here you are". We are all going to be identified. We are all going to be in the same position; we are all going to be identified and only a few of the unidentifiables . . . [Interruption.] I wish hon. members here would shut up. If we are all going to be identified, I suggest that we all get a simple disc. We can get them cheaply. Iscor can fix it up. We need not go to the gold mines. Some people may have to get gold discs. We can have golden medals issued for Ministers and Ministers' wives, as we did at the time of Union — something like railway passes. That is a splendid thought. Then we may have a sort of lower grade silver medal for some of the people on that side. We could do that. But subject to variations like that, I would be quite content to take a bit of copper and I know a few people over there will earn brass. So let us get on with this idea of identity discs instead of identity cards. What do we want identity cards for? After all, they break up. What you are doing is this. The people who have got to carry them are the people who will not know where to keep them and the people who don't have to carry them can mention the fact that they can produce them seven days later. They will keep them at home; why should they worry? You do not need an identity card, Mr. Speaker. All you need to do is to say, "I am number so and so on the list". No, Mr. Speaker, there is an awful lot of nonsense in this Bill.

An HON. MEMBER: You know what you have been speaking all night.

Mr. STUART: To be perfectly candid, this is the moment when one should wax lyrically eloquent and throw one's hands about in an appeal to God Almighty. I can only say this, that I am tired of it. I am filled with ineffable disgust with this legislation.

*Mr. SERFONTEIN: For almost 40 minutes now the House has listened attentively to the important speech made by that important member on this important Bill and I think that on both sides of the House the difficulty was that we could not quite discover whether the hon. member was in favour of the Bill or against it. I assume that he is against the Bill, because he said he is certain that the other person in his Party who has to speak on this matter will be against the Bill, and that she would speak at a later stage. But towards the end of the hon. member's speech it became clear to me that he was in favour of the Bill, but on one condition. He is also in favour of the identity card. There must be proof of identity, but the hon. member thought the matter out very nicely, and he thought that if one could find some form of proof of identity which is not a card, but a metal disc which one can hang around one's neck, then he would be quite safe. He would simply fasten the disc to a short piece of string which will ensure that it will hang under his beard and nobody will then be able to see what he is. I think the hon. member was concentrating on reaching that important part of his speech. I would advise the hon. member in his own interests and in the interests of others, when he again speaks on this subject, to stand before a mirror and to make his speech without that disc, and to ask the man in the mirror after he has finished, "Are you in favour of the Bill or against it?"

At this stage I want to move as arranged—

That the debate be now adjourned.

Dr. VAN NIEROP: I second.

Agreed to.

Debate adjourned; to be resumed on 15th March.

BUSINESS OF THE HOUSE.

The MINISTER OF FINANCE: I move as an unopposed motion—

That Order of the Day No. V, Notices of Motion Nos. III, IV and V and Order of the Day No. VI stand over until Order of the Day No. VII has been disposed of.

Mr. SERFONTEIN: I second.

Agreed to.

ASIATIC LAND TENURE AMENDMENT BILL.

Seventh Order read: Report stage, Asiatic Land Tenure Amendment Bill.

Amendments considered.

Amendments in Clauses 1 and 3 put and agreed to.

The MINISTER OF THE INTERIOR: I move—

That the Bill be now read a third time.

Mr. KAHN: I object.

Bill to be read a third time on 15th March.

On the motion of the Minister of Finance, the House adjourned at 10 p.m.

TUESDAY, 14th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

SPECIAL REPORT OF SELECT COMMITTEE ON THE SOUTHERN SUBURBS OF CAPE TOWN WATER SUPPLY ACT AMENDMENT (PRIVATE) BILL.

Mr. J. H. CONRADIE, as Chairman, brought up a Special Report of the Select Committee on the Southern Suburbs of Cape Town Water Supply Act Amendment (Private) Bill, as follows—

Your Committee begs specially to report that with the consent of the parties to the Bill it will be adjourning from today until Monday, 17th April.

J. H. CONRADIE, Chairman.

QUESTIONS.

Sailing of the Vessel "Verona".

I. Dr. V. L. SHEARER asked the Minister of Finance:

(1) How long has the sailing vessel "Verona" been lying in the Durban harbour;

(2) what is (a) her tonnage (b) what type of vessel is she registered as, and (c) where; and

(3) whether, with her registration, she has to meet the requirements of the provisions of the life-saving and load-line conventions and such other provisions as lights and sign signals.

II. Dr. V. L. SHEARER asked the Minister of Finance:

(1) Whether the vessel "Verona" has at any time left the port of Durban since its original entry; if so, what was its destination (a) outside the Union, and (b) inside the Union;

(2) whether on each voyage there were any persons on board classified as passengers in terms of the definition applicable in respect of passengers on a pleasure yacht; if so, (a) how many on each voyage and (b) whether she retained her designation as a pleasure yacht; if not, what was her designation; and

(3) whether she was (a) seaworthy, (b) manned and (c) equipped to carry passengers; if not, why not.

III. Dr. V. L. SHEARER asked the Minister of Finance:

(1) Whether there is a technical officer in his Department stationed at Durban responsible for examination of vessels; if so, (a) what is his name, and (b) what is his designation;

(2) whether such officer has authority to stop vessels which do not comply with the regulations from proceeding to sea;

(3) whether the vessel "Verona", which had been lying in the Durban harbour, was examined by such officer; if so (a) on what date, (b) what was the nature of the examination, and (c) what were his recommendations;

(4) whether his recommendations were accepted; if not, why not; and

(5) whether the vessel was allowed to sail; if so, why, and who gave the authority and for what reasons.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

developed recently at Somerset Strand. The Town Clerk of The Strand recently has adopted the attitude that he refuses to issue rates certificates to Indians who purchased property on the ground that the Minister has declared that it is his intention if he introduces legislation to make it retrospective to September, 1948. Mr. Speaker, since when has the Minister of the Interior by his dictate arrogated unto himself the authority and sovereignty of this House? What right has any Town Clerk to refuse to issue rates certificates when the Indian people concerned have purchased land lawfully, at their peril it is true, having been warned by the Minister of the hazard that he may introduce legislation with retrospective effect. What right has the Minister got to facilitate the attitude of the Town Clerk of The Strand by refusing to issue rates certificates, because according to reports in the Press the Secretary of the Interior has written to The Strand Municipality in that matter and appears to have said—

> I have to confirm that according to the statement made by the Minister in the House of Assembly on the 16th September, 1948, all agreements in regard to the acquisition of fixed property by Asiatics made after that date would be null and void.

But, Mr. Speaker, it does not become null and void automatically, because the Minister has declared a particular intention, and therefore it shows how unfairly South African citizens of Asiatic origin are being treated in regard to their property rights in this country. Another aspect which should surely engage the attention of the whole House is the fact that recently we have had tripartite talks between this Government, the Government of Pakistan and the Government of Bharat in regard to the political relationships between South Africa and its citizens of Asiatic origin and the relationships between this Government and the overseas Governments in regard to trade and the general amity which should exist between nations. A conciliatory gesture was made by the Government of Pakistan. It offered the hand of friendship, whether it was ill advised to do so or not I shall not say, but it offered the hand of friendship to this Government by a unilateral agreement to assist the trade, commerce and agriculture of this country by setting aside certain sanctionary standpoints taken up in the past. In view of these attempts to establish a measure of goodwill between this Government and the other Governments concerned one would have thought the Government would have called a halt to any further amendments to the Asiatic Land Tenure Act until the situation had been thoroughly discussed. The Minister himself, cooing like a dove, thanked the Press of the country for their tact and caution in the course of the visit of the dignitaries of the other States, and in not exacerbating relationships between South Africa and Bharat and Pakistan. Yet the Minister himself places on the Order Paper of this House a measure of this kind, which can do nothing but add to the difficulties which exist between our Government and the Governments of the countries mentioned. For this reason I considered it desirable to take the opportunity of the third reading to express my protest on behalf not only of my own constituents, who themselves are the victims of discriminating property laws in this country, not only on behalf of South Africans of Asiatic descent, but on behalf of all decent South Africans who abhor legislation of this kind that visits economic penalties on a section of the people of the country who are threatened with economic strangulation for no other crime than their ancestry and their colour. I therefore oppose the third reading of this Bill.

The MINISTER OF THE INTERIOR: Mr. Speaker, most of the speech we have just listened to has nothing to do with the Bill before the House. I propose to deal with one part which has something to do with the Bill, and that is the remarks of the hon. member in regard to the amending legislation which was passed last year. I want to remind him that it is very easy to be wise after the event. The hon. member had as much opportunity then as he has now, of picking holes in the legislation. He had every opportunity then of showing his wisdom to the House by warning the House and the Minister in charge of the dangers of the Bill. He did not make use of that opportunity, and the fact that he comes now, taking up this attitude, does not reflect glory either on his intelligence or on what he thinks the opinion of the House is. The Bill before us is a very simple Bill to rectify what was a mistake made last Session, and I formally move the third reading.

Motion put and agreed to.

Bill read a third time.

POPULATION REGISTRATION BILL.

Second Order read: Adjourned debate on motion for second reading, Population Registration Bill, to be resumed.

[Debate on motion by the Minister of the Interior, upon which an amendment had been moved by Field-Marshal Smuts, adjourned on 13th March, resumed.]

*Mr. SERFONTEIN: When we study this Registration Bill, Mr. Speaker, it must cause every thinking individual to realise the obligations imposed on any government worth its salt. It is a government's duty

so to govern, that it will encourage and promote everything it considers to be for the good of the people it governs. A government, however, also has a further function, it has a further task to perform, and that is to discourage — to introduce legislation to prevent such things which it considers, in the light of its knowledge, to be not good for the people. This proposition, which I feel has been very clearly put, is very briefly and concisely summed up in an Afrikaans saying: "Elke nasie het sy wet, wat goed gebied en kwaad belet" — every nation has its law which orders that which is good to be done, and that which is bad to be prevented.

In South Africa we have a heterogeneous population structure, which, in the main, can be split into Whites, Coloureds and Natives, and the course of our development can only run in one of two directions: either we keep the particular groups separated, apart from each other, so that each can maintain its own particular characteristic identity and develop separately on that basis; or otherwise that identity has to be forsaken. If I note the excitement among members opposite, it would appear to me that hon. members over there are very keen that we should pursue that course. If we do follow that course, it will result in general miscegenation which will gradually increase until we shall have a conglomeration of a mixed population in which all separate groups will have lost their own identities. Those are the two courses which can be pursued. The Government, which sits on these benches today, and which has the privilege of governing South Africa today, stands for the first alternative I have mentioned, and that alternative means drawing a clear dividing line between the Whites, the Coloureds and the Natives.

Now, Mr. Speaker, we must not try to deceive the public. I want to level a charge against the Opposition. I say that although the whole issue is contained in this fundamental difference of opinion — the fundamental principle involved in this Bill is that we must have separation between those three separate groups, that we must have apartheid — the Opposition tries to ignore it. I contend that although that is the basic principle of this Bill, we find that the Opposition contests the measure in principle. The Leader of the Opposition got up in this House and did not hesitate to use these words—

> We on this side of the House are going to contest this Bill from stage to stage, and we shall give it a hard passage.

*Mr. S. J. M. STEYN: Hear, hear.

*Mr. SERFONTEIN: Because this Bill contains the principle of apartheid . . .

*Dr. STEENKAMP: Because it is a Pass law.

*Mr. SERFONTEIN: The hon. member is not going to put me off my stroke. Because this Bill contains the apartheid principle, they are going to contest it step by step and they are going to do everything in their power to prevent it from passing through this House.

Mr. MITCHELL: [Inaudible.]

*Mr. SERFONTEIN: I shall deal with the hon. member for Natal South Coast (Mr. Mitchell) personally later on. I know that these things affect him deeply, but he will look a great deel more upset when I have finished with him. I want to put this question, though I really wonder whether it is necessary, because the answer is so obvious. The answer is very brief; they contest this Bill because it contains the apartheid principle and because they contest the apartheid principle.

*Dr. STEENKAMP: We contest it because it is a Pass law.

*Mr. SERFONTEIN: We cannot even take their word while they are here among us; what is going to happen when they go behind our back to the outlying parts of the country to mislead the public? If they are not opposed to the apartheid principle, will they tell us so clearly in this House? No, they will not do so. We know that the procedure of this House is that if the principle of a Bill is accepted, the second reading is not opposed. The Opposition is fighting the second reading of this Bill. I put this to them. If they approve of the apartheid principle and if they are in favour of it, why then do they not vote for the second reading of the Bill? No, they do not want to support the second reading because they are definitely opposed to the principle; and look at them now.

*Mr. A. STEYN: Yes, and then the hon. member for Alberton (Mr. S. J. M. Steyn) hides behind Miss van Rensburg's skirts.

*Mr. SERFONTEIN: Yes, I shall come to the hon. member and to the story about Miss van Rensburg's skirts. The reason why they contest the second reading is because they are opposed to the principle of the Bill, and they are opposed to the principle of the Bill because they are opposed to the principle of apartheid in South Africa.

*Dr. STEENKAMP: That is not so.

*Mr. SERFONTEIN: Then let me say this to the hon. member. My hon. Leader has on three occasions proposed in this House, twice while he was still leader of the Opposition and once since he has become Prime

Minister: "Let us solve this colour question by joint action by both parties, but on one condition and that is that it is done on the basis of apartheid." And three times they have refused, and on every occasion they have refused because of this apartheid basis; and then they go into the country and try to mislead the public. This process of misleading the public commenced a long time ago. I want to remind hon. members opposite of their own history and I do hope that they will respect their own history. Let me remind them of these robust words: "Him I regard as despicable who despises his own history." I remind them of their past history on this matter and I appeal to them not to deny it. I want to revert to the year 1939 and to quote briefly from the "Cape Times" of the 13th March, 1939. The hon. member for Salt River (Mr. Lawrence) on that date addressed a meeting, when he discussed the colour question; he spoke on behalf of his party, and according to the "Cape Times", this is what he said—

> The majority of White South Africa realises that the Coloured man has to take his place with the White man in South Africa, and that you cannot allow measures to be taken which would have the effect of pushing him aside.

*Mr. S. J. M. STEYN: That was a quotation from Gen. Hertzog's words.

*Mr. SERFONTEIN: That is the proposition laid down by the United Party; that is their conception, and I may add that they have from time to time confirmed that policy. Let me quote from this booklet which I have here, "Politieke Handleiding vir Oud en Jonk" ("Political Guide for Old and Young"). This was published and issued on behalf of the South African Party by Mr. O. A. Oosthuizen, the party's general secretary. There is one special chapter in this book, "Guide to Politics". This indicates the course they want to pursue for the future, and they put forward the point of view of the United Party in regard to the racial question. After having enumerated the three groups, the Whites, the Coloureds and the Natives, they lay down this proposition in this "Guide"—

> The democratic system of Government is an invention of the White man and other races with alien and different cultures must first of all prove that they are fit for the exercise of democratic rights, before they can lay claim to such rights.

But they put it a great deal more clearly still—

> Our policy . . .

That is the policy of the United Party—

> Our policy is to grant political rights gradually to those who give proof of the fact that they are able to carry out the corresponding duties.

It is perfectly clear that it is their policy to have the Natives taught and to have the Coloureds taught and to have the Indians taught, and as soon as they have reached a certain stage of development, they can all get the franchise.

*Mr. S. J. M. STEYN: Where does it say so?

*Mr. SERFONTEIN: It says so here—

> Our policy is gradually to grant political rights to those who give proof of the fact that they are able to carry out the corresponding duties.

*Mr. S. J. M. STEYN: It does not say a word about equal political rights.

*Mr. SERFONTEIN: And now hon. members come along with their sophistries in order to mislead the public. They ask "where does it say so?" It says so in this "Guide" which deals with the political rights of those non-European communities. The hon. the Minister of Lands and the late Gen. Kemp made use of these quotations from this "Political Guide". I also want to point out that in November, 1946, a so-called Newsletter was circulated by the United Party. This Newsletter had a mourning band around the edges. It was a heavy mourning band, because it came out not long after the general elections. In this Newsletter they state that General Kemp and Mr. J. G. Strydom had used the quotations which I have read out, and the Newsletter then quotes this whole part from the "Guide" about the political rights of the other races in this country. They say that they are going to grant political rights to the other races as, and when they — the other races — achieve the requisite qualifications. They quote this whole part in the Newsletter, and they confirm it and then they go on to say —

> Our policy is gradually to extend political rights to those who become capable of carrying out the corresponding duties.

And then they proceed —

> Both General Kemp and Advocate Strydom have carried copies of this Guide to public meetings and quoted the last paragraph in "proof" of the United Party's policy to extend political rights to the Natives — and in "proof" of Mr. J. H. Hofmeyr's policy to abolish the colour bar.

One would have thought that they would have had the courage to say that these

things had been misrepresented. But no, they don't do so. They quote it for the very purpose of making it clear that they stand by it, and they do so in these significant words —

> The "moving finger having writ", the United Party does not seek to wipe out a word of it.

In these words they confirm it. And I want to take this a little bit further. We had the Indian Bill before this House when the present Opposition was in power. They are the people who in 1946 wanted to secure the Indian vote in South Africa in order to fight the white people of this country with the help of that vote. It was left to this side of the House to remove that part of the Act from the Statute Book. But when that law in 1946 was dealt with by this House, the hon. member for Cape Eastern (Mrs. Ballinger) proposed the following amendment —

> This House refuses to pass any legislation which affects the rights of Asiatics and pretends to offer a solution of any question of race or colour relationships on the basis of the segregation policy which is today applied to Natives and is in conflict with the principles of co-operation between races and individuals essential for a democratic structure and which prevents the progress of industrialisation and the general social and economic development of South Africa.

The hon. member over there (Mrs. Ballinger) did not hesitate for a moment to propose a motion which aimed at the abolition of all colour bars. But what was the reply given by the Rt. Hon. the Leader of the Opposition, who at that time was Prime Minister? He rigorously criticised us because in that same debate we contested the grant of the franchise to Indians and because we stood by the principle of apartheid. In connection with this motion of the hon. member for Cape Eastern for the removal of all colour bars, he, the then Prime Minister, said this —

> In conclusion let me say just a few words about the amendment proposed by the Natives' representatives. I respect the opinion of those members and they have the right to express their opinions. Nobody can find fault with that. But I ask myself this question; is this a practical course for us to pursue? Is it possible, is it thinkable that one would today be able to get a Parliament such as the Parliament of today to pass a proposal which will give an equal and joint franchise to Natives, Indians and Europeans? One simply cannot get a proposal like that passed.

*Mr. S. J. M. STEYN: Hear, hear.

*Mr. SERFONTEIN: How can anyone with any intelligence deduce anything from this statement except that his only objection to an equal franchise was the fact that it was impossible to get it through Parliament. That is as obvious and as clear as the light of day. In other words: "Give me a Parliament where I have the chance of getting it passed and I shall be prepared to do it." They were in favour of doing it, but they did not see a chance of getting it passed by that Parliament.

Now, I want to deal with the hon. member for Alberton, who takes so much interest in this debate. The hon. member is one of the champions opposed to the apartheid policy, and he has taken up that attitude throughout. He is one of those who only the other day held forth against it and he is one of those who has objected to our wanting to apply apartheid in South-West Africa as well, and he has told us that he is going to fight it. But he even went further than that. I have a newsletter here dated December, 1948. In his newsletter he attacks South Africa and he attacks the Minister of Finance. He states there that the financial position is bad — yes, as bad as we inherited from them — and then in the newsletter he uses these significant words —

> Other countries are not keen on financing apartheid and an undemocratic Government.

*Mr. S. J. M. STEYN: Hear, hear.

*Mr. SERFONTEIN: Where can we get better evidence of the fact that he and his whole party stand four square against the whole principle of apartheid? He quotes this as a reason why foreign countries are not keen on lending money to South Africa. South Africa stands condemned in foreign countries because this Government is absolutely in favour of apartheid, and I repeat again that it is because the Opposition once and for all are against apartheid that they want this Bill to be rejected in the second reading. The hon. member for Alberton is a very ordinary individual. I am not saying that he is a very simple person — he is very ordinary, but perhaps more ordinary than simple. Do hon. members realise what he is doing? As soon as one collars him and gets him into a corner, he discloses human tendencies — it was he who issued this fraudulent card which he terms a "caricature", the Sap-pas — and when he found himself in trouble he said: "No, I did not do it, Eve did it" — It was Eve — Miss van Rensburg. Let me say that he was perfectly correct when he declared that this fraudulent Sap-pass was a caricature. But the greatest caricature

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of all, South Africa is still going to see — and it will be shown up when the United Party start off on their campaign throughout the country to incite the public against this Bill.

Now the Rt. Hon. the Leader of the Opposition tells us here in this House that we must have an inquiry into this matter. He talked about a "proper inquiry" and he said that the 1935 Select Committee had reported that the Bill should not be proceeded with. As far as he was concerned that was the end of the matter. But the hon. member loses sight of the fact that he had an inquiry carried out since 1935; he himself appointed a Commission which inquired into a part of this whole subject. Let me refer him to the report of the Fagan Commission. That Commission was appointed by the Rt. Hon. the Leader of the Opposition and it consisted of the following members: Mr. H. A. Fagan, Chairman, at that time I believe a supporter of his; Mr. A. S. Welsh; Mr. A. L. Barrett; Mr. A. E. von Maltitz — all followers of his. This Commission conducted a comprehensive inquiry into this question, and I have the report here in my hand.

*Mr. TIGHY: Do you mean "Judge" Fagan?

*Mr. SERFONTEIN: Yes, I am speaking of Judge Fagan.

*Mr. TIGHY: Why drag him into politics?

*Mr. SERFONTEIN: I said that it was the Fagan Report, and I assume that at that time he supported the party which the hon. member opposite supports. If he was not a supporter of that party, then he must have had more intelligence than hon. members over there have. Let me refer to the Report. On page 27 of the Fagan Report we find this recommendation—

> A really effective system of identification should be instituted.

Hon. members opposite today oppose an identification system. They call it a "pass" system, yet we find that this Report has a definite recommendation in favour of such a system. Let me quote some other points from the Report—

> . . . should be instituted for the purpose of assisting the honest man as well as for the purpose of facilitating action against disorderly elements.

And then we get this important remark—

> Wherever any of the measures suggested by us can be put into operation on a general basis, without racial discrimination, it will be all the better.

*Mr. S. J. M. STEYN: Read on.

*Mr. SERFONTEIN: I shall do so—

> We furthermore suggest a registration system under which identification cards will be issued to persons and under which a central record will be kept of such persons.

The hon. member asked me to quote further from the Report and I have done so.

*Sir DE VILLIERS GRAAFF: May I ask a question? Is not the recommendation for a voluntary system?

*Mr. SERFONTEIN: I am glad the hon. member has asked that question. This is a recommendation in the Fagan Report and the Report further says that if an individual has not paid his taxes, such a system can be used to get hold of him. That is in the Report. They want a central office to be established for such a registration system and every individual would be given a number and an identification card.

The Opposition has made a great point of the amount of money that will be required for the purposes of this Bill. Yet, the Fagan Commission reported that such a system should be introduced. Although it will cost money, they recommended that an effective system should be brought in. No, these pleas and arguments about cost are just an excuse. Hon. members opposite may perhaps say now that the Fagan Commission only dealt with one aspect of the whole question. I want to point out, however, that the Fagan Commission had drafted a questionnaire. This questionnaire was put to all the witnesses who appeared before the Commission, and question No. 23 on that questionnaire read as follows—

> Are you in favour of an identification card (1) for Natives only (2) for every citizen?

And what does the Fagan Commission say in its Report? On page 28 it says—

> It is remarkable in fact that of the witnesses who appeared before us the overwhelming majority gave an affirmative reply to question 23 (2) of our questionnaire, viz., "are you in favour of an identification card for every citizen?"

The witnesses gave an affirmative reply to that question; the majority of the witnesses gave an affirmative reply, and yet hon. members opposite come here and say: "Yes, but conditions are still exactly as they were in 1935." Let me mention the names of a

few of those who gave evidence before the Commission — the Native Advisory Committees, the Divisional Councils, the African Mineworkers' Union, the African National Congress, the Afrikaanse Christelike Vroueverenigning, the A.C.V.V. The A.C.V.V. probably gave evidence for the complete carrying out of the scheme before the Commission; one would expect them to say that it was a good thing to provide registration for every citizen; but my hon. friends opposite hold up their hands in horror and exclaim: "What will the South African mothers say about it?" Now let me continue. Twenty-seven farmers' organisations were consulted; the agricultural unions were consulted; the Department of Labour, under its then Minister, was consulted; the Department of Railways and Harbours, also under its then Minister, was consulted. The Institute of Municipal Treasurers and Accountants was consulted; the Chamber of Commerce; every Church body throughout the country — all those bodies were consulted. The Commissioner of the South African Police gave evidence. A member of the Labour Party got up here and said: "Oh, no, this is a terrible thing; the police will ruin these people." The Commissioner of Native Labour of Southern Rhodesia gave evidence, the Agricultural Unions gave evidence, 44 municipalities and ten branches of the National Council of Women. I only want to mention a number of those who gave evidence. The South African Labour Party which is now so assiduously opposing this Bill, gave evidence. What was its evidence before the Commission? Did it give evidence with the majority or with the minority? The Springbok Legion gave evidence. The Institute of Race Relations gave evidence. The hon. member for Natal South Coast has unfortunately left, but I notice in this Report that the United Party Branch, Mitchell Park, Johannesburg — it must have been called after him — gave evidence.

*Mr. S. J. M. STEYN: You should go and take some lessons in geography.

*Mr. SERFONTEIN: The hon. member laughs because I said that possibly it had been called after the hon. member for Natal South Coast. Now, here is the evidence given by the hon. member for South Coast. He said—

> The Central Government should subsidise the cost of such a scheme.

When the hon. member for South Coast was Administrator of Natal he supported this in his memorandum to his leader. All the four Administrators were appointed by the United Party and all of them supported this. The hon. member for South Coast said—

> There is a most urgent and vital necessity for the establishment of a national register of all inhabitants of the Union, regardless of race, colour or creed.

*Mr. SUTTER: And the Smuts Government threw it out.

*Mr. SERFONTEIN: Here he now associates himself with the other side of the case, and he says, "There is no vital necessity for a Bill of this kind", but when he is Administrator he states in this document, "There is a vital necessity for a Bill of this kind". Furthermore, the hon. member for South Coast said this in the document—

> Such registers exist in other countries — no valid reason why the same should not apply to the Union.

*Mr. MITCHELL: Where do I say anything about a pass?

*Mr. S. E. WARREN: Don't cry now.

*Mr. SERFONTEIN: But in this House the argument is that the mere fact that other countries have it, is no reason why we should have it. That is his argument now. He goes further, and now the hon. member for Natal South Coast as Administrator, under his signature, enumerates thee advantages of this Bill — and I ask hon. members to listen to what he says.

*Mr. MITCHELL: Is there any reference to a pass in that document?

*Mr. SUTTER: Answer that.

*Mr. SERFONTEIN: The hon. member for South Coast is not so stupid that he cannot understand what I am quoting here. He understands every word; and if he is so stupid that he does not understand every word, then he should never have been Administrator and he should never have come to this House.

*Mr. MITCHELL: Give me a straight answer. You are a moral coward.

*Mr. SERFONTEIN: I have not yet finished with the hon. member. In this document he advocates among other things (a) establishment of identity. I want to ask the hon. member how he is going to establish that if there is no personal proof? I am not talking of the hon. member for Springs (Mr. Sutter) now. Anyone can establish his identity without personal proof; he is a fine big man. The hon. member says that such a system has many advantages. No. 1 is — Establishment of identity. No. 2, Control of illegal immigration (particularly non-European). And now I come to the third advantage — Elimination of taxation evasion. And this is what this important member for Natal South Coast states: (d) Assistance to Police. Then in

(e) he refers to the Census Act — which is a law. It is not optional. He refers to Clause 26 of Act 25 of 1945 and he says in this memorandum of his that it is not entirely reliable and in order to replace that part of the law such a national register is the very thing. And now I come to the end where he says—

> Public won't object. Introduction recommended.

*Mr. MITCHELL: What comes after that. Read it—

*Mr. SERFONTEIN: Yes, I am coming to that. We are told today that the public will object strongly; there will be a tremendous objection from the public, and now I let the hon. member for South Coast affix his seal; he says—

> The public won't object, and the introduction thereof is recommended.

The hon. member is trying to waste my time. I once heard of two old neighbours who were Nationalists; they had an argument as to why a third neighbour o their was a S.A.P. The first man remarked, "Look, this old neighbour of ours is a S.A.P. because he is false"; the other man replied, "No, you are wrong; he is false because he is a S.A.P." That is their position. What is so extraordinary to us in this whole debate is that for the very same reasons why they are in favour of this Bill, they are opposed to it. The very same reasons which the hon. member for South Coast adduced in advocating the Bill, are used by members sitting next to him to oppose it. Let me mention one further example. The hon. member for Benoni (Mr. Lovell) said in his speech:

> How will an identity card distinguish between non-European, Coloured, Native and White more than their own skins do? They are easily distinguishable.

That is his reason for opposing the Bill, but the Rt. Hon. the Leader of the Opposition gets up here and says the very opposite. He said—

> This is an effort to classify what is unclassifiable, what is impossible to achieve.

The one is opposed to the Bill because they can be quite easily classified without a law and the other is opposed to the Bill because they are unclassifiable. The Rt. Hon. the Leader of the Opposition addressed a meeting where he said: "They are not classifiable". These were his words—

> I watch people coming out from the factories and offices and I find it impossible at times to tell who is white and who is Coloured.

And it is for that reason that he opposes this Bill. The one member is opposed to the Bill because he apparently is in favour of apartheid; the hon. member for Drakensberg (Dr. Steenkamp) says: "Oh, the mothers of the people — the mothers of the people who now have to carry a pass." It so affected him that he became almost pathetic; the tears rolled down his cheeks on both sides like water running through the Karoo. He said: "Oh, the mothers of the people." And that was the reason why he opposed the Bill; but the hon. member for Benoni, after the hon. member for Drakensberg had said that he was in favour of apartheid and that for that reason he opposed the Bill — the hon. member for Benoni said he was opposed to apartheid, and for that reason he opposed the Bill. These were his words —

> The first object of this Bill is to implement the Government's policy of apartheid, and I am not in favour of that policy of apartheid.

I only want to say this. Their opposition to this Bill, like this false caricature, this false "Sap-pass", issued by them, bears the stamp of falsity. They started off last year with this Sap-pass and they wanted the country to believe that this document provided for in the Bill was a pass. They wanted to start a campaign of deception throughout the country. The actual truth is this: they haven't got sufficient white people in the country to put them back into power, so they want to mobilise as many additional supporters as they can to return them to power. The hon. member for Hottentots Holland (Sir De Villiers Graaff) put forward such a friendly plea. His plea was the plea of a man with a good intellect and a good understanding of the law of self-preservation. He knows that if this Bill is passed it will fix a basis which will make it possible to distinguish in Hottentots Holland between who is white and who is not white.

*Sir DE VILLIERS GRAAFF: Shame.

*Mr. SERFONTEIN: Look at his face. The hon. member for Hottentots Holland only a short while ago referred to the hon. the Minister of Finance, and the hon. member for Cradock (Mr. G. F. H. Bekker), and said that they were stud farmers. And he asked if they wanted to turn this Bill into a "human stud book". I wondered whether he had received instructions to raise this point here, because he is the only one in this House who belongs to a "human stud book", who has retained his title of "Sir", while other people in South Africa have not got it.

*Mr. TIGHY: Very small indeed.

*Mr. SERFONTEIN: Well, that is by the way. As far as his title is concerned, he can keep it with the greatest of pleasure, if he likes.

*The MINISTER OF ECONOMIC AFFAIRS: He should not have used that expression.

*Mr. TIGHY: It was a first-class expression.

*Mr. SERFONTEIN: I want to come back to the hon. member for a moment, and I want to say this to him. He has a majority of 571 in the Hottentots Holland constituency. In the Hottentots Holland constituency there are 1384 Coloured votes and if he does not retain those votes he won't be returned to Parliament and then it will not be possible for him at some future time to become the leader of his Party, and, of course, what weighs with him is the law of self-preservation, and I don't blame him for it. But, Mr. Speaker, what are they doing in this campaign in which they are engaged. They are mobilising all their forces for the purpose of fighting national Afrikanerdom which is out for the establishment of a pure apartheid policy.

*Mr. WARING: Nationalism.

*Mr. SERFONTEIN: They make use of the Communist, they make use of the Native Representatives, they make use of the Labour Party, they make use of them all. They had a scheme ready to get Indian representatives here so as to use them as well against this side of the House.

*Mr. SUTTER: We didn't use any Nazis.

*Mr. SERFONTEIN: And now they are carrying on with their campaign. The hon. member for Benoni made a speech, on which they congratulated him and he made an appeal to the country in which he said—

> There will be a closer union between white and black and Coloured in opposition to them against this Bill.

That "union" is sufficiently "close", but it will become even closer. The hon. member for Benoni said—

> This Bill is un-South African; it is foreign to our traditions.

My answer to him is that South African traditions are foreign to him. He sees to it that he stands by his race. He is a Jew and he stands by his race in all conditions and at all times, and he does not want to concede to the Afrikaner the right also to stand by his race. Let me remind him of the words of his predecessor, the late Mr. Walter Madeley, about this selfsame question of the apartheid policy. He got up here and these are the last words I can remember him having spoken in this House. He said—

> If there is one thing in life worth fighting for, worth living for, worth dying for, it is the preservation of one's own race.

That was the attitude of the hon. member's predecessor. What has happened to him that he should take up this other standpoint? Has he perhaps fed out of the hand of the United Party, with their liberal policy, in order to enable him to come to Parliament?

South Africa's tradition is very clear. I can remember that with our Boer population this tradition of a register of one's ancestry was always a sacred institution. I can well remember that with the Jewish people it was always regarded as a sacred institution. There are rows of them in the Old Testament. The New Testament is something "foreign" to the hon. member, but the Old Testament should not be "foreign" to him because it contains rows and rows of family registers. There it is not a stigma, it is not something to look down upon. I am reminded of the tradition of the Boer people who are in the habit of inscribing the family register in their Bible. I am reminded of the fact that they used to hang this family register in their homes on the walls of their houses as something sacred, something of which they were proud, and I say that the tradition of this side of the House is a White South Africa, our own South Africa, a free South Africa. The White man is master in South Africa and the White man, from the very nature of his origin, from the very nature of his birth, and from the very nature of his guardianship, will remain master in South Africa to the end.

Dr. SMIT: Mr. Speaker, having been associated for many years with the administration of the Native Pass Laws, hon. members will appreciate my feelings when I say that Clause 14 of this Bill, which gives the police the right to demand the production of identity cards from any citizen, is in effect an extension of the Native Pass System to the European and Coloured populations of the Union, and for this reason, if for no other, I think every member of this House should oppose this Bill root and branch. This clause, Sir, reads like one of the regulations from the Natives Urban Areas Act which requires the Native to produce documents at every street corner. It is another attempt on the part of this

Government to set up machinery to interfere with our freedom and to regiment our poulation into separate racial groups. Mr. Speaker, I wonder that the hon. the Minister does not reserve a space on the identity card indicating a separate place for a deceased holder to occupy in the other world according to his racial category.

*Mr. S. E. WARREN: Don't talk nonsense; don't be childish.

Dr. SMIT: The hon. the Minister quoted a former Commissioner for Inland Revenue as having said that a national register would mean the collection of an extra £150,000 a year in taxes. The hon. the Minister did not tell us that a very distinguished sucessor of this Commissioner expressed a different view in giving evidence before the Select Committee on the population and Registration and Voting Bill in 1935. I refer to Mr. Corbett, one of the most distinguished Commissioners for Inland Revenue we have had. In answer to Mr. Oost, Mr. Corbett said—

> I think I should very much hesitate to agree with the statement told to you by my predecessor that if there was a national register, he would be able to collect an extra £150,000 in taxes.

The hon. member for Hottentots Holland (Sir de Villiers Graaff) has referred to the position in Kenya. In Kenya they have a mixed population of 29,000 Europeans, 90,000 Asiatics and over 5,000,000 Natives. The government there passed a Registration of Persons Ordinance in 1947 which came into operation a few months ago, but this Ordinance limits registration and the identity cards to male persons who have attained the age of 16 years, and the production of the identity card may only be demanded by an authority to whom the holder applies for a licence or other benefit, or by registration officers, or, in specially proclaimed areas, by a person appointed by the principal registrar, and the officer so appointed must also produce his authority for demanding the identity card. The introduction of fingerprints has raised a storm of protest and the Ordinance has been described as "an offence against human dignity and the essential freedom of man." Quite apart from the fingerprints, Sir, I think that is a very apt description of the Bill before the House.

The hon. the Minister and also the Chief Government Whip have referred to the Fagan Commission's report. I am sorry to see that the Chief Government Whip should have dragged the name of Mr. Justice Fagan into the political arena in this House in the way he has done. The hon. the Minister has said that the Fagan Commission strongly recommended national registration. If the hon. the Minister will read the Fagan Commission's report once more, he will, I think, agree with me that he was not correct in drawing this conclusion. The Fagan Commission after recommending a voluntary system of registration and identity cards for Native men and women above the age of 18 and the establishment of labour bureaux to regulate their employment, proceeded to say that "it would appear to be desirable that such a sytem should be of general application". May I draw the Minister's attention particularly to the following paragraphs which I now read; I refer first to paragraph 43 on page 27 of the report. I read a portion of that paragraph—

> We believe, however, that the regulation can be carried out in a manner which will make it more effective than it is at present, and which at the same time will greatly mitigate and may in time entirely eliminate, those features of the pass system to which the Natives object. The general tendency of our ideas on this point can be summarised under five heads: (1) The emphasis must be shifted from local to central regulation; (2) the emphasis must likewise be shifted from compulsory measures and from restrictive laws to machinery for advice, guidance and voluntary regulation; (3) steps must be taken to ensure that everybody has some fit place to which he is entitled to go; (4) while on the one hand the object should be to reduce restrictive measures to a minimum in respect of law-abiding people, there should on the other hand be strong and energetic action against idlers, disorderly persons and other lawless elements . . . Where any of the measures we suggest can be put into effect on a general basis, without racial discrimination, so much the better.

Then take page 28. There we read this—

> We consider that the use of the labour bureaux by employers and employees should not be compulsory. When the system is in full operation, the question of compulsory use may possibly be reconsidered in the light of practical experience and of the conditions then prevailing. It would, however, be a risk to impose compulsion before one has the assurance that the organisation itself is working with full efficiency and is able to fulfil all the purposes for which it is intended.

Then I quote from paragraph 45—

> Our next suggestion is the institution of a system of registration, under which identity cards are issued to people and a central record of such people is kept. For the purpose we have in mind, at any rate under present conditions, it will have to be a voluntary system, i.e. we do not propose

that anyone should be punished for failure to register.

And then the portion to which the Minister, I think, referred is this—

> To us it would appear to be desirable that such system should be of general application, i.e. that there should be facilities for anyone, of whatever race, to take out an identity card. The easy and unmistakable identification which it renders possible, should be of advantage—when one is registered as a parliamentary or municipal voter, when there is a registration in the Deeds Office, and so forth.

Then it concludes as follows—

> We realise, however, that with such a wide recommendation we would be travelling beyond our terms of reference. Our advice is only asked in connection with the Natives. As far as the Natives are concerned, we suggest: (1) That there should be facilities making it possible for any Native, man or woman, who has reached the age of 18 years (or before that if at an earlier age they go out to work or travel unaccompanied by, though with the concurrence of, their parents or guardians, or if for some similar reason they may find it useful to have the protection of an identity card) to take out an identity card

The whole idea of the Fagan Commission was a voluntary system and it is quite wrong to import that report into this discussion as an indication that the Fagan Commission was in favour of a system such as is contemplated under this Bill. It was very different indeed from recommending a compulsory national register in the sense that we have it before us today. I gathered from another remark which the Minister made that "he hoped that the registration and identity card system would eliminate much of the objection to the Native pass system, and replace it as much as possible". We would appreciate it if he would kindly give us further information on this important point, and tell us whether he intends to give effect to this suggestion by legislation. That is a very important matter, Sir. As the Bill stands, so far as the Natives are concerned, this identity card will be merely another addition to the host of passes and certificates which they are already compelled to carry, and another source of irritation to the prevailing unrest. It will give the Natives the impression that it is just another part of the pass law machinery in an intensified form, and for this reason they will do all they can to evade it.

The question of registering the Native population has been considered in various forms, for many years, in connection with the necessity for simplifying the pass law system and it is, I think, appropriate that I shall give the House some information about this aspect of our legislation, which has an important bearing on the present Bill. Let me say, at the outset, that we all appreciate that it is necessary, in the interests of the community as a whole, to regulate the movements of the Natives and their contacts with the European community. But in endeavouring to achieve this object we have passed a mass of laws that are so complicated that nobody can understand them and that often unnecessarily restrict the Native's freedom of movement and subject him to indiscriminate demand for the production of documents which frequently end in a man who has broken the law quite innocently being sent to gaol. The need for uniformity and simplification of the pass laws has been stressed by various commissions. As far back as 1903 the S.A. Native Affairs Commission expressed the opinion that Natives travelling with a pass should be hindered as little as possible and recommended uniformity in the form of the pass.

In 1913 the commission appointed to inquire into the Assaults on Women reported that the pass laws were so intricate that the Natives could not comprehend them and was constantly getting into trouble for transgressions which they did not know as such, and they recommended that the pass laws be simplified and as far as possible made uniform throughout the Union. In 1920 an inter-departmental committee on the Native pass laws, after drawing attention to the irritating disabilities which these laws placed upon the personal liberties of the Natives, suggested that they should be replaced by a universal system of identification and recommended the repeal of all existing pass laws, the registration of each male Native at the age of 18, the issue to him of a durable life-long registration certificate and the establishment of a central bureau to record the movement of Natives absent from their homes and to regulate employment. These recommendations were supported by the Native Economic Commission in 1932, under the able chairmanship of Dr. Holloway, the present Secretary for Finance, but these recommendations were never carried out. I would like just to indicate what this Economic Commission actually recommended. In paragraph 728 the Commission stated—

> The Commission found that the desirability of some comprehensive registration of Natives was generally admitted, both in their own interests and those of the community, but it was equally generally urged that some simplification of the existing pass system is overdue. As an instance of the complexity of the requirements as they stand, particulars were given to the Commission showing that under certain conditions of locality, time and occupation in Johannesburg, a Native might be required to carry four separate

passes or permits, in the absence of any one of which he might find himself liable to arrest and punishment.

I may say that the number has now increased to nine, possibly ten. This Bill will add the eleventh document. Then in paragraph 729 the commission goes on to say—

> The question of Native pass laws was dealt with in detail by the inter-departmental committee on the Pass Laws (1920), whose report your commissioners have studied, and with whose conclusions we are in general agreement. A valuable historical statement regarding the origin and development of the Pass Laws will be found therein, which obviates any necessity for a further survey here. We recommend that the report be brought up to date and acted upon. In recommending this we do not contemplate the extension of the pass system to the Cape Province.

Then paragraph 733—

> The commission considers it undesirable that the liberty and movement of Natives should be further restricted.
>
> 734. The Commission is of opinion that these difficulties should be met in the manner suggested by the Interdepartmental Committee . . ."

Then we come to 1939. In 1939, as a result of a motion passed in Another Place, the whole position was examined afresh by a very experienced member of the Native Affairs Commission — the late Mr. J. Mould Young, a former Chief Magistrate of the Transkeian Territories — who summarised the matter in the following recommendations—

(1) The repeal of all laws dealing with passes and their replacement by an Act of Parliament which would have effect in all the provinces of the Union.

(2) The establishment of a Registration Bureau or Bureaux where records of every passport of identification certificate issued would be kept.

(3) The issue to every male Native above the age of 18 years of a document on durable material in the form of the specimen attached.

(4) That this document be known as a "Certificate of Identification".

(6) That it be encumbent on every male Native to carry this document on his person at all times.

Then there are one or two other matters relating to details.

It will be seen from what I have said, Mr. Speaker, that every Commission that dealt with the subject, arrived at the unanimous conclusion that a uniform simplified pass system was not only advisable but necessary, and recommended a uniform passport that would take the place of all the documents the Native is required to carry. The Young Report was considered by the Cabinet of the day, but the war broke out, and so the whole matter was shelved again. After the war the Fagan Commission was appointed, and, as I have already stated earlier in my remarks, recommended a voluntary system of registration and the establishment of a Labour Bureau with a view to the gradual relaxation of the pass laws.

I do not know whether hon. members realise that there are no less than some seventeen enactments relating to passes and other documents which a Native can be required to produce, and that these laws are largely responsible for the overcrowding of our gaols with many thousands of respectable people. They constitute the most bitter grievance which the Native has against our administration, and are largely responsible for much of the unrest and violence that we are witnessing at our labour centres today. I have not the latest statistics before me, Mr. Speaker, but the records show that over the years many hundreds of thousands of Natives have been sent to gaol for the most trifling offences, and illustrate what a big price the country is paying for the administration of these laws, and the great loss to industry due to detention during arrest and imprisonment of such a large proportion of our labour force. And this Bill in effect, Sir, proposes to add another document to multiply still further the sins of these people, without giving any relief from the complicated restrictions that already bind them hand and foot.

In conclusion, may I ask the hon. the Minister, who is going to photograph all these millions of Natives in terms of the Bill, how it is to be carried out, and what the cost is likely to be both for the original photograph and the subsequent ones that must be provided from time to time in terms of the Bill. I do not know whether the hon. the Minister has visited the Native areas as I have. In wild country like the districts of Ingwavuma and Ubombo, where there are many thousands of Natives, he would find it absolutely impossible to carry out these regulations. Just imagine travelling all over that part of the country and chasing up all the Natives and trying to get them photographed. It would be absolutely impossible. There are many other areas which are similarly situated. I would like to ask the hon. the Minister

whether if this is to add another document to the ten or eleven documents which the Natives already have to carry, the Government will provide a suitable receptacle, free of cost, for the preservation of all the documents which the unfortunate Native is required to carry. That was one of the recommendations of the Commission that sat in 1920.

Mr. Speaker, in the present frame of mind of the Natives, the Department of Native Affairs will have the hardest imaginable task in maintaining the confidence and the co-operation of the Natives in our administration, and I appeal to this House to take the long view and not to add another irritating document to the long list of documents which the Native must have, but rather to provide a way of alleviating the burden along the lines suggested by the Commissions to which I have referred.

*Mr. FAURIE: The hon. member for East London (City) (Dr. Smit) pleaded here for the simplification of the pass system. If he wants to be consistent, then he should support this Bill because it provides a very good means of applying control measures effectively and of simplifying control. It was strange to get the admission from him that control should be exercised over the movements of Natives, but he revealed the typical S.A.P. mentality when he said that such a system of identity cards should be voluntary. Their attitude is one of leaving things undone, of letting matters take care of themselves and of letting things take their course. The objecions raised against this Bill were of a twofold nature. In the first place numbers of trivial objections were raised, as, for instance, that it would be most difficult to administer such an Act; they spoke, for example, of the difficulties in connection with the photographs and the costs connected with it. These are really not objections worthy of consideration. Then there is the other point that they mentioned and that is that it will be humiliating to the Europeans and that it will place a stigma on the Coloured people to be required to carry an identity card. They have completely lost sight of the advantages to be gained from this system. They are trying to play on the sentiments of the people. In an attempt to lend weight to their views they are trying to stir up emotions. They tried with a great display of words, to instil fear into the people and to make the public outside believe that the Government wants to curtail individual freedom and that it wants to apply Nazi methods. They are trying to work themselves up into a state of mind which borders on insanity. In 1949 just before the provincial elections, they also tried to frighten the people outside by means of the notorious Sap-pass, but they failed hopelessly, and that pass of 1949 came home to roost, because the people simply did not take notice of it; they realised that it was idle talk on the part of members opposite.

*Mr. V. G. F. SOLOMON: What are the advantages?

*Mr. FAURIE: They have been mentioned and we shall come to them later on. The hon. member for Alberton (Mr. S. J. M. Steyn) alleged here that they sensed an approaching danger to the people of South Africa and that they had to warn the people, and that it was therefore necessary to draw up this notorious S.A.P. pass in order to make the people realise the danger. That is an argument which does not hold water. They cannot make the people believe that. The hon. member is now trying to find an excuse for the fact that he and Miss van Rensburg drew up this S.A.P. pass. His argument is without foundation. According to him, the information contained in the Sap-pass would be necessary if we abolished the census. This information is supplied in the census, and if one has a system of registration, similar information can also be contained in the registration certificate. It remains the same whether one supplies the information in the census returns, or whether one supplies it in the registration certificate. The information is at the disposal of the Government to be used as it deems necessary, and the identity card will merely supply the information which the census supplied. A good deal of fuss was created over the clause which provides for the classification of races. Hon. members opposite say that it forms the nucleus of the Bill and that the other clauses are merely secondary. I just want to make the point very clear that the matter of racial classification is not something which is new to South Africa. This classification, this racial grouping, has been applied in South Africa throughout the ages, and this Bill contains nothing new. This racial classification is traditional in South Africa and is reflected everywhere in our national life. It is reflected in our language. We have this racial classification in our social life, and we have this racial classification in our religion and in our Churches as well. It is not new to South Africa. But hon. members opposite are trying to use this Bill for the purpose of creating racial strife. They are trying to incite the non-European races and to foster among them a hostile feeling against the European races in South Africa. They are doing it to their own detriment. There are many of them who would otherwise have no objection to this classification, but they are now telling the non-Europeans that this is some-

thing about which they have cause to complain. They are now urging upon the non-Europeans that they have a cause of grievance, just to foster discontent amongst them. They want to cause trouble in South Africa as far as racial relations are concerned and they are not rendering South Africa any service in doing so. They are again coming forward with the same old story of suffering and hardship and of a stigma on the Coloured people. This reminds me of that poem of Leipoldt's—

> Op my ramkie met net een snaar,
> Speel ek in die maanlig deurmekaar.

They have only one string to their guitar and they continue to harp on that one string. We admit that there will be certain cases of hardship as a result of the classification and that a certain amount of unpleasantness will be created, but we are trying through this legislation to eliminate those cases in the future. Members opposite are trying to perpetuate this situation. through their opposition to the classification. We are now trying to set bounds to these borderline cases, these difficult cases which have caused such a lot of trouble throughout the years. My hon. friends are trying to pose here as the champions of the European women in South Africa, and I would just like to tell the hon. member for Drakensberg (Dr. Steenkamp) that I think the women of South Africa, the mothers and the young women will decline with thanks the honour of having champions of this kind to plead their cause here. He and his party really cannot claim the right to act as champions of the European women and girls of South Africa. They have done nothing in the past to protect the European women and girls in South Africa. On the contrary they have opposed tooth and nail those measures which have been introduced by this Government to afford protection to the European women of South Africa.

*Dr. STEENKAMP: Such as the carrying of passes.

*Mr. FAURIE: I just want to mention that the United Party did not welcome it when the Minister of Transport introduced apartheid on the suburban trains a little while ago in order to protect European women and girls. The public outside welcomed it; their own supporters welcomed it. I have spoken to many English-speaking women, and they are grateful to the Minister for having introduced that measure in order to make travelling on the trains pleasant for our European women. But what did the United Party do? They tried to incite the people. Some of them held a meeting together with other people in the Cape Town City Hall to protest against the introduction of apartheid on the trains. Is that the way in which they protect the women and the girls of South Africa? When the Government introduced legislation to prohibit mixed marriages, and when the Government introduced the Immorality Bill, what did they do? They systematically opposed that legislation. I repeat that those laws afford protection to the European women and young girls of South Africa, and they are grateful for that protection. But the United Party opposed that positive policy. Now they tell the people that they do not agree with the pass law, as they call it. I would just like to quote a few sentences from the minutes of farmers' associations in the Lowveld. These farmers' associations have been requesting the authorities for years to introduce identity cards. Here I have the minutes of the White River District Farmers' Association and the chairman's annual report; in these minutes and in this report the Government is requested to introduce immediately a system of identity cards. I may tell the House that the members of the Farmers' Association of White River are predominantly English-speaking. The meetings of this farmers' association are conducted exclusively in English except that now and then an individual members speaks Afrikaans.

*Mr. BARLOW: They are all S.A.P. supporters.

*Mr. FAURIE: I also have here the report of the Lowveld Farmers' Association, which has its headquarters at Nelspruit. The chairman of that farmers' association said that the farming community insists on a system of identity cards, so that they can have control over the Natives. The meeting concerned was held on the 12th November, 1949, and I have the report here of another meeting on the 10th December, 1949, in which it is said—

> The chairman emphasised that the application of the whole pass system in respect of the Coloured people should be considered, and that the Government should again be requested to introduce a system of identity cards in respect of Europeans and Natives.

Here they plead for the introduction of a system of identity cards in respect of Europeans and Natives, and I repeat that the members of those farmers' associations are predominantly English-speaking. It also shows that the people outside do not agree with the United Party; and the United Party is making a very big mistake when they allege that the people do not want these identity cards. I can only tell them that they are completely out of touch with the people. They do not know what the people think, and particularly what the farmers of South Africa think. Now I want to mention a very important point, in respect of which this system will assist us. It has

already been mentioned by the Minister, namely, the question of control over illegal immigrants. We who live on the border in the Eastern Transvaal know how difficult it is to prevent these illegal immigrants, particularly Indians and partly also Natives, from entering the country. From Komatipoort to Swaziland there are quite a number of frontier posts consisting of two European border patrols and four Native constables at each post, and they have to patrol the border to prevent the entry of illegal immigrants. But in spite of their control measures there is a constant infiltration of Indians from the neighbouring territories; they cross the border at night and then go into the bushes and members of their race meet them by car and take them to Nelspruit and from there to Johannesburg. Once they are there, one might just as well look for a needle in a haystack. They simply disappear. This illegal influx of immigrants has been going on now for years and years. To stop these illegal immigrants and to trace them necessitates a tremendous amount of work for the police. Often some of them get caught, but they cannot be kept under control. The system of identity cards will be a great help in this respect, particularly in connection with Indians who are smuggled across the borders. But apart from the Indians a great number of Natives enter the country as illegal immigrants, particularly also from Portuguese territory. When a Native sneaks across the border and enters the Union, he can get a temporary permit against payment of five shillings, which entitles him to reside here for six months. After some time, he suddenly disappears; his temporary permit disappears, and in the end one finds that he is an established Native inhabitant. We are allowing great numbers of Natives from adjoining territories to come and live here permanently, and to make the Union their home; and in controlling the influx of Natives into our own country this identity card system will be of very great value to us. We do need labour, but we cannot allow Natives from adjoining territories to come and settle in the Union permanently. We already have a very big Native population, and it is not necessary to get from the adjoining territories additional permanent Native inhabitants in this country. Because no real basis has been laid down for the classification of races, we also find that certain people, especially Coloured people who are light in colour, are trying to filter through to the ranks of the Europeans. That hankering after a higher status makes these people unhappy. It fosters amongst them a feeling of anxiety and uncertainty. Once we have reached the stage where the lines of demarcation are clearly laid down and where everybody knows where he belongs, this hankering after the impossible will disappear. Then they will be satisfied to take up their rightful place and they will realise that they have to resign themselves to the inevitable. The result will also be that those people will then develop a sense of their own worth. They will develop a sense of racial pride or group pride and they will soon reach the stage where they take pride in their group, and where this hankering after the impossible will disappear.

I would just like to emphasise that the public will accept this system of the registration of persons if they have a clear conception of the purpose of this registration.

*Mr. P. B. BEKKER: At this stage of the discussion it may well be to our advantage to review in broad outline the points raised, in order to see where there is agreement and where the opinions on this matter are divergent. I only hope that where we frankly disagree there we shall supplement one another and that there will be no room for bitter feelings. That is the spirit in which I hope to speak here this afternoon. In the first place all the members in this House agree, and at times agree heartily, that in this important matter we have come to face a systematic and well-planned approach to the question of race relations. I think we agree that when we come to face the matter of race relations we are dealing with the very root of the political differences in South Africa. I also think we agree that all of us, with the possible exception of the hon. member for Cape Western (Mr. Kahn) aim at the maitenance and the propagation of our White civilisation. That is our aim and object. Where there is a difference of opinion we should admit that we differ in respect of the method to be applied. But now we find a member, respected by all of us, the hon. member for Calvinia (Mr. P. J. H. Luttig), telling us that the United Party opposes every Bill aiming at the preservation of our White civilisation. The question is, however, whether White civilisation can be perpetuated by means of legislation.

*An HON. MEMBER: The old story.

*Mr. P. B. BEKKER: It is not an old story, it is the main point of difference. I do not wish to hurt the feelings of hon. members on the other side but I say we should consider whether we can really propagate and perpetuate White civilisation in South Africa by means of legislation. If the hon. member avers that we oppose every law aiming at the preservation of White civilisation then I wish to argue that in some respects, according to our point of view — let me state it immediately — White civilisation cannot be preserved by means of legislation. We also find that several hon. members, including the hon. member for Groblersdal (Mr. Abraham), use arguments that amount to an assertion that the Right. Hon. the Leader of the Opposition is losing courage. The hon.

member for Groblersdal says that the United Party has seen its last day here. Other hon. members took up the same refrain and the hon. member for Smithfield (Mr. J. J. Fouché) rose to speak and at the end of his speech he said: "We shall fight the United Party to the bitter end; from east to west and from north to south we shall fight them."

*Mr. VAN DEN HEEVER: He was the cause of it.

*Mr. P. B. BEKKER: I take it that they meant that the policy of this side of the House will lead to miscegenation which he and his side will oppose tooth and nail. Well, I feel that we need not get warm over this question. I do not think that hon. members have cause to become angry. I would like to remind hon. members of an Oriental saying: "It is later than you think." Do we in South Africa truly realise how late it has become? Do we in this Assembly, in this highest seat of authority of our White civilisation, the citadel of White civilisation, do we see the currents in respect of race relations in this country? Or is it true that all of us — I do not exclude myself — have become so blind and deaf because of party-politics that we are unable to grasp the meaning of events? I repeat the question: Do we realise how late it has become? Mr. Speaker, while we in this House, the highest citadel of White civilisation, are quarrelling and causing division, we are drifting on to the rocks.

*HON MEMBERS: Hear, hear.

*Mr. P. B. BEKKER: I maintain that it is a pernicious spirit. Let us state our case with vigour but not with heat, because we are dealing with a difficult situation in our country. The hon. member for Kempton Park (Mr. Visser) began by saying that this problem was too exalted for party politics and that we should raise it above the sphere of politics, and if we did not do so, South Africa would face a sad future. But while further expounding his arguments — and this may happen to any of us — he fell prey to the clutches of party politics which became too strong for him.

*Mr. LABUSCHAGNE: You must be careful.

*Mr. P. B. BEKKER: I take heed of the warning. I do not wish to excuse myself but I trust that the older members of the House will take the lead by avoiding the use of such expressions as "fighting to the bitter end". When the hon. member for Kempton Park came to the end of his speech he said that everything proposed by this Government was sabotaged by the Opposition. He called it a spirit of destruction. Yet the little ray of light was there, Mr. Speaker, it was there like a Christmas candle under a glass. Its light flickers and then goes out, but still the light was there. I hope we shall realise, especially the young members among us, what we have come face to face with in this matter. I hope it will become clear to us that we should have one aim and purpose, namely, the preservation of White civilisation in South Africa.

The hon. member for Calvinia (Mr. P. J. H. Luttig) went further and asked us this question: "Are you in earnest regarding the maintenance of White civilisation; if so, what solution do you propose?" That is a sensible question, but it has no connection with the matter we are discussing here at present. I gathered from the Minister of the Interior that we were dealing with population registration. All the arguments advanced by him aimed at pointing out the advantages of population registration. That is a matter which I should like to investigate, however — whether it was indeed his purpose.

*Mr. VAN DEN BERG: Why should you be suspicious?

*Mr. P. B. BEKKER: No, it is not a question of suspicion in my case; it is a question of confusion and this confusion was largely caused by the speech of the Minister himself. It is something which I wish to discuss briefly. I agree with the hon. member for Smithfield (Mr. J. J. Fouché) that each party should give a clearly defined exposition of its ideas and point of view in this debate. I say this particularly in the hope that our words will penetrate to the platteland. On the platteland the racial currents do not perhaps cause as much trouble as in the cities because on the platteland their troubles are chiefly in connection with labour while we in the cities have to deal with the more radical implications affecting South Africa at the moment.

*Capt. G. H. F. STRYDOM: The platteland is not colour-blind; it is still genuine.

*Mr. P. B. BEKKER: We know the platteland, but I do not think that they can perreceive the disruption in South African race relations as we are able to see it in the cities. That is why I hope that we on both sides of the House will clearly define our points of view and the ends we are striving to attain. I notice that one of the newspapers called the Minister's speech a monumental speech. It was a good speech. It was a clever speech, as clever and as eloquent as one could wish. He closed every loop-hole and he pointed out to us all the advantages of population registration. It was a good speech in favour of a national register. But after that speech we had this one by the hon. member for Fauresmith (Mr. Serfontein). He clearly spoke with an eye

to party politics. In his speech we had all the heat and bitterness usually found in such speeches and which we in South Africa know so well. The hon. member spent half an hour of his speech talking about apartheid. He said we should either be in favour of the principle of separation or against it. He said it was the foundation of this Bill and because the Bill embraced the principle of apartheid, therefore the United Party was opposed to it.

I was under the impression that the Minister said we were dealing with population registration. That was the impression created. But the member for Fauresmith, as well as the member for George (Mr. Botha) tried to shelter behind the report of the Fagan Commission, stating that the Commission clearly recommends population registration. Well, that is exactly the reason why this side of the House suggested that the whole matter should be referred to a Select Committee before the second reading. I do hope that the Minister of the Interior is not going to use the argument advanced by the hon. member for Westdene (Mr. Mentz) if I am not mistaken. He argued that the United Party was opposed to the principle of population registration because we had proposed that the Select Committee should be appointed before the second reading. The Fagan Commission recommended a voluntary population registration, so let us now refer that recommendation, together with everything appertaining to it, to such a committee for investigation. If the Minister's intentions regarding population registration in favour of which he has advanced so many arguments, are sincere, then we feel that the matter can be thoroughly investigated by a committee which can take into account all the other considerations such as, for instance, the financial implications of the matter, a committee which can then decide, in the light of all the evidence, whether population registration should be recommended to this country or not. It seems to me that the hon. member for George and the hon. member for Fauresmith were pleading our case by referring to the Fagan Report. I think it is an argument in favour of referring the Bill to a Select Committee before the second reading. All the evidence in connection with the principle and in connection with all the aspects of the matter can be submitted to the Select Committee and the Select Committee can also decide whether or not the principle of so-called identity cards should be put into operation on a voluntary basis in this country.

*Mr. SERFONTEIN: You will probably learn the Rules of the House later on.

*Mr. P. B. BEKKER: It is easy for the hon. member to try to appear clever, especially as he is a Whip, and he finds it just as easy to hurt the feelings of others. That is not what one expects from people who have been sitting in this House for many years. I maintain that the confusion caused was primarily due to the Minister's speech. He also said in his introduction that he wished to apologise for so deeply disappointing the expectations of the Opposition. His party-political prejudice was very much in evidence when he used those words. I would very much like to hear from the Minister why it was necessary to give the impression that the Opposition would not gain the party-political advantage from this Bill which they expected. What was his purpose? He ended his speech by saying that the purpose of the Bill was to register everybody, man, woman, child and parent, but not immediately.

I now want to ask hon. members on the other side whether it is actually the purpose of the Nationalist Party to register the Native babies in the future.

*An HON. MEMBER: Yes, certianly.

*Mr. P. B. BEKKER: Are you in earnest concerning population registration or is it merely a case of separating the races? I shall leave it to the people to decide what the attitude of the Nationalist Party is in connection with this matter. I am prepared to admit that it says in the Bill that the Europeans will be registered, but now we are being told here that it is the purpose of the Nationalist Party to enter every baby in South Africa in the national register in the future. It is going to be very difficult to swallow that.

*Mr. BOLTMAN: Do you agree with it?

*Mr. P. B. BEKKER: I am testing it to find out whether it is a national register or not. I suggest that the Minister should clear up this point in his reply. I think it is a correct interpretation of his words when I say that at the end of his speech he remarked that it will be necessary to exclude the Natives from the next census and that the Governor-General should have the power to exclude them from that census in 1951. Mr. Speaker, I should like to know whether it is true that the Minister has suggested that the Natives should be excluded for the purpose of this national register in 1951, yes or no. If I am mistaken then I hope the Minister will explain the position. He suggested that the Governor-General should assume the power to be able to exclude certain sections by proclamation. This is a very important matter.

Next I come to the speech made by the hon. member for Westdene. He said that in this speech he found the key to perfect apartheid, and that was said by him after the Minister in his polished speech had said that the purpose of the Bill was population registration, having only mentioned apartheid incidentally. But now we have to be

told by that hon. member and also by the hon. member for Fauresmith that population registration is not the essential purpose. The essential purpose is the policy of apartheid. And we were also told by the hon. member for Groblersdal (Mr. Abraham) that my leader had risen here two weeks ago and had said that he was in favour of the mastery of the White man, but in spite of that the hon. member now refers to his remark that the races cannot be classified.

*Mr. ABRAHAM: He did say that.

*Mr. P. B. BEKKER: With those words the hon. member let the cat out of the bag. He gave the impression that this legislation had to do with the question of mastery (baasskap) and with the classification of the races.

*Mr. ABRAHAM: Of course, the different races will be classified.

*Mr. P. B. BEKKER: I am talking about the distortion and the difference to be noticed between the speech of the hon. the Minister and those made by the members who spoke after him.

*Mr. SERFONTEIN: Are you opposed to classification?

*Mr. P. B. BEKKER: The Minister himself is opposed to classification. He approves of the words used by the hon. Leader of the Opposition. If you look at the definition of a European in the Bill you will see that he is defined as follows: "One who is a European according to appearance or who usually passes for a European." That is not a definition of a European but a definition of one who passes for a European. The Minister therefore agrees with the Leader of the Opposition that we cannot classify what is unclassifiable.

*Mr. SERFONTEIN: But in spite of the difficulties experienced, we classify nevertheless.

*Mr. P. B. BEKKER: I wish to reply to the question put to me by the hon. member and I want to say that by using that definition the Minister admits that we cannot classify Whites and non-Whites because under "White" also those who pass for White are included. The Minister can explain later on what he means by this definition, but as it stands it supports the attitude of the hon. Leader of the Opposition. It is an admission that we cannot have such a classification in South Africa. Why did the Minister find it necessary to cover up the purpose of this Bill, to beat about the bush and to gloss it over? Why did the Minister not state candidly that this Bill stood in connection with the policy of apartheid?

*Mr. BOLTMAN: He did say so.

*Mr. P. B. BEKKER: No, the Minister informed us here about servitudes and all sorts of difficulties encountered in connection with deeds of transfer, etc., and in passing he remarked that it would be of assistance in carrying out the policy of apartheid, but he did not say that the policy of apartheid was the essential factor. You have to admit that and therefore you also have to admit that the Minister caused this confusion with his speech. Why did he not tell us that this Bill was necessary in order to carry out the Mixed Marriages Act, the Immorality Act and that it was necessary for the practical application of apartheid? It will help the policeman on the station, on the train and on the bus, because he will be able to ask for a person's identity card in order to ascertain whether that person is a European, a Native or a Coloured man. Why did he not also tell us that this legislation has reference to other prospective legislation? I declare that the whole speech by the Minister lay stress on statistics and population registration and it did not stress the broad principle of apartheid as the hon. Prime Minister stated the case. I say that the hon. Minister's speech caused confusion in this House and in this country.

*Mr. BOLTMAN: Under what circumstances would you support the Bill?

*Mr. P. B. BEKKER: I support the idea of referring it to a Select Committee before the second reading. Now, I do not want to beat about the bush. It was said here that the United Party finds itself in the slough of despondency, that it is all over and that we are losing courage; that we want to close the stable door after the steed has been stolen. What is our point of view? I hope our point of view will penetrate to the platteland as well as our ideas regarding all the consequences that will result from this Bill. Well, then, what is our attitude in connection with the well-planned programme of the Government in respect of race relations? In the first place we maintain that by passing laws and by applying the sanctions of the law one cannot prevent things from developing in a certain direction in this country. You will not be able to perpetuate and preserve White civilisation by means of legislation. We go further than that and we say that the passing of laws which are forced through Parliament with feverish haste will not help us to prevent those things which we would like to prevent in this connection. We say that the Government is creating those very perils which it is most anxious to avoid; that White civilisation is even being imperilled by legislation of this kind. I should like to mention a few points to substantiate this.

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*An HON. MEMBER: What is the alternative?

*Mr. P. B. BEKKER: The first alternative is to see to it that the European and this European House adopt the right attitude towards each other. The second is to proceed with the programme of social planning such as, e.g., the building of dwelling-houses, the combating of tuberculosis, etc. The third is to see to it that the policy of apartheid where it is practicable, is implemented in a spirit of goodwill so that we can develop and so that it can be made clear to the people what we are aiming at. No direct legislation will avail. But what I should like to mention is the fact that so much of the legislation introduced by the present Government reminds one of what may be called efforts with opposite results — the "law of reversed effort". Perhaps I could explain it as follows: One cannot tell a person that when he closes his eyes he has to sleep. By no authority of the law can a person be compelled to sleep immediately after he has closed his eyes and if one persists in telling him: "You must sleep, you must sleep," what is the result? It works in the opposite direction and the result which one is most anxious to avoid is brought about. That is what the Government is doing with its legislation. With its hurried programme of legislation it is clearing the way for the very danger which it is most anxious to avoid. First of all let us take the Citizenship Act. The purpose of that law was to attain unanimity but the result was that a gulf was created in South Africa such as we have never known before. And take the apartheid policy. We want to see mutual respect between the different races but with this policy we are bringing about the opposite in certain respects. There are principles of apartheid which we all support but when we come to territorial and political apartheid we find that there is a vagueness and an impracticability which leads to loss of mutual respect and the creation of lack of mutual goodwill, as well as a feeling of antipathy, between the different races. It is an example of the law of reversed effort. It is the result of the haste in which hon. members on the other side want to tackle these questions. That is also happening in connection with Communism. This haste with which members on the other side set about things is rather calculated to promote Communism. I have every respect for the Minister of Justice as a man but in my opinion he is the best election agent that the Communist, Mr. Kahn, could wish to have in this house. I say this because his hasty efforts to check that member have the opposite effect; it has resulted in sympathy which Mr. Kahn does not deserve.

Next I come to our series of laws which are being discussed in this debate. There is the Mixed Marriages Act, the Immorality Act and this Bill which we are discussing at present. What is the result of these Bills going to be? It is also a case of reversed effort. It is going to be the cause of ill-will in South Africa. That is going to be the result of this Bill. As we have already pointed out, this Bill is going to prove impracticable. Can the Minister for instance tell us what the present position regarding the registration of voters? In that connection notification of change of address has to be given within two months. And what do the voters' rolls look like? We have pass laws in connection with the Natives, and what is the position regarding those laws? Are they being executed? We know how the farmers are complaining about this matter. They are complaining bitterly that the Pass Laws are not being enforced That is the case with existing legislation, and, to put it in a nutshell, I say that this Bill cannot be enforced.

*An HON. MEMBER: We shall see to it that it is enforced.

*Mr. P. B. BEKKER: If the hon. member wants to say that, I must ask him to consider the psychological effect on the people in this country. The Native is afraid and if this Bill is enforced in his case, it will be something new to him and he will be afraid that this is another pass awaiting him. Already it has become clear what has become of the Pass Laws, and what are the Natives going to think of this legislation? The Natives will simply say this is another of those tricks to be expected from the White man. There are many educated people among the Coloured community and what effect is it going to have on them? I say that this Bill is going to prove impossible to enforce, and if a law cannot be enforced, it has a psychological effect on the population. It encourages lawlessness. This Bill is simply going to rouse that attitude among the people. We should take note of what is happening among the Bamangwato today. [Laughter.] Yes, you may laugh, but it is a part of Africa just like South Africa. We are not dealing with only nine million Natives but with the 150 million in Africa.

*An HON. MEMBER: Why, are you afraid?

*Mr. P. B. BEKKER: No, I am not afraid, but I am using my plain common sense, and I say that we should take note of what is happening there. There are intelligent ones among the Coloured people and what is their reaction going to be to legislation of this kind? How are the Europeans going to react to this identity card?

*Mr. H. S. ERASMUS: May I ask you a question? If this Bill is placed on a voluntary basis, will you vote for it?

*Mr. P. B. BEKKER: We have asked for a Select Committee to go into all the facts and considerations. If there is to be a voluntary basis, the Select Committee can go into the matter. That is not the sort of question which can be answered affirmatively or negatively. The hon. member may laugh but we cannot get away from those facts. We must think of the execution and application of this Bill. I would like to hear what the Minister of Justice thinks of it. Somebody on the other side said that they will enforce the Bill. I can just picture the Minister of Justice standing in front of the gaol with a sjambok, saying: "We will enforce the law." What effect is it going to have? In future the prisons of our country are going to be full.

*Mr. VAN DEN BERG: Are you trying to incite the people?

*Mr. P. B. BEKKER: It is no use trying to silence us. Many of the Coloured people are just as good and knowledgeable as my hon. friend on the other side and myself. I am not saying this to hurt anybody. The position is simply that this Bill is impracticable and because of this it is going to encourage an undesirable spirit of lawlessness in this country. We have already heard of the passive resistance of the Bamangwato. Just one spark, one Gandhi here in South Africa, and the fat will be in the fire. I say that our prisons will be full and the more riots of that kind we have the more policemen will we need. Unless we have the co-operation of the people we cannot enforce legislation of this kind. The Government should strive to obtain the co-operation of the population as a whole, otherwise we are gradually going to create a police state here in South Africa.

Mr. DAVIDOFF: In the first place I would like to reply to some of the remarks made by the hon. member for Fauresmith (Mr. Serfontein). I think that not only were his remarks uncalled for and personal, but so far as the Labour Party is concerned, he made the most unwarranted attack upon us. I say in reply to that hon. member that at no time has the Labour Party officially stated that it was in favour of anybody carrying identity passes, and I say further that the attitude of the Labour Party is quite clear in this respect. Far from our advocating the extension of the pass system in this country, we have always been, and still are, in favour of the abolition of the existing pass laws that apply to this country. That has been the attitude of the Labour Party and that is still the attitude of the Labour Party, and for that reason I categorically deny the suggestion made by the hon. member for Fauresmith that the Labour Party at any time offered evidence such as he suggested today.

Dealing with the Bill before the House, I want to say that while the United Party might have made out a good case from its point of view to have this Bill sent to a Select Committee, before the second reading, I submit that my hon. Leader and the hon. member for Benoni (Mr. Lovell) have made out an unanswerable case against the Bill in its entirety. The Labour Party says quite unequivocally that we are entirely opposed to this Bill. That is our position and that is the stand we take. If we are to examine the effect of the amendment moved by the United Party, we assume that the Select Committee may recommend that a registration Bill be introduced, which may have some of the principles of the present Bill or not, but it is distinctly possible that recommendations of such a Select Committee will be that a registration Bill be introduced As I have said, we are entirely opposed to it. It is not wanted; it is unnecessary in this country, particularly bearing in mind the object which the Government party has for introducing it. For that reason we say that this Bill should not go to a Select Committee before or after the second reading. I intend at a later stage to move a further amendment which, if agreed to, will confine this Bill to its proper place. It will remove the Bill from the Order Paper in exactly the same manner in which the hon. the Minister will remove the dead from the register in the future, if ever there is such a register.

We submit that no true reasons have been given by the hon. the Minister for the introduction of this Bill. He has mentioned certain advantages that may accrue, in his opinion, to the country from the introduction of this measure. I shall deal with those afterwards. But, Mr. Speaker, it is out of the mouths of babes and back-benchers that words of truth and honesty have been uttered, certainly not words of wisdom. It is from people other than the hon. the Minister that the House has been given the true reasons for the introduction of this Bill. I do not want to refer to those reasons again. They have been mentioned by several speakers on this side of the House. The true reason is that the Government Party wants to implement its apartheid policy.

An HON. MEMBER: That is no secret.

Mr. DAVIDOFF: This Bill has a political basis. It is a sop that they are offering to their followers, only because they cannot carry out their promises to the electorate in different respects. I refer, of course, to the fact that the Government Party is not in a position, due to the intervention of the Afrikaner Party to remove the Coloureds from the Common Roll, to deprive them of their vote. This is the first step in that

direction. This is the first step to draw a distinction, a classification, between Coloureds and others. It will be followed, I have no doubt, by their being removed from the voters' roll, and I have no doubt that at a later stage, they will eventually be disfranchised. Those are the underlying motives that have truly come forward from that side of the House. It is particularly for those reasons that we are absolutely opposed to the Bill.

But, Sir, may I refer to some of the so-called advantages to which the hon. the Minister has referred. In the first place he has stated that all the registrations or practically all the registrations that are demanded or that may be required under Clause 7 of the Bill are already contained in different legislation which is at present on the Statute Book. He has stated, for instance, that one has to register one's birth under the relevant Act. He has gone further and pointed out that under the Electoral Laws and under the Census Act, we are required to register most of the other details now required under this Bill. But, when we come to analyse the reasons why such registrations are necessary, we see that they are totally different from the reasons which necessitate registration under the Bill now before the House. We see in every case under such existing registration that there is a privilege that can accrue to the person who registers, a liberty that can accrue to the person registering. For instance, to quote the Minister's own words, it is necessary when one acquires immovable property that one should be in a position to produce one's birth certificate. Take the Electoral Act. It is compulsory to register under the Electoral Act. But that grants one the distinct privilege of being able to vote. It ensures one's voting powers, and similarly it is necessary under the Census Act that vital statistics, statistics that may benefit the nation, should be obtained, so that in all these cases, and in all the legislation referred to by the Minister, we find that some distinct benefit accrues to the citizen who registers. But, I ask in all seriousness, under the present Bill, if it is passed, what privileges would accrue to anybody who registers? What privilege can possibly accrue; what privilege or liberty can accrue to which the citizen is not entitled today? The only answer is the very doubtful privilege of being interviewed or molested either in a public place or in your own home by a policeman who can demand your pass. That is the only extra privilege that can accrue to anyone who registers under this Bill.

Then, Sir, the hon. the Minister went on to point out certain added advantages. He stated that this Bill would have the effect of assisting in the prevention and detection of crime. When we come to look at the Bill in detail we realise that far from that being the case, it must of necessity have the opposite effect. I just want to quote Clause 10 (2). Clause 10 (2) reads as follows—

> Every Native whose name is included in the register shall within seven days after any permanent change in his ordinary place of residence from one district to another, notify the director in the prescribed manner of that change of address.

A Native, Sir, will be required within seven days to notify the director of any change of residence and should he fail to do so it will be a criminal offence under this Act. I say without any fear of contradiction that that clause alone will bring about more statutory criminals in this country than it has ever known. Our gaols, because of the pass laws and because of the registration laws that apply to the Natives and non-Europeans in this country, are full enough today. This Bill, if it is passed will bring about a very much larger number of criminals, particularly amongst that section, and for the true and proper administration of this Bill we will have to double our police force. We will have to add to the police force, if we are going to have a complete administration of the Bill. That being so, I think it follows quite clearly and quite logically that with the present police force having the work that they are required to do today — and we know that we are not over-policed; we are under-policed — if that police force has to divert its attention to the administration of this Act, then serious crime will be on the increase, because the police will not be able to devote as much time as they do today to the prevention and detection of serious crime. I say, therefore, that that argument of the hon. the Minister falls away. He himself cannot regard it as a serious argument. Then he made, to my mind, one of the most frivolous and ludicrous statements that I have ever heard. He said that this Bill might have the effect of preventing the evasion of taxation. I say that that is ridiculous for this reason. Taxation is evaded in this country, not so much by failure to render returns, but by rendering false returns.

Mr. S. E. WARREN: If you have to register you will know who has to submit a return.

Mr. DAVIDOFF: If the hon. member will only listen to me he might learn something. I have tried to point out quite clearly that tax evasion takes place in this country not because of the fact that the Commissioner and receivers of revenue cannot trace the taxpayers, nor because of the fact that returns are not filed, but it is because the returns, when filed, do not

contain the full information. It is the black marketeers, these people who are making money, who are not disclosing their earnings.

*An HON. MEMBER: Are you speaking of experience?

Mr. DAVIDOFF: That is a far greater cause of tax evasion than the fact that people will not render returns.

Mr. S. E. WARREN: Are you talking from experience?

Mr. DAVIDOFF: I am talking from experience, and my hon. lawyer friend over there knows that I am right. But, Sir, the compilation of a register will not improve matters in that respect at all. It cannot help. I repeat that that argument adduced by the Minister falls away. Moreover, how much does the hon. the Minister really anticipate will be recovered under this heading? Certainly not very much, and much less, I would say, than the interest on the capital which is to be expended in order to put this Act into operation, and certainly in my opinion, not as much as it will cost the Government and the Department to run and administer this Act.

The third point which the hon. the Minister made was that it would save expense. Does the Minister honestly think that that is so? The position quite clearly is this: Every Department covering the registration of births and deaths, covering the Electoral Laws, and covering the Census Act, will have to continue in existence and this will be one further red tape department that will be run at the tremendous cost of £150,000 per annum. I think the hon. the Minister said that that was the minimum. How he can argue that there can be any collaboration between departments, which would have to continue in their present form, is beyond the conception of any reasonable, thinking person in this country. I would like to go so far as to say that the spending of a minimum of £300,000 at this stage, when the country requires so many services and so many institutions, is beyond all reason. Had this side of the House introduced a measure of this kind, had this side of the House been prepared to spend £300,000 on a matter of this nature, the cry would have been "squandermania"! I say that as far as this decision is concerned, it is not squandermania; I say that because the question of apartheid is a disease in the ranks of the Government today, and because the Government does not know what it is doing, it is not squandermania, it is kleptomania.

I would merely like to add this, that the plea put up by the hon. the Minister is so frivolous and so vexatious that he, as a lawyer, would not dare come forward with a similar plea in this country, either to the judiciary or even to the magistrate's court, because he knows what the consequences to his client would be. I feel that there is a far more deep and sinister object in the introduction of this Bill. There is no comparison and no true comparison has been made between this country and any other country which has a Registration Act. Where a registration measure exists in any other country it is for very much different reasons, not for the very definite and sinister reason of classifying people in the country into different racial groups. For those reasons I now beg to move, as a further amendment—

> To omit "now" and to add at the end "this day six months".

Mrs. BENSON: I rise to second the amendment as moved by the hon. member for Edenvale (Mr. Davidoff) and support him when he says that no really sound reason has been adduced to bring in this National Registration Bill. I want to deal with Clause 7 appearing on page 5, which the hon. the Minister has called the "Book of Life". I thought the Book of Life only referred to the Bible. This clause says that there shall be recorded in the register the person's full name, sex and ordinary place of residence, his classification in terms of Section 5, the date and place of his birth, his citizenship or nationality, and in the case of an alien, an indication of the fact that he is an alien, his marital condition; and—

> (f) in the case of a registered voter, the electoral division and polling district in which he is registered as a voter under the Electoral Consolidation Act, 1946 (Act No. 46 of 1946).

I maintain that all that information is already available to the Minister in the present census form and also under the Electoral Laws. Then sub-paragraph (h) says—

> A recent photograph of himself, except in the case of a person who has not yet attained the age of 16 years, or who has been admitted to the Union for a temporary purpose.

Then sub-paragraph (i) provides for his identity number to be recorded. I feel that these two sub-clauses will be unacceptable to the great majority of people in the Union and I want to say that although this is called a National Registration Bill, one section of the people is excluded, at any rate at this juncture. I refer to the Native women. I wonder how the European woman will feel when she has to produce an identity card, or something which has been familiarly termed a "pass". I know that that will be resented.

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I have dealt with those details which, as I have stated, are already available, either under the Census Act or under the Electoral Laws. The hon. member for Edenvale has gone into details which I do not want to cover again. I now want to come to the estimated preliminary cost of this measure to the country. We have been told that in the first instance the cost will be approximately £300,000. In my opinion it is all wrong for a Government to ask for authority to spend £300,000 on a Registration Bill, a measure which half the House regards as unnecessary, a view which, I am sure, will be very largely supported by people outside. I say that it is wrong to come forward with this measure at a time like this, when we have been asked by the hon. the Minister of Finance, and the hon. the Minister of Economic Affairs to cut down expenses, and to reduce the present high standard of living. I say it is wrong, particularly having regard to the services which have been asked for, but cannot be given because of lack of money. I have in mind the plea that was put forward yesterday by the hon. member for Berea (Mr. Sullivan) for a social security scheme, which is long overdue in this country, and he was told that there was no money. When some of us raise objections to the high cost of living, and suggest that it may be met by a further subsidisation of food, again we are told that there is no money, and yet we are given to understand that £300,000 is available for this National Register. Moreover, we know quite well that it will not rest at £300,000. The costs will run into thousands more, because of the difficulty of acquiring the necessary statistics.

Sir, I cannot support this Bill. I might have supported a portion of it under different circumstances, but when I know the conditions under which people are living in this country and when I know how little has been done to improve the housing position, particularly when grants were cut down, when loans to municipalities and housing boards were reduced, because there was no money, then I cannot under any circumstances support an expenditure of £300,000 for a national register, at a time when people are in desperate need of homes, and when the congested conditions under which they live, are inimical to the welfare and the health of the people. It should be the first consideration of any government, if they were statesmen instead of politicians, to place the needs of the public first. For those reasons I cannot support the Bill, and I have pleasure in seconding the amendment as put forward by the hon. member for Edenvale.

Mr. S. E. WARREN: I have from time to time sat in this House and I have listened to the speeches which have been made here on this subject. Before I say what I think about those speeches and the way in which they were delivered, I think it is my duty to thank the hon. the Minister for the wonderful way and the capable way in which he brought forward this Bill. His arguments were logical. [Interjections.] I will give the hon. member a chance to interrupt but he will have to take what I give back to him. The hon. the Minister's arguments were so logical that he compete ly took the wind out of the sails of the Opposition. Hon. members opposite have been sitting here for days, and one member after another has got up only to say: "I just want to repeat this, that or the other", something which had already been said by previous speakers. Not a single member on that side, except the last speaker, who said that she was against the Bill out and out, stated that she was opposed to the principle of this Bill. Take the hon. member for Hottentots Holland (Sir de Villiers Graaff). He entertained us here for, I think, three-quarters of an hour. When he had finished he had not yet told us whether he thought the Bill was necessary or unnecessary. He must have thought that he was in some debating society.

Mr. A. STEYN: He said nothing.

Mr. S. E. WARREN: He tried to score a debating point and he tried to be funny. There was absolutely nothing in what he said.

Mr. LOVELL: What are you trying to do?

Mr. S. E. WARREN: I am trying to show how little sense you have. We know, of course, that the hon. member for Hottentots Holland, for some reason or another, is terribly hostile to the Minister who introduced this Bill. He hates him inside Parliament and outside Parliament. He has tried to make us believe that the Minister is just a bluffer, that he is this, that or the other thing. He got up and tried to show that certain statements made by the Minister were not correct. Then he had the absolute impudence to say: "I am not saying that the Minister is misleading the House; Oh no, I am not saying that." But what did he say? He said that the Minister was plausible, that the Minister had done this and that the Minister had done that. If he had attacked the Bill instead of attacking the Minister personally it would have been a different matter. The hon. member for Edenvale (Mr. Davidoff) tried to do the same thing. The impudence of it. He has not got the brains, he has not got the standing, and yet he attacks the Minister personally. No, Sir, we must get away from that sort of thing.

An HON. MEMBER: What are you doing now?

Mr. S. E. WARREN: I was surprised at the hon. member for Drakensberg (Dr. Steenkamp).

Dr. STEENKAMP: I was never personal.

Mr. S. E. WARREN: No, the hon. member was not personal; he was just trying to make propaganda. The hon. member may laugh but that is the position. When the hon. the Minister read out his speech from Hansard, he went so far as to say that he was not prepared to accept it.

Dr. STEENKAMP: Not his explanation; I accepted his speech.

Mr. S. E. WARREN: We on this side are getting tired of that sort of thing. If you have something to say against the Bill, get up and say it, even if we do not agree with it. You are entitled to your opinion, just as we are entitled to our opinion. But it takes us no further to adopt these tactics. Not a single member on that side has mentioned a single reason why we should not have this Registration Bill. They have said that it will be expensive, but no one has said that in principle he is against the Bill. I want to thank the hon. the Minister for having brought forward this Bill.

An HON. MEMBER: Again?

Mr. S. E. WARREN: I say that we must have registration. The last speaker said that the Government had all this information at its disposal in any case and that people will not give it to the Government under this measure. Well, if he does not want to give it he will be punished. If she wants to be a subject of the Union she will have to carry out the laws of this country.

Capt. HENWOOD: And carry a pass.

Mr. S. E. WARREN: The hon. member himself will have to carry a pass. He is carrying a pass now.

Capt. HENWOOD: I have never carried a pass.

Mr. S. E. WARREN: Does he not carry a driver's licence?

Capt. HENWOOD: That is not a pass. That licence can be left at home; I need only produce it when called upon to do so; I need not have it on me.

Mr. S. E. WARREN: Are these people afraid to give the information that is required here? Are they afraid to give their full names and to say what their sex is and their ordinary place of residence? Are they afraid to do that?

The date and place of his birth. All this is necessary for identification. Then he has to state his citizenship or nationality.

Capt. HENWOOD: Why?

Mr. S. E. WARREN: The hon. member is living in the days of Rip van Winkle. Today every citizen has got certain duties; he should be proud to be a national of his country, he ought not to be ashamed to carry a pass or an identification certificate. That is the position. And if he is ashamed, it is time he left the Union and got out; he is not fit to be a Union national.

Capt. HENWOOD: I was born in this country.

Mr. S. E. WARREN: In the case of an alien, he has to give an indication of the fact that he is an alien. What objection can he have to that? I can understand some people objecting, I can understand it, but if they do object there is something else behind it, and it is not because the information is required from him. Then he has to give his marital condition; in the case of a registered voter he has to give the electoral division and the polling district in which he is registered; the date of his arrival in the Union (if not born in a part of South Africa included in the Union); and a recent photograph of himself—except in the case of a person who has not yet reached the age of sixteen years. What objection can there be to that? Don't you think collecting all this information and putting it in one register, with your names, is going to help the country?

Mr. BOWKER: Nobody is objecting to that?

Mr. S. E. WARREN: Ah, now we have it; nobody is objecting to the register.

Mr. BOWKER: To getting that information.

Mr. S. E. WARREN: It is the same as the pass you carry for your motor-car. You have got to produce that within a period of seven days, and that is what will be done in this case. You do not have to carry it. That, Mr. Speaker, is what irritates one; they ignore that and they argue and they speak on the matter, but they do not know what they are talking about. Now has anyone brought forward any real reason why we should not be properly organised in this country, and why the authorities should not have information on every one of its citizens? Why then are they wasting the time of the House and of the country? If we have a register in which every citizen is registered — and that is the intention of this Act — there can be no objection to that. I think it is absolutely necessary in modern society to know the

people that you have, that your country has, and where you can every day see what the population is, and where they come from, and who they are. To tell me that the police will not be able to get assistance from it Of course it will help the police. I agree that it would probably be as well to have a thumb mark instead of a photograph, but it is being made as easy as possible this way, as some people have an objection to thumb marks; I have no objection — why should I be afraid of my thumb mark? I do not intend to commit a crime; I do not intend doing wrong. It is the best way of identification.

Maj. VAN DER BYL: It is.

Mr. S. E. WARREN: I am not like the hon. member; he seems to be afraid of being caught somewhere where he ought not to be. Mr. Speaker, we have got to look facts in the face. If these people come along with any arguments, hearing arguments which are silly, my reply is this. The Bill goes to a Select Committee, and any details that need altering, can be altered there.

You get a member like the hon. member for Hottentots Holland (Sir de Villiers Graaff) who spoke for three-quarters of an hour, and when he got to the end of his speech he said, "I hope the Bill goes through." After he had been talking against it for three-quarters of an hour.

Dr. STEENKAMP: He can't talk for 45 minutes; he is only allowed 40 minutes.

Mr. S. E. WARREN: He said, "I want the Bill to go through because it will be a nail in the coffin of the Government."

HON. MEMBERS: Hear, hear.

Mr. S. E. WARREN: Why waste the time of the House talking for three-quarters of an hour? Because what he said here he should have said in the Tivoli, on the stage. There such jokes are proper; but not in this House where one is supposed to make statements that are necessary for one's country. He said a lot of things, but we are not afraid of "Gogga maak vir baba bang". That is all the argument they have got; they never had any other argument. We are not afraid. I am not afraid because my wife will have to carry an identification card. Decent people will not be afraid to carry such cards. I will be proud to carry one, because it will signify that I am a Union national and a citizen of South Africa. If an hon. member does not want to carry a card don't give him one. Send him out of the country. Send him back to where he came from — that is the best place for him . . .

Mr. S. J. M. STEYN: You want to keep South Africans out.

The DEPUTY SPEAKER: Order, order!

Mr. S. E. WARREN: No, let us get down to earth, Mr. Speaker. The first objection that the Leader of the Opposition had, and it was really the only objection that he could have had, was just this one objection — the others were just details, things that could be altered — his one objection was this: "Ah, but you see, the trouble is this, that this is a beginning of aparheid". That is all. I am prepared to agree with him, it is the beginning. For hours this House was kept when we brought in the Mixed Marriages Bill, hon. members saying "How will we be able to find out whether people are Coloured or European?" If a man has his identity card there is no trouble, none whatsoever. The marriage officer knows he will not be fined because he will know from that which people should not be married.

There will be many other uses for this card. It will be a very useful thing to carry. But apart from that, I think it is necessary in a country like this that we should have an idenificaion card. I would walk past that hon. member over there and I would not even know what he was — whether he was a Jew, or a Christian, or a Union National — but if he had his identity card, and I could get to see it, I could see everything.

An HON. MEMBER: Are you bringing religion into it?

Mr. S. J. M. STEYN: Why do you want to know?

HON. MEMBERS: How can you see it?

Mr. S. E. WARREN: Are the Jews afraid to put their names down and say they are Jews? Are they? Mr. Speaker, there is no doubt at all that the time has come, and it is probably overdue, that there must be a registration of the population of this country to show who is Coloured and who is Native and who is European.

Mr. S. J. M. STEYN: And who is Jewish.

Mr. S. E. WARREN: It is no use the hon. member for Hottentots Holland talking about the human stud book. These are things you expect to hear in some bioscope, where they give you a variety of entertainment, and things of that sort. He knows as well as I do that it is a very good thing it is not a human stud book! [Laughter.] But the important thing is this. The time has now come for us to decide whether we are going to insist on separation or not. There are many members on the other side who want separation, there are many of them, but the trouble is that the Rt. Hon. the Leader of the Opposition has to keep them together because half

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of them do not want it. But we want a voluntary separation, we want a separation that must come of its own accord.

Mr. Speaker, I was born in this country, I lived among the Coloured people, and I know them, I suppose as well as any other hon. member of this House, and if you expect — after all the agitation, after the speeches on that side, agitating these people — after all that, if you expect them to do anything else than what they are doing now, then you are looking for something which you will never get. And every one of these gentlemen who get up on the opposite side and talk about a portion of our liberty being taken away, who say the Coloured people will be victimised and that sort of thing — they don't know what they are talking about. Not only do they not realise what they are talking about, but they are looking for trouble, Mr. Speaker. Look at the agitation of the Natives on the Rand; they are looking for trouble, and the day will come when those agitators will have to be in front of the Native when he is shot at, and not at the back of him. That is what is going to happen and that is what is taking place in this House. We are warning you.

An HON. MEMBER: I do not agree with you..

Mr. S. E. WARREN: If you have not got the brain to understand it, well, I cannot give you the brain. Now, Mr. Speaker, the whole position is this. In order to save the unity of that party, with its various elements, they have to make some sort of statement that they are for apartheid. The Rt. Hon. the Leader of the Opposition said that he was in favour of the baasskap, "bossship" of the European in this country. Well, if the gentleman over there when he goes home tonight starts thinking how he is going to maintain that without having apartheid, then he certainly does not care what is going to happen. If we do not make this separation today. Sir, if we do not say who is Coloured and who is European and who is Native, in twenty years' time we will not be able to do it. Hon. members know when you go to Europe what a nation looks like where there is no separation, no colour bar. Go along the Mediterranean coast and have a look at them. Do you wish your descendants to look like that? It is no use talking like that. If you are against separation I can understand it, if you are against it, say so! I do not agree with you and I do not think the country agrees with you. These members of Parliament from Natal, who are trying to fight a thing like this, are fighting against their own interests. How long do you think the Europeans in Natal will last if the Indians multiply as they are? [Laughter.]

An HON. MEMBER: Will this Bill stop it?

The DEPUTY-SPEAKER: Order, order!

Mr. S. E. WARREN: The position is simply this. Unless separation is laid down now and you do not say who is European and non-European, then in ten years' time you will not be able to do it. And to tell me that the women will not carry passes! That is where "Gogga maak vir baba bang". I and every decent South African in this country will be proud to carry an identity card, because I have nothing to hide and I have nothing to be afraid of.

Dr. C. F. STEYN: Mr. Speaker, the hon. member who has just sat down started off quite quietly and made certain reproaches about the tone of the debate on this side, but I think none of us descended to the personalities and the bitterness to which he descended.

HON. MEMBERS: Hear, hear.

Dr. C. F. STEYN: I will not follow that line. Sir, he was very vehement in his support of the Registration Bill, but throughout his speech he never said anything about registration or about racial discrimination. I will deal with some of his points later.

The Minister, in introducing this Bill, took very great pains and spoke at considerable length in order to clothe this Bill in an innocent garb, but let me tell him that no amount of subtlety in debate, no amount of "slimness" can cover the defects which are apparent in his Bill.

HON. MEMBERS: What do you mean by "slimness"?

Dr. C. F. STEYN: What is "slim"? I am taking the word of some people who say that he is very "slim", and that is what I am referring to. I deal with the merits. A merely cursory glance at the Bill exposes the defects straight away, and, on perusal, you realise at once that this Bill is going to have a harmful effect, a very harmful effect.

Mr. S. E. WARREN: Are you against the Bill?

Dr. C. F. STEYN: I am against it. And the reason why I say it is harmful is this. This Bill, like the speech of the Minister, had a preamble which also appears largely innocent. But, Mr. Speaker when you read the contents of the Bill, you do not find that registration was stressed in the first instance,

that registration was a main principle, and that colour was merely mentioned incidentally — but it is the colour discrimination in the Bill which is the main feature in that Bill, and registration is merely a ruse to divide for all time Europeans, Coloured and Black.

An HON. MEMBER: Where is the discrimination?

Dr. C. F. STEYN: The hon. member for Swellendam (Mr. S. E. Warren) himself said that the time had come when this had to be stated now and for all time. That not only is it discrimination, but it is a discrimination which is being endorsed by legislative sanction, it is being enshrined on our Statute Book.

Mr. Speaker, the details of this Bill — I mentioned one defect in the Bill myself, but we will deal with that in Committee; I do not propose to deal with the special clauses in that Bill — I want to deal with the general principle embodied in this Bill and its relationship to the kindred Bills. It is the general policy exemplified in the recent legislation that I want to deal with. Now, hon. members opposite will agree that these Bills — I refer to the Mixed Marriages Bill, this Bill, and the Citizenship Bill — that they represent an implementation of the policy of the Nationalist Party, as enunciated at the general election. I think they will agree with me, Sir, and it is with that policy I want to deal. This policy, it is true, has given you a victory at the 1948 general election, it may give you a victory at another election, but I ask you, what is this policy of racial discrimination, a certain racial aggressiveness, and a certain religious intolerance — what is that doing to the Nationalist Party? I am talking of the Nationalist policy which is being implemented to a certain extent in this Bill. That policy has had this effect as far as the Nationalist Party is concerned, that it has estranged friend from friend, that it has made enemies more bitter, with the result that with that policy today the Nationalist Party is driving everybody into opposition against them. It is solidifying the non-European opposition to it, it is driving a certain European section into opposition. Look around you, and you will find that many of your friends of yesterday are enemies today, political enemies. Many of your other supporters have left you. You are uniting everybody against you, and by doing that you are surely sealing your doom for the future.

HON. MEMBERS: Hear, hear.

Dr. C. F. STEYN: You may win an election, you may win two, but if you pursue this road your doom is certain. Now, Mr. Speaker, what we do not want and what we are going to prevent is that your policy shall be the doom of the South African people and more especially of the European people. We are determined that we shall not drive everybody into opposition against us. Through religious intolerance you hurt many people, and hurt them unnecessarily; through extreme racial discrimination you are embittering people whom you should conciliate. I think it is time you were told that, and I hope that the more sane elements amongst you will think and will realise what world conditions are today. Now this policy, and I am dealing with the policy as exemplified in recent legislation, has created ill-feeling amongst many sections of the South African people. It has certainly created grave resentment among the Coloured community by the Mixed Marriages Bill and this Bill. I mention, Sir, that it has created grave resentment. How do I know? You merely have to get into touch with them, you merely have to listen to all shades of opinion, and you will know that I am right. And if the Government does not realise it then they are out of touch with South African opinion, and with the feelings of the people they are governing. It is a very serious matter, because as far as the Coloured community is concerned — and nobody realised it more than the Prime Minister did in the past; all honour to him, and I ask him to come back to the road of the past — we know that if there is one section that should be made the friend of the European population, that should be used to help the European population, and whom the European population should help, it is the Coloured community of this country. They are far closer to the European than they are to the African, and it is our duty to help these people. They are already a nation, and if they are a nation living here amongst us, having the same customs that we have, is it not common sense that we must make them our friends and not our enemies? And I say this legislation is estranging them, it is hurting them, and worst of all, it is humiliating them. Speak to any of them; ask them and they will tell you.

An HON. MEMBER: You tell them.

Dr. C. F. STEYN: You know it as well as I do. Now, Mr. Speaker, we in South Africa are a small people. The European race, as was pointed out, consists of something over two million in a continent of Blacks. As a small nation we need friends, we need friends internally, and we need them externally. No small nation can survive if it unites everybody against it. Many nations have perished because they pursued the fatal policy of uniting everybody against them. And we in South Africa should take warning, we as the European community should make as many friends internally as we can. Furthermore, we need all our external friends. The policy of recent legislation has had the effect of

embarrassing our friends overseas and of estranging them.

An HON. MEMBER: Are you speaking of UNO?

Dr. C. F. STEYN: I am speaking of our friends, Great Britain, Israel, Holland and all the others.

The MINISTER OF JUSTICE: Friends of the Soviet Union.

Dr. SMIT: Who are your friends?

Dr. C. F. STEYN: I see the Minister of Justice has made some remark. I was very surprised to listen to the remarks of the Minister of the Interior, the Minister of Justice and the hon. member for Fauresmith (Mr. Serfontein). They should know better. Yes, I know he said the Friends of the Soviet Union; I know that old story — I will deal with that. Why I say I am surprised at these three hon. gentlemen is this, that they are three Free Staters, and they will realise that this legislation is against the policy of the old Free State Government, it is against our tradition, and it was never used in either of the republics.

HON. MEMBERS: Hear, hear.

Dr. C. F. STEYN: Now I mention the Free State because that was one state in which all sections worked together, happy and contented, to the great benefit of that state, the Free State; and why was it? We had a wise policy on immigration; we had a tolerant policy internally, not only with the Europeans but also with the others, and the result was that that policy was greatly beneficial and stood the test of time; and when the difficult days came the men whom we treated fairly, men not of Afrikaans blood, men like the hon. member for Hospital (Mr. Barlow) played the game — although of English blood, they played the game. One could not, in all fairness, have expected them to fight against their own blood, but they and many others who had become Free Staters fought to the bitter end. My hon. friend, Col. Dohne, the member for Frankfort, will remember Mr. Matthee — Mr. Matthee who came to the Free State, who was well received, Mr. Matthee, who fought to the end of the Boer War, and the extraordinary part of it was that Mr. Matthee got the Victoria Cross. That was a policy that paid dividends. That policy paid dividends as assuredly as we shall reap the disasters of the present policy. Mr. Speaker, I say that we shall reap those disasters.

Dr. VAN NIEROP: How many United Party members have you got in the Free State?

Dr. C. F. STEYN: I can tell the hon. member for Mossel Bay (Dr. van Nierop) that you cannot sow weeds and expect to reap sunflowers.

Dr. VAN NIEROP: How many United Party members have you got in the Free State?

Dr. C. F. STEYN: At the present moment, we have got one, notwithstanding your efforts and, in the future, we hope to have a good many more. We have not given up hope of converting you people to the cause of reason.

The MINISTER OF JUSTICE: Hope deferred maketh the soul sick.

Dr. C. F. STEYN: I say, Sir, be true to yourselves and be true to the traditions of your forefathers and if you enforce the policy of the Free State here today, nobody on this side will have any grouse against you are far as that policy is concerned.

An HON. MEMBER: You cannot speak for the Free State.

Dr. C. F. STEYN: But, Mr. Speaker, there are matters more important than that. We believe, and hon. members opposite, believe in White leadership. They believe in White leadership, but White leadership cannot be just put there. It must justify itself and it can only justify itself if it is a tolerant and a wise leadership, if it is a leadership which will help, if it is a leadership which will save, but not a leadership which will damn. All these policies of the party opposite are gravely undermining White leadership in South Africa today. Look at what is going on in the world. Do not push it aside. Grave things are happening in the world today and if we, in this country, want to justify our position, we must act wisely and we must act with justice.

The MINISTER OF LABOUR: What has all that got to do with the Bill?

Dr. C. F. STEYN: It has got very much to do with the Bill, for this reason. The policy underlying this Bill — the hon. the Minister himself told us that there was already provision for 90 per cent. of it. It was not necessary. We have provision for birth and other certificates, but what he did not tell us was the pernicious point of enshrining racial discrimination, which was not in other legislation, but which is being enshrined in this Bill. He told us that this legislation would be used to implement immigration. It would be used to implement the mixed marriages legislation, and it would be used to implement the Citizenship Bill. Now, take the point in regard to immigration, and see how it will be used. This Bill is going to be used to still further stultify immigration into this country. The hon. the Minister himself has told us that

immigration is the lifeblood of this country, without which White civilisation cannot be maintained and cannot survive. That is the real danger of this Bill, and that is why I am referring to the general principles. This Bill, as hon. members on the opposite side said is the cornerstone — others said it was the "sleutel" — the hon. the member for Wonderboom (Mr. M. C. de W. Nel) I think, said it was the key which made that whole policy workable. I say that that policy is detrimental to the welfare of South Africa, and can the hon. the Minister of Labour then tell me that it has got nothing to do with this Bill? This is not a Bill for registration. This is a Bill for all time to divide this country into three fixed classes.

An HON. MEMBER: Do you want it?

Mr. SPEAKER: Order!

Dr. C. F. STEYN: I do not want it for this reason.

An HON. MEMBER: But do you want it?

Dr. C. F. STEYN: I will tell you. I will tell you that as far as I am concerned — I said it the other day, and I repeat it — that for three hundred years, under more difficult circumstances, White civilisation was maintained. There was no Bill that maintained it. And why I do not want this Bill is because it is a Bill which insults, harms and hurts the other sections and makes them your enemies. We maintained the differentiation without causing humiliation. I certainly do not want to put humiliating words in the Statute Book. White civilisation I say was maintained on the inherent strength of White civilisation. I think if it could be maintained for three hundred years, it can be maintained for another three hundred years, because the danger was getting less. There was more danger, if one has regard to what was happening in the world, at the start of the three hundred years than at the end. This discriminatory legislation can only react against White civilisation, and may in fact, if we do not stop it, destroy White civilisation which our forefathers have built up through sterling methods and through honest methods. No, Mr. Speaker, I think that this Bill is being used largely for political purposes to assist in the ultimate and the next step of putting the Coloured people on separate Coloured lists. That is what I felt. This is no more a registration Bill in the true sense of the word than any other Bill that has been passed by this House. Hon. members have heard the hon. the Minister refer to communism. He talked about the Friends of the Soviet Union. I am quite prepared . . .

The MINISTER OF JUSTICE: You were their President once.

Dr. C. F. STEYN: I was never their President; I was never that. I was never the President or Vice-President of the Friends of the Soviet Union.

An HON. MEMBER: Yes you were.

Dr. C. F. STEYN: I was never. What I was, and I am glad that the hon. the Minister has given me the opportunity to meet the point today, is this. The position is this. I supported the medical aid for Russia and I will tell you why. Just why did I support the medical aid for Russia? I remember myself as a boy in the Free State that the men who really fought in that war were medically assisted, and I remember an ambulance coming all the way from St. Petersburg to help the Boers, and 50 years later, when Russia was fighting for her rights with Britain and the other democratic nations, I was only too pleased to take the opportunity to do what I could to repay that debt. That has been used against me to say that I am in sympathy with the communists. Sir, I say that I am glad that I got the chance of dealing with that matter and I took the chance. No, Mr. Speaker, there are none so blind as those who will not see. I do not mind if hon. members opposite do not see that point. But what I do want them to see is the harm that this legislation is causing this country. We have got to stop it. We have got to do all in our power to prevent it coming on the Statute Book, and I think hon. members will do well, instead of scoffing at the remarks made by the Rt. Hon. the Leader of the Opposition to take his serious warning to heart, and whether you agree with him or not, you must agree that he has given his life of excellent service to South Africa. He has rendered greater service than anybody else. We are not going to allow this policy to seal our doom. We shall oppose this type of legislation. We shall see that we maintain friendship with the people internally whose friendship we need, and we shall do our utmost to make them keep our friendships outside, because without internal and external friendship, White civilisation cannot survive.

*Dr. H. G. LUTTIG: I want so say that after listening attentively to the previous speakers, it has become apparent that, in this debate, there are many conflicting ideas over this measure which I regard as one of the most progressive measures which has come before this House for a long time; there are so many conflicting ideas that it is logically impossible for anyone to determine the standpoint of some of the members on the other side. In the first place, assuming that this Bill is a nail in the coffin of the Nationalist Party, it should be welcomed by that side of the House and they should not object to it so strongly. Secondly, the hon. member who has just sat

down says that the old Free State Republic did not have racial discrimination. He was right in saying that and that is proved by the fact that to this very day there are no Indians in that province. I do not want to attack anyone personally. I just want to draw attention to the conflicting views expressed in this debate and I also want to remind the hon. member that in 1900 there were no Communists.

I want to deal for a moment with the attitude adopted by my friend, the hon. member for Johannesburg (North) (Mr. P. B. Bekker). I wholeheartedly agree with the introductory part of his speech. I think if the House were to approach this question objectively, we would make better progress in solving the problem in the near future. He also stated that the question was more serious than we believe. I confirm that statement and I will endeavour to prove it by means of figures at a later stage. But if that is the case, and the question is more serious than we think, then we can only come to one logical conclusion and that is that we must adopt the suggestion of the hon. the Prime Minister, namely, that we should deal with this matter outside the party-political sphere.

The hon. member also said that a feeling of pernicious hatred will be let loose as a result of this legislation introduced by this side of the House in connection with this matter. Let us also mention the fact that a great deal of the propaganda which is being made in connection with this type of legislation, leads to that feeling of pernicious hatred. I want to prove that statement by referring to the discussions we had in connection with the riots on the Rand. For two or three days we discussed the riots in Johannesburg in detail and I was astounded at the irresponsible statements that were made, irresponsible statements in connection with a race which cannot as yet appreciate those irresponsibilities; irresponsible statements which were made in support of a certain amount of licentiousness. What happened? When those riots calmed down, responsible Natives said that those riots had been caused through the action of reckless and irresponsible Natives. If that is the position, what right had we in this House to interpret the state of mind which existed outside, a state of mind which did not actually exist outside, least of all among the Natives themselves. My hon. friend made great play of the fact that the impracticability of this Bill would lead to lawlessness. That is an acknowledged fact, but let us, as far as the Natives of this country are concerned, take into account the ethnological fact that a system of establishing the identity of a person is not foreign to the Native. As far as they are concerned, the establishment of identity is inherent in their culture and their way of life. It is because of that that the members of the Tembu tribe amputate the first digit of the little finger of every baby. It is because of that that certain Transkeian tribes scar their faces and certain tribes in South-West Africa file a V-shape in their front teeth. All this is done to identify them as belonging to a certain tribe. This Bill will not be foreign to them because it is not alien to their culture. They identify their members as belonging to a certain tribe or group. It is inherent in their ethnology and culture.

I want to deal with the speech of the Right Hon. the Leader of the Opposition. In my opinion it is probably one of the most important speeches we have had in this House because that speech made it clear to us that we, as far as race relations are concerned, have come to the cross roads. The one sign points to the road of laissez faire; the other sign points to the road which we on this side of the House want to follow. The Right Hon. the Leader of the Opposition used these words—

> We are trying to do what is impossible to do.

He went further and used those words which have been repeated so often in the House and which I again want to repeat—

> We want to classify what is unclassifiable.

I trust that I did not misunderstand the Right Hon. the Leader of the Opposition when he used those words, and that by those words he meant that we can no longer distinguish between non-European and European. I hope I understood him correctly because my argument is based on that.

*Mr. S. J. M. STEYN: No, it is totally wrong.

*Dr. H. G. LUTTIG: Why does the hon. member say I am wrong? In that connection I have no option but to use a word which has been used in this Parliament ad nauseam, namely, the word "frustration." This is nothing but an exhibition of despondency. It is an exhibition of the spirit of despondency in connection with this matter, a state of mind of letting things take their course. But if that is the opinion of the Right Hon. the Leader of the Opposition, is is especially necessary for us younger members to take particular note of that point of view and we must make a study of this matter in South Africa. Unfortunately, the statistics dealing with this matter are not complete. I want to refer to a publication by George Findlay, issued in 1935 under the title "Miscegenation". After arguing the point he comes to this important conclusion—

Of the 2.5 million "Children of Europeans" there will then be 1.4 million of pure European stock and 1.1 million of tainted blood.

He says further—

Nothing is more remarkable than the trend of ugliness in South Africa to take the form of flattened, rather bridgeless noses, thick lips, heavy jaws and chins, and innumerable other Bantu traits. Now, in England this is by no means the case. There the less favoured visage most frequently is thin and bony in the nose; the lips are thick and prominent incisors overhang the weak chin of a receding, retrognathous jaw. To one returning to South Africa after a long period spent in England this difference is very striking indeed. One observer on arrival travelled with a local football team and was astonished to note that every member of it had strong negroid traits. Indeed, this fact is so ordinary with us that we do not trouble to observe it, and, of course, comment is not supposed to be in good taste. With the bridge before us, it is perhaps unnecessary to deal with the explanations that rely on the sun, the climate and so forth, in attempting to account for thickening lips and flattening noses.

Then he proceeds to the third important reason, which, in my opinion, is the most important in the whole of this work, where he states why it is that there is so much Coloured blood—

The third test is more abstract, but also more conclusive. For the period 1911 to 1921 the Bantu population increased by 16.89 per cent., the Europeans by over 19 per cent. Meanwhile the Coloured people increased by 3.7 per cent. only. (Census Handbook No. 16, p. 883.) This is really an astonishing phenomenon, especially in view of what is common knowledge, that the Coloured people have large families on the average, register more births than the Europeans, and look after their progeny, if anything, better than Natives. Had they bred at the average rate for the period, and they seem in all respects to have done so, they should have added nearly 107,000 to their number. Instead of that they add a paltry 20,000. What has happened to their fertility? In what direction have the 87,000 disappeared? Here we have an index of the escapes during ten brief years. It would seem that the actual progeny maturing in this period has shifted its classification, and has passed as "Europeans".

Mr. WARING: Do you want a blood test?"

*Dr. H. G. LUTTIG: I am quite prepared to have that. I quote what Findlay says. It shows what can happen within a short period of ten years. In other words, as the hon. member for Johannesburg (North) said: "The position is more serious than we believed. I want to deal further with the argument put forward by the Rt. Hon. the Leader of the Opposition. In the same debate he said the following—

There is nothing urgent to necessitate such a Bill. It is alien to the spirit of South Africa.

He then went on to say that there is important legislation in the economic sphere, bread and butter legislation, which should have come before the House instead of this legislation. On the one hand it is argued that this legislation cannot be passed because it is too late, and on the other hand it is alleged that it is too early for legislation of this kind. I cannot follow that line of argument, much less the logic of it.

Another aspect which has been touched upon in this debate is the question of education. If figures have any meaning, the time has arrived for us to face up to this problem in South Africa if we want to avoid a hybrid nation in this country. It is clear that the present is the right time to try to put a stop to this state of affairs, and in order to be able to do so, it is essential that we determine to which race each individual belongs. It is said that we should do it by means of education. In view of the fact that we have had education all these years. I do not see in what respect education has anything to do with the matter. I ask myself this question, whether the aim is that we should have racial schools to give racial education to the people; must we have schools of that nature to advocate purity of race? Is that type of education not similar to the Nazi ideology and is it not alien to the nature of our people? No, I do not see in what respect education can affect this matter. In this connection I want to quote Bishop Carey. He was discussing the Seretse Khama dispute and he said —

It is not a question of morality — presumably an Englishman can morally marry an Eskimo or a Hottentot — but it is decidedly a question of wisdom. All I have seen of the Coloured in South Africa makes me perfectly sure that it is a terrible mistake. The Coloured people hate their strain of black blood, and the Natives despise them. That is just sheer fact, and has to be faced.

That is an objective and ethnological fact which cannot be altered by means of education. If it is contended that this legislation is being introduced for the sole purpose of

applying colour distinction, I wholeheartedly agree. But at the same time if that is the position, I have no objection to it. I want to return to a very important aspect of the matter, namely, the economic aspect. In this particular instance I make bold to say that with the introduction of a national register we will have a practical method of combating the rising cost of living. Let me put it this way. We are all aware of the fact that the credit system is in operation in the commercial world. Every person who is connected with commerce knows that thousands and thousands of pounds must be written off yearly as bad debts, as a result of the fact that the addresses of people cannot be traced. I know that is the position in the concern with which I am connected. In the national register we have an important instrument to trace those people, and if the writing-off of bad debts can be avoided, it will not be necessary to make provision for such a large amount of bad debts. Every business man must make provision for bad debts and this is reflected in the price structure which must in consequence be on a higher scale. Every business man has experienced this and I think a national registration system will serve a good purpose in this respect.

Then there is another aspect in connection with registration, which is of economic importance and that is that births are coupled with deaths. It will eliminate separate registers for births and separate registers for deaths. In conclusion, I think that this attempt to make a joke of this very important matter by calling it a pass, is far-reaching but will not detract from its value to the nation. It will not detract from its value as far as national life is concerned or as far as the individual is concerned. In this connection I want to say something which is purely of a linguistic nature. I have already expressed this view to the hon. the Minister and I think he agrees with me to a certain extent. The word "persoonsbewys" (identity card) is being used and perhaps that word is not as pure Afrikaans as, for example, the word "kenkaart" or "uitkenkaart" and I think that description, generally speaking, will be more in conformity with the spirit of the Bill than this word "persoonsbewys".

Dr. FRIEDMAN: I was very interested in the contribution of the last speaker. It was particularly illuminating in view of the fact that he quoted from a work by Mr. George Findlay, one of the leading Communists in the country. Is the hon. member aware that he quoted from the work of a Communist and accepted him as an authority?

Dr. H. G. LUTTIG: Yes.

Dr. FRIEDMAN: Is the hon. member also aware that Mr. Findlay is a very strong advocate of miscegenation? He has accepted him as an authority. It is very interesting, it is particularly interesting in view of this fact that last Session when we were discussing the Mixed Marriages Bill, some hon. member — I think it was from the cross benches — quoted Mr. Findlay as an authority, and the hon. the Minister of the Interior seriously took him to task for quoting scurrilous matter in this House. I think the phrase he used was "that he dredged the depths of his imagination for scurrilous matter". I hope the Minister will address a similar rebuke to the hon. member for Mayfair (Dr. H. G. Luttig).

Mr. SUTTER: He was not in the House then.

Dr. FRIEDMAN: This is not a very auspicious beginning to a parliamentary career. I must also congratulate the hon. member; he certainly made a new point in the debate. After the debate had proceeeded for two days, he succeeded in introducing a new point. He has come forward as an ally of the hon. Minister of Economic Affairs. He suggested that this Registration Bill would bring down the cost structure, and therefore would reduce the cost of living. It appears that as a result of this so-called national register, the vast machinery which is to be set up, it will be be possible to trace missing debtors, and naturally, missing debtors being traced more efficiently, it will be possible for merchants to reduce prices and the cost of living will be brought down. Now we understand what the Minister of Economic Affairs' secret plan was to bring down the cost of living. At last the secret has been divulged. Before the general election the Minister of Economic Affairs made great play, speaking for his party, of their secret plan, not to prevent the cost of living from rising, not to slow down the tempo of the rise but actually to bring down the cost of living. We were all amazed. We did not know what the secret plan was. We had to wait till the hon. member for Mayfair came into this House to reveal the great secret.

Business suspended at 6.30 p.m., and resumed at 8.5 p.m.

Evening Sitting.

Dr. FRIEDMAN: My attitude to this Bill, Sir, can be stated very succinctly. It can be reduced to a simple syllogism. The Prime Minister says that this measure is the corner-stone of apartheid. I am opposed to apartheid; therefore I am opposed to this corner-stone. I am grateful to the Prime Minister for furnishing me with so convincing a reason for voting against this measure. But unless I elaborate on this theme, I shall no doubt be accused of rejecting yet another measure designed to

safeguard White civilisation. Just as they sedulously foster the blatant untruth that if you vote against the Immorality Amendment Bill you are in favour of miscegenation, so they will argue that if we reject this great corner-stone of apartheid we are indifferent to the fate of White civilisation and would be happy to see it founder.

An HON. MEMBER: Moscow.

Dr. FRIEDMAN: I know that what I say is above the comprehension of the hon. member . . .

Mr. LUDICK: Your face reminds me of something else.

Dr. FRIEDMAN: . . . but what he says is beneath my contempt. I say unhesitatingly that if this is an apartheid measure, then by very definition, it is an oppressive measure; for look at it as you will, apartheid is oppression.

Dr. LOOCK: Why?

Dr. FRIEDMAN: I shall be very happy to explain. I am glad the hon. member gave me an opportunity. You see, Mr. Speaker, the positive aspects of apartheid which are supposed to make it so attractive to the non-Europeans have been projected into the remote future. In the meantime, in exchange for vague promises in the distant future, existing rights are taken away or immediately threatened; and in the absence of positive measures to compensate for the taking away of these rights, apartheid becomes negative and oppressive. It cannot be otherwise. Sir, their philosophy of apartheid can be very briefly summarised: "If we cannot segregate the non-Europeans we can at least keep them in a state of servitude; if we cannot dispense with their services, we can at least show them who is master; if we cannot give them a decent status, we can at least prevent them from developing. If we must have them in our midst to serve our needs, we can at least keep them in their place, and their place is underfoot." That is how apartheid is working out in practice. That is what is meant by that exquisite term "baasskap". And now comes this national register to classify all those who are entitled to share in the privileges of baasskap and all those who must be kept in a state of permanent servitude. The whole purpose of this national register is to systematise the business of discrimination and oppression. For the time being, Sir, the Government is concentrating its attack upon the Coloureds. It is true they have not yet succeeded in despoiling the Coloureds of their political rights, but they have devised other measures which will pave the way for that final iniquity. This Bill is such a measure. As the Right Hon. the Leader of the Opposition pointed out, this Bill is aimed mainly at the Coloureds. The hon. the Minister of the Interior told us that a national register would be of great service in the application of the Mixed Marriages Act and the Immorality Amendment Bill. Well, Sir, that alone is sufficient to damn a national register. The Mixed Marriages Act and the Immorality Amendment Bill will always be a blot on our Statute Book. Not since the Dark Ages, when rulers used to pass laws making it a crime for witches to cohabit with the Devil, have such sadistic and obscurantist laws been made. And exactly as in the Dark Ages, the epoch of the witch hunt is upon us. The search for the taint in the blood has become a major political preoccupation in this country. The snooper, the informer, the wielder of the poison pen, are now licking their chops in gleeful anticipation of the kills they are going to make. Quiet, inoffensive people, who have hitherto led blameless lives, will be hounded out of society; they will be made outcasts as effectively as if they carried the leper's bell, instead of merely an identity card. And that, Sir, is the essential curse of that type of legislation. It causes far worse evils than it can cure. The Government, Sir, have set up a vast volume of legislative machinery to deal with a negligible evil. During the last twenty years the number of mixed marriges has declined from 9.5 per 1,000 marriages to 2.8 per thousand. The plain truth of the matter is that the social barriers to mixed marriages are almost insuperable. In our highly race-conscious society, the social sanctions operate with merciless severity against anyone who strays from the racial fold. In such matters convention is far more powerful than any law, and where convention fails the law will be powerless. Why then, Sir, set up this vast machinery, including a national register, to deal with a few marginal cases, which are bound to occur in any circumstances? There can be only one explanation. These measures are political grist to the party mill. We have a Government which is busy passing laws, not because they are wise or necessary or beneficent, but because their party can derive political advantage from them. These measures, Sir, are devoid of any intrinsic merit. They will not solve a single one of our most pressing problems. They will not promote the just and orderly progress of race relations. On the contrary, they will aggravate the existing unrest, and they will bring non-European resentment a stage nearer to bursting point.

Mr. Speaker, these measures are part of a sordid political manoeuvre. They are designed firstly to advance the prestige of this Government as the zealous protector of white civilization . . .

Dr. VAN NIEROP: Hear, hear.

Dr. FRIEDMAN: . . . and secondly to embarrass the United Party whose opposition to these measures can always be grossly misrepresented and exploited for political ends, particularly by members of the calibre of the hon. member for Mossel Bay (Dr. Van Nierop).

This measure appears to be the very stuff on which our reactionary politicians thrive, but this time they have over-reached themselves. In their zeal they have blundered, because for the first time the pass system is being extended to the white population of South Africa.

*Mr. H. S. ERASMUS: That is the old, old story. Let us hear some new arguments.

*Mr. A. STEYN: He cannot advance new arguments, even if he tried.

Dr. FRIEDMAN: I shall bring plenty of arguments. Some of them will surprise the hon. member.

Dr. STEENKAMP: He won't understand them.

Dr. FRIEDMAN: This identity card is a pass. It bears all the stigmata of the common pass. The hon. the Minister of the Interior, in his introductory speech, tried to reassure us on that point. This part of the overture was played with the soft pedal and the minor key. According to the Minister it will be useful, but not obligatory, to carry this identity card on your person. Therefore the indignity will sit lightly upon us; it will not be oppressive. But, Sir, I beg you, do not be deluded into the belief that it will be unnecessary for you to carry this identity card on your person, and that should the occasion arise you will be asked politely to produce it at the nearest police station within seven days. No, Sir, in practice you will have to carry that pass on your person and produce it on demand. No matter what this Bill may say, in practice you will have to carry it on your person for your own protection and convenience. Bear in mind, Sir, that we are now merely on the threshold of the great new era of apartheid. Apartheid, Sir, is to be ruthlessly enforced, and their brand of apartheid cannot work without the national register and the pass system.

An HON. MEMBER: What about your brand?

Dr. FRIEDMAN: I do not know why the hon. member over there should be so strongly in favour of the identity card. If his photograph appears on the identity card, the hon. the Minister of the Interior will have to ban it as pornographic matter. As I was staying, their brand of apartheid can only work with the pass system and the national register. That is what the Prime Minister meant when he said that this measure was the corner-stone of apartheid. Originally apartheid meant separate areas of freedom for the Europeans and non-Europeans. But, Sir, they have now come to realise that complete territorial apartheid is impossible. It is certainly out of the question as far as Coloureds are concerned.

Dr. LOOCK: Why?

Dr. FRIEDMAN: Ask the Minister of the Interior why; he will explain it to you.

Dr. LOOCK: We are asking you.

Dr. FRIEDMAN: I am ready to give the explanation. Because your Minister of Native Affairs says there is not sufficient land for that purpose, and land is basic to the policy of apartheid; and he said definitely that a substantial portion of the Native population is destined to remain in the urban areas.

*Mr. BOLTMAN: What is he talking about now?

Dr. FRIEDMAN: Because complete territorial apartheid is impossible, they no longer say that the non-European must be confined to his own area. They now say the non-European must be confined to his own sphere. That, Sir, is a different conception. It means separate carriages in railway trains, it means separate entrances to railway stations; it means that in the post offices there is to be a barrier . . .

Mr. H. S. ERASMUS: Any objection?

Dr. FRIEDMAN: . . . one side of the barrier represents the white sphere; the other side of the barrier represents the non-European sphere. When all these spheres have been neatly and properly defined the trouble will begin. Let us take the post office, for example.

Mr. BOLTMAN: Take yourself for example.

Dr. FRIEDMAN: How is the Coloured man with a light complexion to be kept out of the European sphere?

Mr. BOLTMAN: Just look at yourself.

Mr. SPEAKER: Order, order!

Dr. FRIEDMAN: How is the white man with a dark complexion to avoid being pushed into the non-European sphere?

Dr. LOOCK: He can produce his pass.

Dr. FRIEDMAN: Obviously, under the new dispensation he will have to produce his identity card. He will produce his identity card and that will settle the matter. But now comes the rub. It will be possible to ask for this identity card only in doubtful cases. Imagine, Sir, the feelings of a white man whose dark complexion invites a challenge every time he walks into the white sphere of the post office. There will be altercations and bitter scenes; there will be unpleasantness not only for the suspect but for the official who asks for the pass. Why, Sir, the suspect, the unfortunate possessor of a dark complexion . . .

Mr. BOLTMAN: Like yourself.

Dr. FRIEDMAN: . . . may be an ardent Nationalist, like the hon. member for De Aar-Colesberg (Mr. Boltman). He may be an ardent Nationalist who himself has voted for apartheid. Just imagine his feelings if he is challenged to establish his right to be in the white sphere every time he enters the post office.

The MINISTER OF LABOUR: We appreciate your sympathy.

Dr. FRIEDMAN: He will burn with humiliation; he will smart under the insult; and it is certain that neither he nor his friends nor his relatives will ever vote for the present Government again. Therefore, to take the sting out of the business, to avoid the bitter scenes, we shall all be called upon to produce our passes as a matter of routine. We shall all be treated alike. Mr. Speaker, you will have to show your pass every time you board a railway train, every time you enter a railway station.

The MINISTER OF LABOUR: Not everybody.

Dr. FRIEDMAN: Every time you buy a postage stamp, every time you make a telephone call . . .

An HON. MEMBER: Ridiculous.

Dr. FRIEDMAN: It sounds fantastic, Sir, because it is fantastic. It is the logical and inevitable working-out of this system. And as the great new era of apartheid unfolds itself, the circumstances in which we will have to produce our passes will multiply. We shall be subjected to harassing and humiliating demands for our pass at every turn. Why, Sir, the hon. member for De Aar-Colesberg will be afraid to approach a policeman without producing his pass in case he looks like an albino, and the policeman may feel obliged to arrest him on the spot under the Native Urban Areas Act for being in town without a permit to seek work. Under the new dispensation, Sir, you will be assumed to be black until you can prove that you are white. If anyone thinks that I am exaggerating, I challenge him to expose any fallacy in my argument. The ignoramuses on that side have not been able to think out the implications of this dreadful pass, or how it will work under the conditions of apartheid. In the end, in order to avoid infinite trouble and vexation, it will be far more convenient to have some distinguishing mark tattooed on your forehead like certain Oriental castes; and as for the lesser breeds, outside the pale of civilisation it will probably suffice to brand a number on the arm, as the Nazis did.

Mr. BOLTMAN: No, we will brand you somewhere else.

Mr. SUTTER: We will treat you like a champagne cork.

Dr. FRIEDMAN: That will ensure that every one is in his right sphere.

*Mr. H. S. ERASMUS: You are making a fine speech.

Dr. FRIEDMAN: You may think that I am making a caricature, but I assure you it is no caricature. It is a logical picture. It is exactly what our society will look like when apartheid is put into force and the pass system is universally applied.

Mr. H. S. ERASMUS: What logic!

Dr. FRIEDMAN: In order to avoid this dreadful state of affairs that I picture, they will either have to scrap their pass system, in which case apartheid will not work, or they will have to abandon their apartheid, in which case the pass system will be useless. The pass system and apartheid stand or fall together, and this Government, as it will find to its cost, is deeply committed to both. In order to avoid the dreadful state of affairs which I foresee, we shall have to get rid of this Government. I fear, however, they will proceed far with their mischief before the electorate will have an opportunity of venting their outraged feeling on this worst-of-all reactionary Government. [Interjections.] I assure you, Sir, their continuous barracking will not put me off my stroke. I intend to say what I want to say.

An HON. MEMBER: Follow the albinoline.

Dr. FRIEDMAN: It has been argued that there can be no disgrace in carrying a pass if everyone is compelled to submit to the practice. Even the hon. the Prime Minister will have to carry a pass.

THE REPUBLIC OF SOUTH AFRICA

Mr. SUTTER: He said so.

Dr. FRIEDMAN: According to the Minister of Labour, the Prime Minister will set the example; and if the Prime Minister carries a pass, he will place it above reproach. Whatever is good enough for the Prime Minister is good enough for any man in the land. Now, Sir, that is a perfect example of inverted reasoning.

Dr. LOOCK: Of what?

Maj. VAN DER BYL: You heard him.

Dr. FRIEDMAN: The hon. member is not only monosyllabic, he is practically unalphabetic. To carry a pass in this country is an indignity and you will not make it gain in repute by making it universal, nor will it become more seemly even if it is adopted in the most exalted circles. If it were a good thing to carry a pass . . .

Dr. VAN NIEROP: What about the railway pass?

Dr. FRIEDMAN: . . . it would be no indignity to make the Prime Minister follow the example of even the humblest citizen. But it is a bad thing to carry a pass, and therefore it is wrong to make even the humblest citizen follow the example of the Prime Minister. If the Prime Minister carries a pass it will not dignify the practice; it will damage his prestige. The public, Sir, will not think more highly of the pass, they will think less highly of the Prime Minister. The public, Sir, look to the Prime Minister to protect them against such indignities, and not to give countenance to an objectionable, indeed disgraceful practice by submitting to it himself. In the past, Sir, kings have worn sackcloth and ashes, but they have never made it fashionable attire. It still remains a symbol of humiliation and abasement. The Prime Minister may be prepared to abase himself in the cause of apartheid, but he will never make the pass a badge of honour in this country.

The MINISTER OF LABOUR: You are insulting Great Britain.

Dr. FRIEDMAN: I credited the Minister of Labour hitherto with a scintilla of intelligence. It is extraordinary how rapidly he has shattered the illusion. Mr. Speaker, the day this measure is placed on the Statute Book will be a black day for South Africa. I have no doubt that the hon. the Minister of the Interior will make use of the radio, as he did after the Citizenship Bill, to broadcast a so-called explanation. He will try to the best of what he believes to be his ability to explain the whole measure away. But, Sir, if the hon. the Minister of the Interior thinks that he will be able to still the troubled waters with his bland and oleaginous rhetoric, he has an exaggerated view of his own powers. The pass system is to be universal and every white man in the land will now know what it means to carry a pass. For the first time the white man will share an indignity which the Native has long resented and which the white man will resent eveen more.

The MINISTER OF THE INTERIOR: Will you give up your railway pass?

Dr. FRIEDMAN: The hon. the Minister of the Interior has the first word in this debate and the last word in this debate, and now he wants all the middle words as well. May I ask the hon. the Minister if he is trying to set up in competition with the hon. member for Swellendam (Mr. S. E. Warren)? If so, Sir, I suggest that the hon. the Minister should take his place on the babblers' bench beside the hon. member, where he will be able to bask in reflected glory. This Bill, Sir, bears out the great truth that all repressive legislation has a double edge. Every piece of legislation designed to oppress the non-Europeans recoils on the Europeans. You begin by imposing certain disabilities on non-Europeans; you end up by accepting those disabilities yourself. You set out, Sir, to put the Native in his place; you end up by putting the White man in the place of the Native. You fashion a yoke for the Black man; and to ensure that the yoke remains firmly on his neck, you have to share it with him. There is nothing mystical about the working out of this great truth. It is simply that liberty is indivisable. Liberty is the one thing you cannot have unless you share it with others. In the name of apartheid, this Government is turning South Africa into a vast prison house. Some of them think they will be the warders, but I assure you, Sir, they will be just as much inmates as all the rest; and together they will eat of the bread of bitterness.

Capt. HENWOOD: If ever we have an occasion of political expediency exposed, I think this is one which all members will remember for many a long day to come. When the provincial elections were on last year and speakers on behalf of the United Party did refer to a registration Bill and produced photos of a pass that would be carried, such as we are going to have, this was denied most vehemently by various speakers on behalf of the Nationalist Party. When the provincial elections were on they were not prepared to let the electors know that this Bill was on the stocks. As a matter of fact they wondered how we came to have information about it. I think it was for that reason that the Bill was not introduced last year.

The MINISTER OF THE INTERIOR: Read the Speech from the Throne of last year.

Capt. HENWOOD: Now we are told by these same people that they are proud to carry a pass and some of them have told us that they are quite prepared to put their fingerprints on that pass. The hon. member for Calvinia (Mr. Luttig) goes further and says that if we do not get this legislation, it will only be a few years before we are one yellow race in this country. What a low opinion of the average South African the hon. member for Calvinia has, and he knows that that is a slanderous and scandalous statement. He knows it is not the truth, he knows it is a deliberate untruth. But what will the position be? The hon. member for Swellendam said that we would be bred-out in this country. What will the position be if the European civilization disappears as we see it disappearing today? He states that this Bill protects white civilisation. In fact the opposite is the case. The Government has stopped immigration, the one and only way in which we can build up a white population in South Africa. But by this kind of legislation you are driving the non-Europeans together. The hon. member for Swellendam said "Look how the Indians are breeding; unless we have this Bill, we are going to be bred-out in this country." How he can see that this Bill affects the breeding of the Indians, I do not know. The registration of the Indian births in Durban alone for 1949 was greater than the registrations of the Europeans, Coloureds and Natives put together. The hon. member there says that it will stop Indians from breeding us out. I would like to know how? We would like to know what you are doing? You have stopped immigration and you have prevented white civilisation building up its numbers in this country so that we can control the question of numbers in this country in the future. But what is the real case made out by the hon. the Minister for this Bill? He says the Bill will be of great statistical value, that it will simplify administration and that there is a precedent for this in such freedom-loving countries as England and Holland. Let us just deal with this last matter shortly and then come to the question of administration. I have a letter here sent to me and I will read part of it, and the hon. the Minister can see the pass—I think he has seen a British Pass and he knows that it differs fundamentally from the pass that we will have to carry. This is what this South African born woman says—

> I as a South African who loves my country have taken very much to heart the registration Bill the Government wishes to force on our people. I noticed the other day that Dönges stated in the House that different countries in Europe, including Britain, have identity cards. How can he compare the identity card of Britain with the one he wishes to impose on the people of South Africa? There is no comparison whatsoever. British identity cards were brought into force during the war, mainly for security reasons and also as a means to proving your identity when applying for food coupons, but there was never any question of fingerprints, photographs or history, as if we were a police state like Russia. We are presumed to be superior to the Natives but this seems to me to put us at a par with them. South Africa is crying out for more hospitals, more hygiene, more social services and this crazy Government is going to waste possibly millions upon a registration scheme. There seems to be a lot more in this Bill than meets the eye. I am enclosing my British identity card for your perusal. I was allowed to keep it as a memento of my trip to Britain. I have sent you this card so that you can show it to other members of the House, although it is possible that many of them may already have seen the British identity card.

Here is that card and, as everybody knows, only a few simple particulars are on that card; no race and no religion is shown on that card.

The MINISTER OF THE INTERIOR: Will you read the instructions at the back of the card?

Capt. HENWOOD: We know what it is.

The MINISTER OF THE INTERIOR: Read it.

Capt. HENWOOD: Now this national register has already been dealt with by several hon. members and it has been pointed out that it does not register the whole population. I do not want to go into that, but when the Minister claims that it deals with the statistical side satisfactorily, I want to ask how it can be regarded as satisfactorily if a large section of the population in need of hospitalisation, social security, feeding in times of drought, etc.—how can it be considered that this registration will be of any use to the Government at such times when a large section of the population is not registered? It strikes me rather that this Bill as a registration Bill compared with registration Bills in England and Holland is rather like strychnine, given in small quantities as medicine it is good for the patient, but if administered by this Minister it kills the patient. And I think he is killing white civilisation when he starts this race discrimination, following the other racial legislation that has been passed by this House last year.

I want to deal with the financial aspect, because the hon. the Minister has estimated the cost of this Bill at a third of a million. That seems quite sufficient. That is one of the reasons why this Bill should go to a Select Committee so that experts can deal with the financial obligations under this Bill, to go into it and to see how far the hon. the Minister's estimate is reliable. Then also the Select Committee can go into the question of how you can succeed in registering the native population, and they can consider details of how it can be done in respect of natives living in areas hundreds of miles away from railway facilities, only to be reached over bad roads where motor cars will be bogged in bad weather. I am sure I do not know how you are going to do it where on top of everything people are not likely to co-operate in regard to a matter like this, and where, as I can prove by referring to other departments you have a great shortage in interpreters, Zulu interpreters, or interpreters in other language groups — they will have the greatest difficulties to get a simple enumeration, without all the details from people who in many cases may not be co-operating. The difficulties of the enumerators will be enormous. They will have to go back into these areas over and over again, they have to go round to those kraals over and over again, and unless you send trained personnel, good linguists, they will fail to get a registration of a tenth of the people. What is the hon. the Minister going to do then? Is he going to send notices by post to these illiterate people to the effect that they have got to register people who for the first time come into contact with civilisation? Are you going to turn around and run them in, because that is what you do under your pass law? And I would like to ask the hon. the Minister what he is going to do in places like Newclare, Moroka, Cato Manor, Umlazi and a few other places that he cannot handle now, where he has got the greatest difficulty to carry out a liquor raid and to examine a few passes? What is he going to do? What is the position to-day? There, if the police goes to examine a few passes, in Newclare or any of these townships — they are growing every day — they have to send a punitive force. If they do not and a couple of unfortunate policemen happen to arrest a Native when they asked Natives for passes and they refuse to show a pass and they take them under arrest, what happens? Immediately there is a big collection of Natives and they are stoned. You know about the riots at Newclare the other day. Practically a punitive force had to be sent in to just get your police out. Did they ever get the passes of those Natives? Did they arrest all the Natives concerned? Of course not. And as these passes increase, so the position is getting more difficult for the Government. I think it is very unfair to ask police to go into these areas under conditions such as these, more or less fighting an unseen army, people who gather in two or three moments when the police are there in small numbers and who stone them and kill or maim them and who disappear when a bigger force arrives. Nothing is done against these people, because it is quite impossible to round them up. It is unfair to send the police in under these conditions. Is it not true that so much tear gas has been used in recent months that we have had to cable to Great Britain to order more tear gas? Is it not true that there is tear gas on order to be sent out by air because the position is such that we are using up supplies? This is a very grave position which has arisen; it is not even civil war, it is worse than civil war. You are getting to the position of Ireland in the Black and Tan days where everyone was fighting against everybody, but whereas in the past we had in this country a large number of Coloured people who co-operated with the Europeans, who were quite prepared to work for them, who were prepared to man our industries, our farming industries, who were amenable to laws, what is the position today? Because of this threat of taking away the few political rights he has, because of the racial legislation passed during the last session, you are making enemies of them, they will no longer co-operate, and you are going to be in this position that these people, many of whom are educated, will turn around to the Natives and Indians to support them against the Government. You may have a large passive resistance group, apart from these sporadic outbreaks and crises. I want to know what this country intends to do? Are you going to call up the U.D.F.? It was never in the minds of this Parliament, when the U.D.F. was brought into being, that they would be used in this country in connection with passive resistance or civil riots because of repressive legislation and taking away rights that were put in entrenched clauses at the time of Union. I think it is a very serious position and I want to know what the Government intends to do on that side. I think in view of the race deterioration, or race group deterioration, that Parliament is entitled to know what this Government intends to do to see that it does not deteriorate any further, and what steps are going to be taken not just to punish people all the time, but to remedy the position as it arises. Now in relation to Communism, it is all right for the Government to tell us that they are against Communism. But who put the hon. member for Cape Western (Mr. Kahn) in his seat there? Government propaganda. Whilst the United Party was in Government, we never had a Communist in any House in South Africa. Communism thrives on the propaganda which the Nationalist Party is supplying them with, and the result of

Nationalist propaganda is that one member of the Communist Party was sent to this House and one to the Cape Provincial Council.

Dr. LOOCK: The Communists did not need a member here when the United Party was in power.

Capt. HENWOOD: When the Coloureds are put on a separate roll I am willing to say now and prophesy that every man they will send to this House will be a Communist, and do not say that we did not warn you. Of course when we warn the Government we are told that we are saboteurs. These riots of course occurred because we warned the Government. Mr. Speaker, it is the duty of the Opposition and it is the duty of a member of Parliament who represents his constituents, to say to the Government that it is making a mistake, do not go any further. We told you that about immigration, we warned you about the feeling of people overseas in relation to Commonwealth defence and Commonwealth relationship. What happened? You just carried on and we experienced the greatest financial crisis this country has ever experienced. Overseas opinion had hardened against you. When it came to UNO, you gave your opponents all the ammunition they wanted to fire at you and you are giving them ammunition every day through this type of legislation. If you go back to UNO and the Indians bring once more a case against us, then you are going to be in a much worse position to defend yourself, because all this racial legislation will be quoted against you and you will have no reply to it.

When you think of the number of mistakes made in our voters' roll when you are dealing with Europeans, when we know that in the past six months hundreds of people have been taken off the voters' roll and other people put on, and if we consider that when changes of address are sent in, it takes three or four or five months before the notice of change of address is acknowledged, and when we consider that we have reached the stage now that in our area we send any change of address notification by registered post to the electoral officer from a central office to make sure that everything is in order, then I ask myself what the position is going to be if this Bill becomes law. Today you cannot get a change of address noted. What are you going to do when you come to thousands of Natives who are migratory people, who change from month to month—the farmers here know how their farm labour moves every winter, moves from farm to farm, and I wonder how they are going to handle this registration from the administrative point of view. Every department today is short of trained officials. I have been to the Minister of Native Affairs repeatedly during the last two years, I have asked him in this House on several occasions during the past session whether he will see to it that under the pass system the passes are correctly made out, and that the full particulars are set out on the pass as required by law, but I do not get any satisfaction. I recently went to see the Native Commissioner of Natal on this very point. All farmers in my area are up in arms because the poll-tax receipts are not properly filled in. I have had letters informing me that in some cases there is not one particular filled in at the back of the pass, and when you go to the office concerned, they tell you that they cannot cope with the number of people waiting to pay their poll-tax, we haven't got the staff. And when you come to rural Natives, they tell you that they are standing there all day long because there is not the necessary staff to deal with them and half of the particulars are not put on these passes today for the simple reason that they have not got enough interpreters to deal with these people. What are you going to do when you come to making up a big register of the non-European people, running into millions? You just can't handle it and you know that that is correct. And then they will be run in. These unfortunate Natives coming to town without an identity card will be arrested by the police. Where are you going to lock them up? Every gaol in South Africa is overflowing to-day as a result of the pass laws. I am a believer in the pass laws properly administered. Have your passes properly administered, properly filled in and administered by officials who know the language of the people concerned and who can explain what is required of them. Sir, you had the position the other day in Bloemfontein that an urban Native, not even a rural Native, was standing there in court to be called as a witness, put in the dock. She said, "yes" to a question when she did not understand the interpreter, was found guilty and sentenced, until later on they found out that it was not the accused woman at all, but a crown witness whom they had put in the dock and convicted. Why? Because you have not got the trained linguist, you have not got sufficient interpreters to handle the Africans in this country. Perhaps the hon. the Minister when he replies to that will say that that is a case of hardship that you get under any new law when it is applied. The Minister of Justice said that in relation to the Immorality Act and the Mixed Marriage Act, and perhaps this case of a crown witness being put in the dock, will be just another hard case. This will certainly not improve the good relationship between the Natives and the Europeans in this country. If ever there was a time when we should go very carefully in regard to race relations in this country, it is now. Communism is spreading throughout the world, we are experiencing difficulties at

UNO, there are difficulties in the East, the Asian people have eyes on Africa, and this is the time that we have to see to it that our own people in this country are happy and are co-operating with the Government. This is the time when the Government should act with statesmanship, with a little forethought and an eye on the future. We are now creating another army of officials to interfere in our private lives, and I would like to quote these words by Mr. Winston Churchill not long ago—

> We must beware of trying to build a society in which nobody counts for anything except a politician or an official, a society where enterprise gains no reward, and thrift no privileges.

I say that particularly now, because if ever there was a time when we feel rather insecure in matters such as our rights as individuals and our freedom as individuals, it is now with the present Minister of the Interior, who says "You are not entitled to a passport as a right, it is a privilege, and it is a privilege which I can withold as Minister of the Interior." It has cost this country many thousands to get a correct legal ruling from the courts that those people whose passports were taken away, should have them returned to them. That is the outlook of this Government, and I frankly say that if that is so, it is not a democratic Government. We do know that the passport can be taken away in time of war for security reasons—that may have been done at a time when we were fighting for our lives, but in time of peace when a citizen who has never been convicted of any crime, who has never even been charged of any crime, is refused a passport to go overseas, I think it is a thorough disgrace. I wonder whether we want our nation to go back to the old wagon days, the bush-cart days, when you did not want people to travel overseas, to become broadminded, to become educated. I have one case in my own area of a brilliant student, who got his M.A. at the Natal University College. He won a bursary to go overseas, he applied for a passport and could not get it. He went to Durban three times to see the immigration authorities . . .

An HON. MEMBER: What is his name?

Capt. HENWOOD: I'll supply the name. I have written personally to the Minister when I got no satisfaction from the department. I will be prepared to give the details to the Press. This man, an M.A. with honours, was not given a passport, because he could not say at what university he was going to study and for three months he kept on telling the authorities concerned what his position was. The Minister knows about it. I wrote to him personally, and I will give the hon. the Minister credit for seeing to it that the passport was issued, but it was only given on orders that came from him, otherwise probably the passport would still not have been issued. He had never been convicted of any crime. He had his M.A. degree with honours and he had obtained a travelling arts bursary. He was a most brilliant student, but because he could not say that he was going to sit down in one centre, because it was a travelling bursary to enable him to study at various places, he could not get a passport. He was not regarded as a fit citizen to leave the country and go where he wished to go without being on a lead with a dog collar around his neck. I would like the Minister to tell us whether that is his policy, to treat a free South African citizen in that way and whether he regards a passport in these circumstances as a privilege granted by the Minister, or as a right which can be claimed by South African citizens when they wish to go overseas and have the money available. This young man wished to proceed overseas to extend his education. What are we coming to? It is one of the most terrible things, that such a position could arise in this country. This is a democratic country and these are the things we are concerned about.

Let me summarise the position. I have five things against this Bill. The first is the odium cast on our womenfolk because they have in general to carry a pass, whereas the Native women need not carry a pass. The second is the enormous cost involved in this scheme. It will run into millions. The Minister minimised the amount in an attempt to let it slip through this House. Take the amount of travelling that will be necessary. The Minister of Economic Affairs asks us to save every gallon of petrol. He tells us to ask ourselves: Is this journey necessary? Well, under this Bill the Government will have to send out thousands of people to the various locations, not over asphalt roads, not over gravel roads, but over mud roads, to collect the information. We will not get it in any other way. They will have to send people to the big locations like those of Pietersburg, Zululand and the Transkei. Thirdly there is the shortage of trained staff. You can go to any department of the Government today and ask that this or that should be done, and the reply is: Sorry, but we have not the trained staff to do it. The day before yesterday we heard in this House that the Minister of Transport laid the report of the Weather Bureau on the Table of the House—for the year 1945.

Mr. LABUSCHAGNE: That was the fault of the previous Government.

Capt. HENWOOD: We had a war on then, and we had not yet caught up with the work. This Government has now been

in power for two years, and the position is worse than it was ever before. The best civil servants are leaving the Service. Take the veterinary services. There are forty vacant posts. Why? Because the veterinary surgeons are doing ordinary private work because this Government will not pay them a sufficient amount to retain their services. Research work has come to a standstill. This Government trained 67 men for soil conservation work during the last few years. How many of these men are in Government service? Only five. All the others looked for jobs elsewhere. In every department we are told that they have not the trained staff and clerks to do this or that, and now we will have to use the best men to bring out this national register, which is quite unnecessary in a time like this. I am not going to go into details because there are other members who wish to take part in the debate. But my fourth objection against this Bill is that it is going to make many more criminals in South Africa. We are going to take innocent people, convict them of crime under this Act and put them in gaol, just as happened under the Pass Laws where they were indiscriminately applied by people. No, Mr. Speaker, if we look at this legislation and for a moment consider how it will be applied, especially in the case of the Native peoples, then we can well say: "Cry the Beloved Country."

*Mr. LIEBENBERG: I am convinced that if somebody were to ask the hon. member who has just sat down, what he was talking about, his reply would be: "I have talked about everything under the sun and I do not know precisely what I talked about." Because he never came to the Bill. The hon. member poses in this House as a big farmer and as the champion of farming community on the Natal Agricultural Union. I want to ask him a simple question. Can he deny that the Natal Agricultural Union asked for such a system of population registration? And yet he is the man who opposes it. I hope he will remember to repeat the speech which he made here tonight at the next meeting of the Natal Agricultural Union.

Capt. HENWOOD: On a point of explanation, a direct question has been put to me. To the best of my knowledge the Natal Agricultural Union has never asked for a Bill of this kind since I have been a member of that organisation, and I have seen the minutes of the meetings. They did not at any time ask for a pass.

*Mr. LIEBENBERG: I want to ask the hon. member to attend the next meeting of the Natal Agricultural Union and to ask its members whether they did not ask for the introduction of a national register.

Capt. HENWOOD: Not a pass.

*Mr. LIEBENBERG: Their request embraced him and me and the Zulus and everybody. I would like to dwell briefly on a few of the statements which we have listened to in this debate. The first is a statement made by the Rt. hon. the Leader of the Opposition. He is not present, but I do not intend attacking him. The Rt. hon. the Leader of the Opposition the day before yesterday addressed members of his Party in Cape Town, the women of the United Party, and on that occasion he said: "I am a trained observer." And then he told these women that he had taken up a position near a factory in Cape Town and that it was very difficult for him to tell who was European and who was non-European. I do not blame him. He and I are getting on in years. Our eyesight is no longer as good as it used to be, and that is why it is necessary for us to make sure that in the future we are able to tell Europeans from non-Europeans. I think the women who listened to his speech, particularly those who came from the Free State, Transvaal and Natal, and also those from the Cape Province — I want to include them all — were probably surprised when they learned from their Leader how bad the position was. I am convinced that if the Rt. hon. the Leader of the Opposition had not used quite a number of other subtleties in his speech they would have instructed him to vote for this Bill.

This whole Bill is based on the idea, on the principle, of classification. The hon. member for Hottentots-Holland (sir de Villiers Graaff) said here the day before yesterday that classification was the keynote of the Bill. He went on to say that in farming we are used to classifying our sheep and our cattle, but that he had never heard of people having to be classified. Now I want to ask the hon. member this simple question. He and I both go in for German-Merinos — I do not say it because we have a few sheep for sale — but because I want to point out to the hon. member that he would not allow Persian sheep and other breeds to graze with his German Merinos. Now I want to ask him whether he places a higher value on his German Merinos than he does on the people of South Africa — higher than the ideal of the preservation of the European population in this country. If he believes in classifying animals, why then should we not keep our people apart in different classes?

The second point which was made here was that we would estrange the countries abroad if we passed this Bill. It has already been pointed out that identity cards are issued in England and also in other countries, and when I think of the unfortunate situation which has now arisen in the British Empire, I am convinced that if there had been identity cards all the way through so that one could distinguish between the different races, it would not have been

necessary for the English people to suffer the anguish which they are experiencing to-day. I do not think there is anybody who approves of what has happened there. I was sitting in a bus this morning when I observed two English women looking at a photograph of Ruth Williams in the Cape Times, under the caption "Ruth Smiles." The one woman made this comment to the other: "And she still has the cheek to smile." I say this in all seriousness and with due deference, because I feel that the European women of South Africa, the mothers of the English-speaking people, the mothers of the Afrikaans-speaking people, and also the mothers of the Jewish people — I feel that all those mothers approve of this legislation. The women of South Africa will carry the identity card in their bags with joy and pride for the sake of saving the country for the future and in the knowledge that it will protect their race.

Then I come to another point, namely the question of immigration. I shall dwell briefly on it for my time is limited. Now I would like to ask members opposite whether our immigration laws allow the entry into this country of a person who cannot stand the test of being subjected to the limelight of this population registration. If that is the position, then we have suffered much harm in the past and then this Bill will assist us in rectifying the position. It concerns not only Europeans, but also Natives. I particularly want to mention a case which happened recently—the terrible and ghastly murder at Bothaville. The Nyasa Natives come to this country, and we know that we have also had other cases of a similar nature. I say that if we have an identity card system it will assist us to rectify the position in that connection too, and in this respect the European population in South Africa will be grateful for the introduction of this Bill at this stage.

Now I want to come to the speech made by the hon. member for Hillbrow (Dr. Friedman). I asked him to do me the honour of remaining here for a while, but he is not here. I think he is a little shy. That hon. member's speech reminded me of those sweets which the children buy. They resemble an ostrich feather, but when one presses it together it becomes just a small wet spot.

I want to refer to only one specific remark made by him. He said we were reverting to the Middle ages. I want to go back a little further than the Middle ages. He and I—if he still reads that Book—both read at least the first half of that Book. I understand he does not read the second half. In that first half of the Book we read that even in the days of Moses his people were given a mark of distinction, a very special mark of distinction, and I want to say today that that mark of distinction was the means of preserving the Jewish race in its original form and the means of preserving their nationhood. Today we have not got that special mark of distinction. We also read the Bible, and it helps us; it tells us that we should live in accordance with the directions of that Book. That member's race was forbidden by that Book to mingle with the Canaanites, the Perizites, the Jebusites and the Arabians. On what grounds can he then blame us—we read the same Book — if we follow the fine directions of that Book, the directions which helped to make his race strong, why is he opposing us when we are simply carrying out those directions by passing legislation here in South Africa—that simple direction that there should be separation between the races.

Then I come to the members of the Labour Party. Many of these arguments in connection with the United Party also apply to them. The members of the Labour Party were elected by the European workers in South Africa. In that respect they rank a little higher than the United Party members who were not elected exclusively by Europeans. We know that a fierce struggle is already going on in the ranks of the trade unions in connection with this intermingling; and surely they are not going to allow those trade unions, whom they represent, to degenerate. Those trade unions consist of the people who elected them; and it is their duty to help those people. They know that in the first place if they help those people they will also be dealing a death-blow to the Communists in those trade unions. I therefore cannot understand why the Labour Party is opposed to this Bill. In my opinion they should be in favour of it because it will assist their party.

There is a gentleman's agreement between us that we shall not make long speeches, and I would just like briefly to voice two thoughts. The first is that members sitting here who belong to the English race at least have a "home" to which they can eventually return. But I want to put it to them that their children who were born in South Africa have no such a "home," and it is their duty to assist us in creating a "home" here for their children and the children of Afrikaans descent. Those members who belong to the Jewish race also have a "home" to which they can send their children. The Europeans and the Christian races helped them to obtain it. We also approved of it, and we are very well disposed towards that country. Let them then also assist us in creating a "home" for ourselves. We have the same aversion to mingling with the non-Europeans as they have to fraternising with the Arabians.

Finally, I want to say these few words. I want to congratulate the hon. the Minister and I want to congratulate this Government on the fact that they are today doing what should have been done three hundred years

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ago in the interests of a happy national life. When all these subtleties and all these unpleasant things which have been said here against the Minister are things of the past, this legislation will stand as one of the great pieces of legislation which the Minister in all honesty and decency piloted through this House.

Mr. GAY: Mr. Speaker, I would just like to examine the Bill from the practical point of view as to whether this country at this stage of its career can afford this luxury. South Africa we all regard today, and we are proud to so regard it, as a young country forging ahead, going ahead with its development and expanding in every direction. All these things require from the country the last penny we can give it in cash, and the last man that we can give it in manpower. If we want to make the best of our advantages, we cannot afford to squander our resources on anything, no matter how desirable, unless they are absolutely essential. The question the House has to ask itself, when it has to decide whether this Bill should be passed, is not whether it is desirable, but whether it is absolutely essential in present-day conditions to put it on the Statute Book. Let us examine the Bill first of all from its manpower aspect. The work entailed as a first stage in setting up machinery to carry into effect the provisions of the Bill, and after that, the practically new Department of State that will be necessary in order to carry out the administration of the Bill. Who is going to do it? If you read the Bill, you see in paragraph after paragraph reference to the Magistrate's Court, to the Director, to this one and to that one. Are the Magistrate's Courts going to be able to tackle this job? They cannot deal with the work they have today, with their own work. They cannot take on any more. Is there any other Department of State in a position to tackle the volume of work which will be entailed? Is not the country today practically queueing up at the door of every Department of State, waiting for Bills, waiting for papers to be dealt with, due to shortage of staff? Ask the head of any department what the first thing is he requires today—additional staff. Are we going to help him to get the additional staff if we throw this additional burden on his shoulders, or are we going to stultify the work of the State still further?

Under Sections 10 and 11 of the Bill we are going to create a new army in South Africa; an army of informers; an army of poison pens. The very effectiveness of those sections requires informers. Are we going to set up here something which it took millions of lives to wipe out in Europe a short while ago; are we going to set that up in this country; amongst the people in our own household; brother will not be able to trust brother; sister will not be able to trust sister. We have already had that view expressed from various parts of the House.

An HON. MEMBER: That is soft soap.

Mr. GAY: It is not soft soap; it is hard fact. You are going to create criminals. You will have to use the police courts more and you will have to build gaols to lock them up. Take another section. The Native has seven days when he changes his address, to notify such change of address. Is there any member in this House foolish enough to believe that that can effectively be carried out? No, Mr. Speaker, the Native will again become simply another "pass" criminal. There will be more court work; more men and women the country needs for expansion and development will have to be engaged on this non-productive work. That is one of the sides of the Bill we have to examine —can we afford it?

Then take the financial side. The hon. Minister estimated that to put this Act into operation would cost not less than £300,000. That is a very nice way of putting it—not less than £300,000. Some of us who have gone into it very thoroughly feel that if he had said not more than a million pounds, he would have been nearer the mark. True it was qualified by a number of other statements. There will be buildings required; there will be these wonderful Hollerithe machines which, by pressing a button, are going to decide whether a person is White or Coloured. All these things have to come. But supposing we put the price down at £¾ million, which is a fairly moderate estimate; and then another £¼ million a year to administer it. Can the country afford that at the present stage in its career? No, Sir. Mr. Speaker, today there are a hundred thousand families in this country crying out for a roof over their heads, for a house. If we have a millions pounds to put away somewhere, that is one avenue where we can use it and where it will be of some lasting benefit, of far more benefit to the country than this registration will ever be. There is the question of Native housing. This Bill will find housing for the Natives. Most of them will probably be housed in gaol. For Native housing we are scratching about the country at the present moment. It has been suggested that there should be a levy of 2s. 6d. per employee on employers of labour in order to help with the housing of the Natives. If we have £¾ million or a million pounds to spend, would it not be better to devote that to Native housing, than to have to scratch around for a levy? Let us take our hospitals and our public health services, health centres and child welfare. Are any of these in a state that they are not crying out for additional support, for cash? Are there any of the departments dealing with those particular subjects, that are not crying to

heaven for money to extend their servies? Are they a credit to us today? They are limited for lack of money, limited for lack of manpower and womenpower. Then take the nurses in our hospitals. I have a report lying alongside of me now, a report of a recent meeting in Cape Town of the National Tuberculosis Association. They are aiming at 20,000 beds. In T.B. hospitals they have 4,000 today but they cannot use them, owing to shortage of nurses. You will require hundreds of women for the administration of an Act like this. Your health services need the money; they need the men and they need the women. We cannot afford to have them diverted to the administration of an Act of this nature.

Yesterday we heard in this House in reply to an eloquent appeal for social security, that it was warranted, that it will come in time, but that we have not the money to do it at present. Take our pensioners. They must still eke out their existence on what they have today. We have no money to improve the pensions. Turn to your four Provincial Administrations, everyone of them hampered for finance, everyone of them crippled by lack of finance. Take your schools and educational position. Is the accommodation position not a disgrace to our country — children herded like cattle in fields, in tents, on floors and in cases even in the cloakrooms and lavatories, because there is no other place to put them. If we have part of the million pounds to be spent on this particular Act, let us think twice and spend it on education, we will be doing something really worth while.

Take your teaching profession. You have a cry throughout the country that we cannot get teachers because we cannot afford to pay them what their profession warrants. Therefore we go without them. There is another home for the million pounds, if you are looking for one. The women's organisations of South Africa quite recently made an appeal to the Minister of Economic Affairs to do something to help reduce the cost of living in this country. They took the line of increased subsidies on food. Food is subsidised at present. We agree with that. But they wanted an increase. The answer was that there was no further money to spend on the subsidisation of food. Therefore the cost of living stays where it is, if we have to depend on that means to reduce it.

Somebody mentioned soil erosion. Soil conservation is the lifeblood of the country, something the country needs more than anything. Have we the money to back it up as it should be backed up? Mr. Speaker, I will quote from "The Primary Producer," the official organ of South African agriculture; there we were told by the Director of Soil Conservation, speaking in Pretoria a fortnight ago, that during the next 25 years, if we are to do anything satisfactory for South Africa, the Government would have to spend a hundred millions pounds on soil conservation. Here is another avenue for expenditure, which is very necessary in this country, but we cannot face up to it. If we want to spend money and if we want to improve South Africa, if we want to put something of lasting benefit into the country, this is another avenue we might use to expend our £1,000,000. Then we come to irrigation. Is there any man in this House who can deny the crying need for increasing the water supplies of the country by means of irrigation schemes? How many schemes are being held up today, schemes that have been approved technically and for every other reason, but which are being held up because we have not the men to put on the jobs or the money to pay for them, men who are going to be diverted to snoop around the country to back up an Act like this. It means money wasted to administer such an Act. These are some of the really essential things we call for. The same pockets, Mr. Speaker, will have to pay them as for this Pass Bill if we put it into effect. There is no such question that we have not got the money. It will be found if it is necessary, and the same people will have to find it. But let us spend it upon essential things. Turn to our railways. From one end of the country to the other railway development is being held up because there is no finance to pay for it. With the holding up of the Railway development, the development of South Africa is being held up. There is no money for roads. The National Roads programme for last year was more than halved because there was no money to pay for it and there were no men to do the work. These two services between them form the arterial backbone of the country. They are being crippled, because there is no money and there are no men to do the work. Yet the Government can find money and men to introduce a pass system. Come to our towns. They need money for water schemes, electricity, recreational facilities. The reply is always that there is no money available. We have had an appeal from the hon. the Minister of Finance, from the Treasury, to curtail expenditure to absolute essentials; we have done so. The country required it. After having done that, is it any return to have something like this foisted on you, something that the country as a whole does not want, no matter how much any political party wants it. Then come again to agriculture. Let us turn again to "The Primary Producer", the mouthpiece of organised agriculture. On the 3rd of March it stated —

> For many years now the organised farmers of South Africa have been urging the Government towards improving veterinary services and research facilities. Year after year resolutions requesting that something be done to expedite the expan-

sion of research work and increase the number of veterinarians available have been passed at congresses throughout South Africa. They have availed little. Last October, the South African Agricultural Union Congress sought to raise the status of veterinary work and research by informing the Department of Agriculture that the increase in seriousness of the stock disease position and the consequent loss of food supplies, had made the establishment of a Department of Animal Health a matter of national urgency. Since then the position has deteriorated. Of the 15 students who passed their final examinations at Onderstepoort last year, only two remained in the Public Service. Of these, one would do research work only.

The journal goes on to say—

Obviously the matter cannot rest where it is and something must be done to prevent the appalling loss of food resulting from stock diseases.

That was on the 3rd of March. On the 10th of March the Agricultural Union reports as follows—

To the resolution stating that congress considered that the establishment of a Department of Animal Health had become a matter of national urgency the Department has replied that the Minister is not prepared to make any change at this stage.

To make matters worse, Government veterinarians have had their mileages re-restricted in order to save petrol.

We will save 2d. on petrol, lose a £1,000 on food and spend another £1,000,000 on an identity card system which nobody wants. All over the country you have people who are putting their heart into the improvement of agricultural conditions in the country. At Onderstepoort and at other stations of that nature where men are devoting their whole career to research work to improve agricultural conditions and the food production of the country they are crying out to heaven for a few thousand pounds to help make their work possible, they cannot get it. They are met with the same answer: "Next year, some time, never"; there is no money available. Yet the Government introduces a Bill of this kind and the money seems to be there. Let us help those devoted people who are working in the interests of South Africa. If we have money to spend, spend it on those people, and the country will derive lasting benefit from the expenditure of that money. These are the sort of things that fall to good government. These are the sort of things that statesmen do. These are the sort of things South Africa is asking for. We are not getting good government; we are not getting statesmanship in the type of legislation that is put before us now. Can any member in this House look back over the last two years and point to one really sound constructive Bill that has been placed on the Statute Book, other than routine measures? They have all had one particular object, and that is to foster a particular political ideology. There is no getting away from it.

Dr. VAN NIEROP: We are saving white South Africa.

Mr. GAY: Here we have another such one before us now. My hon. friend says that they are saving white South Africa. He does not know what a white country is.

Dr. VAN NIEROP: You do not know at Simonstown.

Mr. GAY: We want sound national progress. We want lasting assets from which the country will benefit. Those are the things which the country is crying for. What South Afria wants is to double and treble its white population if we are to retain our white leadership. We are all agreed on that. Never mind their political views. If it is white country that we want to build up we have to increase our white population. Will one additional white child be born in South Africa as a result of this Bill? Will one Coloured child less be born in South Africa as a result of this Bill?

The MINISTER OF THE INTERIOR: If £1,000,000 is spent somebody will be able to afford an extra child.

Mr. GAY: This Bill has nothing to do with that sort of thing. A £1,000,000 is going to be spent on producing a national register, which will bring together a number of records which exist in different departments today. We are going to spend a quarter of a million pounds a year to start with, and heaven alone knows, how much more before we have kept it up very long. Spend this to produce just another record of Whites and Coloured. This is an expensive extravagance that South Africa cannot afford. This national register has been called a Book of Life. I would prefer to call it a lawyer's paradise. It will certainly be a very fine potboiler for the legal fraternity in this country. I would also call it a Nation's Heartbreak, when you come down to the real facts of it and the results that will accrue from it.

The MINISTER OF THE INTERIOR: What about calling it an "Honourable Gentleman's Sobstuff"?

Mr. GAY: When we come to the costs, we are still experimenting. We read in the "Cape Argus" of the 11th of this month that

the Pretoria people are going to be used as guinea pigs, as a test for the new Hollerithe machine which is being ordered from England. Mr. I. J. Raats, Director of Census and Statistics, who will be in charge of the national register, is reported as having said —

> We want registration and the issue of cards to go smoothly once they start. If we were to try to tackle the whole scheme without practice there would be chaos.

Well, that is a very sensible view to take.

> We have given specifications to a British tabulating company to make us a machine that we think will suit the needs of the South African register. When it arrives we will register a number of civil servants in our own Department and in one or two other departments in Pretoria. We want to see whether the procedure we have drawn up for keeping the files up to date will work, and if not, what changes will have to be made, not only in the procedure but also to the machines that will be ordered for the full registration.

That is a wise precaution to take. Having taken that precaution for the experiment with the machine, is it not also a wise precaution to take the one suggested by the Leader of this Party, that before an experimental Bill of this nature is placed on the Statute Book, it should be referred to a Select Committee before the second reading, in order that it may be thoroughly investigated so that we may see whether any portion of it requires modification before it goes on the Statute Book. Is it not just as necessary to investigate the foundation of the register as the machine which is actually going to carry it into effect? Then this little note in "The Cape Argus" goes on to say this with regard to the photographs —

> When the time came there would be discussions with the photographic trade to fix the cost of photographs for the identity cards as low as possible. The photographs would in any case be far cheaper than the 5s. usually paid for passports.

Apparently that also is under investigation. Taking the number of people likely to be photographed and dealing with only a couple of million Natives, if you can get hold of as many as that number to photograph we are going to need something like 565 miles of film in order to take the photographs required. Assuming we get the price of the photographs reduced from 5s. to 1s. each — two of them will be needed — the public of South Africa, will have to pay another £300,000 for the privilege of having their photographs put on these piebald passes. It is a grand privilege for which they are going to pay £300,000. The Government has stated in the Bill that in certain instances they will pay for Natives photographs. When they go out to the Native reserves where the nearest photographer entails a journey of 300 or 400 miles — and the Native does not know a photograph from his right foot — I wonder how many hundreds of thousands of pounds that lot is going to cost the taxpayer, if ever they do get the photographs taken in the Native reserves at all. The public is going to pay £300,000 as their share. £300,000 to add to the cost of our half-white bread, £300,000 to be added to the price we pay in the black market for mutton that we cannot get, and £300,000 to add to the increased rent of houses that we cannot find. Those are some of the things which we are asked to accept with a Bill of this nature.

Then to turn back to another aspect of this Bill. The tampering with the freedom of the country. We have recently in this country celebrated one of the greatest festivals that it is possible for any country to celebrate, the festival commemorating the greatness of our forefathers, the Voortrekkers. Why did the Voortrekkers undertake that Trek? Why did they go away from that part of the country in which they first settled? Did they not go because they were dissatisfied with the rule they were receiving, with the conditions under which they were compelled to live. Did they not go because they claimed the right to live the sort of life that they wanted to live? Are we not sacrificing that right today by turning ourselves into a police state?

Mr. POTGIETER: They stood for apartheid.

Mr. GAY: They were loyal to their own traditions.

The MINISTER OF THE INTERIOR: Apartheid was one of their traditions.

Mr. GAY: I am not interested in the Minister's interjections. They were the sort of people who built up the traditions which exist in this country today—the right to individual freedom. It is the same right that took our present Prime Minister overseas many years ago when he felt that his party in South Africa were not getting a square deal. He took a trip across to Great Britain to get a square deal. More honour to him for it. He stood by an inherent right of South Africa. It is the same sort of principle that took him overseas recently to help India get her freedom, to help that country fight for its people's freedom, the same sort of freedom that we in South Africa value. Those are the things that we value and the present Bill is directly against that spirit. South Africa does not encourage a spirit of spying and of snooping. The informer and the poisoned pen are things

which are foreign to us. We do not want to introduce into this country anything which is foreign to our traditions. There is no room for them, and for heaven's sake do not let a so-called South African Government introduce them. They ought to be the last to try and attempt to introduce them. A Bill of this nature must breed resentment; it must breed discontent, it must breed opposition. Is that the sort of legacy we are going to leave our descendants, a legacy of hatred which we may not meet — we will be gone—but our children will have to meet it. The last speaker over there mentioned that we have to build up South Africa for our children. They are the ones who will suffer for the legislation we are passing today. Sir, I have heard many words spoken on this Bill. Many words to say why this Bill must be passed. There are many political reasons why it should go on the Statute Book but I have not heard one singe practical advantage that South Africa will derive from the passing of this Bill, not one. The Government claims that it is going to secure white South Africa. Have they so little faith in their own people; in our own people; have they so little faith in the men and the women who in the field of sport, not only in South Africa, but all over the world, who on the field of battle, not only in South Africa but all over the world, won, and rightly won, for this country a name of which we can be proud, a name second to none in the civilised world. Do those men and women want the protection of a piebald pass such as this is? No, they do not need a pass of that kind. Their own strength of character is all the pass they need. That is all the protection they need—their own pride of race and pride of country. That is all they need. Mr. Speaker, I am opposed to the Bill for the reasons I have stated. I am also opposed to it because the Bill introduces into our homes, into our work and into our play an element which is foreign to South Africa, which has never been accepted as part of our national life, the right of police interference with our personal liberties, the right of the police to come up to you at your game of football, at your game of billiards, in the pub while you are drinking your glass of beer, or reading your book in the library or walking in the street, wherever you are, tap you on the shoulder and ask you for your pass. It is true that the Bill says you can produce it within seven days. The police still have the right to ask for it wherever they find you. That is a policy which is entirely foreign to our South African principles.

THE MINISTER OF THE INTERIOR: And in England?

Mr. GAY: And even more than that. We have the astonishing effect that in order to back up the policy of apartheid, the white women of South Africa are being reduced to a position of inferiority compared with their own Native maids. The white woman must carry and produce a piebald pass but her Native maid is not called upon to carry one at all. That is a very fine position to arrive at for a party which is striving to achieve white supremacy.

The MINISTER OF THE INTERIOR: Why do you call it a piebald pass?

Mr. GAY: I am very pleased to answer that question. In our younger days when we were all happy to go to a circus and things like that, one of the things that attracted most of us was the piebald pony that went around the ring, with dancers jumping on its back. Perhaps the thing about the pony which attracted us most was the beautiful snowy white sheen of the white part of the piebald horse and the jet black of the rest — the hindquarters usually. Now we have this particular case of a black and white pass, a pass which will serve white and black alike, a pass that the white woman carries and that the black woman need not carry. If there is anything more "piebald" than that, I should like to meet it.

The Rt. Hon. the Leader of the Opposition has asked in this House in the most reasonable terms that before this Bill goes to the second reading it should be referred to a Select Committee in order that they can inquire into it in an atmosphere of quiet, far removed from the atmosphere in this House, and so that if necessary they may knock it into shape. That is a reasonable request for a measure with such far-reaching effects on every section of South Africa, no matter what its colour is, white, black, blue or green. It affects every one of us. Examination has shown us that the Bill has been hurriedly drafted, that it is complicated, that it is badly expressed and that it is full of dangers and pitfalls. It needs a Select Committee to sit on it and knock it into shape, if it is ever to be acceptable. I would appeal with all the sincerity at my command, even at this late hour, that the Government should take second thought and allow the Bill to go before a Select Committee before forcing it through its second reading, and I make that appeal as being in the best, long-term interest of South Africa, and for the sake of our children who will have to carry on the white leadership of this country after we have gone.

*Mr. S. M. LOUBSER: The hon. member for Hillbrow (Dr. Friedman) — I am sorry he is not here — complacent about his vocabulary, opposed this Bill in a bombastic way. He said everything that he wanted to say, irrespective of whether it had anything to do with this Bill or not. All I can tell

this hon. member is that if one had to buy him at the price at which he rates himself, and then tried to sell him at his market value, one would incur a tremendous loss.

Mr. SUTTER: Let us hear something original.

*Mr. S. M. LOUBSER: The hon. member who has just sat down, the member for South Peninsula (Mr. Gay) has told us that nobody wants this legislation. That is typical of those members opposite. They have forgotten that the people rejected them in May, 1948, and now they think that they are still speaking on behalf of the voters of this country. The hon. member raised every possible and impossible objection to this Bill, and the only thing we want to tell him is that we realise and that we have always realised that to tackle the non-European problem, one of our biggest problems, will not be an easy task. We realised that to tackle this problem and solve it in a proper way, the people and the taxpayers would have to make sacrifices. We knew full well that the tackling of the non-European question would not be child's play, and all we want to tell hon. members opposite is that if they think it is impracticable, if they think that they themselves are not capable of carrying it out, they should get out of the way and allow the Nationalist Party and this Government to tackle this problem and to solve it in a proper and sound manner. It is very easy for members opposite to endeavour to incite the people against this Bill. That is their object; they want to incite the people against this Bill and then they want to say later on that they warned us that we were going to have trouble. That is what they will then tell the Europeans.

*Dr. VAN NIEROP: Not only the Europeans, but also the Coloured people.

*Mr. S. M. LOUBSER: This attitude which they adopt no longer surprises us. We have become accustomed to this practice on their part to act unpatriotically in connection with all big problems. That the Opposition is now in a very difficult position, we can well understand. In the Provincial elections of 1949 they proved to what lengths they were prepared to go. They committed political fraud, which is nothing but scandalous. Only a party which is politically bankrupt and which has lost all sense of shame, would do such a thing. Today we know who was at the back of it. It was the member for Alberton (Mr. S. J. M. Steyn) and all that we can tell him is this: he has now admitted in this House that that pass which they circulated was not genuine, that it was false; and in future the electors, too, will know that they cannot rely on the information supplied by that Party. The United Party will still have to learn that it is most dangerous to underrate the intelligence of the electors. They underrated the intelligence of the voters, but the voters got wise to them and they had to pay the penalty for it. It only amazes one that they themselves have not yet discovered that it is best to be straightforward in one's dealings with the electors, and that the elecors will have confidence in one if one is straightforward with them. The Nationalist Party has followed a straight path, and that is why we are today sitting on the Government benches.

*Maj. VAN DER BYL: A soap-box.

*Mr. S. M. LOUBSER: I can understand why that hon. member who is so used to making soap-box speeches, and who carried on in such a way at Bredasdorp, is now in Green Point; now he wants to champion the cause of the mealie farmers, whilst he could not satisfy his own constituents at that time. We only want to put this question to members opposite: Is it possible to have a population register or is it not possible? Is it practicable or is it not practicable? I am asking this question because we are getting all sorts of wild allegations from the opposite side. One member says one thing and another member says a different thing. If they say that it is impracticable then I would just like to ask them why the four Provincial Administrators recommended the introduction of population registration at the beginning of 1948, while the previous government was still in power. Do they want to tell me that the four Administrators acted in this matter without any sense of responsibility, and that they had not read the Report of the Select Committee of 1935? Do they want to come and tell me, Mr. Speaker, that those four Administrators did not consider the advantages and the disadvantages of such a system of population registration? Do members opposite want to come and tell me that those Administrators did not consider the cost of such a scheme Surely we are entitled to a reply, and we would like to hear during this debate from the hon. member for Natal South Coast (Mr. Mitchell) what his views are in this matter. His silent attitude in this debate is rather striking and we would like to know from him why he has now suddenly changed front. In his opinion a population registration was feasible in 1948. At that time he approached the previous government with the request that they introduce a system of population registration, and we want to hear from him why he is now going to vote against this Bill.

*Mr. MENTZ: He is caught in a trap.

*Mr. S. M. LOUBSER: Yes, but he has already had sufficient time to get out of

that trap, and if he has not yet freed himself, then I wonder what is going to become of him.

*Mr. A. STEYN: He has been zipped.

*Mr. S. M. LOUBSER: They talk about the object of this Bill. The object of the Bill has nothing to do with the question of whether the measure is practicable or not. If population registration was considered desirable by the four Administrators at the beginning of 1948, when the previous government was still in power, then I want to say that now that we have a Government which stands for a policy of apartheid this population registration is ever so much more desirable today. There are members opposite who pretend to be apostles of apartheid. That is what they pretend; that is what they convey by their words, but their deeds are just the opposite. The hon. member for Drakensberg (Dr. Steenkamp) talks like a Nationalist when it suits him. He has told us that he is in favour of apartheid. I wonder what his feelings were when he listened to the hon. member for Hillbrow (Dr. Friedman) who said that he was against apartheid. I wonder what he feels like when his Leader says apartheid is nonsense and that apartheid is a curse. I want to admit that that hon. member possesses debating talent, but I am very sorry to say that when he gets up in this House he imagines he is addressing a debating society, and a third-class debating society at that. One does not expect such conduct from a responsible member. I think the hon. member might become quite a fair speaker in this House if only he would concentrate upon it. I do not underrate his talent. But why is he making a political farce out of this Bill? Why is he hedging here? He also told us that his father was a rebel. Well, I very greatly respect the Cape rebel, but the hon. member failed to tell this side and this House as a whole why he is trying to bask in the glory of his father.

*Dr. STEENKAMP: I did not say it.

*Mr. S. M. LOUBER: The hon. member said that he is the son of a rebel.

*Dr. STEENKAMP: I did not try to take credit for it.

*Mr. S. M. LOUBSER: Why did the hon. member mention it then?

*Dr. STEENKAMP: Because a member asked me.

*Mr. S. M. LOUBSER: Is the hon. member ashamed of the fact that his father was a rebel?

*Dr. STEENKAMP: I am proud of it.

*Mr. S. M. LOUBSER: When he told us about his father he forgot to tell us that his father has always been a supporter of this side, and see where he is sitting today. He has lost his way. He is sitting there as a lost soul. The day will come when he will return, and I take it that his father will also welcome him.

*Dr. STEENKAMP: You are better at rugby than you are at speaking.

*Mr. S. M. LOUBSER: I wish to tell the hon. member opposite that this side of the House took the electors into their confidence in 1948. We clearly told the electors that we stood for a policy of apartheid. We said that we realised that his problem could be solved in twelve months or in two years. We said we knew it would be a difficult task, that it would be an uphill task, that it would take time and that it would cost money. Well, the electors made their choice. We also told them that if they were not in favour of it and if they want to take the easy road they should follow the road which the United Party was showing them. That is the road — as far as the non-European question is concerned — of doing nothing and letting matters take care of themselves. I repeat that the people have made their choice and if they have to do it again tomorrow, they will make the same choice as they did in 1948. We knew, the people knew and the electors knew, that it would require perseverance and that it would involve expense. The day will come in ten or twelve years' time — the United Party are always ten or twelve years behind the time — when they will tell the electors that they placed this Act on the Statute Book, when they will want to take the credit for this Bill in the same way as they claimed the credit for the introduction of the Iron and Steel Act. At first they opposed us and now they say that if it had not been for the measures which they took in connection with our iron and steel industry, they would not have been able to conduct the war in the way they did.

The hon. member who has just spoken has run away. He complained about the half-a-million pounds which he says it will cost to carry out this legislation. But did he complain about the £600,000,000 which was spent on the war, a war that had nothing to do with us? They talk of the misery and suffering which this Bill will cause in border-line cases. I admit that there will be a few border-line cases. but have they forgotten about the thousands of lives which we had to sacrifice during the last war; and if we can sacrifice £600,000,000 and thousands of lives for a war which was really no concern of ours, then we say that a few million pounds is not too much for the preservation of the European race in South Africa and for the preservation of European civilisation in this country. Seeing

that they oppose our policy of apartheid, the Opposition should tell us quite candidly whether they are against apartheid on the trains. We know that there is still room for improvement, but will they tell us whether they are against apartheid on the trains? Will they tell us that apartheid is a curse? The hon. member for Hillbrow says that he is against apartheid. Was he speaking for the Opposition? Will they tell us that they are against apartheid in our Post Offices? There will be an opportunity for one of the members opposite to get up and to tell us whether they are against apartheid on the railway stations. Are they against separate beaches for non-Europeans? The hon. member for Cape Town (Castle) (Mr. Bloomberg) is a member of the Cape Town Municipality. I want to ask him whether he agrees with the Cape Town Municipality that there should not be a separate beach for the non-Europeans at Strandfontein. Let them tell us whether they are against separate residential areas. We know they are against separate political representation. We know they are against it for the sake of saving their own political skins, and because they want a few of their members to be returned to this House. If they are against apartheid and they are in favour of separatism ("afsondering") let them tell us what they mean by separatism. My time has expired and I would just like to say that if members opposite want to assist us in tackling this great problem then they should do so; we would welcome it. If they do not want to do so, we shall tackle the problem without their assistance, and we shall be thanked for it, not only by the Afrikaans-speaking section of the population but also by a very large section of the English-speaking South Africans.

Mr. BROOKE: Mr. Speaker, first of all, I would like to express my congratulations to the hon. member for South Peninsula (Mr. Gay) on what I call the forthright bread-and-butter-common-sense speech made by him of which, I fear, we do not get enough in this House. Speaking as another business man he touches on the question of money. We have had lectures from the hon. the Minister of Finance in the last two Budget speeches, and we will probably get another one tomorrow on the need for economy in this country, and I agree with everything the hon. member for South Peninsula said. Of all things we need money and we are not able to get it and from my own experience as a business man, I know that when anybody comes forward with new ideas, the first thing that is dealt with is the question of costs. Sometimes when one allows these things to go through, the final cost is three or four times or sometimes eight times as much as the original estimate, so when the Minister in his desire to smooth the passage of this Bill says that the cost will be so and so, I assume that the cost will be anything from two to four times the figure he has given; that is why I approve of the points that the hon. member for South Peninsula made in enumerating all the matters in respect of which this country is crying out for more expenditure. The hon. member went on to say that the money which will be spent on the administration of this measure is going to be wasted. I would like to express a certain amount of agreement with the hon. member for Lydenberg (Mr. Liebenberg) who spoke about the fact that we must think of the future of our children. That is exactly what I am thinking of. I am not questioning his sincerity and I certainly do not want my sincerity questioned. I happen to look at this matter from an exactly opposite point of view, and it is this Bill that distresses me. I was born and grew up in a white country, in New Zealand, and from English parents. I lived in Australia for years, but, nevertheless, I have lived more than half of my life in this country. I am a South African, as good as any English-speaking or Afrikaans-speaking person in this House. I am completely and truly South African. My children are South African, and I say in all sincerity that in looking at the Bill, I see exactly the opposite effect to what the hon. member for Lydenburg sees. We are both sincere and we see this Bill from opposite angles, and that is a fact.

I want to speak on this Bill simply on two of the less obvious factors; the first is the prestige of Parliament.

Mr. DU TOIT: Mr. Speaker, I wonder if you could stop the caucus meeting that is going on here on the left; we cannot hear what the hon. member is saying.

Mr. SPEAKER: Order, order!

Mr. BROOKE: There are two less obvious aspects concerning this Bill which interest me. The one is the prestige of Parliament. It distresses me when I meet people these days who say to me: "Is Parliament still talking bilge and doing nothing for the country?" If we look at the legislation that has been passed in this House, we have to face the fact that what the public are worrying about at the present time is bread-and-butter politics — something realistic, something that they can lay their hands on in their present depressing circumstances, because there is no doubt that a great many people today are really feeling the pinch of the steadily lowering standard of living. Here we have three things about which the public are worried. They are worried about the housing position, they are worried about the high cost of living and they are worried about unemployment and they see no practical political measure brought forward in this House this Session

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and no indication of anything along those lines. They only see measures which seem to be time-wasting, money-spending, and not the slightest indication that there is going to be anything practical along these lines. If you take the question of housing, the position is that there was a first-class housing programme — even then not enough to meet the needs of the country — when this Government came into power. It has steadily declined, and the latest position is that apparently there is not enough money, and the position is that the Government is quarrelling with the municipalities as to what proportion of the loss suffered by the municipalities the Government will bear. The housing programme is nearly coming to a complete stoppage.

Dr. VAN NIEROP: Do you believe that?

Mr. BROOKE: The Government members are claiming an interest in the European people, but the fact remains that at present the Controller of Letting in Cape Town has applications from over 1,100 European families living in one room, in stables or in garages without any prospect of getting a house at all.

An HON. MEMBER: On which Bill are you speaking? Are you discussing the Rents Bill?

Mr. BROOKE: I am talking about the less obvious factors of this unhappy Bill, and I am talking about the prestige of Parliament, which, in the opinion of people with whom I come into contact, is steadily declining. The next thing is the cost of living.

Mr. SPEAKER: Order, order! I must draw the attention of the hon. member to the fact that although I have allowed him tremendous latitude, we are not discussing the cost of living or the housing position at the moment.

Mr. BROOKE: I am only trying to make my point that the public is thoroughly dissatisfied with the time that is being wasted in Parliament, with the lack of prestige of Parliament today, because Parliament is not getting on with the business that the country wants. My other point is the increasing lack of respect for the law. This Bill brings in another of these measures that will induce increasing lack of respect for the law. The thing that is tragic in the mind of a person like myself who was brought up to respect the law, wherever I have gone overseas, is the fact that wherever one goes in the democracies, one sees a declining respect for the law, because people are getting more and more irritated and they go in for a policy of passive resistance. I say that that is what is coming in this country. It is all very well for the hon. member for Swellendam (Mr. S. E. Warren) to say that he will be proud to carry a pass, but he is up against the fact that, under this Bill, European women and Native males are apparently placed on the same level, and I have a positive conviction that the day this Bill comes into operation, it will start off as a dead letter as regards European women and about a month later as regards most of the Afrikaner men in this country. I do not believe for a single moment that this law will have acceptance by the European women of this country or by the majority of the Afrikaner men. That is my conviction and that is my contention, and it remains to be seen whether I am correct; but I say that when the Europeans show passive resistance or complete indifference towards this law, we will be providing an example to the Coloured and the Native people to do likewise. The next question is: What becomes of this law? Will the law apply equally ruthlessly to Natives, Coloureds and European men and women?

I just want to make my point, Sir, that as far as I am concerned this Bill is most unsatisfactory because it has two unpleasant consequences. It diminishes still further the prestige of Parliament and the respect for the law in this country.

Mr. A. H. J. EATON: Mr. Speaker . . .

HON. MEMBERS: Hear, hear.

Mr. A. H. J. EATON: I am glad that hon. members opposite welcome my facing them and I hope by the time I sit down I will have convinced them that this Bill is wrong and not in the interests of the country and that the hon. Minister will withdraw this Bill.

I have listened to hon. members on the other side and waited for reasoned contributions to this debate and I don't know why they have dealt with personalities on this side rather than discussing the Bill itself. We would like to argue with hon. members the merits of this Bill, if you give us different views, but I find, taking a note of what the hon. member for Malmesbury (Mr. Loubser) said that he first dealt with the hon. member for Natal South Coast (Mr. Mitchell). Why he was anxious to deal with him, was possibly because he is one of our nice Natal members, then he came to the hon. member for Drakenberg (Dr. Steenkamp) and finally to the hon. member for Cape Town (Castle) (Mr. Bloomberg). Why all these personalities when we are dealing with a matter of such serious importance to this country; why should this become a feature of the speeches on the other side? I cannot understand it. I think we might ask our friends opposite to concentrate more on

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the work that Parliament is doing and less with personalities on this side of the House. Then our country will be better off. We hunger to get information from you, to get your point of view. Most of us come from the towns, you come from the countryside and we are anxious to know your point of view. But what do we get? I now come back to the Bill . . .

HON. MEMBERS: Hear, hear.

Mr. A. H. J. EATON: . . . because I know the hon. the Minister wants all the information he can get from us. Now I am going to predict that this Minister, for whom I have some regard, in the face of the opinions expressed on this side of the House and the feelings he has already engendered in the country, is too wise to go on with this Bill. I am so interested in this Minister that I am trying to study him, even in spite of the fact that many of my colleagues are saying, "Watch him". Some of them have even used an Afrikaans expression and said "Hy is 'n bietjie slim". I don't believe the hon. the Minister has introduced this Bill as "'n bietjie slim". I think that the Minister, and we got an indication by the way he introduced this Bill, to my mind, has a brilliant mind. I want to say that the way in which the hon. the Minister introduced the Bill, the easy way in which he passed over those things which he knows are going to be difficult, showed his brilliance and this enabled him to carry his side with him. But, Sir, as the son of an ex-minister, I know that he and I discussed the question of the value of our Bible and we know that in the Bible it says "With all thy getting, get understanding", and here is this brilliant man with his brilliant mind, but, Sir, without understanding. If the Minister had understanding, he would not have foisted on this House a Bill of this nature. Then he would not have retarded this country as far as immigration is concerned, and, Sir, I am going to think in future that brilliant minds can be dangerous minds in this respect, that their intelligence carries them away, above the needs of the people and they are really instruments of division and therefore I want to stress tonight in this House the dangers which are ahead of us in connection with this Bill. I do not know whether the Minister has done much travelling in this continent. But I would like just to give him my experience and the background which lies behind instruments of this nature which we are discussing tonight. Sir, five years on the Congo, dealing with Natives building railways, five years in Rhodesia, and then during the war we had the unexampled opportunity of seeing Africa, journeys from Nairobi to Italian Somaliland, and then Addis Ababa and then Asmara, and subsequently we had the opportunity of seeing the Africa of the north, and Northern Africa, Sir, is a lesson for us in many ways.

An HON. MEMBER: Hear, hear.

Mr. A. H. J. EATON: I know why the hon. member says "Hear, hear", because he knows what I am going to say. But, Sir, take Egypt, and then we go to Morocco, Algiers, Syria and even Palestine. But if we come to this side of the Mediterranean, Africa is the Black man's continent. I am trying, Sir, in order to get a real approach to what underlies the meaning of this Bill, to give this House the idea of the real background. The real background is not Natal, the Free State, Transvaal and the Cape. The real background when we study a Bill of this nature, is the continent of Africa and if we realise the importance of that background and the great awakening in the centre of this great continent and in the northern territories, then we will stop and think twice before we carry on with legislation of this kind. Even in 20 years after going back to the Congo, I saw a great awakening and in the Italian territories that they administered before the war, there was such development that we, Sir, should go there and study what they are doing. I raise this question and raise the point of view gathered there for this reason and purpose, Sir, that in those parts of Africa today the Black man is on the march and what obtained 30 years ago and what is developing now, will have such a bearing on our country that we should pause and think before we act too hastily.

If we come to our own country, to the Transkei and to Zululand, with which I am familiar because I live in Natal, and if we go to Thaba 'Nchu and see the Barolongs in Thaba 'Nchu, when we get a perspective, a bird's-eye view of the whole, will any of you who are farmers and who handle Natives say that they are just the same as they were 25 years ago?

An HON. MEMBER: Communistic influences.

Mr. A. H. J. EATON: This is not party politics. I can say to the members opposite who know the Native as we know the Native — that is where we break common ground, we know our Native — that 20, 30 years ago a father of a home could go on transport and go away from his home, and who would he leave sleeping on his doorstep? The old aia, the old Basuto. I am speaking now from experience, Sir, and we can apply that experience.

At 10.25 p.m. the business under consideration was interrupted by Mr. Speaker in accordance with the Sessional Order adopted on the 1st February, 1950, and the debate was adjourned; to be resumed on 16th March.

Mr. SPEAKER adjourned the House at 10.26 p.m.

THURSDAY, 16th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

BUSINESS OF THE HOUSE.

Suspension of Automatic Adjournment.

The PRIME MINISTER: I move —

That the proceedings on the motion for the second reading of the Population Registration Bill, if under consideration at twenty-five minutes past ten o'clock p.m. today, be not interrupted under the Sessional Order adopted on the 1st February.

Mr. SERFONTEIN: I second.

Agreed to.

ESTIMATES OF EXPENDITURE FROM THE CONSOLIDATED REVENUE FUND.

The MINISTER OF FINANCE: I move—

That the House go into Committee of Supply on the Estimates of Expenditure to be defrayed from the Consolidated Revenue Fund during the year ending 31st March, 1951.

Mr. Speaker, when I presented the first Budget of this Government, the Estimates of Expenditure were mainly those which had been framed by my predecessor. The short period which elapsed before the Estimates for the financial year now nearing its end had to be presented, gave me insufficient time to get a clear picture of all the changes which had come about in the ten years which had elapsed since 1939. In presenting this Budget I can look back on a full year of governmental operations, and although my absence abroad last year materially reduced the period between the sessions available to me for consideration of problems of expenditure, I am in a better position now than I was a year ago to examine in retrospect the decade which has closed.

There is a further reason why in approaching the budgetary problem at this stage, one should pause, look back at the past decade, and forward to the new decade.

More than half of the agitated forties was occupied by war. The attention of the rest of the period was devoted to transitional problems — problems of demobilisation, readjustment, reconstruction — to the exclusion of almost all other considerations. That transition has indeed not been completed. Many of the problems remain. Much of the reconstruction is as yet incomplete. Many of the shadows, which that tragic period has cast over the future, will be lengthy.

But the significant change which the year 1949 has brought over the scene is that war and transition are no longer a reason or an excuse for postponement in laying the foundations of the new decade.

The permanent economic effects of the war are part of the new setting. The temporary disorder has been cleared up at least to the extent that we can survey the ground which lies about us. We can set about the task of clearing enough of the site to give us adequate working space for laying the foundations for the future.

It is from this observation post that I want to look backward, to take a retrospect of the past decade in our public finances, and to take stock of the tasks which the 'forties have laid on the Treasury.

I wish, therefore, before I deal with the existing budgetary position, to invite the House to give calm objective consideration to some of the enduring factors which govern the whole of our public financial structure.

When the war broke out we had travelled far from the era when the State confined itself to the basic governmental functions of the enforcement of law and order and the protection of its citizens. The State had assumed many functions of co-operative endeavour. The State had assumed even more functions aimed at redistribution of income through the operation of the taxing machine and the grant of social services.

So complicated have the functions of government become that it would require much intricate research to determine what share of the public income is now devoted to the traditional functions of law, order and protection and how much to the cultivation of the wider fields which successive parliaments have demarcated as appropriate State domains.

While an accurate evaluation of these different aspects of State activity would not fall within the scope of a Budget speech, it is well to indicate certain broad outlines.

The Main Estimates of 1939-'40 amounted to £44,442,000. The corresponding total for 1949-'50 stood at slightly more than three times this figure and amounted to £140,240,000.

While the increased compass of governmental activities has involved most departments in additional expenditure, there is a great divergence from the mean in different votes.

The expenditure is less than double for such votes as Parliament, the Department of Justice, the Superior Courts, the Magistracy and District Administration and the Departments of Lands and Mines.

In other words, the rate of increase is lowest for those departments which are mainly concerned with the traditional functions of government.

REVENUE, 1949-'50

Head of Revenue	Estimate 1950-'51	Revised Estimate 1949-'50	Increase	Decrease
	£	£	£	£
Diamond Mines, Special Contribution ..	506,000	608,000	—	102,000
Undistributed Profits Tax	250,000	300,000	—	50,000
Non-Resident Shareholders' Tax	2,350,000	2,350,000	—	—
Personal and Savings Fund Levy	10,000	30,000	—	20,000
	3,116,000	3,288,000	—	172,000
Licences	1,400,000	1,400,000	—	—
Stamp Duties and Fees	2,800,000	2,800,000	—	—
Death Duties	1,505,000	1,507,000	—	2,000
Native Taxes	1,350,000	1,325,000	25,000	—
Native Pass and Compound Fees	280,000	280,000	—	—
Fines and Forfeitures	1,000,000	950,000	50,000	—
Quitrents and Farm Taxes	3,000	3,000	—	—
Rents of Government Property	575,000	583,000	—	8,000
Forest Revenue	1,500,000	1,550,000	—	50,000
Recoveries of Advances	40,000	47,000	—	7,000
War-time Surcharge on Transfer Duty Payments	10,000	35,000	—	25,000
Transfer Duty	2,500,000	2,500,000	—	—
Tax on Purchase and Sale of Marketable Securities	1,000,000	1,020,000	—	20,000
	13,963,000	14,000,000	75,000	112,000
Departmental Receipts:—				
Contribution from South-West Africa in terms of Police (S.W.A.) Act, 1939..	114,000	114,000	—	—
Government Garage Receipts	895,000	940,000	—	45,000
Mint Receipts	500,000	530,000	—	30,000
General	2,800,000	2,916,000	—	116,000
	4,309,000	4,500,000	—	191,000
Miscellaneous Receipts:—				
S.A. Reserve Bank	700,000	797,000	—	97,000
General	525,000	928,000	—	403,000
	1,225,000	1,725,000	—	500,000
Interest:—				
On Government Loans and Investment of Cash Balances	5,035,000	4,624,000	411,000	—
Dividends	965,000	686,000	279,000	—
	6,000,000	5,310,000	690,000	—
Total for Inland Revenue	99,550,000	96,800,000	8,591,000	5,841,000
Total Revenue to be Received	148,650,000	145,750,000	9,969,000	7,069,000

Increase £2,900,000

Mr. WATERSON: I am sure I am expressing the views of everybody in the House when I say how much we regret that the hon. the Minister has had to undertake the formidable task of introducing his Budget when he obviously was not feeling in the best of form and also in expressing our admiration for the courage in which he stood up to his task. We all hope, Sir, that with a good rest over the weekend, he will be ready to join battle with us with his usual vigour on Monday, and for that purpose I ask leave to move—

That the debate be now adjourned.

Mr. V. G. F. SOLOMON: I second.

Agreed to.

Debate adjourned; to be resumed on 20th March.

ASIATIC LAND TENURE AMENDMENT BILL.

Mr. SPEAKER communicated a Message from the Hon. the Senate transmitting the Asiatic Land Tenure Amendment Bill passed by the House of Assembly and in which the Hon. the Senate has made a certain amendment, and desiring the concurrence of the House of Assembly in such amendment.

Amendment in Clause 3 [Afrikaans] put and agreed to.

POPULATION REGISTRATION BILL.

First Order read: Adjourned debate on motion for second reading, Population Registration Bill, to be resumed.

[Debate on motion by the Minister of the Interior, upon which amendments had been moved by Field-Marshal Smuts and Mr. Davidoff, adjourned on 15th March, resumed.]

Mr. A. H. J. EATON: When addressing the House last night, I inadvertantly used an Afrikaans word which the hon. the Minister perhaps does not like altogether. I unreservedly withdraw it and I will replace that word with an appropriate one in Hansard, instead of the word used, I think it is best to do this kind of thing because in the beginning of my speech I advocated that no personalities should enter in the discussion of the matter now under consideration. Well, we are now on the same Bill which has had the attention of the House for some time and while the occasion is such that we this afternoon had been feasted on a statement in connection with the financial affairs of this country, I think I will not pursue the discussion of this matter further as there are other speakers. But I would like, Sir, to round off this statement I was making when the debate was adjourned to this extent that I raised the question here that as a background to the discussion of all these matters affecting race relations, we should not lose sight of the fact that Africa as a whole was the background and should have some attention from that point of view in relation to these matters. I don't want to extend on the matter of Africa as the background, but I would like to say this that Africa is the continent of the age and South Africa can be a sphere of influence that can permeate the whole. And, Sir, if we as a country would perhaps just look at things in their true perspective then we and the people here can look forward to a period in which we can perhaps look to the time when our sphere of influence will extend to the north. I was going to deal with various aspects of the Bill. But I think the Bill has had such a good period of discussion, and I am sure the Minister is reaching a stage when he would like to reply to the various aspects that have been brought forward, that I will content myself with saying that I hope the Minister, even at this late stage, will accept the amendment of the Rt. Hon. the Leader of the Opposition. I do believe that the Minister, as a practical gesture, should accept this amendment for this reason: I think the debate has proved beyond all doubt that in accepting an amendment of that nature and sending this Bill to a Select Committee before the second reading is decided upon, he will then prove that he is prepared for a further investigation, for further fact finding and a further study of his measure that might lead to a position where this country will make an irretrievable mistake in raising the hatred of race distinction and race discrimination. Well, I do hope that the hon. the Minister will look upon it from that point of view. It is one of these matters, Sir, that can cause a great deal of unhappiness and harm, and I think, in government, if we can create a spirit of goodwill, a spirit of tolerance in dealing with these race matters, then we achieve something by way of statesmanship, rather than throwing a matter like this before the House and leaving it to perhaps a position in which hatred will emanate from the discussion. I do not wish to analyse the Bill. The spirit of the House is against it and therefore I again ask the hon. the Minister to reconsider his position before it is too late. Let us go into the whole position in a Select Committee before the principle of this Bill is decided upon, and I think he will enhance his reputation rather than retard it.

Mr. HOPEWELL: Other speakers had referred to this Bill, both from the various legal aspects and the difficulties in regard to the administration of this Bill and have put before the House its shortcomings. The

hon. member for Durban (Berea) (Mr. Sullivan) and the hon. member for Hottentots Holland (Sir de Villiers Graaff) particularly indicated to the Minister that what he quoted in this House with regard to precedents was not the whole story and that in some respects he did not show to the House the whole state of affairs existing in other countries quoted by him. I do not propose to traverse the points which were made by other speakers, and I think the time has arrived in this debate when there should be a little bit more light and less heat on this subject. The Minister referred in his speech in introducing this Bill to the cost of administration and to the mechanism for collecting the data. No reference has been made, so far as I can remember during the whole course of this debate, to the technical side of collecting the information, but the Minister in his speech did say that whereas in 1935 there were no facilities, or at least that these facilities were not sufficient to provide for the collection of this information by mechanical aids, today there are these mechanical aids. The Minister, I am sure, has not been in touch with his colleague the Minister of Justice, because if he had done so he would have seen that in 1938 the Minister of Justice asked the then Minister of Railways and Harbours —

> What is the total cost to date of using Hollerithe calculating machines? What economy has resulted as regards staff, etc., and what were the travelling expenses of members of the staff in connection with this machine.

The Minister of Railways and Harbours replied —

> Hollerithe machines were introduced shortly after Union and the cost to date for a period of over 25 years is not available. In 1930 comparative figures were extracted showing that the cost of Hollerith methods amounted to £177,393 per annum, compared with a cost of £227,390 per annum in respect of the system of manual entry, a saving of £49,997 per annum. Since 1930 the use of Hollerithe machines has been extended and proportionately greater savings have accrued.

Then the rest of the question deals with travelling expenses, which does not concern this debate. The hon. the Minister will therefore see that even so far back as 1930 they had some idea of the cost of these machines and I think the hon. the Minister will agree with me that there has been a considerable increase in cost since then. I submit that the Minister's estimate is very far short of the mark. I also submit that even the machines which are now available, and I emphasise those words "now available", cannot do the job. This Bill is described as the Population Registration Bill and if this Bill is going to adequately provide for the registration of the whole of the population, it is going to involve us in considerable expenditure and the machines which are now available are limited in their capacity. The Minister, I believe, has recently seen what these machines can do. I am probably fortunate as being one of those members who has had considerable experience of these machines and has seen these machines in operation here and overseas. For the Minister's benefit I will tell him what I have seen these machines can do in connection with population registration, both in England and in Denmark and in Sweden, within the last four years. I am aware of their capabilities and I am aware of their limitations. The Minister proposes to have a card which, as he says, can be filled in and then at a later stage these cards are put back into the machine and a whole list can be printed. That is explaining it in ordinary everyday language. The position today is that I agree with the hon. the Minister that there have been certain major improvements in the cards since 1935, but in 1935 the machines could do automatic printing. There has been introduced since 1935 a new development of marking those cards. As the Minister knows, those cards consist of small cards on which there are rows of figures and the largest card can take up to 80 columns. These cards are punctured with holes and by a system of coding the names and the addresses and other particulars are reduced to a code, to a numeral code, and the numeral code is punched out on the whole card. These holes are punctured in the cards and then when the information is required the whole of these cards is put into another sorting machine which sorts out the cards into the categories required. So, for example, if the Minister required to know who are the people who live in Johannesburg, the sorting machine, having been set to the predetermined code for Johannesburg, would sort all the cards for Johannesburg and reject all the cards of other centres, and so the Minister could then arrange with his Department to insert all the Johannesburg cards into a transcribing machine and that machine would print out a list showing the information on these cards. But as the Minister knows this card can only tabulate up to 80 columns and if the Minister will read Section 7 he will find, and I am quite sure his Department has told him, that the information can only be obtained in an abridged form on that card. In other words, there is a considerable amount of manual work to be done, and, in fact, there has been a considerable advance since 1935 only in one respect and that is that instead of having to punch these cards, the

latest device is that the cards are marked with a pencil and the punching is done by another automatic machine. But this has one disadvantage. Under the old method cards were punched by a clerk paid a routine rate and then that card was handed to another clerk and the clerk used a check punch and the check punch threw out any card which was incorrectly punched. The new method which is known as "mark-sensing" is as follows: The person who marks the card hands it straight to the machine room and the machine room automatically punches these cards and then the only way of checking a mistake is to call over the cards, in other words, verifying the cards, to use the correct technical term. Experience has taught that where mark-sensing is used it is necessary to have a higher grade of employee because it is necessary to have a higher degree of accuracy. So as far as the machine is concerned all it does is to record a certain amount of information in coded form on the card, the card is then punched and then awaits its fate, depending upon the purpose for which it is required. There is a considerable development beyond that stage. There is what is known as the electronic statistical machine which provides far more data if the hon. the Minister is going to have a complete population register. The electronic statistical machine provides numerous spaces for a variety of heads of information. But as the hon. the Minister must know, the securing of these statistical machines, which are the latest development and which are used in Canada and the United States of America — there are a few of these machines in England — is not an easy matter. If the Minister were to place an order today for such a machine, he will be told by the manufacturers that no machine is available for the next four or five years; and how will he then operate his system in the meantime? It is quite clear, as I have indicated to the Minister, that all the machine does — and here the Minister gave an incorrect impression — is to obviate the wearisome work of coding and sorting. The machine does not collect the original information. The collection of the original information must still be done by people with a certain amount of skill.

If we must have such a population register, it must cover the total population, and then we must collect the information from the whole population, and that can only be done personally by interrogators. I have had the opportunity of speaking to people who have had considerable experience of the working of a population register. I have been told by an official in Sweden that a population register, to be successful, must have the co-operation of the people. I have been told by this Swedish official that in Sweden everyone has to register. Every year the householder must report how many people are in his house. A card was issued during the war to cover rationing requirements. When I asked this Swede whether the card was compulsory — and this was four years ago, before this Bill was introduced — he was very indignant and gave the reply that they were not a police State. I can well remember his reply. But even there they found that it was essential, if the cards had to be collected and the information collected, to have the co-operation of the people.

The MINISTER OF THE INTERIOR: They have population registration?

Mr. HOPEWELL: Yes, there is a national register. I wanted to distinguish between a national register and the carrying of a pass. There is a difference between a voluntary system of carrying a card and a compulsory system of carrying a card, with criminal sanctions attached to it. The hon. the Minister will appreciate the difference. But even in Sweden, where there is co-operation, where they have a homogeneous population speaking one language and where they have an informed type of population, this Swedish official tells me that it was found necessary to have approximately one person to every 5,000 or 6,000 of the population to administer the population register.

The hon. the Minister of Finance has reminded us this afternoon that in the Union we have some 12,000,000 people and that of the 12,000,000 about 2½ million have to carry the rest of the population; and further that there are only 325,000 taxpayers to carry the 2½ million. Out of this group of 2½ million you will have to have one for every 5,000 or 6,000 of the population, or one for every 10,000 — in Great Britain I believe it is one to every 10,000 — to administer such a population register. Now let us assume that the remuneration paid to such a person is about £400, then on the basis of one to every 10,000, with a population of 12,000,000, it will mean £480,000 per annum. If you take it at a ratio of one to 5,000 it will cost £960,000. Let us assume that the Minister does not accept these figures and let us on the basis of 12,000,000 people, take a figure of 1d. per head per annum, then it will cost £50,000. The Minister will agree that 1d. per head per annum is a ridiculous figure. If you take the figure at 1s. per head per annum, which is not an excessive figure, then it will cost the State £600,000 per annum for this national register.

And then this is on the basis of the assumption that we will get the co-operation of the population. What is our experience? Let us take an isolated instance. When the last Census was compiled, the government experienced considerable difficulty in regard to the Native people in getting the right type of people to do the interrogating. In

the case of East London the Natives in the town and in the local area point-blank refused to have anything to do with it, and only at the last moment the European interrogators were withdrawn and 48 Native clerks and teachers were put on the job. They finally won the confidence of the Native people and persuaded them to co-operate.

I have put questions to various Ministers in this House in connection with the number of qualified Native interpreters and people qualified in Native languages. The results of these questions have shown that there is a shortage for the present administrative work. How does the Minister expect to set about the administrative side of the work when there is already a shortage of qualified Native linguists, and we must remember that not only must such an official know the Native language, but he must also know the background of the Native in order to build up sympathy and win the full confidence of the Native.

You can only go as far as the majority of the people will let you, and if the Minister feels that the penalties will not be implemented, and if it is not intended to enforce it, the Act can become a dead letter for certain sections of the people, then now is the time for time to amend his Act in that respect. I feel it is essential, if this Parliament wishes to give proper consideration to this Bill, that it should be sent to a Select Committee before the second reading, because the people of this country are entitled to know whether they can afford this luxury or whether it is necessary.

I am very much indebted to the effort we had from the Minister of Finance this afternoon. He said that we can only keep our financial position sound by keeping our spending propensities in restraint and by strictly controlling public expenditure. He added that it was also necessary that new services should be halted, and he stated that this year only £70,000 would be appropriated for new services. But what about next year and the year after? This Bill will mean the creation of a new and complicated department. It will be difficult to administer that department, and the technical difficulties are almost unsurmountable. The most modern technical equipment is not available, and I am sure we would want the latest. In order to give efficiency, and by efficiency I mean a standard equal to the world standard, we must have the best equipment money can buy. This Government and also the previous government have stated that when it comes to buying Railway equipment, aeroplanes or any machinery required for the service of the country, they buy only the best because only in that way can they keep abreast with the times. And when it comes to statistical equipment it is essential to get the best, and unfortunately the best is not available at present.

Not only is the equipment not available, but the trained personnel is not available, certainly not in this country. It will take a long time to train these people. The hon. Minister of Finance has referred to erosion. Are we going to take it a step further and cause erosion into the productive side of our population, take people out of the productive side and use them to introduce a population register at this particular juncture? I submit we are entitled to information as to the views of the Public Service Commission. What grade of employee would the Public Service Commission regard necessary, and what priority will be given in regard to these machines? What is the general priority in regard to machines? I would like to ask the Minister of Finance whether he knows what is being done in the Department of Inland Revenue? For years past the Department of Inland Revenue has been trying to get mechanised equipment. I think the Department of Inland Revenue in Durban was the first to get mechanised equipment, and the Commissioner of Inland Revenue will tell the Minister of all the difficulties they have to cope with, and that it is absolutely essential that they should have this mechanical equipment if there is going to be the same efficiency in other parts, in regard to assessments, as that which they have attained in Durban. It is absolutely necessary for them to get further equipment. If the Minister will make inquiries he will find that the Commissioners' requirements have been severely cut and that there is still a lot to be done in the Department of Inland Revenue to bring the mechanised equipment up to date, let alone revolutionise the equipment.

Let us examine the position obtaining in the Department of Labour. Unemployment insurance returns have to be collated. They require accounting equipment; they require equipment with regard to wage statistics in order to carry out the Wage Act. Dealing with the requirements under the Wage Act they require statistical equipment in that Department and the Treasury has refused to give them priority. The same has happened in other Departments that require essential mechanical equipment. The Railways want equipment for accounting and other requirements. Are we to understand, Mr. Speaker, that priority is to be given to this Minister; that he will receive priority with regard to this equipment and that the other Departments must take second place?

Will he get priority in regard to staff? The Public Service Commission has curtailetd considerably the staff of the Auditor-General, and his work is behind because he cannot get the necessary authority to increase the staff. And yet, are we to understand that the Public Service Commission and the

Treasury will give special priority to this Minister? Does the Minister think he will get away with the story that the annual cost will be in the region of the figure he mentioned, or did he really mean to say that this figure was used to illustrate the thin edge of the wedge, a very thin edge at that. I think this House is entitled to demand from the Minister that this Bill be sent to a Select Committee before the second reading, so that the Select Committee can have the opportunity of examining in detail all the implications of this Bill, not only the legal implications, not only the social implications, not only the effect on the various classes of the population, but most important of all, in view of the warning given by the Minister of Finance, we should be entitled to ascertain from the Select Committee what its financial implications will be. Now the Minister will say that we can get that information from the Select Committee appointed after the second reading. But by that time we will be committed to the principle of the Bill. I submit, therefore, that the time to refer this Bill to a Select Committee is before the second reading, because then the Committee is entitled to ascertain how far this Bill can be implemented, what the costs are going to be, what technical equipment will be required, how far the technical equipment is available, and in what measure we can achieve our object with the available technical equipment.

That is an aspect, Mr. Speaker, about which the Minister told us very little. He told us something about what the machinery can do, but I think he has given us a very inadequate, a very small part of the total picture. Now let us assume that the Minister has achieved his object and has obtained the staff to do the preliminary investigation. Let us assume that he has obtained the necessary equipment and that he has also obtained the staff to work that equipment. Then he is still left with one further difficulty, and that is that the machines will not tell him when the law is not carried out. He will have to take steps to have administrative machinery to see in what respect this law is not carried out. If the information is incomplete or unreliable, the machines are entirely useless. If the information is unreliable which is put through the machine, the information obtained from the machine will be useless and we will not achieve any results. Unless the Minister can achieve results, he cannot convince this House that it is necessary to institute a scheme of this nature.

The Minister's case maybe, and possibly that will be his reply, that he intends using it only partially at the moment. If that is his intention, it is only fair to Parliament that the Ministetr should indicate what his real objects are. As I have illustratetd earlier on, this card will be coded and it will be easy for the Minister, with the aid of this machine, to do in an hour what may otherwise take weeks and months to do by hand, namely, to know who the Coloured people are. It is only a matter of getting the correct code, running the cards through the machine, and you will get the information. When the Minister wants to know who the Coloured people are in a particular district, all he has to do is to get the card number, run it through the machines, and out will come a list of all the Coloured people in that district. It is easy to imagine how that will facilitate the implementing of the Mixed Marriages Act and various other Acts which the Minister has in mind. If he finds the machine very useful for that type of work, I can only express the hope that these machines will not be used for diabolical purposes. If these machines are used to find and list the people whom the Minister does not like, then it means the machines are used for a diabolical purpose, and not for the purpose of getting a complete demographic survey and the vital statistics which are very often required in this country. If the machine is used for the purpose of getting lists of the population for purposes of rationing, if rationing becomes necessary; if it is used to assist us in a survey for social services, then it can perform a very useful service in this country. But then, why attach criminal sanctions to it?

I have submitted to the Minister that we are entitled to ask from him that he takes steps to assure this House in his reply that he has nothing to hide in his motives in implementing this Bill and that this Bill is not intended for any ulterior motive. If he can assure us of that, the least he can do is to abolish the pass and to remove the criminal sanctions from the Bill.

*Prof. A. I. MALAN: Apart from the lapse towards the end of his speech, the speech made by the hon. member who has just sat down, was more refreshing than the other speeches on the opposite side, because his criticism was of a constructive nature and because he approached the Bill from an angle which was at least sincere. I think everybody in this House is definitely convinced that it will be a difficult task to carry out the provisions of this Bill But I think that neither the Minister nor anybody who is a supporter of this scheme of population registration ever thought that it would not be a difficult task. Because we knew that it was going to be a difficult task we sent technical officials of the Department overseas to study the system in vogue in countries abroad.

In the one matter in connection with which the hon. member supplied information, namely, in connection with the Hollerithe machines, he was definitely not quite correct. As far as the other machines are concerned, I am not in a position to judge. Once the Hollerithe machines have

been introduced, as they have been by our municipalities, the people will never revert to the old methods. The hon. member's argument that the possibilities of the Hollerith machine are very limited, does not hold water. It has unlimited possibilities in respect of the number of items which it can record. And if the figure of eight which the hon. member mentioned here, is exceeded in any case I do not know whether it is eight — there can immediately be a duplication of the individual card and then one will immediately have sixteen items which can be used in this system of registration. If the rest of the hon. member's allegations are half-truths, like this information which he has given us, I do not know what part of his information we can accept. But I do believe that the officials who investigated the matter will be able to deal with it.

One cannot help forming three impressions of the course which this debate has taken in view of the speeches which we have heard in this House, and those impressions are lasting. The first is the impression caused by the explanation and advocacy of this Bill by the Minister of the Interior himself. What was really striking in that advocacy and that elucidation of the Bill was the Minister's scientific approach of the matter. He was particularly successful in proving that there is a need for population registration in this country, and having done that, he quite rightly dealt with the following point, namely, to prove that population registration had to be introduced in the way in which it is proposed in this Bill, and that the proposed system can effectively meet that need. He was convincing in his exposition of the matter, and I want to add that he was particularly logical. I would also like to say that many members who did not know in what ways a political debate is sometimes conducted, must have been disillusioned. The course which this political debate took and the objections which came from the Opposition side, form the basis of the following two impressions that I gained.

The first of these impressions was created at the outset by the speech of the Rt. Hon. the Leader of the Opposition and by what he said against the Bill. And the last impression was caused by the arguments used by the Opposition in their attempts to invalidate this Bill. In principle the Opposition are opposed to this Bill. I think we should not only say that but we should also accept it as a fact. They would not have objected to the second reading of the Bill and they would not have proposed that the Bill be referred to a Select Committee before the second reading, unless they were against the Bill in principle. No matter how much the Opposition hedged ("klei getrap het") — if I may use such an expression — in their attempt to prove that they are not against the principle of the Bill, they proposed that the Bill be referred to a Select Committee before the second reading. That is sufficient evidence to justify the conclusion that they are against this Bill in principle.

*Mr. RUSSELL: Against the passes.

*Prof. A. I. MALAN: I shall come to the passes later on. Any Opposition is entitled to be against the principle of a Bill, but then one expects them to advance arguments in which they show why they are against the principle of the legislation. Once the Opposition have decided that they are against the principle of a Bill, it is only logical and necessary that they should advance arguments and give the reasons for their attitude. But it was almost tragic to observe that in spite of all the arguments advanced here, no argument was advanced against the principle of the Bill Even the hon. member for Rondebosch (Col. Jordan) with his xenophilistic miasma could not do it. He could not find any objection in principle to the Bill. Perhaps my judgment of the members of the Opposition is too harsh — I am referring to the ordinary members of the Opposition. Perhaps they have followed in the footsteps of the Rt. Hon. the Leader of the Opposition. It reminds one of the Dutch saying: "Zoals de ouden zongen, zo piepen de jongen" (the young dance to the tune of the old). That brings me to the third argument, the third impression, namely, the arguments used by the Opposition in their attempt to invalidate this Bill. I just want to repeat that there were no objections to the principle of the Bill, and now I would like to go into the objections that were actually raised against the Bill. With very few exceptions these arguments can be summed up by saying that they were calculated to arouse suspicion, to arouse suspicion against the Government in the minds of the inhabitants and particularly the non-European inhabitants of this country. It is perhaps not quite true of all the members opposite, particularly not in respect of the hon. member for Hottentots Holland (Sir de Villiers Graaff). That hon. member's speech was, after all, of great value. It had this advantage that it proved that one can handle a weak case in such a way that one need not violate the ordinary rules of propriety and decency, as in the case of the hon. member for Alberton (Mr. S. J. M. Steyn) in particular. But the hon. member for Hottentos Holland sailed very close to the wind, and I am afraid that if I were in his shoes I would not be able to refrain from recalling to mind and from fearing a repetition of the punishment meted out to him by the same Minister on a former occasion, when he advocated that mixed marriages in South Africa should be retained.

*Mr. S. J. M. STEYN: You should be ashamed of yourself.

*Prof. A. I. MALAN: I want to show how close to the wind he sailed. I am now referring to the hon. member for Hottentots Holland. He said here — and he emphasised it amidst loud "hear, hears" — that the pass, as he called it, the system of identity cards was not in general use in Canada. He said that there was only one province in which this system was being used. I would now like to read to the House from a pamphlet by Marshall which was published in "Estadistica Journal of the Inter American Statistical Institute". The particulars are given here.

*Mr. S. J. M. STEYN: What date?

*Prof. A. I. MALAN: I shall mention it in a few moments because it will fit in better then. The writer says—

> An important feature of the whole plan is the substitution of a birth card for the conventional certificate issued by the provincial offices. This card, which is already in use in some Canadian provinces and is coming into use in others, is pocket-size . . .

Then he continues. The date of this pamphlet is September, 1948; in other words as far back as September, 1948, it was not only in Alberta where the card was used, but according to Marshall—

> This card . . . is in use in some Canadian provinces and is coming into use in others.

It is clear that it is in use in other provinces.

*Sir DE VILLIERS GRAAFF: Is it an identity card or only a birth card?

*Prof. A. I. MALAN: The birth card is a substitute for the identity card.

*Mr. S. J. M. STEYN: You cannot deceive us.

*Prof. A. I. MALAN: If the identity card is replaced by a birth card, then this birth card really becomes the pass.

*Dr. STEENKAMP: No, we expect more from you.

*Sir DE VILLIERS GRAAFF: I have seen that card.

*Mr. S. J. M. STEYN: We expected a higher level from you.

*Prof. A. I. MALAN: I have a reproduction of the card here myself; it appears in this pamphlet, but it is not in Alberta only that it is being used. I was saying that this policy of arousing suspicion against the Government incidentally also amounts to arousing suspicion against all Europeans, but apparently that does not matter much to the Opposition. The Right Hon. the Leader of the Opposition calls this register a nationalist register; he says that it constitutes a plan to implement apartheid, that it means political control of the inhabitants of the country. The hon. member for Benoni (Mr. Lovell) spoke on the same lines. He said that this register was being introduced to differentiate between races, to exercise political control over the inhabitants of the country, and that the object of the register is apartheid. The hon. member for Troyeville (Mr. Kentridge) condemns it, because, he says, the nation is not homogeneous, and when he was reminded of the fact that the population of Kenya is not homogeneous either, he said that everybody there was included. The House therefore sees how contradictory these arguments are. When the population is homogeneous then it can be done, but when it is not homogeneous then it cannot be done unless everybody is included. Has the hon. member any reason for thinking that everybody will not be included? But he adds that the real motive of this Bill is differentiation between the races in this country, and then he adds in an almost naive way, so that the one section of the population can always remain semi-slaves of the other section of the population; and then he ends with the refrain that there can only be a political motive behind the Bill, and that that is the thing that worries him most. There was a small ray of light in connection with the arguments which were used here. There is somebody — and I am now referring to the hon. member for Berea (Mr. Sullivan) — who at least tried to express his disapproval of this Bill in a logical way. He said that the Bill was not required in South Africa because we live in circumstances which differ from those in other countries where a population register is in force. That is true, but the people in England also live under conditions which differ from the conditions under which the people in Italy live, and yet we have a population register in both those countries. Another argument which he advances is that we cannot apply this system to twelve million people in South Africa. There are other countries which apply it to a much bigger population than twelve million people. Or is the implication that we should postpone it, and that we shall then have less than twelve million people later? Then he advances a third argument. He says this population registration is only intended for periods of

crisis. There again, if a country does not introduce population registration and keep it in full swing, how can it then use it in a period of crisis if it has not been in existence before the crisis? Surely it cannot function in a period of crisis without the preparatory period required to put it in order. He admits that it functions well in Canada, but he says it functions well there because an identification card is issued to the individual at his birth, and not when he becomes sixteen years of age, as is proposed in this Bill. Can he be serious in putting forward that argument? Would the difference in the date of issue of the identity card be the difference between success and failure? He himself probably felt towards the end of his speech that his arguments were not consistent, and that was why he took up the old refrain that the real motive behind the Bill was a political motive. I think he himself felt that the other reasons which he had advanced were too weak. Well, we did not get the objections that we expected to the principle of the Bill, and the real objections which were raised were in my opinion trifling because they constantly alluded to this one idea, namely, the political motives which may possibly be behind the Bill. If they are alluding to the fact that the race of the individual will appear on the identity card, and if that is the real reason for their objection, then their surmise is quite correct. The race of a person has to be mentioned in any population register, in any record of that individual, or, as the hon. the Minister called it, the life-book of that individual. It stands to reason that the race of the individual has to be mentioned, and in spite of the objections raised by the Opposition, it will have to be mentioned for the sake of a complete record. It is just as essential to mention the race to which the individual belongs, as it is to mention the individual's sex in that life-book, the date of birth, and the other essential particulars. I therefore fear that we cannot accede to the request that the race of an individual be left out; it is an essential fact which must be recorded in the life-book. If I must submit further proof of my argument, I need only refer to the position in connection with immigrants, for example. When immigrants come here and their race is not recorded, we will not be able to distinguish between an immigrant from Central Africa, a Native who has adopted an English name, and an English person from England. I think members can all see that it is absolutely essential that the race of the individual should be recorded in this life-book. I might also refer to the analogy which has often been used in connection with cattle; members will surely never expect a stud-book for cattle to contain only the word "cattle". It must be recorded in the stud-book whether the cattle are Jerseys or Frieslanders. The argument that the race should not be recorded in the life-book definitely cannot be substantiated. No, I believe that we should look upon this problem of a population register as a scientific problem with which every civilised nation is faced, and about which every civilised nation must make its own decision. One country may introduce it because, according to the hon. member for Berea, it is faced with a crisis, and that would apply to the case of England. I say that one country may decide to introduce it because of a crisis, and the other country for reasons of progressiveness. The nation itself may feel that it has reached a stage of development where it cannot do without a population register. I think Holland is an example of such a nation, and I think Canada is an even better example. Those are countries which introduced the population register because they had reached a stage of development where they felt that they had to introduce it. I think that in the case of South Africa we must introduce it for reasons of necessity. The mere fact that it is necessary to keep a record of the population of one's country is already sufficient justification for the introduction of such a system. Actually a population register is nothing but the outcome or the expansion of statistical data which all civilised countries already have today. In speaking about this population register, we forget that it is really the logical outcome of something which we have already been doing for many years .For example, we register the birth of Europeans in this country; we register deaths in this country. That is the beginning of what will or may later become a population register, and I think that all the other civilised countries today admit that the old system of registration of fact, of data about the nation, has become useless and that something new should be created, and that a population register is the logical alternative. Canada is the only country in the world which has had a system of continuous registration of births for the last three hundred years. And there they have felt the need for additional registration. Incidentally — and I think it is not altogether incidental — Canada is also the country which has made most progress in this matter of population registration. Everybody in Canada agrees that it is essential to record the particulars which they require. They no longer talk about it, but they accept it as something essential, and it is now only a question of how it can be further extended. That is the problem with which they are concerned, and it may perhaps surprise members if I tell them how complete Canada's system is; even when there is only a slight distinction between the races, it is recorded. Do you know, Mr. Speaker, that a distinction is made in the record between the French

Canadian and the British Canadian. There are particulars which apply to the French Canadian and which can be compared with those of the British Canadian, particulars about each in his own group. There are many publications in connection with this matter which show that the one group can be compared with the other group in respect of group facts or one particular fact, and on the basis of those comparisons the authorities calculated statistical data. But the reason for that is the premise, which is that this population register must be as complete as possible, and that the more complete it is, the more conclusions one can draw from it, and the better one is enabled to use those scientific conclusions in the interests of one's country. In Canada we, therefore, have the position that this population register is already being used in connection with social security. They go further and collect data in respect of the maintenance of the law, in respect of industrial matters and in respect of economic affairs. These are all matters that link up with the population register and for which the population register can be used. But they go even further, and I am saying this particularly to those members who spoke yesterday or the day before and were so concerned over the less privileged people in our country and who referred to the housing conditions and to tuberculosis, etc. Canada has already made such progress that these particulars which are recorded in the population register, are used, or rather Canada tries to mobilise its population register in such a way that it will contain details which are so particularly necessary in connection with these social problems that we so often discuss. The research in connection with tuberculosis is today being pursued in Canada with the aid of the population register. They use these facts to establish the relationship between the occurrence of tuberculosis and certain circumstances, the question of housing, the question of occupation, the question of family, of race and of descent. Members will realise that it is only a matter of new data which are handled mechanically on this card, and a matter of calculating the mutual relationships. If one considers the matter in that light, it becomes evident that it really offers unlimited possibilities in respect of the study of those problems which are of the utmost importance in connection with a nation's future and its development.

The hon. member for Berea spoke about the great number of officials who would be required for such a scheme. That again is where the great advantage of mechanical equipment comes in. I have already said that just in passing. Let me repeat that that mechanical equipment will enable us to tabulate those particulars, a task which can in normal circumstances not be performed by ordinary clerks. There is too much labour attached to it; it is impossible.

May I now come back to the position in South Africa, and with that I want to conclude my speech. In connection with this question of population registration South Africa is in a unique position. The problem in this country is bigger. The difficulties connected with the introduction of a population register are greater in South Africa than in any other country of the world, because here we have a small European population who want to introduce a population register for altogether twelve million inhabitants, about whom, in many cases, the most elementary particulars are not known. I say that we have a big problem here and that the problem is much bigger than in most other countries. But is that any reason to deter us? If we realise the difficulties mentioned by the hon. member who has just spoken, and the other difficulties which have been mentioned here, and if we realise that we are faced with difficulties, then our attitude still is: Is this thing so essential to us that we should introduce it in spite of those difficulties? If my hon. friends argued on those lines, one could listen to those arguments, and it is in that respect that I so much appreciate the explanation that was given here at the outset to justify the introduction of a population register. The particulars are necessary for our future development. Most of these particulars are already being recorded today and it is most essential to expand those particulars in the case of a young nation like ours. I say in practice a population register represents the extension and the summary and the co-ordination of particulars which are already being recorded today; it is the extension and the summary and the co-ordination of particulars which are already being recorded today in the books of various Departments. But the population register is also a balance sheet of life, consisting of two sections, as the hon. the Minister explained to the House. On the one hand we have the life-book of the population of the country, and that is kept in the office. All those particulars are recorded in that life-book. On the other hand we have this identity card. These two are independent of each other to such an extent that if the one is left out, the other one need not necessarily be a failure. This life-book can be kept, as is being done at the moment in various countries, without the identity card; without the identity card necessarily having to be issued to the individual. But — and that is why it is important — we shall see that the identity card is particularly strongly recommended, and if I may quote Marshall again, he says—

> The universal use of the birth card for all records will mean a tremendous increase in the efficiency of this system. If birth numbers are recorded on the census it will be possible to link the social and

economic data so compiled with the national index.

Members will thus see that although it is not absolutely essential to introduce that identity card, it is so much more complete in respect of the whole population registration if it is also introduced, that that is sufficient reason why we should fight for it that the whole population register with its life-book on the one hand and its identity card on the other hand should be brought into operation. The argument has been advanced here that this population register may be used by the Government for political purposes. That would have been a ridiculous argument if it had not been so tragic. If there really is a political aim behind this Bill and if it can be used for political purposes, it stands to reason that all Governments can use it; is that not sufficient proof of the fact that there cannot be a political object in respect of this Bill which can be exploited by the present Government? It would be foolish to institute such a system with the sole object of exploiting it for political purposes, particularly when it is borne in mind — I have not discussed this with any of the officials — but I do not think that our population register will be in full operation within the first ten years. It will take a long time before it can be completed. The argument that the Government is introducing such a population register for political purposes is not only ridiculous, it is tragic. But that such a register will be of national importance can, I think, immediately be accepted and can immediately be conceded It will furnish the Government that is in power with particulars that will be valuable to them. This is nothing new. Any scientific data that one has will supply valuable information that will assist the Government in its administration of the country. If one takes agriculture, for example, it is obvious that the scientific research work at Onderstepoort in connection with livestock diseases, greatly facilitates the task of the hon. the Minister of Agriculture, enabling him to act in the best interests of the country. I say that he is in a much better position to perform that task than he would have been if he had not had those particulars. Our medical research work which is undertaken in other places, will be very valuable to the Minister of Health, because those scientific particulars will enable him to steer the administration of the country in respect of public health, in a course which will be scientifically correct, and which can be of great service to the country. Where scientific data will be collected under such a system of a population register, it will be of very great value to any Government which is in power. It will enable such a Government to steer matters affecting the people of the country in a specific direction and to handle the position in the best interests of the country itself. I make bold to say that if the previous Government had possessed this type of information which will result from a population register, they would never have decided on their foolish scheme of State-aided immigration. They would have realised the foolishness of that scheme beforehand. In the absence of such a scheme, it was only later that they realised that they had made a mistake in this respect. Take Native education, for example. That mistake would not have been made, because the numbers involved and the actual costs over a period of years would have been calculated from the data obtained from the population register, and they would in a scientific manner have come to the conclusion that we have now arrived at that the present system of Native education is unwise, that it is an impossible task and that it is inconsistent. No, Mr. Speaker, scientific progress in any country in the world takes its course and cannot be prevented by political prejudice, and in this respect, too, I believe that this policy on the part of the Opposition in arousing suspicion in respect of this Bill cannot or should not impede its course. I want to say that the country will have to go forward, in spite of a stubborn and uninformed Opposition.

Mr. DAVIS: I suppose that there is no motive more natural in the breasts of white South Africans, than that they should by every means maintain their racial purity. That has been mantained, as has been so often pointed out on this side of the House, for 300 years without any criminal sanctions. It has in itself been a force which has directed the future of the white people of this country, and even listening to the debate that has taken place in connection with this Bill, the impression which it has made upon me is that the Bill is aimed not so much against the Native, not so much against the European, but directly against the Coloured man in this country. If it were possible to obtain a register of the Coloured population of this country without bringing in the whites and Natives, I am quite sure that such provision would be introduced, and when the hon. member for Gezina (Prof. A. I. Malan) suggests that we are against the principles of this Bill, I am afraid he completely misunderstands the motive which underlies the opposition. If we had been entirely against the principle of the Bill, then instead of an amendment to refer the Bill to a Select Committee even before the second reading, we would have moved that it should be read this day six months hence. We are just as much on this side of the House in favour of maintaining racial purity in South Africa as they are on that side of the House, but I do not think that we flatter ourselves in any way when I say that we have a better sense of justice and a keener sense

of the realities of the position. Now, Mr. Speaker, the hon. member has referred to the position in Canada. There is only one place in Canada where anything in the nature of a pass or a certificate is required, and that is Alberta. I have not studied that position, but I should be very surprised indeed if the motives were not completely different from the motives here, because it is notorious that Alberta is the one province in Canada which has very advanced security principles and it is quite natural that the people of Alberta would prefer to have the social security principles and the benefits obtained thereby exclusively enjoyed by their own population, and for that reason is should be necessary for them to produce something in the nature of a pass.

Now, Mr. Speaker, I want to address myself to that portion of the amendment which suggests that we should refer this matter to a Select Committee before the second reading. I know, of course, that the Select Committee which reported on the question in 1935, reported that it was impracticable, and I do not want to refer to that part of the report again, but I want to refer the Minister specifically, if he will bear with me for a minute, because I think this is the crux of the matter, to the evidence upon which that decision was based and this is the evidence which was given by a number of civil servants, first of all by Mr. Hoogenhout, on page 35 of the report, par. 23 —

> I think you are correct in saying that on the Continent people do not enjoy the same degree of liberty as they do in South Africa or in other English-speaking countries.

He was asked about the compulsory registration and he continued —

> I agree with you that the people in South Africa would not accept a system which tends to tighten up to a certain extent or in any way restrict their individual liberty.

And at the end of the same paragraph, on page 36, the same witness said this —

> I am of opinion that it is quite impracticable to introduce a scheme of this nature in regard to Natives.

Mr. Kincaid, also a high civil servant, Registrar of Asiatics, added —

> I also agree it is quite impossible.

Mr. Carruthers, another civil servant said —

> I am also of opinion that it would be quite impracticable.

Then, Mr. Speaker, another witness who gave evidence was Dr. Holloway. His evidence will be found on page 40. This is what he said —

> The fourth advantage claimed is that it will be a register of persons for police purposes. This is the important use to which it is put on the Continent at present. When I was living in Belgium the police authorities took a great deal of interest in various things about me and my past, just to be able to have a look at me and satisfy themselves that I was not an anarchist; they came and asked me whether my father was alive and then again on some other pretext to have a look at me. This registration plays a very important role in Europe for police purposes.

And then on page 42, Dr. Holloway goes on to say—

> Now looking at the disadvantages of the population registration system, in the first place it seems to me that it is extremely doubtful whether the White population of South Africa, British and Dutch, will easily put up with a system like this, especially bearing in mind that it is so easy to link up a thing like this with a pass system.

I hope the hon. the Minister will listen to this—

> The people will say that the Government wants White people to carry passes nowadays.

That in fact is what the Natives are saying today in the Transvaal. They say "You, too, will have to carry a pass in the near future". And then he goes on to say this—

> Unless you can get the fullest co-operation of the public your registration will be an entirely valueless thing.

You are not going to get the full co-operation of the public in this—

> If there is any large-scale passive resistance the position becomes impossible. It will be very much worse than no registration because you will be inclined to draw conclusions from information which is definitely inaccurate; it will give you spurious correctness which is very much worse than no knowledge at all.

Then he continues—

> The second disadvantage relates to the liberty of the subject. The instincts on which resistance to the system would be founded is on the whole sound. Long ago

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> one used to think the liberty of the subject should not be curtailed unless there was a good reason to curtail it. It seems to me, watching political developments all over the world, the tendency nowadays is that the liberty of the subject should be curtailed unless you have good reason for not doing so. Where people resist curtailment of their liberties their instincts are sound.

That was the evidence of impartial civil servants whose evidence made such an impression on the Select Committee that they came to the conclusion that they should accept that evidence and they reported accordingly and the Minister knows as well as anybody in this House that the pass system among the Natives is regarded as a gross and serious curtailment of their liberty and it is only on the ground that White supremacy must be maintained and that the White man must protect himself against millions of Natives that the pass system has grown and is tolerated at all. But there is no doubt about one thing, and I think even the hon. the Minister will agree with me about that, that the feeling in this country is not for an extension of the pass system but for a curtailment of it, and the extension of that system to the Coloureds where it will be enforced and to the Whites where it may or may not be enforced, is a thing which is going to reflect very sadly on the justice and fairplay of South Africa. And, Mr. Speaker, this Bill if it were not for those provisions which require the issue of this registration certificate or this pass, would hardly be necessary, because Clause 3 provides that the particulars required for the compilation of the register of the population of the Union as at the fixed date—

> Shall be extracted by the Director from the forms and returns received by him under the Census Act in connection with the census taken on the fixed date.

That could be done departmentally, and it should be done departmentally. Why bring us to the trouble of passing a Bill, the obvious object of which is merely to insist upon the carrying of registration certificates by the White population and the Coloured people? And therefore when the hon. member for Gezina (Prof. A. I. Malan) suggested that we were in principle against national registration, he was quite wrong there. We don't mind a national registration in terms of Clause 3, but we object to those principles which put the White man in the position in which he is obliged to carry this identification certificate about with him. Now, Mr. Speaker, I have said that the impression which has been made upon me by these speeches is that the object of this Bill is primarily to earmark for ever the Coloured people of this country. And it is not only in this House that that has been said, because the hon. the Minister of Lands a few days ago made a speech at Roodepoort, in which he said this—

> When we talk about our nation, we mean the White people of this country . . .

And then he went on to say—

> . . . The White man must remain boss in this country and the Nationalist Party's first step was to remove the Coloured people from the common voters' roll in the Cape.

And in order to give effect to that policy, to give proper effect to it, to prevent anybody who might pass as a European but who in fact is Coloured in his extraction from finding his way upon the White man's roll, it is necessary in the opinion of the Government to have a Bill of this nature.

Well, as I have said, one of the most painful things about this Bill is that it earmarks for ever the position of the Coloured man in a position of inferiority and its object, of course, is to deprive him of those rights which he at present enjoys under the Act of Union. That is an attitude which it seems to me cannot possibly be justified. The Coloured man is entitled to look forward and look forward with a reasonable amount of assurance to the time when he will have rights in his own country, not less than those of the White man. He is able to do that today. Under this Bill he will never be able to do that, because we know that this Bill is part of a plan, it is only a step in the direction of putting the Coloured man for ever in a position of inferiority. Nothing can justify that and the only result of that is going to be that the Coloured man must be driven into the arms of the Black man and so form a united front against the White man in South Africa. It may be said that we have got nothing to fear from such a United front. That is what Russia said about its proletariat and we know what happened there. That is what Royal France said about its proletarians and it resulted in the French Revolution. It may be argued that the Black man is not in the position ever to compete on a basis of equality with the White man, but that argument can certainly never be used as far as the Coloured man is concerned. There are many Coloured people who are of the highest ability and we in South Africa know that there are many men who have a touch of Coloured blood in them and who are among the ablest men this country has produced. There is nothing that can produce so much injustice as race hatred and predudice and I would appeal to the hon. the Minister, even at this stage, to consider whether it would not be the right thing to do to accept the amendment of the Right Hon. the Leader

of the Opposition. What has he got to fear from it? He will have a majority on that Select Committee, and evidence can be heard from persons who are likely to be affected. And what is the hurry about this thing? He can't put it into operation till after the census of 1951 has been taken and it will be a reasonable thing on his part. But of course if he is determined to do everything in order to place these people in a permanent position of inferiority in South Africa, then I can understand his absolutely uncompromising attitude. This Bill, of course, we know is one of a series which started with the Mixed Marriages Bill, the Immorality Bill and which is going to be followed by the removal of Coloured voters from the voters' roll. But that is not the sort of thing that is going to bring peace and happiness to South Africa. We have got to realise that the Coloured people are the offspring of the White people and as long as they are there they are entitled to be fairly and justly treated. It is not necessary for us to extend their rights, but they are entitled to be fairly and justly treated and it would be a gross injustice for us to do anything to deprive them of rights and it would be a still greater injustice to mark them for ever throughout their lives and as long as they exist in South Africa with something that is nothing less than the mark of Cain. I feel that there are times when even the Minister should hesitate before he insists in carrying out a policy which he must feel will be so detrimental to the ultimate peace and happiness of this country.

*Dr. LOOCK: I do not think that actually much more can be said on the Bill at this stage. As a matter of fact there was not much to be said about the Bill from the very outset. This is not a revolutionary Bill and there is nothing strange in the Bill. This Bill is only a consolidating measure. There is practically nothing which one is asked to do in this Bill that one was not required to do before. There are various occasions when one must have a document in one's possession in this country, and there are various documents which one must have, documents which can be demanded by the police at any time when one commits an offence.

*An HON. MEMBER: And if one does not commit an offence?

*Dr. LOOCK: Then they are not demanded by the police. If the hon. member does not get drunk and does not drive into a lamp-post, his driver's licence will not be demanded from him. The people who are afraid of the Bill are afraid that they will infringe the law. But I do not want to say too much about the merits of the Bill. Enough has been said about the Bill and the principle contained therein. But ons has to view the criticism of the Opposition against the background of their propaganda. The hon. member for Pretoria (City) (Mr. Davis) let the cat out of the bag very clearly a little while ago. There sits the hon. member for Alberton (Mr. S. J. M. Steyn) who thought that he was going to score a bull's-eye. Now apparently he is their propaganda advisor, and he has discovered, of course, that the women of the platteland do not want to have anything more to do with them. He believed that he had a clever plan. They started to make propaganda with their "pass" during the Vereeniging by-election. There they went about telling the people that they would have to carry a pass and that the police would come at night, throw the light of a torch on their faces and demand their pass. One should view this whole agitation against the background of the propaganda of the United Party. Their position is such that they will never get into power again. There is only one way in which they may get into power again and that is by registering so many Coloured people in the Western Province that they can gain twenty seats in the Cape Province. I know there is practically not a seat near Cape Town which they cannot take. And if they give me three years within which to do it I shall wrest any seat near Cape Town which the Nationalists hold at the moment from them. It would be very easy. At the moment there are 14,000 more Coloured children in the Cape Province schools than European children. The qualifications for a Coloured person to get on to the Voters' List are that he should live in a house valued at a minimum of £75, that he should earn at least £50 per year and that he should be able to sign his name. The result is that the work of the United Party organisation to teach the Coloured people to sign their names, has become practically unnecessary. They need no longer teach the Coloured people to sign their names. There are now sufficient electors available for their purposes who will be able to sign their names when the next election takes place. They are now in a position where they can divert the efforts of their organisation into another channel. I remember that the late Mr. Paul du Toit said in the old days, before Mr. Pieter Hugo was elected, that he would never lose the Paarl seat. He said that he did not like registering Coloured people, but after all if too many Nationalists came to Paarl, he only had to register a couple of hundred more Coloured people to restore the balance. That is the line of thought which hon. members opposite are taking. From an organisational point of view, I do not blame them. They cannot get votes amongst the Afrikaans-speaking people They have to seek their votes amongst the Coloured people, and this whole agitation against the

Bill is a mere smokescreen which they are using, because they are afraid that we will use this Bill as a preliminary measure which will eventually lead to the removal of the Coloured voters from the voters' roll. The United Party, in its present form, can only take over the government of the country if it can neutralise 50,000 or 100,000 European votes in our country by means of 50,000 or 100,000 Coloured votes and that is the sole reason for their opposition to this Bill. Let me say immediately that we do not need this Bill. Although this Bill could be the basis of introducing apartheid in different respects and in various spheres, we do not need this measure to remove the Coloured people from the European voters' list. The Coloured people today already appear in a separate section of the voters' rool; the names of the Coloured people do not appear together with the names of Europeans on the voters' list. There are, of course, a number of border-line cases. We know it. But the fact is that if we want to remove the Coloured people from the voters' list we do not need this Bill, because they already appear on a separate list. How have we been carrying out this law all these years? I am asking hon. members opposite how it is that we succeeded in making this distinction. How did we manage to distinguish between Europeans and non-Europeans in the schools? The hon. member for Pretoria (City) (Mr. A. Davis) who is not used to the conditions here, may not know the difference between Europeans and non-Europeans. Field-Marshal Smuts might not want to know the difference for political reasons, but we, who know them in the Cape, we who have grown up here amongst them and who live and move amongst them, know very well when a Coloured person passes for a European in the Western Province. And the same people who compile these voters' lists, the existing voters' list that also separates the Coloureds from the Europeans, can classify them and distinguish between them without any difficulty. There will always be border-line cases and there are also border-line cases in respect of the present voters' lists, but still this distinction is made between Europeans and Coloureds. And the same people who tabulate the census particulars, will make as few mistakes as those people who compile the voters' lists What do we do in our church? I remember in the old days when I was still at school, Coloured people sat with us in the church at Paarl. Since that time the mission church has been established and today the Coloured people and the Europeans go to different churches. How do they define or how do they determine whether one is a Coloured person or a European? The same applies to the schools. In the Cape Peninsula all the schools are divided into European schools and non-European schools. One might find a case here and there where a Coloured child attends a European school, although one will not find one case where a European child attends a Coloured school, but the cases where Coloured children attend European schools are the exceptions: They represent a few border-line cases. But to come and say today that the Bill is impracticable because we cannot distinguish between Europeans and Coloured people, is simply ridiculous. It is a childish argument and if we have to adopt the attitude of the Leader-in-Chief of the Opposition, to the effect that one can no longer distinguish between the races, it would be tantamount to surrender. If that is the attitude of the party opposite, as proclaimed by their Leader, then that party has surrendered as far as European civilisation is concerned. They say that things have already reached the stage where one can no longer distinguish between European and non-European. They have lost courage. Let us go a little further. They are now trying to make the public believe that a terrible scandal is being committed here, and that this system will be terribly humiliating to the Coloured people and also to other sections of the population. Let me tell members that the Coloured people are not ashamed of being Coloured. It is no disgrace to be a Coloured person. One is not responsible for one's own birth. A Native is not ashamed of being a Native. The Englishman is not ashamed of being an Englishman. Even the Jew is not ashamed of being a Jew. They are not ashamed of their own race. The Coloured people are not ashamed of being Coloured either. The Indians are not ashamed of their own race and the Natives are not ashamed of their own race. But there is a group of Afrikaans-speaking people today who are eating the bread of charity of the English-minded United Party, people like the Marais Steyns, the Louis Steenkamps, the Abraham Jonkers and the Bailey Bekkers — they are the people who have become ashamed of their own race. There is not one of them who could go to an Afrikaans constituency today. They have to take an English constituency in order to obtain a seat in Parliament. That is the position, and when one listens to the speeches of members opposite, one finds that the ordinary English-speaking member who is not a member of their Action Committee — the members of that committee naturally only talk politics — considers the matter on its merits and tries to reason it out. But the moment one comes to the Afrikaans-speaking member on that side, one finds this political incitement. All of a sudden the White woman of South Africa is being insulted, and an attempt is made to frighten her. All of a sudden the Coloureds are now being humiliated. Well, in the Paarl constituency the position is such that 3,000 European women have to vote for the Nationalist Party before one European vote counts. The other

votes are neutralised by 3,000 Coloured votes and in order to obtain those votes one has to spend £400 in an election. I want to go further. It is not humiliating to carry an identity card. In the first place they have learnt Hitler's lesson in "Mein Kampf" very well. I think the hon. member for Alberton (Mr. S. J. M. Steyn) keeps that book at his bedside and reads it every night to see what new scheme he can carry out the following day. But this is not humiliating. If Mrs. Marais Steyn and Mrs. Gamat Goosine, a respectable Coloured woman, because her husband was a member of the Salt River branch of the United Party, climb into a Skymaster together to go overseas they both have to carry a pass, but that is no humiliation to them. If Mrs. Louis Steenkamp and Mrs. Joseph Moses, also a respectable Coloured woman because her husband also served on the committee of the Salt River branch of the United Party . . .

*Dr. STEENKAMP: If Mrs. Dr. Loock . . .

*Dr. LOOCK: Mrs. Loock does not mind carrying an identity card . . .

*Dr. STEENKAMP: To sit next to a kaffir woman?

*Dr. LOOCK: A kaffir woman is not allowed to travel in a Skymaster, but the others are permitted to do so. The point is that there are thousands of tourists who go overseas and who carry a pass. Is that a disgrace? It is only in our country that it will now suddenly be a disgrace. And one need not even carry the pass. But hon. members opposite have learned from "Mein Kampf" that when one wants to tell a lie, one repeats it ten times over and then one believes it oneself. And they themselves now believe that they will have to carry a pass. Even if that were the case, it would still not be a disgrace. It is only the person who has committed a wrong and who is afraid of getting into trouble, who has cause to feel uneasy about it. The moment one wants to go to any other country in the world, one has to carry a pass. Does that constitute an insult? No, they are now after the votes of European women, but they will not get them, because the European women have intelligence. They tried hard in my constituency to obtain the votes of the European women, but the women of South Africa are laughing at the amateurish propaganda of the United Party. All that the European women remember is that under the administration of the previous Government Coloured soldiers guarded the camps where their sons and husbands were interned; when a father was lying on his death-bed and the son saw nothing but Coloured guards and was not even allowed to go and visit his father. No, the women of South Africa, the mothers who want to secure the future of their children, will know that they are safe in the hands of the Nationalist Party. But I want to come to another argument which has been advanced here. During the war the party opposite had great success with their propaganda of shouting "Nazi" at every opportunity. They shouted "Nazi", "Broederbond", and what not on every conceivable occasion. At the outset they had great success with that propaganda, but after the general election of 1943 that German story no longer held good in the country. They overdid that propaganda and today it simply makes no impression at all. I want to tell them that that same Germany will still have to save them from Communistic Russia. The members for Hillbrow (Dr. Friedman) and Pretoria (City) (Mr. Davis) will find that Germany will still have to save them from Communism. Then the member for Benoni (Mr. Lovell) comes here and talks about liberty. He started with the French Revolution and spoke about liberty, equality and fraternity. There is no need for him to come and teach the Afrikaner people the principles of liberty. He should return to the country from which his forefathers came, and we know that he changed his name from Lavalsky to Lovell; he should go and see what liberty looks like in that country. Let him go to Poland and those countries. The hon. member for Benoni said at a meeting that he did not know what the name of his father was. He changed his name. Now they accuse us on this side and tell us that there are members on this side who have changed their name. Let them tell us who they are. The Afrikaner fought for his liberty, and it is the Nationalist Party who has had to fight for liberty in South Africa all these years.

Apartheid means the preservation of European civilisation in South Africa. I say that if it had not been for the Coloured vote, 80 per cent. of the members opposite would in that respect have followed the same policy as that of the Nationalist Party. This whole agitation against the Bill is nothing but a smokescreen. The member for Benoni displays very strong Communistic leanings.

*Mr. BLOOMBERG: You have also been a Communist.

*Dr. LOOCK: If you can prove that I was a Communist, and that I belonged to the Communist Party, I shall give you Sam Kahn for a present. The sooner we get this Bill passed, the better. The argument was advanced that we could have introduced this measure if we had been a European country with a dense population, where the people just walked across the frontiers. Members should go to Natal and see how the Indians cross the border. It has also been said that we will not be able to carry out this Bill. Well, if we cannot register twelve million people we can write "finis" to our future, because that will mean that we will not be able to do any administrative work.

*Mr. S. J. M. STEYN: Will they give you £1,000 to do it?

*Dr. LOOCK: Does the hon. member want to give me £1,000? He has already given me Vereeniging with his stupid propaganda.

Mr. KAHN: I do not propose to comment upon the squalid torrent of racialism and the ugly anti-Semitism which has been uttered in this House by the hon. member for Vereeniging (Dr. Loock). Mr. Speaker, we who sit in this corner of the House hear that only too often from a large number of members in our vicinity, who have the minds of Himmler, the tongues of Goebbels and the destined fate of Hitler. In no other country is racial tension more sharply drawn and more nakedly acute than in South Africa. In our race-soaked land we are witnessing an impending tragedy and it it against this background that I wish to evaluate the provisions of this Bill. Already in April, 1948, the hon. the Prime Minister threatened to introduce a population register as an essential measure necessary for the implementation of the apartheid policy of this Government. However, the Nationalists have failed to fulfil many promises since they have come into power, and the fulfilment of this one must surely imply some purpose more urgent than mere consistency. This Government and its supporters have in the course of this debate and in the provisions of this measure exhaled upon the constitution of this country all that long-hoarded venom and all those distempered humours which have for long years accumulated in their petty hearts and tainted the currents of their mortified lives. Let us analyse this Population Registration Bill and ask why the Government has forged this branding iron, this universal pass. Let us ask ourselves why the Cabinet at the present moment is plying the bellows to the smouldering embers of racialism and racial friction in South Africa. The first question we must ask ourselves — and I would like to ask it of the Minister of the Interior — is whether this is intended to be a register of the whole nation. Because this brings us to the inquiry of who constitutes the nation of South Africa. We have in South Africa the evidence of a long series of speeches by the Minister of Lands, that blustering bladder of bile and bigotry. He has enunciated the doctrine that the South African nation consists only of the white people. He has proceeded to atomise the population in fragments, and whereas in biblical times in Egypt the Angel of Death encompassed the death of only the first-born, this omnipotent Minister of Lands has proceeded to decimate the population of South Africa, reducing it by eight or nine millions. We must pay heed to the Minister of Lands, because he is a powerful political figure. He is an aspirant Prime Minister, a position which he occupies at present, mentally if not physically. In fact, we have in the Cabinet so many shadow Prime Ministers that they must almost be meeting in the gloom. I cite and single out the Minister of Lands. He is humourless and a dangerous political introvert, constantly badgered by hallucinations of his own righteousness and political divinity. It is this person who has a dominant say in the Nationalist Party as to what its policy should be. Then, of course, there is the Minister of the Interior; but he is just an obliging moth, flitting around the flame of the candle of the Premiership. All the rents and dissentions which exist inside this Cabinet and their ill-concealed hatred and anger for the hon. the Minister of Finance, and all the dynastic feuds inside the Cabinet, make it fair for us to say that Cabinet gatherings these days must resemble meetings of the Mafia. It is this group of politicians who are now inflicting on this country this Population Regulation Bill, which is ranging the entire nation against the Government. While they are playing at power politics, the economic life-blood of the country is running away. They have produced to this House a measure so ludicrous as not to bear any real examination at all.

I would first of all like to deal with the definition of a white person. The bastion of the policy of the Nationalist Government is their perfervid and fanatic desire to maintain what they regard as white purity. The Minister has defined a white person in his Bill, inter alia, as a person who appears obviously to be a white person. This definition reminds me of the occasion when Adam asked Eve why she called a certain creature with a trunk and tusks an elephant, and she replied: Because it looks like an elephant. There has never been a crasser definition than the definition of a white person which is included in the first clause of this Bill. The most startling consequences and results must follow from this definition. In terms of this definition a person in South Africa can be at one and the same time a Native in terms of the Native Representation Act; a Coloured man in terms of the Pensions Act and the Liquor Act; an Asiatic in terms of the Asiatic Land Tenure Act; a European, a white person, in terms of the Mixed Marriages Act, the Immorality Bill and the Population Registration Bill; and the same person can at the same time also be a member of the Nationalist Party. That is the absurd position to which we have been led in this country. What strange kaleidoscopic pattern of racialism we have developed in this country that one and the same person in terms of conflicting definitions in a host of Government enactments, can be of four different races at one and the same time. That explodes the myth of racial purity in South Africa; that proves that it is beyond the wit of

the Minister of the Interior and the whole Government to produce a definition of a White person that would have the effect they would like to give to that particular term. It is a tragi-comedy, because in terms of the definition in this Bill two Whites make a Black. The Minister has justified the machinery of Frankenstein which he sets up in this Bill on the grounds that the population register and the identity card will have certain useful purposes. That is not so, Mr. Speaker. He cited certain specific instances. He said, for example, that such a pass would be of use in facilitating the administration of the Pension Act, that it is going to help bottle-store proprietors in administering their functions and duties under the Liquor Act. Nothing of the kind, because the definition of a White person and therefore the definition of a Coloured person is entirely different under this particular Bill to the definition in the Liquor Act, in the Pension Act, in the Electoral Act and a host of other laws. Therefore the mere possession of a pass indicating that you are a White person would nevertheless mean that the bottle-store proprietor or the gatekeeper at Newlands would let you in on his premises and deal with you at his peril. It is no guarantee that you are a White person for the purposes of any other law, except the Immorality Bill and the Mixed Marriages Act. This vast complicated machinery, set up at enormous expense, is going to be of no value whatsoever to a person to indicate to him what rights and duties he may exercise, and it is going to be of no assistance at all in the administration of a host of other Acts. The House has been misled, unwittingly of course, by the Minister, in arguing that there are valuable by-products of this measure because it will assist in the administration and operation of other statutes.

Let us face squarely the question of racial purity and of White South Africa. When one looks at the serried ranks on the Government benches, one notices that nature, like the Nationalist Party, apparently does not prefer blondes because by far the majority of members on that side as well as on this side are dark. How many swarthy-skinned persons are there in this House, and in these circumstances what becomes of the acid test of the whiteness of racial purity? It is a myth. There is no pure White race in South Africa and there is no pure race anywhere else in the world. If by a pure race you mean the Caucasian or the so-called Nordic races who claim to be White, then the White race in South Africa contains more impurity than any other race in that category.

An HON. MEMBER: Why?

Mr. KAHN: Because of our ancestry, because in the first place a large portion of our stock is descendant from the Dutch. The Dutch were a sea-faring, God-fearing nation; they sailed the oceans of the world; many migrated to the East, to the East Indies and intermingled with Coloured people, Javanese and Malays. They returned to Holland and many came to South Africa. They were already a hybridised people. Take our own history. Take one of our heroes — he will be commemorated when we have a Heroes' Day — Simon van der Stel, the founder of Stellenbosch. He was a Coloured man. So many of our White people have for centuries intermingled with non-Europeans, with slaves, Malays, Coloured people, free or otherwise, that it has become sheer illusion to speak of a pure White race. It is a myth, and a dangerous myth because it gives rise to the type of racial explosion which will come about as a result of the apartheid policy of this Government. You cannot perpetuate a pure White race in South Africa, and the sooner we face up to the position, the more justice, the more racial sanity and peace and harmony we will have in South Africa. I have heard so often in the course of this debate remarks made from the Government benches, when the Opposition had castigated this Bill as an instrument for enforcing apartheid against the Coloured people: Why should the Coloured man not be proud to be Coloured? Mr. Speaker, what we hear from the Government benches is not racial pride, but racial arrogance, a glorification of themselves and a self-exaltation. They are not the true patriots in the country. It is useless speaking in terms of race pride. No Coloured man in this country can be proud to be such a Coloured man as this Government wants to make him. The same applies to the Africans. The same applies to the Jews. We have heard, as I have said, Mr. Speaker, the squalid and foul mouthings of vile anti-Semitism from the Government benches.

Dr. VAN NIEROP: The Jews have kept their race pure.

Mr. KAHN: They are not a pure race. You should know better than anybody else that they are not a pure race. Mr. Speaker, setting aside all this rotten racial emotionalism, I want to say that it is as stupid for a White man to say he is proud that he is a White man, as it is for a pineapple to say that it is proud that it has a yellow skin. What you should be proud of is your nation, your deeds, your attitude towards your fellow-men. There is no virtue in the colour of your skin which justifies you in having the false and overweening pride which animates the lives of so many members in the Government benches.

It is a pity that the Minister of the Interior was not less concerned about demography and more concerned about democracy. We in South Africa fear the provisions of this Bill because of the ends to which it will be put by the present Government. Every single argument which has been advanced in this and other debates on the racial question by members

on the Government benches, have been the ancient and hoary arguments which were heard a century and two centuries ago, to justify slavery. It is the idea of the inherent superiority of White over Black. All these arguments which have been trotted out in this House, dangerous arguments, have no scientific or anthropological basis. They are nothing but political deceit.

The hon. member for Vereeniging referred to "Mein Kampf". I would like to refer him back to "Mein Kampf". I would remind him of these words of Hitler—

> Through skilful and persistent propaganda an entire people can be shown heaven as hell, and equally the most miserable life can be made to seem Paradise.

How is this done in South Africa? By expert manipulation of propaganda machinery, by those who control the governments of the country. They are stoking and building in South Africa a most dangerous and incendiary situation which is being inflamed by the violence of racial extremism of the members of this Government. Their licenced fanaticism, their endeavour to persuade the White people of South Africa that they are threatened by their Black brothers in this country, represents the greatest danger to the White people and it is the most sinister thing in our political history.

An HON. MEMBER: Your Black brothers.

Mr. KAHN: Yes, my Black brothers, and according to your religion also your Black brothers; everybody's Black brothers. The trouble with you and your party is that your conception of brotherhood is that of Cain and Abel. What do you want in South Africa with this new pass. Have we not had this experience in respect of the African people, of how harmful this pass system has been to all sections? Let us turn first of all to the figures announced by the Minister of Justice a few days ago, that in 1949 there were 144,300 convictions under the Pass Laws and various control measures, and of these 139,000 were in respect of Africans. The greatest number of convictions occurred on the Witwatersrand where the pass system is most rigidly and stringently enforced. Mr. Speaker, according to the crime statistics in this country there is no more murderous and callous city than Johannesburg, in spite of the so-called pass-law protection and the years and years of ruthless enforcement of pass laws on the African people. Must we now proceed to duplicate and multiply the crops of criminals which we create each year in our community, and do we want to extend this terrible pass system from the African people to the Coloured people and to the Indian people, and also the so-called White people of the country.

Mr. S. E. WARREN: Why "so-called"?

Mr. KAHN: I am speaking frankly and bluntly. Do we want to engulf . . .

Mr. S. E. WARREN: Say it outside.

Mr. KAHN: Do we want to engulf the whole of South Africa in a prison camp? Why must a citizen of this country carry a pass and produce it when he is called upon to do so by policemen, or an inspector or Government official? What is taking place with ruthless abandon under the aegis of this Government is a smelling-out, a witch-hunt, like we had in Hitler's Germany.

Mr. S. E. WARREN: You tell us what is happening in Russia.

Mr. KAHN: I repeat for the benefit of the hon. member for Swellendam (Mr. S. E. Warren) that in South Africa there is a minority of White people whose ancestors can be traced in one straight line back to Europe.

Mr. S. E. WARREN: I can.

Mr. KAHN: I said there were few. You are one of the fortunate few. People in South Africa have been compelled to conceal their identity, lest some connection be traced between them and some kindred non-European family. That is the hateful system. There are many White persons who live in fear and dread, in continual anxiety lest they who have escaped from the ranks of the non-Europeans may be identified and pilloried as non-Europeans.

An HON. MEMBER: Must that continue?

Mr. KAHN: An hon. member opposite said that no Coloured man should be ashamed to be a Coloured man, and no White man should be ashamed that he is White. The consequence of this cruel and heartless branding of human beings has cut deeply into the flesh of South Africa. This soul-deadened Government, with cold cunning is covering every part of social life, closing every door of escape, pursuing the innocent, the helpless and the most humble with a remorseless boycott from the cradle to the grave. They are setting such a terrific premium on the possession of a white skin, that they are compelling many a non-European, in the ranks of both the Whites and the non-Europeans, to deny and spurn their ancestry. They are making the Coloured people ashamed of being Coloured. They have re-discovered Hitler's principle of racial persecution. They are trying to resuscitate the weapon of Mediaeval barbarism, to be able to identify who is White, who is Coloured, who is Indian and who is African in South Africa. There is no need

for these distinctions to be made between man and man; there is no need to add to economic and political victimisation under which the non-European suffers a form of social ostracism. We do not want the pass system, and that is what this Bill does.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

Mr. KAHN: Mr. Speaker, I wonder if the Minister has not realised that this gigantic structure of population registration which he is seeking to create is quite impossible. You cannot have national registration until many years after you have instituted a system of complete registration of births and deaths of all the population. In Clause 7 of the Bill which sets out the particulars that should be recorded in the register, it is significant that in the case of White and Coloured provision is made for recording the date of birth, but in the same clause in respect of the African people there is no provision at all for the registration of the birth of Africans because it is impossible under our present system.

Capt G. H. F. STRYDOM: What do you mean by "Africans"?

Mr. KAHN: Therefore it will be completely impracticable to proceed with the registration until many years after we have overhauled our system of birth registration and extended it to the African population. If this is so then we see that the Minister is making a Brobdingnagian effort to establish a Lilliputian Utopia. There cannot now be an effective national registration; there cannot be, because, bound up with the success of any system of national registration, you must have a literate population who are capable of going through the procedure of notification to the Director in case of changes of address, and because this and the previous Government have neglected the education of the African people, 66 per cent. of whose children never get any schooling in this enlightened country, the whole scheme is doomed to failure in its very essentials. There are two basic objections, however, to the proposal contained in this particular Bill. I have referred to the caste system which is set up. A person is given the stamp of a particular race although from the point of view of his lineage that may be utterly false and misleading and he and his children cannot escape that classification. He is fixed for all time. A set or caste of untouchable, who are obviously to be the non-Europeans, is created under this Bill; the Bill creates a drag-net to stalk the victims of this Government's racialistic policy, namely, non-Europeans who will be pilloried by the host of discriminatory measures which have been and are still being introduced by this Government.

There is another rotten aspect of this particular Bill and that is the spying and prying which will be the inevitable consequence of setting up different racial groupings in our country. This Bill will be a paradise for the back-biting neighbour, the jealous slanderer, the whisperer, the common informer, the poisoned pen writer. Some people have not even waited for the Bill to become law. I have already been the recipient of a scurrilous, black-guarding letter, the truth of which I reject, but I will take the House into my confidence and show the House the type of letter which will be sent on a large scale all through the country as a result of this attempt to have a witch hunt and to seek out people's racial origin. This letter came to me in the House of Assembly and I read the relevant extracts.—[Extracts expunged by direction of Mr. Speaker.]

Sir, the whole country must be careful of the type of evil thing which we are creating and inviting by legislation of this character. This attempt to seek out what are people's private concerns, is a process which is being encouraged by the Mixed Marriages Act, by the Immorality Bill and by a Bill of this kind Public sneaking and public informing is being made possible only under measures of this kind. It is being encouraged by this legislation, and that is why it is important that the House should take into account how people's whole fate and how people's whole future can be affected by legislation of this character.

Capt. G. H. F. STRYDOM: Let us all walk out.

Mr. KAHN: Perhaps the most important and sinister aspect of this Bill is that we see unfolding a grim pattern of a police state for the complete regimentation of our people. This Bill provides for the exaltation of sheer police power to an inordinate degree menacing the lives of our people, and it is a degrading violation of the rights of privacy and personality of our citizens. It is a drag-net which is being cast over the whole people and there will be no loophole for escape for anybody. The police powers, given under this Bill will make it possible for every individual to be docketed, to be taped, to be controlled and policed by day and night, and this Bill, with the wide powers given for the compulsory production, whether immediately or within seven days of the identity card, shatters the very foundations of our system of liberty. What is going to take place? We are going to have a system of police surveillance under a kind of Döngestapo. The Minister will have a black list. We have seen the interferences with our civil liberties which have already taken place. The spying upon our

citizens, their being unlawfully shadowed by the police from place to place, the interference with the political rights of people, with freedom of speech, with freedom of movement, the unlawful cancellation of passports, and the censorship which is being set up under this Government, all show the hoof-prints of the nazi beast, of the intention of this Government to crush any form of political opposition and to trample upon the rights and liberties of the South African people. Why should there be this rigorous check upon the movement of our people? The Minister obviously has been most affected and influenced by the evidence which was given by Dr. Holloway, appearing on page 40 of the report of the Select Committee on Population Registration, where he stressed —

> The full advantage claimed is that it will be a register of persons for police purposes. This is the important use to which it is being put on the Continent at present. When I was living in Belgium the police authorities took a great deal of interest in various things about me and my pass, just to be able to have a look at me and satisfy themselves that I was not an anarchist. They came and asked me whether my father was alive, and then again on some other pretext to have a look at me. The registration plays a very important role in Europe for police purposes.

I am satisfied that this particular function of the Population Registration Bill overshadows even the question of making this Bill a weapon of segregation, an instrument for the more efficient enforcement of apartheid in South Africa. It is the police aspect of this Bill that makes it most attractive to the Minister who has initiated its introduction inside this House, and it links up with provisions in the announced republican constitution of the Herenigde Party, which was published by the Prime Minister in January, 1942, when he was then Leader of the Opposition. He said then, when speaking about the rights of citizenship, that citizenship which confers the franchise on persons above the age of 21, will be accorded only to those subjects of the republic who may be expected to assist in building up the nation. [Time limit.]

Mr. RUSSELL: On the 24th February, 1949, the hon. the Minister of the Interior took, I think, mean advantage of this House, abused the proceedings of this House . . .

HON. MEMBERS: Order!

Mr. RUSSELL: . . . to give us his first Parliamentary intimation of his plan to introduce a Population Register to this country. It took the form of an attack on the "apartheid-pass" issued with the approval of the United Party. Little remains for me to say in justification of the issue of that pass after the brilliant analysis of the hon. member for Alberton (Mr. S. J. M. Steyn), which destroyed all the arguments of frantic Nationalist detractors.

The MINISTER OF LABOUR: But surely you are not as shameless as he is.

Mr. RUSSELL: I know that I am not as shameless as the Minister of Labour is.

The MINISTER OF THE INTERIOR: What a poor retort.

Mr. RUSSELL: What did the Minister say about the "pass" on that day of the 24th February, 1949? He said this —

> The Government has not even considered the question of drawing up any document in the form indicated here. When the officials return . . .

And here he was referring to Mr. Raats and Mr. Lewis —

> . . . and submit a report, the Cabinet will decide whether an identity card will be issued.

Yet on November 16, 1948, more than three months before, the hon. the Prime Minister told the Transvaal Nationalist Congress that an identity pass would be issued to every inhabitant of this country, of whatever race and colour. On the 26th November, the Minister of Labour said at Mayfair that Dr. Malan would be the first to carry the Pass and his Cabinet would follow suit to show there was no disgrace in it. On the 22nd November of the same year, "Die Transvaler", the political broadsheet of the Minister of Lands, said that the Pass would indicate the race, age, nationality, profession, marital state and age at which each individual starts earning his own income. This mouthpiece of the Minister added that the question would have to be decided whether a finger-print would not be desirable as well as a photograph. This was on the 22nd November, 1948. Yet on the 24th February, 1949, in this House, the Minister of the Interior said —

> We have not even considered the issue of a Pass.

Surely, Sir, I am justified in throwing into the teeth of the Minister the very words he used on that occasion about this Pass. Surely his conduct was, as described here in Hansard by him, "unscrupulous, and a cold-blooded violation of the truth and of every concept of political decency and propriety".

Surely, Sir, here we find duplicity, "deceit, falsification and dishonesty".

HON MEMBERS: Order!

Mr. RUSSELL: I use those words advisedly.

The MINISTER OF TRANSPORT: On a point of order, the hon. member is accusing the Minister of the Interior of falsity and dishonesty and indecency.

Mr. SPEAKER: Unfortunately I was otherwise occupied for a moment. If that is so the hon. member must withdraw those words.

Mr. RUSSELL: Mr. Speaker, I was quoting from Hansard. I was throwing back at the Minister his own remarks, which I was reading out from Hansard.

Mr. SPEAKER: Will the hon. member repeat just what he said?

Mr. RUSSELL: I said that I would throw back at the Minister the words he used about us in the debate on the 24th of February, in which he said—

> The righteous indignation of the people of South Africa burst forth as a result of this unscrupulous and cold-blooded violation of the truth and of every concept of decency and propriety.

And he said this—

> This is deceit, falsification and dishonesty.

I am quoting the Minister.

The MINISTER OF THE INTERIOR: To whom did I say that?

Mr. SPEAKER: The hon. the Minister was not addressing those words to any particular member was he?

Mr. RUSSELL: I am addressing those words to the Bill.

The MINISTER OF TRANSPORT: On a point of order, the hon. member said that he threw those words . . .

Mr. RUSSELL: Back into the teeth of the Minister.

The MINISTER OF TRANSPORT: Are you talking or am I? The hon. the Minister made those remarks in a general way.

Mr. MITCHELL: In a general way?

The MINISTER OF TRANSPORT: Yes. he made them in a general way, he was not referring to any particular person. The hon. member for Woodstock (Mr. Russell) said that he threw those words back into the teeth of the Minister, which meant that he was now making a personal reflection on the Minister.

An HON. MEMBER: He was using the Minister's words.

Mr. RUSSELL: Mr. Speaker . . .

The MINISTER OF TRANSPORT: Excuse me, am I talking or you? In other words, he was addressing those remarks to the Minister personally and I ask you, Sir, if the hon. member is in order in doing that, after the ruling which you have just given.

Mr. SPEAKER: I am afraid I was not listening at the time. I was discussing another matter with the Clerk.

Mr. RUSSELL: I do not mean any "personal" reflection on anyone at all. I was throwing those words back in the teeth of the Minister, also "in a general way", in reference to the matter we are discussing today. In just the same way as he threw those words at this party "in a general way".

The MINISTER OF THE INTERIOR: You are running away now.

Mr. RUSSELL: I am reliably informed, and that is why these words might not seem too strong, that behind their façade of righteous indignation about the issue of this "pass", the Government is actually at present collecting and analysing information about the private lives of certain South Africans in this country. They are collecting, in relation to certain citizens, details which are much more intimate and which make the words of this "pass" pale into insignificance. Will the Minister deny that?

The MINISTER OF THE INTERIOR: Yes.

Mr. RUSSELL: I will put my cards on the table before the Minister.

The MINISTER OF THE INTERIOR: Put your charge and give your proof.

Mr. RUSSELL: My charge is that at the present moment the Government is prying into the private affairs of South Africans and asking them questions which will have some effect on their future.

The MINISTER OF THE INTERIOR: In connection with this Bill?

Mr. RUSSELL: No. They are asking South Africans certain questions and I will ask him whether he can deny that his Government is at the present moment prying into the private affairs of South Africans.

The MINISTER OF THE INTERIOR: Give me specific examples.

Mr. RUSSELL: The Government is asking them what newspapers they read, to which churches they belong, whether they are active churchgoers, to which organisations and cultural societies they belong; how they live, how they conduct themselves and even how they dress. Will he deny that his Government has set up a system of informing — the one person upon the other, forcing the principals of certain departmental schools to give reports about the people in their employ, of the personal nature I have just mentioned.

The MINISTER OF THE INTERIOR: Schools fall under the Provincial Council.

Mr. RUSSELL: The Minister is far too clever. I said "departmental schools" which fall under the Union Department of Education.

The MINISTER OF THE INTERIOR: Ask the Minister of Education that.

Mr. RUSSELL: These people are being asked to spy upon and inform against others. The Minister wants truth. Here is the white "pass" for the teachers. It was issued on the 19th October, by the "Departement van Onderwys, Kuns en Wetenskap" (Department of Education, Arts and Science).

*Mr. POTGIETER: What year?

Mr. RUSSELL: This year, 1950. No, I am sorry, it was issued in October, 1949, to be returned by the 31st December, 1949. This is the "Book of Life" of the teachers in these particular departmental schools. They are asked to fill in certain particulars and No. 12 reads—

> Whether you regularly read newspapers and general periodicals; specify which you read.

There are other questions which are useful but they also ask—

> Is u 'n aktiewe lidmaat van 'n kerk? Indien wel, spesifiseer.

Mr. S. J. M. STEYN: The Gestapo is here.

Mr. RUSSELL: The next question is—

> Are you a member of a sport, cultural or welfare association? Specify.

Now, Sir, those forms are being sent in, but I will say that, knowing the head of the Department, knowing the civil servant in charge of this Department, these particulars seem to be things which he personally would not use against individuals or the principals who have to report on these matters. He has issued a statement saying that this will not be the "only" measure by which promotions will be judged. I do, however, attack the Department that forces him to issue these cards. But this is not all. On the back of the pass the principal is forced to inform upon all his colleagues, including the vice-principal. He is asked to send in certain particulars about the people in his employ, about his underlings, about his colleagues. There are about thirty pages that he has to fill in. I shall read out some of the questions that these people are forced to answer, that they are forced to send in, in private and in secret, without the knowledge of their colleagues, to the Department where they are analysed and kept and used for some purpose that I do not know. I may say that these forms are only issued in Afrikaans, and an English teacher applying for a copy in English cannot get it. Particular care is taken to see that each individual sheet and paper is returned because they are numbered and specific instructions are issued that each one is to be returned. This form only came to me fortuitously.

Mr. SUTTER: All quiet on the Western Front.

Mr. RUSSELL: Sir, it may be amusing, although it is tragic, too. Perhaps when I read out these things some members may amuse themselves by marking in points what they think about the Opposition, just as the principals are asked to mark in points what they think about the teachers on their staff. This is the system, Sir. Principals are asked to report privately and without the teacher knowing. The principals of these departmental schools are asked to report on each teacher in their employ. It is a sort of vicious quiz game, or a game for Quislings, I don't know which. In this game they mark every question with points 1 to 10, according to certain physical and intellectual attributes teachers may have. The first is "physical appearance" — if the teacher is "uitstaande wat betref voorkoms, liggaamsbou, houding en netheid op persoon en kleredrag" then he gets anything from 8 to 10 marks. If, however, he is "gemiddeld wat betref voorkoms, bou en houding, maar slordig op persoon en kleredrag", he gets anything from 2 to 4. Then we come to his "voorkoms by aanspreking", and mark you, this applies to women as well as men, and they can get ten marks under this heading if he or she is "aantreklik, vriendelik, beleefd, maar beskeie". He or she gets ten marks if the reply is satisfactory in these respects. Then if he or she is "onaantreklik, nors, onbeskof, weerbarstig, bombasties" — 0 marks for that. And so it goes on. It deals with their Leadership, Sir, it deals with their Enthusiasm — No. 4. They get 10 marks, 9 or 8 if they "Toon altyd 'n lewendige belang-

stelling en ywer in alles wat hulle doen". But if they are "heeltemal doods", or "demp eerder entoesiasme by andere" they get one mark. Now, Sir, this, as I say, is either tragic or amusing, you can take your choice. Then we come to "Balans en self-beheer". Are they "habitually unbalanced", "Do they lose their self-control?" Another question is "Heeltemal gevoelloos en onbedagsaam?" Then under "Takt". "Gee dikwels aanstoot, krap mense maklik om. Kruiperig?" These things are reported on, Sir. Under "Betroubaarheid en Eerlikheid", the question is "Is hy heeltemal onbetroubaar en oneerlik?" Sir, what a tragic thing if a principal, from whatever motive he may have, perhaps a political motive; it may be spite or envy, reports on a colleague or an underling that he is "heeltemal onbetroubaar en oneerlik". How can the bureaucrat sitting in his office know the motives behind a report such as this about any man? Surely, Sir, this is intolerable. And it goes on for pages. This item will be rather amusing to the hon. member for Turffontein (Mr. Sturrock) — it illustrates the chances of Scotsmen in departmental schools — "is hy buierig, lag baie selde, kan moeilik 'n grappie waardeer?" If so, Sir, he only gets three marks. This, Sir, is all the more tragic when it comes down to an examination of their "intelligensie", their "oorspronklikheid en inisiatief". And finally, Sir, there is also one set of questions which the principal has to fill in about the vice-principal: "What are his organisational qualities?" "Is he a hopeless organiser?" "What is his discipline like?" All of these questions, Sir, I say are cases where a man is reporting about his colleague, sending in a secret report. We can realise the tragic consequences of a man filling in some remark about another man, or about himself, such as for instance that he is "not an active member of the Church". What will happen, Sir? Nobody reports on the principal, but the principal reports on the vice-principal and the vice-principal and the principal, independent of each other, are forced to report on every single individual man and woman employed under them in the school. As I say, it is possible for a principal, for the head of an institution, by this secret report, to ruin forever a colleague. And nobody knows what his motive may be. I don't blame the head of the Department. I don't blame the principals, because it must be just as distasteful to them to fill in these sordid details as it is for me to read them out to this House. I think he Minister of Labour, who feels an interjection coming along, should realise the great tragedy that can result for a man, or his wife or his children if he is thus reported on; if it goes down on his record that certain adverse qualities are possessed by him; if it has some influence on his future promotion, his future livelihood. The caddish thing about it also is that that man concerned does not know that he is being reported on, he does not know what marks may go down against him.

Dr. VAN NIEROP: Will you lay that questionnaire on the Table?

Mr. RUSSELL: I think I am fully justified in bringing this matter to the attention of the House. I will finish, as far as this particular point is concerned, by reading what appears on the back of the so-called "Infamous Pass" which was issued by the United Party and which I think was one of the most enlightened bits of advertising propaganda. It has probably saved South Africa from a future pass system that might have been far worse. Now we know what is happening underneath. What does this "pass" say—

> Things have come to a pretty pass. Stop the coming of the Gestapo! Vote United Party and return a democratic Government!

This system of spying is exactly the sort of thing which has been referred to in that "pass".

Dr. VAN NIEROP: Put it on the Table of the House.

Mr. RUSSELL: Would you like to have a look at it?

HON. MEMBERS: Yes.

Mr. RUSSELL: I will let anybody see it if he consults me in private. Mr. Speaker, against this background now described, I would like to discuss some matters in relation to this Bill and I would like to examine some of the hon. the Minister's arguments. We all know with what unctuous rectitude the Minister pleaded with us to accept this Bill and to bless it with our approval. We all know that he advanced copious argument and crafty reason to persuade us that it was opportune, that it was good and that it was necessary. The Rt. Hon. the Leader of the Opposition, however, cut cleanly through all the evasive verbiage with which the Minister surrounded his arguments. It is clear, my leader said, that the main object of this Bill is to further the cause of apartheid. In particular, to clear the decks for political apartheid, to prepare the way for the elimination of the Coloured voter from the common roll and the allocation to him of a limited communal vote in the place of the franchise rights which he is now enjoying under our Constitution. The hon. the Minister of the Interior spent a hundred minutes giving us a hundred and one reasons why we should bless this Bill with

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our acceptance. One of these reasons, hidden very far down in the list of priority reasons given by the Minister, was that it would help the Government to carry out their apartheid plan. With dissembling eloquence, he also urged that his "Book of Life" and his "Pass to a White Heaven" would facilitate the process of getting married; getting transfer of land; voting in elections; enrolling for military service; joining the civil service; drawing pensions, family allowances and unemployment insurance payments; paying taxes; and finally in leaving the Union permanently, either by desire, banishment or death. In some obscure way, he seemed to argue that the possession of this "pass" would also help those of us who pass as White to remain White in perpetuity. He seems to forget that all of us have been doing all of these things for hundreds of years without the nostrum of a book of life or the panacea of a pass. Is it not the proud boast of all of us — Nationalists as well as United Party supporters — that we are unique in this respect, that living here, surrounded by a sea of colour, we have remained a White race? That, commencing as a small trading post, living in isolation, we grew into a great Union and have retained our racial purity, although surrounded for 300 years by a sea of colour. Do we need a "Book of Life" to help us to remain so? Do we need a "pass", Sir to enable us to keep pure? I think it must fill every South African with a sense of amazed surprise that all of us, and our forefathers before us, have succeeded in going through the processes of getting born, growing up, going to school and to the university, getting married, having children, buying houses and farms, doing military service, drawing pensions, voting the right or the wrong way in elections, building up businesses, playing games and mixing socially, and eventually dying in decency, all without "Dr. Dönges' pass". No, Mr. Speaker, the Minister of the Interior does not want to make it easier for the White man to do all of these things His real purpose is to make it difficult, doubly difficult, if not impossible for the Coloured man to live and die in decency. And in order to do this, he is prepared to burden the White man with extra costs and taxes — he is even prepared to make every South African White man and woman, carry a "pass" to prove he is the colour the "pass" says he is. He proposes to set up a "department of dossiers" with "Peeping Tom" civil servants in Pretoria. I am sure that he should realise that the nett result of all this will be to sow the seeds of dissension and hate and humiliation and to prepare the grounds for a "police state" or a Gestapo in South Africa — a Gestapo-State which we consider thoroughly un-South African.

Mr. Speaker, I have not much time left. But I have time to say this: that I think the hon. the Minister ought to recognise that this side has made out an extremely strong, an unanswerable case, for sending this Bill to a Select Committee before the second reading. We have shown, I think, the necessity for discussing this matter in the calm atmosphere of a Select Committee, but doing so before we have enforced on us the principle of carrying a "pass". The Minister should be persuaded by the fact that this side of the House actually represents, in making these objections to this Bill, in voicing these opinions about the Bill, the majority of the White people in this country. The hon. the Minister even at this last minute, may consider changing his mind. He should refuse to ride rough-shod over the feelings and the opinions of the majority of the people in this country.

Now, Sir, far be it from me to repeat the arguments used more ably, in brilliant speeches, by my friends behind me and around me in the course of this debate. I can say this, Sir, that they have shown that the true underlying motive of this Bill is Coloured political "apartheid". The Government wish especially to "get at" people who are border-line" cases, the unfortunates who look White but who have coloured blood in them. And when I say what they want to force them to do, remember that I am now quoting from the German Yellow Pass", issued to Jews in Holland during the nazi-occupation. They, like these of our Coloured people, were forced to live in special areas, to travel on certain trains or buses, to stay away from certain amenities and to stay away from certain restaurants and beaches. Sir, I think it is shameful to use this means to get "at" these border-line cases, to force these people into such conditions of humiliation These unfortunate people, I would like the House to remember, are not our "step-children". They are not "God's step-children". I don't think that we can force the blame for them on to the Deity. They are the White man's children. I say that we should not blame the man that the White man has mixed with. We should not despise him simply because he has sprung from the White man's loins. We should not deprive him of a civilised life, we should not humiliate him. He should be treated as a special ward. He should be treated in a really Christian way. Mr. Speaker, this side has shown to the Minister that the White people in this country do not need and do not want to carry a "pass". They are already sufficiently registered for all lawful purposes. I think we have shown that the Natives are already sufficiently pass-bound and this will be just one other "pass" to them. I think he knows now that for the people against whom this pass is aimed, the Coloured people, it will merely be a badge of perpetual inferiority and servility. I think, Sir, that there is

a considerable danger, that these methods and modes of repression may cause to arise among non-European people a "Gandhi", a Coloured or Native "Gandhi", who may some day employ the legal means of passive resistance. If the non-Europeans ever do that, Sir, driven frantic by measures such as these, they may easily within a matter of weeks bring down in ruins the social and economic structure of this country. That is something we should guard against. Mr. Speaker, we have shown that machinery is being created for a police state, reminiscent I may say, of the Gestapo. No man or woman, white or dark, under this Bill which we are discussing, has any guarantee that they will be safe against molestation We ask ourselves this, Sir, with the record of the Nationalist Party, with the record of the Government before us: Can we trust them to resist the temptation to use the pernicious machinery which they are creating under this Bill? I think the answer of the people must be "No". Many speakers have pointed out the danger of using unqualified enumerators and the lack of sufficient safeguards against arbitrary classification. We have shown how the onus of proof in this Bill is being inverted and how the doors are opened to the poison-pen informer. We have shown, Sir, that the expense will be far greater than has been anticipated. We have shown that this cannot be a truly national scheme and that it cannot be made workable. The hon. member for Pinetown (Mr. Hopewell) showed today that technically it is impossible and that the cost might be very high indeed. We have shown that without the willing co-operation of all the people the Bill is useless. And we will not get that co-operation. We have shown — the hon. member for Hottentots Holland (Sir de V. Graaff) has shown — some of the anomalies and contradictions of this Bill, particularly referring to the foolish seven-day notification of a change of address in the Native territories, where Natives do not know the use of the post and where they may have to go fifty miles to the magistrate's office.

We have shown, Sir — and this is most important — that the evidence submitted by the Minister to this House was faulty. We have shown that his evidence, particularly concerning the "pass-carrying principle" as practiced in other countries, was faulty. He mentioned Canada. But he was wrong. Only in one State of Canada, viz., Alberta, is a "pass" carried and even there the carrying of the "pass" is observed more in the breach than the performance. He is quite wrong about Holland, too. The original "Bevolkingsregister" exists, but the "Persoonsbewys" and "Ausweisz" was discontinued as soon as Holland was liberated from the Nazis. The hon. member for Hottentots Holland, who has been there recently, told us that it is not carried any longer. The same is true of France. Frenchmen do not carry "passes". That system, too, was abolished when the French were liberated from the Vichy-Nazis. In France foreigners carry a "pass" for purposes of hotel registration, but Frenchmen don't carry "passes" in France now. Australia, of course, abolished them at the end of the war. Sweden has no "pass", though they have a registration system and there is even some doubt as to whether that is national. Denmark threw the "pass" out with the Nazis. They don't carry "passes" in Denmark.

An HON. MEMBER: Is that so?

Mr. RUSSELL: There is no racial significance in the "passes" they carry in Belgium and Italy. And as far as Kenya is concerned the hon. the Minister seemed to be painfully ill-informed in his opening speech. I hope in the interval he has had he collected more information for us. In Kenya anyhow the White women certainly don't carry "passes". In Israel there are special reasons connected with displaced persons, and they also have a quota between Arabs and Jews. There are special circumstances there. But except in this case there is no racial discrimination in the identification "passes" of the countries I have mentioned. Now the hon. the Minister made great play of England. He told us that in England they carry a registration "pass". He knows of course that it was introduced as a war measure, he knows that it has no racial significance. He said that it was unconnected with rationing, but is it, Sir? It is maintained now, because it is the ready means of identifying a man when he applies for a ration card. If the hon. the Minister will look at the debates in the Hansard of the House of Commons, he will see the motives behind the introduction of their "Registration Bill". Just so, anyone reading the debates of this House will see the real motives behind the introduction of this measure here. In Great Britain it was introduced by the Minister of Health and the Minister of Health, I think, urged its acceptance in order to facilitate occasions of hasty evacuation, the finding of children and parents after a blitz. He stressed its use for rationing purposes. In England it was introduced for security purposes also, but I make bold to say that as soon as rationing is discontinued, the carrying of a "pass" will be absolutely a dead letter there. Mr. Speaker, the Minister mentioned with smug glee, in answer to an interjection, that the German does not carry a "pass". Of course Germany does not now have a "pass". But under the Nazi regime they carried a variety of passes; there was the Gestapo pass, the S.S. pass, the Jugend Bund pass and the Jewish pass, all happily abolished now in Western Germany. We are the only country in the world where this "pass" is being introduced in time of peace and where the introduction is not caused as the result of

war or the aftermath of war, and where it is not introduced by a dictator — like in Holland in Napoleonic times, in Italy in 1920 under Mussolini, in Germany under Hitler and in the countries overrun by Hitler. In all the other countries like Denmark, France and Holland, they were all introduced by a conqueror and the "passes" disappeared as soon as the conqueror disappeared, thrown away very happily indeed.

But, Sir, I must come to an end. My time is getting very short indeed. In a few minutes the Minister is due to reply. I would like to say something to him and to this House and to South Africa: Knowing the Minister as I do, I presume that he will try to drag "red herrings" across the trail of our very logical and concise arguments. I know he will say that we are an irresponsible Opposition. I know he will accuse us of inciting opposition against this Bill. It is the usual practice of this Government, Sir, first of all to introduce repressive measures and then, because we point out their oppressive nature, to accuse us of inciting people to oppose these unjust measures. We are, of course, merely carrying out our duty, our legitimate and proper duty as the Opposition, in pointing out the falsity and the wrongness in all of these measures which are descending upon us in greater and greater flood since this Government came into power. I think that he will probably again blame this Opposition for "forcing" the Government to carry out their policy of apartheid. I think he will say that by our out-and-out attack on this policy of apartheid we are placing the Government in a position of being compelled to carry out these policies that they may have watered down. The Minister, I know, will use every argument to deceive the people of South Africa in regard to the true intent of this Bill. In conclusion, Sir, I would like to quote Shakespeare to him and to say this that—

> In law, what so tainted and corrupt,
> But, being season'd with a gracious voice,
> Obscures the show of evil? . . .

And the same is true of the Nationalist Party policy—

> . . . In religion,
> What damned error, but some sober brow
> Will bless it, and approve it with a text,
> Hiding the grossness with fair ornament?

The same is true of Nationalist Party politics. I ask you, Sir, I ask this House, I ask the country not to allow the dexterity of his mind and conscience to hide the "grossness" of this measure, not to let him hide by his eloquence the "show of evil" in this Bill.

Mr. HEPPLE: I did not intend to take part in this debate, but certain things have been said which provoke me to reply. The attitude of the Labour Party on this measure is well known. We are absolutely opposed to it. We do not even want it to go to a Select Committee. We believe that it is unnecessary legislation. I won't deal with that aspect of it now, but I would like to refer you to one of the aspects of this type of legislation that disturbs the minds of us who believe in democracy and freedom. It was suggested that the idea which lurks behind this legislation would be regimentation of the people of this country and would be discrimination against certain racial and religious groups. During the course of this debate I have heard from two or three members on the Government side of the House, speeches that quite clearly showed the House that they are so deeply infected with anti-Semitism that they might like to see the Population Registration Bill used to discriminate against a religious group in this country.

Mr. POTGIETER: Don't be silly.

Mr. HEPPLE: Perhaps the hon. member was not in the House when the hon. member for Vereeniging (Dr. Loock) made an attack on a colleague of mine because he happens to be of a different faith from most of us. He attacked him in this House. The hon. member for Groblersdal (Mr. Abraham) who followed the hon. member for Benoni (Mr. Lovell), he too made an attack and made a reference in his speech inferring that the hon. member for Benoni was not of the same calibre as us of a different faith. And I say that those of us who love democracy and freedom, shudder when we hear these things, because we see what was done under the registration scheme against Jewish people in other parts of the world and those of us who are not Jews cannot stand aside and see this sort of thing beginning to grow in South Africa. When Holland had a population registration scheme, it was quite an innocent affair. It was handled by the boroughs and municipalities, but when the Nazis came in and took over they issued identification cards and if a man happened to be Jewish, a big green J was superimposed on his card. The population registration of this country can go the same way if we are to take notice of the sentiments that are expressed by members on the other side of this House. I am not trying to scare members. I am disturbed when I listen to certain members on the other side of the House and I say that when we have the legislative machinery available in this country to those who want to oppress minorities then certainly they are going to adapt that machinery to their own nefarious ends like the Nazis did in Europe. I would like the hon. the Minister who smiles, who smirks, I would like the hon. the Minister to deal with this matter. I am quite sure that he is not going to support the views that have been expressed by some of his colleagues, but I think he owes it to South Africa to tell them that

he dissociates himself from such sentiments and that as long as he is Minister he will fight any attempt to use the population register for such purpose. And furthermore I would like him to tell this House and the country that he will ally himself on the side of those who oppose any measure to use the population register to those ends. I don't want to keep the House long, I have just another two minutes, and I would just like to put a few points to the hon. the Minister in connection with this Bill which I would like him to deal with when he replies. First of all I would like to ask the hon. the Minister whether he has examined this Bill in its application in so far as the poorer people of South Africa are concerned and by that I mean the majority of the people in this country. According to the Bill, as I read it, it will cause untold hardship to the poorer people in this country. Those who have the financial means will be able to engage legal assistance when we have difficulties. They will be able to employ secretaries and typists. But what about the poor man and the man who works from early in the morning and returns home late at night? He has to sit down and write letters to make application, to challenge the group in which he was placed; he has to have his photo taken and send two copies to the Director. All these things are hardships. I wonder if the Minister has estimated what this measure is going to cost the country, in so far as it will interfere with everyday working life. A colleague of his spoke about wage incentives and the stepping up of production in this country. How is the Minister of the Interior going to apply this scheme to the working people of the country, without disturbing the everyday work — because they have no other time — if they have to comply with the regulations under this Bill? There is also a provision in the Bill that where people cannot afford to pay for the photographs required, exemption will be granted. But they will have to make application and they will be subject to a means test. The average poor man in the country, in order to comply with the law, will have to subject himself to further inquiry and to further investigation into his daily life, and he will have to plead poverty in order to be able to comply with the law. I would also like the Minister to deal with that aspect. And finally, the Minister by way of interjection asked a member on this side whether he objected to carrying his Railway pass. That was a very foolish interjection, because the Minister knows that the Railway pass is a ticket to travel on the train.

Mr. S. E. WARREN: It is called a pass.

Mr. HEPPLE: It is a Railway ticket. It is just as foolish as to ask whether you want to travel on the train without a ticket. It is the same thing. The Minister also asked whether he objected to having a driver's licence.

Mr. S. E. WARREN: It is called a pass.

Mr. HEPPLE: No, it is a ticket to travel on the railway. If you do not buy a ticket you do not travel. You have the option, but here you have no option. You have to carry it. The same thing applies to the driver's licence. There is an option. If you want to drive a car, you must have a certificate of competency. [Interruptions.]

Mr. S. E. WARREN: [Inaudible.]

*Mr. SPEAKER: I want to ask the hon. member for Swellendam to refrain from interrupting.

Mr. HEPPLE: If you want to drive a car, you have to have a certificate of competency. You are not compelled to have it. But here, if you want to be a citizen of South Africa and if you want to have freedom of movement, you are not permitted under this legislation unless you carry an identity card. I want to ask the Minister how he arrives at this calculation of £300,000 as the estimated cost of applying this measure. I want to tell him that he will come on the Supplementary Estimates and ask for more money, and next year he will ask for more than that. We are going to find that this particular piece of legislation, in direct cost to the State, is going to run into probably a million pounds, if not more, by the time the Minister is finished. And as far as the country itself is concerned in the application of it, as it affects the daily life of people and the output of our factories, it is going to run into millions of pounds. This country will live to regret it.

The MINISTER OF THE INTERIOR: Mr. Speaker, before I deal with the debate itself, there are a few excrescences of the debate which I want to dispose of. The first is the hare that has been raised by the hon. member for Woodstock (Mr. Russell). He read out with great gusto a questionnaire that had apparently been sent to departmental schools. He read the questions that were asked and he said that was an example of the prying and spying of this Government. I should have thought that it would have been fairer if the hon. member had given the Minister responsible, the hon. Minister of Education, some notice that he was going to raise this matter here tonight. I think it would have been the fair thing to do. But it may be that he was inhibited from doing that, because of the facts I am going to place before the House now. Now, Mr. Speaker, this form which was read out here tonight was from a questionnaire on the private lives of teachers —

Emosicnele en sosiale aanpassing; persoonlikheid en intellektuele bekwaamheid; houding teenoor die professie en leerlinge . . .

And all those things; I think there are some amendments in regard to minor matters.

Mr. RUSSELL: What about religion?

The MINISTER OF THE INTERIOR: I am coming to that — the religion. This is all here —

Huwelikstaat; ouderdom; kwalifikasies en ondervinding; huidige betrekking; lees u koerante en ander tydskrifte (ja of nee)? Opvoedkundige, sielkundige en sosiologiese publikasies; (spesifeer; noem u eie publikasies.

Then —

Liefhebbery; noem sake rakende u werk wat u graag met die inspekteur wil bespreek.

And then the part that must be filled in by the principal or the vice-principal, the man who must do the prying and the spying on his colleagues.

Mr. RUSSELL: You have said nothing about the questions in regard to his religion.

The MINISTER OF THE INTERIOR: What section is that?

Mr. RUSSELL: This is the question: „Is u lidmaat van 'n kerk; so ja, spesifiseer."

The MINISTER OF THE INTERIOR: What is the number?

Mr. RUSSELL: Paragraph 17.

The MINISTER OF THE INTERIOR: I am coming to that. We will have all of it —

Intelligensie; fisiese voorkoms . . .

This is what the hon. member was so concerned about —

Is hy voorbarig of beskeie?

All those things are there. This is the original copy and it was compiled during the time when the late Mr. Hofmeyr was Minister of Education, and it was approved by the late Mr. Hofmeyr as a means of trying to find some objective standard of qualification for teachers and their suitability for their particular jobs. The copy I have here is dated 28th September, 1947.

Mr. RUSSELL: Mine is dated 19th October, 1949.

The MINISTER OF THE INTERIOR: Yes, I know. That is when it was sent out. But the form was prepared and was approved by the late Government, and that is the Government, if there is any truth in the remarks of the hon. member, which was busy prying and spying on the private lives of the people.

Mr. Speaker, I have given you this example. I do not want to belabour the point. I merely want to say that this is the type of argument used by the hon. member, and if this is his type of argument and if the rest of his arguments are on a par with this — well, I do not think we are doing the hon. member an injustice if we say that the rest of his arguments was on a par with this. If the hon. member wants further examples of prying and spying, I would recommend to him to go and get hold of the cumulative record cards of scholars, also instituted by the late Government, and if he wants to know particulars about the private lives of the children, of their home life, he will find it there. But this paragon of virtue, this protagonist of all that is holy and freedom-loving in the country, never saw fit to belabour his Government because it was prying and spying on the lives of the population of South Africa. I think we can leave the hon. member to stew in the juice he has prepared for himself

There is another excrescence I think I should remove at the start, and that is the speech of the hon. member for Cape Western (Mr. Kahn). I think, Mr. Speaker, that is a speech beneath all contempt. I think I would be doing this House an injustice and insult this House by trying to deal seriously with such a scurrilous speech as that of the hon. member. If such a speech had been delivered in Russia — if they have a Parliament there, which I very much doubt — I am quite sure the speaker would have been liquidated before sunrise tomorrow. Talking about a regimented state, a police state, by an hon. member with the ideological convictions of the hon. member for Cape Western, forsooth! It is too ridiculous to comment on.

Now let me come to the debate itself. I have listened, I think, for four or five days; I have heard the vials of simulated wrath poured on my head and poured on the Bill; I have heard hon. members opposite indulge in extravaganzas of over-statement and under-truth; I have heard the Bill subjected to ordeal by repetition. And yet I think, after listening for five days to this debate, one can say of this Bill what was said of the Bruce—

As motionless as rocks that bide the wrath of the advancing tide, the Bill stood fast.

It has come through this ordeal unscathed. The essential points, if one were to cut away all the suspicions, all the suspicion-mongering of hon. members on the other side and all their poisonous imaginations and party rancour, then the Bill emerges from this ordeal unscathed.

In introducing the second reading, I gave an objective view of the uses and the benefits of the system of population registration I did not try to make party politics out of it. I thought this House was entitled to an objective view of the various uses, without emphasising any particular one, to which population registration has been put in other countries and to which it can be put in South Africa in its particular circumstances. I tried, as I said, to keep the matter outside party politics. But no sooner had I sat down, than the dogs of war were let loose and this Bill was attacked, not on its merits; it was attacked from the point of view of the party propaganda that could be made out of it. There were a few exceptions, a few welcome exceptions. There were certain hon. members who did try to discuss the matter on its merits, and there is a lot to discuss on that basis. Unfortunately, very few hon. members on the opposite side took the opportunity of doing that.

And now, if one surveys the past few days, the first thing that strikes one is the crazy pattern of the criticism of this Bill by members opposite. Their arguments were usually mutually destructive. One member would raise a point, and it was not necessary for me to contradict him. Ten to one he would be contradicted by members opposite. We heard the argument that this was a regimentation of the population. Some hon. members said that, but other said that the Bill was not really necessary, because we already have various forms of registration. Some hon. members said it was a stigma on the Coloured people to be treated in the same way as Europeans; but others again said it was a stigma on the Europeans to be treated differently from the Natives. That is the crazy pattern of their criticism Some members said there was a possibility of evasion and therefore do not pass the Bill at all, because it will be evaded. But they were not prepared to abolish the pass laws for the Natives, because there were evasions, and many evasions. I give these few examples to show how the criticism of the Opposition has really destroyed itself.

There are a few general remarks I must make before I proceed to the more particular. Many speeches were delivered on matters of detail, which I think can be more appropriately discussed in the Select Committee or in Committee, and I do not propose to deal with them now.

The second general observation I wish to make is that I wish to refer more particularly to one outstanding speech made in this debate, namely, by the hon. member for Wonderboom (Mr. Nel) who showed a knowledge of demographic principles and whose approach to the Bill reflected this broad background. There were some other members who advanced some constructive criticism of the Bill. I am thinking of the hon. member for Pinetown (Mr. Hopewell), and one or two other constructive criticisms.

The third observation I wish to make is that it has been said: Why not send this Bill to a Select Committee before the second reading? The usual circumstances in which that is done is when the Government itself is not prepared to accept responsibility for a Bill. Let me say at once that this Government is prepared to accept responsibility for the principle of this Bill.

The argument has also been used on the other side, I think by the hon. member for Hottentots Holland (Sir de Villiers Graaff): Why are you afraid to send the Bill to a Select Committee before the second reading? That type of argument only shows a lack of appreciation of the Rules of the House. I do not think I need digress further on that point.

Now I come to the speech of the Rt. Hon. the Leader of the Opposition. It has already been said, and I think quite correctly, and that is why I give pride of place to his speech—

> Zoals de ouden zongen, so piepen de jongen.

I am referring to a report in the "Cape Times" of the hon. member's speech for my quotations. In the first place I want to show that the hon. member is not immune to the general shortcomings of the Opposition in putting forward arguments which are mutually destructive. I find in the report of the "Cape Times" that he said this—

> No measure was more calculated to bring about regimentation than this Bill.

Do I hear any "hear, hears"? Then in the same speech he says this—

> I do not think the Government is really interested in the registration of the White people. That largely exists already.

In other words, there is already regimentation for the White people. There is nothing wrong in that. But now it is going to be extended to other people as well. The Rt. Hon. member proceeds and says, after stating that it already largely exists for the White people—

> The non-Europeans would resent the Bill in large measure and regard it as a stigma on them.

In other words, what largely exists for the White people is now extended to the non-Europeans, and that will be a stigma on

them. [Interruptions.] I know it is rather disconcerting to be confronted with such contradictions, even in the mouth of the "ouden der dagen". I know it is not pleasant for those who follow him. Let me go further. The Rt. Hon. the Leader of the Opposition said—

> We are trying in this Bill to classify what is unclassifiable.

He said in a speech afterwards, outside this House that he could not distinguish who were Europeans and who were non-Europeans coming out of a tobacco factory, and we must therefore take it that what he meant by these words, that we were trying to classify in the Bill what is unclassifiable, was that it is too late now for us to say who are Europeans and who are non-Europeans. And yet we find that the hon. member for Bloemfontein (City) and the hon. member for Woodstock proudly thrust out their chests and say: "For 300 years we have maintained a White South Africa and we can continue to do so." But their leader says we cannot classify what has become unclassifiable. I have much more sympathy for the views expressed by the hon. member for Benoni (Mr. Lovell) who says classification is not really necessary because, as he expressed it, the good Lord has already classified. But what the Rt. Hon. the Leader of the Opposition wants to do is that he wants to declassify what the good Lord has classified. If he has his way, he will not do anything to prevent the blurring of the boundaries that Providence has ordained and which our forefathers have acknowledged and respected not only in our legislation but also in our social tradition through the ages. That is what the Rt. Hon. member, if he has his way, is trying to do — he is trying to blur those boundaries. The hon. Leader of the Opposition speaks about "apartheid nonsense", and I wonder whether he is not doing that on account of an uneasy recollection of words he used in this House not so long ago, when he said apartheid was part of our tradition.

Mr. S. J. M. STEYN: Not your apartheid.

The MINISTER OF THE INTERIOR: How can you expect anyone even to attempt to understand a policy which, from beginning to end, is a series of contradictions such as we have here.

I am going to put another queer argument which was raised here. It is said that another objection against the Bill is that its object is the removal of the Coloured voter from the common voters' roll. That was said by the Rt. Hon. the Leader of the Opposition, and he was followed by the hon. member . . .

HON MEMBERS: Hear, hear.

The MINISTER OF THE INTERIOR: Yes, hear, hear. Here, at any rate, we have an admission. The argument is apparently that having classified and separated the Europeans and the Coloured people, you can remove the latter more easily from the voters' roll. I think that is the argument, or else it has no sense. But having classified and separated, you can now the more easily remove the one you do not want. I take it that is the correct statement of the argument?

An HON. MEMBER: In your view.

The MINISTER OF THE INTERIOR: If the Rt. hon. member does not want to say that is the argument, we leave it at that. But I want to remind him that on our existing electoral roll the classification and separation have already been accomplished. This classification here is not going to make any alterations. If the Right Hon. member will look at any of the voters' rolls in the Cape Province he will find, first, the male voters, then the female voters for the various polling districts, and at the end of the roll, the Coloured voters. They are separated and they were separated and classified under the government of the Right Hon. the Leader of the Opposition. The present Bill does not alter the existing position or law in that respect.

Mr. RUSSELL: But this is a criticism on this Bill.

The MINISTER OF THE INTERIOR: I am trying to show that it is one of the criticisms on this Bill, and if that is one of their criticisms they would be well advised to forget it as soon as possible. Then the Right Hon. member went on to say that the classification would have to be done by enumerators — I think he called them nondescript people.

Mr. RUSSELL: They are not described, are they?

The MINISTER OF THE INTERIOR: The hon. member has exceeded his time, and I want to keep within my time.

Mr. RUSSELL: I did not exceed my time.

The MINISTER OF THE INTERIOR: The hon. member has been hard hit and he is licking his wounds. But I hope he will be able to show more of a poker face and not show how much he feels his wounds. Let me remind the Right Hon. the Leader of the Opposition that the classification was also made by enumerators in the past in our census, including the decision or classification in regard to race. I have before me a form, and the hon. member will see—

> Par. (c). Ras: Blank, Asiaat of Kleurling; vir naturelle 'n ander vorm.

There is another form for the Natives. These apparently nondescript enumerators were entrusted with this task in the past — under the regime of the Right Hon. the Leader of the Opposition.

I think he has shown a further rather regrettable lapse in that he seems to think it is the enumerator who fills in the form, whereas the procedure is that the householder fills in the form unless he requires assistance. The householder fills in the form and signs it as correct, and it is countersigned and collected by the enumerator. But that is the type of argument, of misstatement — I will not say misstatement, but lack of understanding of the true facts — on which an argument is built up by the Right Hon. the Leader of the Opposition.

I have referred to the census form. But the position is entirely the same in regard to the electoral roll. The classification, in the first instance, is also made by the person himself, just as here, and as it will be, in the case of the voters' roll, subject to the satisfaction of the electoral officer and in this case of the Director. He must be satisfied that the description of the man by himself is correct. In both the electoral roll and here there is an appeal to the courts. The hon. member said: "What is the use of this appeal?" I want to ask him whether he wants it to be eliminated? Does he want that appeal against their classification in the electoral roll also to be eliminated? We know that people have considered it important enough to go to the Supreme Court when they have felt aggrieved by their classification under the electoral roll, and I think it is a very useful check and a very useful safeguard for what is after all a question of status for the individual concerned. The third-party objector, as the hon. member for Rondebosch (Col. Jordan) called him — this is not an innovation in this Act. You have a third-party objector also in your electoral roll. He can also come and raise his objection against any person whom he says is not entitled to be on that roll.

Mr. DU TOIT: You ought to know about that.

The MINISTER OF THE INTERIOR: Is there anything wrong with it?

Mr. DU TOIT: Yes.

The MINISTER OF THE INTERIOR: Apparently there is something wrong with it. I am surprised that the hon. member who finds something wrong with that never saw fit to have it eliminated when his government was in power. If this procedure is the same under the voters' roll, why then this sudden stigma? Why was it not a stigma under the voters' roll? Why was it no slur? But now that this Government extends the procedure under the voters' roll to the population register, why now all of a sudden, is it a slur and a stigma? The argument that the classification in the voters' roll is not so serious — that is the argument advanced by the hon. member for Rondebosch (Col. Jordan) — since in the population register it is a question of status, and therefore it is more important than in the roll that the classification should be correct, will not hold water, for in both cases the classification is under a law and in both cases the effect is a very serious effect on your status. So serious in fact, if I may remind the hon. member of the case of ex parte Kinnear, that a man would go to the expense of engaging in litigation in order to have removed a classification with which he is not satisfied. If you want to say that it is a stigma for a person to be classified as a Coloured person in the population register, he is as effectively stigmatised when he is classified as a Coloured person on the voters' roll.

The Rt. Hon. the Leader of the Opposition said that this Bill applied only to Europeans, Coloured and Native males over the age of 18 years. It is quite obvious that he read Clause 2 of the Bill, but not Clause 22 (b). Clause 22 (b) provides for the extension of the provisions of this Bill to all the other elements of the Native population which are not included in it originally.

Mr. S. J. M. STEYN: When?

The MINISTER OF THE INTERIOR: I also indicated in introducing this motion that, because of this mistake into which the Rt. Hon. member has fallen and which I foresaw, I was going to make it quite clear that from the very beginning this Bill will be applicable to all people and that its application in practice will be determined by practical considerations.

Mr. S. J. M. STEYN: Until when?

The MINISTER OF THE INTERIOR: I still intend doing that. The Rt. Hon. member had probably prepared his speech and the Rt. Hon. member was not perhaps alive to the point that I had made in my speech, and that is why he misunderstood the position. That may be one explanation. Another explanation, Sir, is that it might have been an uneasy conscience, or an unhappy memory on the part of the Rt. Hon. the Leader of the Opposition that made him read this into the Bill. The Rt. Hon. the Leader of the Opposition will recall the Inter-Departmental Committee on Social Security and the report that that committee issued in 1944. He will recall their recommendations, some of which I read to the House the other day. The first recommendation was that—

> It was necessary for the purpose of levying contributions to a social security scheme, that machinery be set up for effecting the registration of all Europeans, Asiatics and Coloured persons over the age of 16 years, excluding housewives not gainfully occupied.

In other words, the Natives were not included, but European women were included, except when they were housewives not gainfully occupied. But the European widow, in terms of this, was included. The spinster or married woman who was earning a livelihood, was included in this registration scheme of this committee, the chairman of which was the hon. member for Claremont (Mr. Waterson). I wonder whether the Leader of the Opposition does not remember that on the 3rd November, 1944, he and the late Mr. Hofmeyr approved of this particular recommendation, excluding Native women but including European women who were gainfully occupied?

Mr. WARING: What has that to do with the pass?

Mr. S. J. M. STEYN: Where does the pass come in?

The MINISTER OF THE INTERIOR: Wait a moment. I should have imagined that the hon. member would have had a natural aversion to the word "pass" after that obnoxious episode of last year. I take it that the Rt. Hon. member will remember that? This is what was done on the 3rd November, 1944, and then that decision of the then Prime Minister and of the then Deputy Prime Minister, the decision to accept this report of the hon. member for Claremont, was sent to the Department and they at any rate, interpreted it — I do not know whether he interpreted it in that way — but they at any rate interpreted it in this sense that you must have an identification card, and then they went further. A Bill was actually drafted. Before I come to the Bill may I just read how this departmental committee interpreted the decision of the then Prime Minister and the Deputy Prime Minister. They said this—

> An essential feature of a national register is that every person be assigned a national registration number and is issued with an identity card.

*Mr. SERFONTEIN: Now they are beginning to feel sorry for themselves.

The MINISTER OF THE INTERIOR: I merely say that that is the way in which the Department interpreted the decision. That is the furthest that I will go, but now I will say this that the Department interpreted it in that way because they proceeded to draft a Bill, and now I want to read to the House Clause 7 of this Bill—

> It shall be the duty of the Director of Census to cause a card containing the prescribed particulars (hereafter in this Act referred to as an "identity card") to be issued with respect to every registered person in accordance with regulations made under this section.

Hon. members will now say: "What are the prescribed particulars?" As far as the present Bill is concerned, I have said that this House and this House alone will decide what the identity card wil contain, but not so in the case of this Bill of the former Government. Oh no, there the Minister of the Interior was to prescribe the form of the identity card. It said that the Minister of the Interior shall by regulation "(a) prescribe the form of the identity card and require to be entered therein such particulars as may be prescribed".

In other words, the Minister of the Interior had the sole say in the matter.

Maj. VAN DER BIJL: Who drew up this Bill?

The MINISTER OF THE INTERIOR: Now, Sir, you may well ask what happened to that Bill and the answer is very simple.

Mr. S. J. M. STEYN: What was the Bill for?

The MINISTER OF THE INTERIOR: That Bill died, not because it was considered an infringement of the liberty or the freedom of any person in South Africa, not because it would be the sign of a servile State, not because it was impracticable, not because its administration would be too expensive, but it died for the simple reason that the Government decided to drop the contributory social security scheme. That is the only reason.

Mr. MITCHELL: What becomes of your argument then?

The MINISTER OF THE INTERIOR: All these arguments that we have had here, were not adduced then. There was just this one reason. If I am treading on the corns of hon. members, I wish they would show a little more restraint and will not show the pain they are suffering.

Mr. SULLIVAN: May I ask the Minister a question?

The MINISTER OF THE INTERIOR: Yes.

Mr. SULLIVAN: I want to thank the Minister for giving me an opportunity to

ask him a question. Will he tell the House who drew up that Bill?

The MINISTER OF THE INTERIOR: It was drawn up in the Department. It was a Bill that was drawn up after the decision taken by the Rt. Hon. the Leader of the Opposition and the then Deputy Prime Minister, had been communicated to the Department. I am not saying for a moment that it was a Bill which was approved by them. I am quite fair. I say that is the way in which their decision was interpreted, and I am quite sure that the hon. member will be the last man to say that that interpretation was not justified.

Mr. HUGHES: A damp squib.

The MINISTER OF THE INTERIOR: Now let me proceed, if I may leave the hon. member for Pretoria (East) (Field-Marshal Smuts), my member, for the moment.

I now come to another argument which has been advanced with great gusto and with a certain degree of eloquence, and that is the argument which I may call the liberty and freedom argument. It was started by the hon. member for Benoni (Mr. Lovell) and he was followed by others. They took up the refrain and expanded on it. The hon. member for Benoni went back to Magna Carta, but I think he was rather unhappy in his choice of Magna Carta and of England, because it is true that in Britain, the land of the Magna Carta, the identity card was introduced there during war-time, but five years have elapsed since the cessation of hostilities and that identity card is still in existence there.

Mr. RUSSELL: As far as you are concerned, hostilities never started.

The MINISTER OF THE INTERIOR: It is still in existence there, and not only that. I want to read a little more to hon. members of this law that still exists there, that is still being carried out there. In the first place, I want to say that the particulars in this identity card are not particulars which were decided upon by the Parliament of Great Britain. They are particulars which were described by the responsible Minister in Great Britain. In the second place, I want to remind hon. members that this is a card that had to be produced on demand.

HON. MEMBERS: It was introduced during war time.

The MINISTER OF THE INTERIOR: It still has to be produced on demand; the law remains unaltered. It still has to be carried on one's person and produced on demand. There is a further provision and that is that you are given two days' grace. If you have not got it on you, you are given two days' grace, but if hon. members refer to the card itself they will see that this is what is on the card itself; that is the part which the hon. member for Pietermaritzburg (District) (Capt. Henwood) was rather reluctant to read the other day, when I invited him so cordially to read the last page. There are five paragraphs there. The first is this—

> Always carry your identity card.

It must be remembered that this is after the war.

Mr. SUTTER: It was issued during the war.

The MINISTER OF THE INTERIOR: It says—

> Always carry your identity card. You must produce it on demand by a police officer in uniform or a member of His Majesty's Armed Forces in uniform on duty.

Let hon. members tell me whether that is necessary for a rationing scheme?

Maj. VAN DER BYL: It was for security reasons.

An HON. MEMBER: After all, you might have been there.

The MINISTER OF THE INTERIOR: I can understand that if you want to fetch your rations you may be asked to produce your card, but why must you carry your card with you when you are not fetching your rations? And then paragraph 5 is very important. [Interjections.]

Mr. SPEAKER: Order, order!

The MINISTER OF THE INTERIOR: I would suggest that a bromide might do the hon. member some good. He is rather excited. Paragraph 5 says—

> Any breach of these requirements . . .

And one of the requirements is that you must carry your pass with you—

> . . . is an offence punishable by a fine or imprisonment or both.

Capt. HENWOOD: That was the position during war-time.

The MINISTER OF THE INTERIOR: This is still in existence five years after the cessation of hostilities

Capt. HENWOOD: So are our war regulations.

The MINISTER OF THE INTERIOR: The law remains unchanged. It is still in force. The law remains unchanged and it is as I have quoted it here.

Dr. FRIEDMAN: [Inaudible.]

The MINISTER OF THE INTERIOR: I hope the hon. member for Hillbrow (Dr. Friedman) will for a moment try to curb his stilted eloquence. It is extraordinary, Sir, that on the same day I heard the same argument of liberty and freedom, in regard to this Bill, from one of our foremost Communists in this country. He said that this Bill removed the last shred of democratic government, and I could not help reflecting when I heard that argument coming from that source and the same argument repeated from the benches opposite, I could not help thinking of "Liberty, what crimes have not been committed in thine name? It is a hollow mockery. On the lips of hon. members opposite, with this devastating evidence against them, it is a hollow mockery to come to this House and to speak as though this is an infringement of or interference with freedom or a curtailment of liberty. But the hon. member for Benoni was equally unfortunate, for he was really in the wrong House when he made his speech. I think it would have been more appropriate if the hon. member for Benoni could have delivered his ode to liberty and freedom to his compatriots in the Parliament of Israel.

HON. MEMBERS: Shame.

The MINISTER OF THE INTERIOR: It is no shame.

Mr. BARLOW: You are anti-Semitic.

The MINISTER OF THE INTERIOR: No, it is not anti-Semitic, the hon. member must not get so excited. I must ask, Mr. Speaker, whether I may be allowed to make my speech without being subjected to this. This is merely the factual position. I want to remind the hon. member for Benoni that in Israel itself his ode to liberty and freedom might have been more appropriate than here in South Africa.

An HON. MEMBER: That remark was uncalled for.

Dr. FRIEDMAN: Why don't you make your own in Berlin?

Mr. SPEAKER: Order, order! I just want to warn hon. members again that I shall not allow any further interjections either on the one side or on the other side. I do not think the hon. the Minister needs much encouragement to make his own speech.

Mr. KENTRIDGE: With the permission of the Minister, may I ask him a question?

The MINISTER OF THE INTERIOR: No, I am sorry, I want to finish my speech within a certain period of time. I find that the plea of the hon. member for Benoni was also repeated with more stilted rhetoric and stunted modesty by the hon. member for Hillbrow, and I want to refer them both to the fact that there is an identity card in Israel and I would like to give some of the particulars of that identity card.

An HON. MEMBER: There is a war on.

The MINISTER OF THE INTERIOR: No, there was no war. It was issued only recently — quite recently. The particulars that they require on that card are: Your marital status, your place of birth, your date of birth, your nationality, your profession, your height, the colour of your eyes, your build, the colour of your hair, and they want your photograph as well. It is very innocent, I am not blaming them for this at all; I think it is a very wise thing. This is their identity card. In their register they are a little bit more inquisitive. There they want to know your religion, citizenship, and nationality. They want to know what language you speak; they also want you to notify your change of address, and the Minister of the Interior may make regulations in the following matters—

> (b) The contents and types of questionnaires, forms, identity cards and other documents.

In one respect it differs from the British card, and that is that you are not required to produce it on demand or to carry it with you.

The hon member for Hillbrow has talked about the hon. the Prime Minister debasing himself if he were to accept an identity card of this nature. Well, I shall refer him to this very interesting picture of the Mayor of Tel Aviv "debasing himself" when heceiving from Dr. Bachi, the recently appointed Government Statistician, his identity card. Apparently he was debasing himself. Still, I do not agree with those views.

The matter is not as simple as all that. The fact that you have a system of population registration or an identity card is no proof, one way or another, that you are an authoritarian State. There are other things which count. All this talk about a free way of life, about servility, about the emblem of a police or authoritarian State, they are merely "sounding brass or a tinkling cymbal". There is national registration,

complete with identity card in Britain and Israel, in France, in Italy, in Belgium.

Mr. RUSSELL: Is this your short list?

The MINISTER OF THE INTERIOR: There is a national registration system without the identity card in Holland, Sweden, Denmark and Canada. I have said that there is a registration system in those nine countries. I never referred to the identity card; that is also what the hon. member has sucked out of his thumb and may I say to the hon. member for Port Elizabeth (Central) (Mr. Frielinghaus) that I am frankly not interested in Nazi Germany, Franco Spain, or Stalin Russia. I know nothing about their systems, but I am quite prepared to bow to the superior knowledge of the hon. member for Port Elizabeth (Central) in this regard.

Capt. BUTTERS: He fought for South Africa anyhow.

The MINISTER OF THE INTERIOR: I now come to the few points made by the hon. member for Hottentots Holland (Sir de Villiers Graaff). The main authority for his speech was the Select Committee Report of 1935 — what I call the eight-hour committee. He has quoted most copiously from that report. It is unfortunate that those quotations were repeated more than once in this House. I do not want to deal with all those quotations and his arguments based on those quotations. It will take too long, but I want to deal with one of them. He says: "Take the Commissioner for Inland Revenue; you have quoted a previous Commissioner for Inland Revenue, but what does Mr. Corbett, who was Commissioner for Inland Revenue in 1935 say?" That was in 1935. I think it is perfectly correct to say that Mr. Corbett's evidence was negative. But now let me quote to the hon. member and to this House the views of the Commissioner for Inland Revenue in 1950. I put it to him and he said that at the very lowest the institution of a scheme of population registration, once it was in full swing, would mean at the very least an extra £250,000 revenue per annum, collected for the Central Government, and another £100,000 for the Provincial Governments.

Mr. BARLOW: This is an extra tax.

The MINISTER OF THE INTERIOR: No, it is not an extra tax. It will save extra tax for the honest man, but it will mean the ordinary tax for the dishonest man. He will have to cough up now. I quote that example because of the danger, of which my hon. friend ought to be aware, of quoting over-ruled or out-of-date cases. But the hon. member's history knowledge apparently ceases with 1935. I do not know, Mr. Speaker, whether it is a case of arrested devolopment or merely political amnesia. He dismisses the 1944 Committee's Report. He dismisses that airily. He is apparently not even aware that it was published, and still less that it was the report of the hon. member for Claremont (Mr. Waterson), published as a White Paper and laid on the Table of the House. He is not aware of that, nor apparently was he aware that this report, which he dismisses so airily, is one which, on this particular point, was adopted by the then Prime Minister and the Deputy Prime Minister.

An HON. MEMBER: What a Leader.

The MINISTER OF THE INTERIOR: Now the hon. member comes to the Fagan Report. Equally facilely he wants to get rid of that by saying that the identity card suggested there was voluntary. It is quite true that the Fagan Commission in paragraph 45 says that—

> For the purpose we have in mind, at any rate under present conditions, it will have to be a voluntary system.

Sir DE VILLIERS GRAAFF: Quite right.

The MINISTER OF THE INTERIOR: But then they proceed. They also sent a questionnaire to a large number of people and that questionnaire contained this one question which I want to commend to the hon. member, and that is Question 23 (ii) which reads as follows—

> Do you favour an identification card for (1) every Native (2) every citizen?

I hope the hon. member will realise that there is nothing there about a voluntary system.

Sir DE VILLIERS GRAAFF: There is nothing about a compulsory system either.

Mr. RUSSELL: Why do you not mention that too?

The MINISTER OF THE INTERIOR: And to this unqualified question — there was no reference either to a voluntary or a compulsory system — whether an identification card for every citizen is favoured . . .

The MINISTER OF TRANSPORT: It cannot be voluntary for every citizen; it must be compulsory otherwise he would not have one.

The MINISTER OF THE INTERIOR: This is what the reply was to that question, according to the Commission—

> It is indeed a remarkable fact that an overwhelming majority of the witnesses

who appeared before us gave a positive answer to Question 23 (ii) in our questionnaire.

Sir DE VILLIERS GRAAFF: And the report recommends a voluntary system.

The MINISTER OF THE INTERIOR: I know that they recommend that. The Commission says—

Under present conditions it will have to be a voluntary system.

The question they asked was not whether you are in favour of a voluntary system of identification cards for every citizen. It was an unqualified question whether you are in favour of it and that was the reply.

Sir DE VILLIERS GRAAFF: After that they still recommended a voluntary system.

The MINISTER OF THE INTERIOR: Let me ask the hon. member this: Can he reconcile the statement of his Leader that the report of the Fagan Commission will be implemented — that is, I take it, also a voluntary system of identity card — with the statement made in this House that the scheme of national registration is ineffective if not applied generally, which a voluntary scheme can never be. What must we deduce from that? Must we infer that hon. members on the other side are prepared to implement what they themselves say is an ineffective scheme? That is the only logical conclusion if words are to retain their meaning.

Now Sir, I want to hurry on. There is also the Institute of Race Relations. I want to read to hon. members, and particularly to the hon. member for East London (City) (Dr. Smit) what they had to say, what their attitude was until quite recently. Their attitude was that they were in favour of identity certificates for Natives, and then they say —

The Institute favours the extension of this identification certificate to all citizens of all races in South Africa.

That was their position until quite recently. As soon as this Government came forward with national registration, with a Population Registration Bill, then they had their qualms and their doubts.

Mr. WATERSON: Naturally.

The MINISTER OF THE INTERIOR: They immediately back-pedalled from this position.

An HON. MEMBER: One can understand that.

The MINISTER OF THE INTERIOR: Exactly. It shows the cancer of suspicion that is being engendered by hon. members opposite. The want two sets of laws; they want one set of laws which can be administered when they are in power and another set of laws which must be administered when we are in power, and the sooner they get away from that childish attitude, I think the better it will be for the country — because then we will have a responsible Opposition.

Let me go further. There is the memorandum of 1939 of Mr. Mould Young. I am trying to bring up to date the education of the hon. member for Hottentots Holland.

Capt. HENWOOD: He educated you.

The MINISTER OF THE INTERIOR: That is the report which has also been referred to by the hon. member for East London (City). I think he referred to it with a certain degree of acceptance. I think he accepted the Mould Young Report. Am I correct?

Dr. SMIT: It was not accepted; it was considered but had never been accepted.

The MINISTER OF THE INTERIOR: No, you said the war intervened, but I take it that you agree with it.

Dr. SMIT: Yes, I do agree with the Mould Young Report.

The MINISTER OF THE INTERIOR: Very well, now the hon. member agrees with the Mould Young Report, and the hon. member also said: "Picture the Minister of Interior running after the Natives to take their photographs." And yet the Mould Young Report, in the form of the particulars that had to be given, suggests that there must be a photograph of the Native as well. When is was suggested in that report, then it was not ridiculous.

Mr. SERFONTEIN: Then he agreed with it.

The MINISTER OF THE INTERIOR: He agreed with it then, but now that this Government has it, it is an absurd position. The Fagan Commission also suggested photographs in certain cases.

Dr. SMIT: Only in certain cases.

The MINISTER OF THE INTERIOR: We also want it for identification only.

Now I come to the recommendation of the four Administrators in 1948, a recommendation which was also dismissed by the hon. member for Hottentots Holland with the remark that it does not mention an identity card.

The MINISTER OF TRANSPORT: It was also dismissed by the hon. member for South Coast (Mr. Mitchell).

The MINISTER OF THE INTERIOR: It was even dismissed by the hon. member for South Coast, who was one of the four Administrators concerned. There is no mention there of an identity card, but it is mentioned that by means of this system, you will be able to track down and stop illegal immigration. I want to ask the hon. member how you can control illegal immigration without the identity card system?

Sir DE VILLIERS GRAAFF: Quite easily; we will teach you.

The MINISTER OF THE INTERIOR: How can you control illegal immigration without an identity card? There is a logical conclusion. If the hon. member agrees that this is a system which will help to control illegal immigration, then I think it is fatuous for him to say that there is no specific reference to identity cards.

Capt. HENWOOD: We will give you night classes.

The MINISTER OF THE INTERIOR: The hon. member for Hottentots-Holland used the argument that the Bill seeks to establish a human stud book. He was rather preoccupied with and showed a particular predeliction for the stud book. But that argument, Sir, discloses that the definition of "European" has either not been read or has not been understood by the hon. member. Blood and descent, so essential, I should imagine, in a stud book, are not the tests laid down in the Bill. If I may employ the language of the stud book for a moment, I should say that the hon. member's argument is by Propaganda out of Politics or by Prejudice out of Ignorance.

Sir DE VILLIERS GRAAFF: May I ask the hon. Minister a question? Am I correct in assuming that the child of two parents both with European registration certificates, in the usual stud book manner, will be regarded as a European?

The MINISTER OF THE INTERIOR: The test that is laid down in this Bill is the test of appearance and of usual associations. That is the test laid down in this Bill. There is no question of descent or of blood. I want to make it quite clear that under this Bill the children of parents who are Europeans or non-Europeans will be Europeans or non-Europeans, as the case may be. There is a possibility that that may be changed; there is a right of recourse to the Director. But, prima facie, they will be Europeans if their parents are registered as Europeans.

Mr. S. J. M. STEYN: So Coloured people can be classified as Europeans.

The MINISTER OF THE INTERIOR: The hon. member asks me whether Coloured people can be classified as Europeans. No, not on the definition given here. A European is only a European as defined here.

Mr. DU TOIT: Perhaps the man can have a blood transfusion.

The MINISTER OF THE INTERIOR: I know the hon. member is concerned, and I am afraid I am not interested in his concern, and I cannot satisfy his curiosity either. I repeat that national registration, in some form or other, is in vogue in the nine countries I mentioned. The form varies from country to country. No two countries are alike. The form adopted in this Bill is not identical with any other, but has been adapted from all of them. Most of the features in this card can be traced back to one or other of the forms I have mentioned. I reject the suggestion that this is a half-truth. I say that that is either unworthy of the hon. member for Hottentots Holland or it is an insult to his intelligence. But while we are on that subject, may I test certain of the statements of fact of the hon. member who is so ready, so prepared to wound but afraid to strike. In regard to Kenya he said that the 1920 law was applicable to all sections. It was only applied to Natives. That is not so. The law is not applicable to Europeans or Indians. I will let that pass, because in reply to my interjection the hon. member said that he spoke from memory, so I shall not chalk that up against him. He then commended to my notice three points in connection with the legislation in Kenya. The first was that it applied to males only. May I say to the hon. member that if he reads Section 2 of the Ordinance he will see that it reads—

> This Ordinance shall apply to all male persons who have attained or who are of the apparent age of 16 years, and to such other persons as the Governor-in-Council may from time to time by notice in the "Gazette" specify.

Sir DE VILLIERS GRAAFF: On a point of personal explanation, may I make it very clear that I said I was under the impression that it was applied to males only. I know there is provision in the Bill to apply it. But it has been applied, as far as I know, to males only.

The MINISTER OF THE INTERIOR: What the hon. member said in regard to Natives only was under the 1920 Act. He says it applied to males only. But let me put this to him. Was it fair for the hon. member, who is so concerned about half-truths, the step-daughters of deception, as I think, he described it, to say that it is applied to males only, when he knows that tomorrow it can

be extended, not by law but by proclamation? Would it not have been fairer, if that was the point that he wanted to make, to explain that that is the position, but that under the law it can be extended by proclamation?

Mr. WARING: I think he is winning the legal battle.

The MINISTER OF THE INTERIOR: Let me put that under the category of half-truth. The second statement is that the registration of non-Africans was voluntary. Again, if he reads the Act he will observe that in terms of the Act, it applies to all European males, non-African males, as he calls them, and that it is merley because of the fact that the Government of Kenya have not the facilities at the moment for carrying it out in the case of all, that they are not pressing the Europeans to be registered.

Sir DE VILLIERS GRAAFF: It is because of the Europeans' objection to finger-prints.

The MINISTER OF THE INTERIOR: Some Europeans objected to finger-prints and in spite of that it was applied to Kenya and it is still being applied there.

Sir DE VILLIERS GRAAFF: No.

The MINISTER OF THE INTERIOR: Oh yes, it is still being applied, but they have said that they are not going to force anybody at present, because they have not the machinery. The people who are making use of it are sufficient for the machinery that they have available for that purpose. That is the position.

Mr. RUSSELL: Because they objected to it.

The MINISTER OF THE INTERIOR: Perhaps we can accord the hon. member half-marks for that. His third point was that it was applied on a non-racial basis. I take it that the hon member meant that that was different from ours.

Sir DE VILLIERS GRAAFF: As far as the identity card is concerned.

The MINISTER OF THE INTERIOR: No, this is not the identity card now. It is in connection with the legislation. That is what the hon. member said and how does he know that the identity card does not contain that in code form, because what is contained in the identity card is again a matter which is prescribed by regulation, I think. But the register itself wants the declared national status or race or tribe. Now he says it is applied on a non-racial basis.

Mr. S. J. M. STEYN: The pass.

The MINISTER OF THE INTERIOR: The hon. member says the pass is on a non-racial basis, but he forgets to tell the House that what is contained in the pass may be altered tomorrow by regulation, and in the register you have to state your race. That is the impression that the hon. member left with hon. members on this side of the House, and certainly on members on that side who listened intelligently to what he had to say.

Mr WARING: You are killing your case.

The MINISTER OF THE INTERIOR: In the course of his speech he made a fourth statement. He referred to the report of the inter-departmental committee of 1944, the report of the Fagan Commission and the report of the Administrators, and then he went on to say: "None of these reports mentions identity cards, and the question of identity cards was not before the public."

Sir DE VILLIERS GRAAFF: It should read, "compulsory identity cards". I made a mistake, I am sorry.

The MINISTER OF THE INTERIOR: Where are we now? Those were his words: "None of these reports mention identity cards." May I just read paragraph 45 of the Fagan Commission's Report; one of the three reports—

> Our next suggestion is the institution of a system of registration in which identity cards are issued to people and a central record of such people is kept.

That is the hon. member who complains of half truths. That is the hon. gentleman who complains. I am saying that you have to be careful if you make these complaints. I do not know, probably in his personal studbook the hon. member may have many virtues, but I do not think accuracy is one of them. I regret, more in sorrow than in anger, that the hon. member's bad politics has corrupted his good law, his good sense, and to a certain extent even, his good manners.

Sir DE VILLIERS GRAAFF: Thank you so much for those few kind words.

Mr. WARING: Try something else; even your own members are unimpressed.

The MINISTER OF THE INTERIOR: I then come to the point that the identity card is a pass. That is an argument which was employed with great gusto on the benches opposite, obviously with the intention of making the identity card as obnoxious as possible. I would like to say to hon. members who advanced this argument that if in England they were to call the identity

card a pass, they would simply be laughed out of court. Still, the fact that that type of argument is resorted to by the Opposition just shows the pass to which the Opposition has come.

Mr. MUSHET: The pass to which you have come.

The MINISTER OF THE INTERIOR: And let me put it to hon. members that an identity card, anywhere and everywhere, affords evidence of the identity of the holder, irrespective of whether that person is good, bad or indifferent or one who ought or ought not to be allowed to pass. In the instructions issued under the British Act to the police — I want to commend this to the hon. members who misuse the King's English in this way — they say that —

> To distinguish persons who should be regarded as satisfactory or free from suspicion, or who may be allowed to pass, other evidence . . .

Then the identity card —

> . . . of an entirely different character is necessary in the form of some permit, pass or recommendation. It is, however, specially desirable that the holder of a pass, permit or similar document should be able to prove that he is the person to whom the document relates by producing also a strict document of identity.

In other words, this document will not allow you to go anywhere or to do anything, this document by itself. It simply means that you are the man who is referred to, that you are the man whose name is on this document and then it may be that by some other law, by reason of you being that man, you may be allowed to do this or you may be allowed to do that. It is not the identity card that gives you the right to do that. The identity card is no permit and no pass. The identity card is merely what its name indicates, namely, a document of identity. When one hears these arguments of members on the other side, members who are so keen to run down this whole population register scheme, then I can only find one authority, one authority for their calling the identity card a pass and that is an authority which was used by Lord Atkin in the famous case of Liversidge versus Anderson when he was also dealing with an equally ridiculous interpretation. He says, "I know of only one authority which justifies the suggested method of construction . . ." — I say which might justify the calling of this identity card a pass — "When I use a word," Humpty Dumpty said in rather a scornful tone, "it means just what I choose it to mean, neither more nor less." "The question is," said Alice, "whether you can make words mean different things." "The questions is," said Humpty Dumpty, "which is to be master, that's all." And that, I think, is the only authority which hon. members on the other side can adduce for this misnomer of the identity card as a pass. Now I think the hon. member who is so fond of interrupting, the hon. member for Woodstock, his position is very much like Humpty Dumpty. He was on a wall at the beginning of this evening, but he has fallen, and what a fall!

Mr. Speaker, there are a few general points. When I gave the figure of £300,000 as the capital cost, I had in mind the cost of the specially equipped building. That is what I meant by the £300,000. I think that I made that clear, but it seems, from some of the speeches, that may have been misunderstood. Now the hon. member for Mowbray (Mr. Brooke) and the hon. member for Pinetown approached this matter in a businesslike way, except for one bad lapse. They were concerned about figures, about the cost. I have given them the figure of the additional cost which would be entailed. I do not claim that those figures will be necessarily right. If one were to judge from some figures quoted by the hon. Minister for Transport the other day, the probability is that it will be exceeded. But yet they give a fair idea and represent an attempt to do it on a businesslike basis.

Mr. MUSHET: Brown Book figures?

The MINISTER OF THE INTERIOR: The Brown Book figures as they were. No, I hope it will not be so brown as all that. But let me put it to hon. members in fairness, don't they think they might have made some allowance for credit items on this account? Is it all just a question of expense, is there no such thing as increased efficiency, as a reduction of ordinary administrative expenses as a result of that, is there no such thing as additional accruals to the Treasury? Are not these items which must be taken into account if you look at it from a business point of view? I am sorry that the hon. members were only concerned with the debit side, but then probably they are so full of the debit side being on the debit side of the country today. And may I say, too, that one should not forget that the lack of a scheme of this kind in 1946 meant a dead loss to the country of £225,000 for which nothing can be shown except a lot of out-of-date forms in their abortive food-rationing scheme. It could not be applied for the simple reason that they did not have a scheme of this nature.

Let me say this to the hon. member for Mowbray, who made a few remarks about the prestige of Parliament and the lack of respect for the law, that I am in entire agreement with him. I think that was one of the constructive contributions to the debate, although it is not directly concerned

with this Bill, but rather with the debate on this Bill. I want to put it in fairness to the hon. member that when members of Parliament preach resistance to the law, is it to be wondered that respect for the law is diminished and the prestige of Parliament is lowered?

Now I want to say this in conclusion, Mr. Speaker, that the most illuminating part of the debate is what point has been attacked most fiercely, most consistently by hon. members on the other side of the House? It is not the socio-economic uses and benefits to which a population register may be put. Some hon. members were fair enough to admit it. Others, of course, just condemn the Bill wholesale. But some members were fair enough to admit and were modern enough to admit that in a modern society there is a great need for a scheme of population registration. So that was not the main point they attacked. Neither was it the cost involved to bring these beneficial uses into effect. True, some members broadly and in generalisations, expressed misgivings on this score, and the hon. member for Pinetown perhaps was a little more specific, but that was not the main line of attack. The brunt of the attack on the system of the population registration has fallen on its use as an instrument to make our existing laws and social traditions as to apartheid more effective. That is what stuck in the gullet of the Opposition. That is what they could not swallow. We had the hon. member for Bloemfontein (City) (Dr. C. F. Steyn) talking of the pernicious policy of this Bill of enshrining racial distinctions. At any rate there is an admission that there are racial distinctions in this country, but he objects to those racial distinctions being enshrined. This Registration Bill will help to carry out our laws which provide for distinction between races. It will make more efficient our social distinctions in our clubs, on our sporting fields, at our dances. Therefore it must be rooted out, bell, book and candle. It must not be. Because that is the effect if racial distinction must not be enshrined, as the hon. member for Bloemfontein (City) says. I take it that according to him they must be demolished and destroyed. For they are the foundations on which a white South Africa is based. That is why they must be demolished.

The logical conclusion from most of the speeches on the other side, with notable exceptions, Sir, is "scrap all these distinctions, scrap all of them." They refuse to create the machinery which will make for the maintenance of racial distinctions which are in existence today, which will make them more effective.

Mr. Speaker, I am not unaware of the difficulties confronting us in launching a scheme of this nature. With the active hostility of the Opposition and attempts to incite to civil disobedience, our task is made more difficult. But I think our duty is clear. We cannot hoist the white flag and say that the dangers and difficulties in connection with the maintenance of apartheid between the races are too great for us to shoulder. There is too much at stake. May I just express my indebtedness to the hon. member for South Peninsula (Mr. Gay) for the very good analogy of the piebald pony that he gave us. I also have memories of the piebald pony, and I do not know whether for the hon. member for South Peninsula, as for me, the quite outstanding memory is the clear demarcation between the white and the black in that piebald pony. We want to preserve that. I think it is a good thing, and we do not want that piebald pony to become the old grey mare.

The hon. member for Benoni has said that this Bill is a challenge to all. It is. But let us be clear as to what that challenge is. Do we attach any value to the existing racial distinctions which are embedded in our legislation and in our social traditions? Do we want to preserve this way of life? I am not speaking of new apartheid measures, I am speaking of existlaws, because our existing laws, Sir, are honeycombed with distinctions on grounds of race, many of them for protection and for preservation of the weak. I may remind hon. members of land restrictions, of liquor laws, of school laws, of laws in regard to the carrying of fire-arms. Of Parliament itself, seaside resorts, amusements. If our adherence to this way of life, so firmly embodied in our social structure and our legislative pattern, is something more than a hollow profession, the challenge is to us. The challenge is to preserve or to destroy that way of life—that is the challenge. This challenge is easy to answer for the liberalist. He is for "saamheid" as opposed to apartheid. He wants to obliterate all these distinctions which the hon. member for Bloemfontein (City) says should not be enshrined. He is in favour of the obliteration of those distinctions, and therefore, for him the challenge is easy to answer. He will vote against this Bill

The challenge is also easily met by the Nationalist. He is for apartheid and therefore he will support this Bill. But for the United Party member, here and outside, who is not liberalist, this challenge is grave and the choice is difficult. Will he be true to the majority in his party, or will he be true to his race, his traditions and himself? I have sufficient faith—I know it is late in the day, and I am aware that the hon. member for Bloemfontein (City) spoke as he spoke because he thinks the majority of the United Party is today serving the cause of liberalism, otherwise he would not have spoken as he did—but I have sufficient

faith in the good sense and in the fierce determination of the majority of South Africans to leave no stone unturned in order to ensure the preservation of a white South Africa—I have sufficient faith to leave this matter with confidence in their hands.

Question put: That the words "the Bill be", proposed to be omitted, stand part of the motion,

Upon which the House divided:

AYES — 71.

Abraham, J. H.	Loubser, S. M.
Bekker, H. T. van G.	Louw, E. H.
Bezuidenhout, J. T.	Ludick, A. I.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, D. G.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Mostert, D. J. J.
Diederichs, N.	Nel, M. D. C. de W.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Oost, H.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Potgieter, J. E.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Stals, A. J.
Faurie, W. H.	Steyn, A.
Fouché, J. H.	Steyn, G. P.
Fouché, J. J.	Steyn, J. H.
Frates, T. J.	Strydom, G. H. F.
Fullard, G. J.	Strydom, J. G.
Grobler, D. C. S.	Uys, D. C H.
Hertzog, A.	Van den Berg, M. J.
Hugo, P. J.	V. d. Heever, D. J. G.
Jansen, E. G.	Van Heerden, D. P.
Klopper, H. J.	Van Niekerk, J. G. W.
Labuschagne, J. S.	Viljoen, J. H.
Le Roux, P. M. K.	Visser, De V.
Le Roux, S. P.	Vosloo, L. J.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jacob.
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 56.

Abbott, C. B. M.	Davis, A.
Allen, F. B.	Du Toit, R. J.
Ballinger, V. M. L.	Eaton, A. H. J.
Barlow, A. G.	Friedman, B.
Bekker, P. B.	Frielinghaus, H. O.
Bell, R. E.	Gale, D. J.
Bloomberg, A.	Gay, L. C.
Bowker, T. B.	Gluckman, H.
Brooke, R. S.	Graaff, de Villiers
Butters, W. R.	Hayward, G. N.
Cull, J. A.	Henderson, E. J. W.
Henwood, B. H.	Smit, D. L.
Higgerty, J. W.	Smuts, J. C.
Hopewell, A.	Solomon, B.
Hughes, T. G.	Steenkamp, L. S.
Jonker, A. H.	Steyn, C. F.
Jordan, R. D. P.	Steyn, S. J. M.
Kentridge, M.	Stuart, W. H.
McMillan, N. D.	Sturrock, F. C.
Mitchell, D. E.	Sullivan, J. R.
Moore, P. A.	Tighy, S. J.
Mushet, J. W.	Trollip, A. E.
Oosthuizen, O. J.	Van Coller, C. M.
Oppenheimer, H. F.	Van der Byl, P. V. G.
Pocock, P. V.	Waring, F. W.
Russell, J. H.	Waterson, S. F.
Shearer, O. L.	Williams, H. J.

Tellers: A. W. S. Mortifee and V. G. F. Solomon.

Question affirmed and the amendment proposed by Field-Marshal Smuts dropped.

Question put: That the word "now", proposed to be omitted, stand part of the motion,

Upon which the House divided:

AYES — 71.

Abraham, J. H.	Loubser, S. M.
Bekker, H. T. van G.	Louw, E. H.
Bezuidenhout, J. T.	Ludick, A. I.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, D. G.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Mostert, D. J. J.
Diederichs, N.	Nel, M. D. C. de W.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Oost, H.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Potgieter, J. E.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Stals, A. J.
Faurie, W. H.	Steyn, A.
Fouché, J. H.	Steyn, G. P.
Fouché, J. J.	Steyn, J. H.
Frates, T. J.	Strydom, G. H. F.
Fullard, G. J.	Strydom, J. G.
Grobler, D. C. S.	Uys, D. C. H.
Hertzog, A.	Van den Berg, M. J.
Hugo, P. J.	V. d. Heever, D. J. G.
Jansen, E. G.	Van Heerden, D. P.
Klopper, H. J.	Van Niekerk, J. G. W.
Labuschagne, J. S.	Viljoen, J. H.
Le Roux, P. M. K.	Visser, De V.
Le Roux, S. P.	Vosloo, L. J.
Liebenberg, J. L. V	Warren, S. E.
Loock, J. H.	Wilkens, Jacob.
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

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NOES—63:

Abbott, C. B. M.	Jonker, A. H.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kahn, S.
Barlow, A. G.	Kentridge, M.
Bekker, P. B.	Lovell, L.
Bell, R. E.	McMillan, N. D.
Benson, E. A.	Mitchell, D. E.
Bloomberg, A.	Moore, P. A.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, V. L.
Davis, A.	Smit, D. L.
Du Toit, R. J.	Smuts, J. C
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Steyn, C. F.
Frielinghaus, H. O.	Steyn, S. J. M.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Trollip, A. E.
Henderson, E. J. W.	Van Coller, C. M.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Higgerty, J. W.	Waterson, S. F.
Hopewell, A.	Williams, H. J.
Hughes, T. G.	

Tellers: A. W. S. Mortefee and V. G. F. Solomon.

Question affirmed and the amendment proposed by Mr. Davidoff dropped.

Motion accordingly agreed to and the Bill read a second time.

The MINISTER OF THE INTERIOR now moved—

That the Bill be referred to a Select Committee for consideration and report, the Committee to have power to take evidence and call for papers and that it be an instruction to the Committee to bring up its report not later than 17th April.

Mr. SERFONTEIN: I second.

Mr. MUSHET: In giving the date when the Select Committee has to report, has the Minister taken into account the recess and that the Committee will consequently have only a few days for its deliberations?

Mr. TIGHY: May we move an amendment to the Minister's motion?

Mr. SPEAKER: Yes.

Mr. TIGHY: Then I move the following amendment—

To omit "April" and to substitute "May".

Amendment put and negatived.

Original motion put and agreed to.

Mr. SPEAKER adjourned the House at 10.50 p.m.

FRIDAY, 17th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

QUESTIONS.

Price Control in Beaufort West.

I. Mr. MITCHELL asked the Minister of Economic Affairs:

(1) Whether price control officers of his Department recently carried out inspections of general dealers' premises at Beaufort West; if so, which premises were inspected and who were the owners;

(2) whether their reports have been submitted to him or brought to his notice; if so, what was the nature of such reports; and

(3) whether the inspection reflected any infringements of the price control regulations; if so, (a) what are the names of the dealers and (b) what steps have been taken against those concerned.

The MINISTER OF ECONOMIC AFFAIRS:

(1) There has been no recent inspection, but all shops, general dealers' stores and other businesses at Beaufort West were inspected in August, 1949. Full details of the names and owners are unfortunately not available.

(2) The only reports which were brought to my notice related to Mr. G. Pienaar, Potgieter's Shop and Mr. A. J. Botes (all general dealers) and Ellis Cycle Repair Shop. The report in respect of Mr. Pienaar did not reflect any infringement of the price control regulations. The reports in respect of the others reflected that in one or two cases there were minor infringements, but that all other prices charged were correct. There were no previous convictions and therefore in terms of a general instruction previously issued by me, and applied at many other centres in the Union, warnings were given. This instruction was at the time mentioned in a Press interview.

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(3) Yes.

(a) Actual overcharges were ascertained in the case of B.B. Bazaars (owner Mr. L. E. Magid), Central Butchery (owner Mr. S. M. Roelofse), S. Goldenbaum (owner Mr. S. Goldenbaum) and W. C. Warmenhove (owner Mr. W. C. Warmenhove).

(b) Prosecutions for overcharging were instituted against B.B. Bazaars on eight counts, the owner found guilty and fined £55; Central Butchery on three counts, the owner found guilty on two counts and fined £30; and S. Goldenbaum, on two counts, the owner found guilty and fined £100. W. C. Warmenhove could not be prosecuted as the complainant refused to make a statement. A warning was, therefore, issued in this case.

Suspension of Establishment Changes in Civil Service.

II. Mr. MITCHELL asked the Minister of the Interior:

(1) Whether any instructions have recently been issued to Government departments relative to the creation of new posts or the filling of vacant posts in the Public Service; and, if so,

(2) whether he will lay a copy of such instructions upon the Table.

The MINISTER OF THE INTERIOR:

(1) Yes. Instructions relative to the creation of new posts and the abolition of certain posts which had been vacant for six months as at the 31st December, 1949, have been issued.

(2) A copy of the Treasury Circular (No. 24 of 1949) is being laid upon the Table.

Transfer of Capital from U.S.A. to the Union.

III. Mr. KAHN asked the Minister of Finance:

(a) What amounts of capital were transferred from the United States of America to the Union for investment each year from 1945 to 1949, and (b) whether he is in a position to state what amounts were invested in (i) the gold mining industry, (ii) other mining industries, (iii) manufacturing industries, (iv) commerce, (v) Government loans and (vi) other spheres of investment.

The MINISTER OF NATIVE AFFAIRS:

The information is not available.

Subsidies Paid by Department of Native Affairs.

IV. Mr. SULLIVAN asked the Minister of Native Affairs:

(a) What subsidies were paid through his Department in connection with the production and distribution of foodstuffs during 1949, and

(b) what was the amount of each subsidy.

The MINISTER OF NATIVE AFFAIRS:

The following direct subsidies were paid to Natives:

(a) (i) 50 per cent. of the landed cost of kraal manure used on Irrigation Schemes only;

(ii) 50 per cent. in respect of livestock sires subject to a limit of £12 10s. in each case;

(iii) 50 per cent. of the cost of bonemeal;

(b) (i) £1,838;

(ii) £425.

(iii) £452.

In addition to the aforementioned direct subsidies my Department performed the following services relating to the supply and distribution of foodstuffs to Natives in Native areas during 1949:

(1) Organising and conducting pre-school feeding schemes on which an amount of £22,000 was spent;

(2) Supplying milk:

(a) to Native schools at various centres at 2d. per gallon, the estimated value of which was £600;

(b) to several hospitals, gratis, the estimated value of which was £500.

(3) Supplying fruit and vegetables, valued at approximately £10,000 produced on Trust farms to neighbouring Natives, at cost.

(4) Supplying vegetable seeds, free of charge, to Natives for the first year, on irrigation schemes. The estimated cost of this service was £50.

V. Mr. SULLIVAN — Reply standing over.

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Motion accordingly agreed to.

Question put: That the proviso to sub-section (1) and the sub-section (2), proposed to be omitted, stand part of the clause.

Upon which the Committee divided:

AYES — 70.

Abraham, J. H.	Liebenberg, J. L. V.
Bekker, H. T. van G.	Loock, J. H.
Benson, E. A.	Loubser, S. M.
Bezuidenhout, J. T.	Ludick, A. I.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Bowker, T. B.	Malan, A. I.
Brits, G. P.	Mentz, F. E.
Christie, J.	Mostert, D. J. J.
Conradie, J. H.	Nel, M. D. C. de W.
Deysel, A. J. B.	Olivier, P. J.
Diederichs, N.	Oost, H.
Döhne, J. L. B.	Papenfus, S. F.
Dönges, T. E.	Potgieter, J. E.
Du Pisanie, J.	Schoeman, B. J.
Du Plessis, P. J. C.	Smuts, J. C.
Du Plessis, W. C.	Solomon, V. G. F.
Eaton, N G.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Erlank, A. E.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Stuart, W. H.
Fouché, J. J.	Trollip, A. E.
Frates, T. J.	Uys, D. C. H.
Fullard, G. J.	Van Coller, C. M.
Grobler, D. C. S.	Van den Berg, M. J.
Hayward, G. N.	V. d. Heever, D. J. G
Hertzog, A.	Van Heerden, D. P.
Jansen, E. G.	V. Niekerk, J. G. W.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Le Roux, S. P.	Wilkens, Jacob.

Tellers: P. J. van Nierop and J. J. Serfontein.

NOES — 21.

Allen, F. B.	Gay, L. C.
Ballinger, V. M. L.	Hepple, A.
Bloomberg, A.	Hopewell, A.
Brooke, R. S.	Jonker, A. H.
Butters, W. R.	Kahn, S.
Cull, J. A.	Lovell, L.
Davis, A.	McMillan, N. D.
Du Toit, R. J.	Moore, P. A.
Friedman, B.	Smit, D. L.
Gale, D. J.	

Tellers: D. E. Mitchell and A. W. S. Mortifee.

Question accordingly affirmed and the amendment proposed by Dr. Smit dropped.

Clause, as printed, put and agreed to.

On Clause 39,

*Dr. J. H. STEYN: On page 20, under Clause (4) in the 9th line, the words, "any Christian Church", appear. In view of the fact that by the decision of this House the positive Christian character of the future university is secured, and seeing that we from our side again wish to give the explicit assurance that the university does not in any way want to be churchified, I propose that the word "Christian" in that line be deleted. I therefore move my amendment as follows—

In line 77 to omit "Christian".

Agreed to.

Clause, as amended, put and agreed to.

The remaining Clauses, the Schedule, the Preamble and the Title of the Bill having been agreed to,

House Resumed:

The DEPUTY CHAIRMAN reported the Bill with amendments.

Dr. J. H. STEYN: I move—

That the amendments be now considered.

Dr. JONKER: I object.

Amendments to be considered on 21st March.

On the motion of the Minister of Native Affairs, the House adjourned at 6.5 p.m.

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MONDAY, 20th MARCH, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

SELECT COMMITTEE.

Mr. SPEAKER announced that the Committee on Standing Rules and Orders had appointed the following members to serve on the Select Committee on the Population Registration Bill, viz.: The Minister of the Interior, Mrs. Ballinger, Messrs. Boltman, J. J. Fouché, Col. Jordan, Messrs. Lovell, P. J. H. Luttig, Prof. A. I. Malan, Mr. Nel, Dr. J. H. Steyn and Messrs. Sullivan and Waring.

PERSONAL EXPLANATION.

*The MINISTER OF THE INTERIOR: Mr. Speaker, with your permission I should like to give a personal explanation. On reading the proofs of the Hansard report of my reply last Thursday on the motion for the second reading of the Population Registration Bill it seemed to me that my words in connection with the questionnaire for certain teachers might possibly give rise to doubt whether the copy I had before me included a question in regard to religion. That is not the case.

COST OF LIVING.

Mr. CHRISTIE: I move as an unopposed motion—

That Order of the Day No. XIII for today — adjourned debate on motion on cost of living, to be resumed — be discharged.

Mr. DAVIDOFF: I second.

Agreed to.

DAIRY INDUSTRY CONTROL AMENDMENT BILL.

The MINISTER OF AGRICULTURE: I move—

For leave to introduce a Bill to amend the Dairy Industry Act, 1918, and the Dairy Industry Control Act, 1930, and to make further provision for the regulation and control of the Dairy Industry.

Dr. VAN NIEROP: I second.

Mr. SULLIVAN: In view of the nature of the matter contained in this motion and in view of the fact that as much information as possible should be made available to the House, I want to ask the Minister whether it is his intention to distribute an explanatory memorandum in the form of a White Paper?

The MINISTER OF AGRICULTURE: I will consider it.

Motion put and agreed to.

Bill brought up and read a first time; second reading on 27th March.

RENTS BILL.

The MINISTER OF SOCIAL WELFARE: I move—

For leave to introduce a Bill to provide for the control of rents of dwellings and business premises, the limitation of the ejectment of lessees of dwellings and business premises and the consolidation and amendment of the laws relating thereto.

Dr. VAN NIEROP: I second.

Mr. ALLEN: May I ask the Minister whether it is the intention to distribute a White Paper to explain this Bill?

The MINISTER OF SOCIAL WELFARE: It will be considered.

Motion put and agreed to.

Bill brought up.

The MINISTER OF SOCIAL WELFARE: I move—

That the Bill be now read a first time.

Dr. VAN NIEROP: I second.

*Mr. TIGHY: May I be allowed to raise a point?

*Mr. SPEAKER: No, there is no discussion on the first reading. The hon. member should have raised his point when the Minister asked for leave to introduce the Bill.

Motion put and agreed to.

Bill read a first time.

*The MINISTER OF SOCIAL WELFARE: I move—

That the Bill be read a second time on Monday.

*Mr. TIGHY: I realise that I should possibly have raised this matter when the Minister asked for leave to introduce the Bill, but we were not anxious to oppose leave being granted. The point I wish to raise is in connection with the question of this matter being expedited. The Minister asked that the Order for the second reading should be placed on the Order Paper for next Monday, but we know that there is no

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on the subject of private initiative. I want to say this very clearly that the Government stands by the principle of private initiative and by its encouragement. But on the other hand the Government will not allow private initiative to do anything which, in any way, is in conflict with the interests of our country and of the population of the Union of South Africa.

Question put and the House divided.

Question put: That all the words after "That", proposed to be omitted, stand part of the motion. Upon which the House divided:

AYES — 75.

Abraham, J. H.	Le Roux, S. P.
Ballinger, V. M. L.	Liebenberg, J. L. V.
Bekker, H. T. van G.	Loock, J. H.
Benson, E. A.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Boltman, F. H.	Louw, E. H.
Botha, P. W.	Lovell, L.
Brink, W. D.	Ludick, A. I.
Brits, G. P.	Luttig, H. G.
Christie, J.	Luttig, P. J. H.
Conradie, D. G.	Malan, A. I.
Conradie, J. H.	Maree, W. A.
Davidoff, H.	Mentz, F. E.
Deysel, A. J. B.	Mostert, D. J. J.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Eaton, N. G.	Scholtz, D. J.
Erasmus, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, G. P.
Erlank, A. E.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Stuart, W. H.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hepple, A.	Van Niekerk, J. G. W.
Hertzog, A.	Van Rhyn, A. J. R.
Hugo, P. J.	Van Schoor, J. J. F.
Jansen, E. G.	Viljoen, J. H.
Kahn, S.	Visser, De V.
Klopper, H. J.	Vosloo, L. J.
Labuschagne, J. S.	Warren, S. E.
Le Roux, P. M. K.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 51.

Allen, F. B.	Butters, W. R.
Barlow, A. G.	Cull, J. A.
Bekker, P. B.	Davis, A.
Bell, R. E.	Delport, G. S. P.
Bloomberg, A.	Du Toit, R. J.
Bowker, T. B.	Eaton, A. H. J.
Brooke, R. S.	Friedman, B.
Frielinghaus, H. O.	Shearer, O. L.
Gale, D. J.	Smit, D. L.
Gay, L. C.	Smuts, J. C.
Gluckman, H.	Solomon, B.
Graaff, de Villiers	Steyn, C. F.
Henderson, E. J. W.	Steyn, S. J. M.
Henwood, B. H.	Strauss, J. G. N.
Hopewell, A.	Sturrock, F. C.
Hughes, T. G.	Sullivan, J. R.
Jonker, A. H.	Tighy, S. J.
Jordan, R. D. P.	Tothill, H. A.
Lewis, J.	Trollip, A. E.
McMillan, N. D.	Van Coller, C. M.
Mushet, J. W.	Van der Byl, P. V. G.
Oosthuizen, O. J.	Waring, F. W.
Oppenheimer, H. F.	Warren, C. M.
Pocock, P. V.	Waterson, S. F.
Russell, J. H.	

Tellers: A. W. S. Mortifee, and G. J. Sutter.

Question affirmed and the amendment dropped.

Motion accordingly agreed to and the Bill read a second time.

House to go into Committee on the Bill on 15th May.

POPULATION REGISTRATION BILL.

Second Order read: House to go into Committee on Population Registration Bill.

House in Committee:

The MINISTER OF THE INTERIOR: Before you put Clause 1, I wish to move:

> In the Afrikaans version only, to omit "kenkaart", proposed by the Select Committee, and "persoonsnommer" wherever they occur, respectively, and to substitute "bewyskaart" and "bewysnommer".

*Dr. JONKER: I quite see why the hon. the Minister does not regard the word "persoonsbewys", originally proposed to be exactly a suitable word, and why he does not like the word "kenkaart" suggested by the Select Committee either — which is an even poorer choice. I quite agree. "Kenkaart", especially, is an ugly combination and not a nice sounding word, nor is it a word which actually exists. I do not so much object on the ground that the word does not actually exist, because one can coin a word, but in this instance I do not think that the choice has been a particularly happy one. The compositions with "ken" are usually pleasantly sounding words, such as "kenmerk", "kenteken" and even "kenletter", but when it comes to a word like "kenbron" and "kenkaart", there the combination is entirely unmelodious. I do not think the Minister hit on the happiest choice when he came along with the word

"bewyskaart". The most important part of "persoonsbewys" is the word "persoon" and the most important part of "kenkaart" is "ken"; of course he cannot make a combination of "persoon" and "ken", nor out of the words "bewys" and "ken". I think the Minister's ideas went in that direction and he thereupon combined the last two parts and formed the word "bewyskaart", but the word "bewyskaart", as far as I am concerned, means nothing. It is not a descriptive word, it does not indicate what we are actually dealing with, and I should suggest that we should add the first part of the first word to the final part of the last word and use the word "persoonskaart" in Afrikaans, and instead of "bewysnommer" use the word "persoonsnommer". That, incidentally, is also the word which nowadays is used in Holland. Cards are also used and they use the word "persoonskaart". This indicates the personal connection which exists between the individual and the population register which has to be stated, and I think that if we accept that word in Afrikaans, we shall have a better word than the words which have been suggested. I therefore beg to move the following amendment—

> In the Afrikaans version only, to omit "kenkaart", proposed by the Select Committee, wherever it occurs, and to substitute "persoonskaart".

I think this word will be better than the other words.

The MINISTER OF THE INTERIOR: I am sorry the hon. member did not see me earlier on about this point, because I think there is much to be said for the form which he suggests. I only wanted us to be consistent and that in connection with the English words "identity card" and "identity number" we should adhere to the idea in Afrikaans. I have no objection whatsoever to the words "persoonskaart" and "persoonsnommer". It does not seem to me that there is much difference and I am quite prepared to accept what the hon. member has moved.

Mr. TIGHY: I want to move a further amendment in the English version to substitute "identity number" by "registration number".

*The CHAIRMAN: The hon. member can move his amendment later. I want to point out that the Minister's amendment only concerns the translation, only the Afrikaans version, but the hon. member for Johannesburg (West) (Mr. Tighy) goes further than just the translation. There is a principle involved and that principle can be discussed when we come to the various clauses.

*Mr. TIGHY: May I point out that the amendment proposed by the hon. the Minister also is a general amendment in this respect, that it aims at amending a word in the whole Bill wherever it occurs. I can see the point that it may perhaps affect a principle, but I feel nonetheless that I should move my amendment at this stage.

*The CHAIRMAN: The hon. member's amendment also affects the English version, but the amendment of the hon. the Minister does not refer to the English version and consequently when we come to the various clauses to which the hon. member's amendment refers, it can be discussed.

*Mr. TIGHY: I accept that.

With leave of the Committee the amendments proposed by the Minister of the Interior were withdrawn and the amendment proposed by Dr. Jonker was put and agreed to.

Mrs. BALLINGER: I am interested in the directive which you have given to the hon. member for Johannesburg (West) (Mr. Tighy). Is that directive supposed to be for my guidance also, because I intend to move an amendment to Sub-section (5)?

The CHAIRMAN: Clause 1 has not been put yet.

On Clause 1,

The MINISTER OF THE INTERIOR: I move —

> That the consideration of this clause stand over.

Agreed to.

On Clause 2, as amended by the Select Committee,

Dr. SMIT: Mr. Chairman, I desire to challenge the deletion by the Select Committee in this clause of the words "excluding all Native females and all Native males who have not yet attained the age of 18 years". I consider that this amendment is both unwise and impracticable. The position was difficult enough under the old Bill, when Native females and Native males under 18 years of age were excluded and when the Bill was confined to males over 18. But with the inclusion of all Natives irrespective of sex or age, it will just about double the work and the task will be quite impossible from the staffing point of view. With our existing staffs very much increased it could not be carried out, nor the many other administrative duties which have been brought into being by recent legislation.

In evidence before the Select Committee, the director indicated that it was the inten-

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

tion of the Government soon to extend the registraion of births and deaths to the Native population in rural areas and that this would form the foundation of his work. Let me tell the hon. the Minister that it has never been found possible to register Native births and deaths in the rural areas owing to lack of staff. I have had a lot of experience in this matter and the Departments of Native Affairs and Health for many years have urged the registration of Native births and deaths in rural areas. The reason for that was that it was important to have vital statistics for the combating of diseases. As hon. members no doubt know, the Births, Marriages and Deaths Act, 1923, required the registration of Native births and deaths only in the urban areas where the necessary facilities do exist. Under Section 34 of that Act the Governor-General may make regulations for the registration of births and deaths of Natives outside the towns. But as I said, Sir, that has never been done owing to staffing difficulties. The furthest we ever got was to set up a proposal for a beginning at King William's Town, in the Ciskei, but even that broke down and as far as I know no attempt has been made to resuscitate it. I mentioned the matter last year when the Minister dealt with his Vote and the Minister then promised that he would introduce legislation in regard to the registration of births and deaths of Natives throughout the Union. That legislation has not been forthcoming and indeed it is really not necessary in view of the terms of Section 34 of the Births and Deaths Act. The machinery required to carry out the present Bill effectively, particularly in the Native areas, is far greater than needed for the registration of births and deaths. The Minister referred to shortage of staff when he was dealing with the Electoral Act under his Vote last week. That applies not only to the electoral staff, but it extends right through the Public Service, and I say the staff required for this is beyond the capacity of the Public Service and nobody should be more aware of it than the hon. Minister himself. The Public Service Commission in its report for 1949 refers to this matter in paragraphs 236 and 237. The Commission says this—

> Vigorous efforts have been made since 1945 to improve the position by the appointment of the largest possible number of recruits that the country's manpower reservoir could provide. The achievements in this direction were, however, nullified to a large extent by resignations that reached their highest peak in 1948, as well as by further large-scale additions of authorised posts.

And so on. They made it perfectly clear that they could not meet the requirements existing at the time, owing to lack of recruits. Here the Minister proposes a step that will require a large staff, and he knows that a number of authorised posts cannot be effectively filled. The director's idea, and that also follows from Clause 21 of the Bill, is apparently to tackle the work in sections. He did not seem, according to pages 38 and 40 of the report of the Select Committee, to have a clear conception as to how this was to be done. He did not give the Select Committee any details as to the difficulties in enforcing the law, if this scheme is not applied to the whole population at once. These difficulties must be obvious. This will be particularly the case when we have to deal with the shifting Native population which moves to and from the cities, and of whom many thousands have no fixed abiding place. The director also said that there were some 250,000 Native women in the large towns, and he thought he could make a beginning by registering that section. We must remember that these women have never been required to register under any existing legislation. The Minister of Native Affairs recently contemplated such registration, but we all know he had to retreat from that owing to the objections raised throughout the country. Under this Act there will be the same objections, strengthened by the fact that the Native women will have to provide photos at their own expense, that will cost them from 2s. 6d. to 5s. There will thus be every incentive to evade the law. Just imagine what an army of officials the director will need to get in touch with 370,000 Native women whom he says are living in the urban areas. He calculated the total urban . . . [Time limit.]

*Mr. MENTZ: When the Minister delivered his second reading speech he expressed a certain amount of regret that he could not include the entire population immediately. The side opposite has also expressed regret in that regard. That regret has been expressed more especially because the provisions of this Bill do not apply to Native women. We recall the great fight that was put up by the other side of the House and their accusation that this Government was seeking to force European women to carry a pass and to register, while Native women could go about freely. That was their argument. The matter was then referred to a Select Committee and the Bill was amended to conform to their wishes. That provision was made and they can no longer say that the European woman has to carry an identity card and that it is not necessary for the Native woman to carry one. I must say candidly that I can see no reason why the United Party should now oppose this clause. If they want to be logical they cannot oppose it, because that was their own argument during the second reading debate. The hon. member for East London (City) (Dr. Smit) — and we know him as

the champion of this type of thing — now attacks this provision. I want to ask him whether he agrees with the hon. member for Johannesburg (West) (Mr. Tighy), who sits next to him and whose main objection to the original provision was in fact that the Native woman is excluded from the provisions of the Act, whereas the European woman must be registered.

*Dr. SMIT: That has nothing to do with this point.

*Mr. MENTZ: I do not think the hon. member really knows what he wants. He wants the registration of births and deaths to be put in order first. He maintains that this registration will be too costly and will require too large a staff. During the second reading the Minister said that this would take place in conjunction with the general census, in which case less staff would be required than would otherwise be the case. The hon. member also raised the point of the money that will have to be paid by the Natives in order to have their photographs taken. I think the Minister will make matters so easy for them that they will be able to obtain the photographs at something like 6d. and that they can afford.

No, I think hon. members opposite must be reasonable. Their main argument was that it was an injustice towards the European woman to require her to register and not the Native woman. The Minister has gone out of his way to meet them, just as the Select Committee has done. For that reason I do not see how they can advance any argument against that amendment. Must we revert to the original provision? Does the hon. member for Johannesburg (West) want to revert to the original provision?

*Mr. TIGHY: I did not speak about this matter. In a moment I will talk about other matters.

*Mr. MENTZ: We on this side of the House would very much like to see the provisions of the Bill applied to the entire population, and we are grateful to the Minister and the Select Committee that they have seen their way clear to amend this provision in the way that they have done and that will also satisfy the United Party because they also wanted the original provision amended. For that reason I do not see what justification there is for the argument raised by that hon. member.

Mr. SULLIVAN: This question that has been raised about the inclusion of the Native population in the register, was discussed very closely in the Select Committee. I think at the very outset of these discussions that will follow in the Committee Stage we should get some indication from the Minister as to what the proposals of the Government are in regard to the inclusion of the Native population. The Director of Census and Statistics was very definite on this matter. He said that at the outset of the compilation of the register it would be possible to include urban Native women over eighteen years up to a total number of 370,000. That, he said, could be done immediately. In addition to the 370,000 urban women he also told the Committee that Native males over 18 years up to a total of between 1½ million and 2 million could be included at once from the records of the Native Affairs Department. So that we have this position, which we want the Minister to clear up at the outset, whether he intends when the administration is put into operation for the compilation of the national register, to include the 370,000 urban Native women and the 1½ to 2 million urban Native males. I think this House is entitled to know exactly what the Government's plans are in that regard.

Then there is another aspect of the compilation of the register which is important, and that follows from the wider scope given to the Bill by this clause. That is the question of cost. Here again there is some confusion. We have the report of the Select Committee and the statement of the Minister made in this House during the second reading debate; but they do not give us a very clear picture. I prefer to take the director's calculation. He told us the actual figures for the compilation of the register which is now envisaged, would be £160,000, and that for its maintenance another £115,000 per year would be required. If we are going to include the Native population, even to the limited extent indicated by the director, it will add to the cost of the compilation and maintenance of the register, probably to the extent of a further £100,000 per year. This means that a big sum of money will be involved; and we should know how the Government intends to undertake the compilation, in view of that. I think this Committee is entitled to have some information from the Minister on this aspect of the matter.

I would like the Minister to make it perfectly clear to the House what the policy of the Government is in regard to the inclusion of the Native population, whether it will be at once, or whether it is going to take place in stages; if in stages, what the demarcations will be. Following on that it will be necessary for the Minister to make it perfectly clear what the estimated cost will be of the registration as is now proposed.

*Prof. A. I. MALAN: I feel that the problem which we have before us here is not as difficult as it would appear to be. If a Bill is placed on the Table to provide for registration of the population, it is obvious that such a Bill must include the

whole population. That is logical and anyone will concede that it is essential to provide for the inclusion of the whole population. I could understand the argument of hon. members opposite if that were the starting point. Originally objections were raised to the Bill on that basis, and no fault could be found with those. But as we have never had population registration in this country yet, it is also obvious that it cannot be done right off as though the organisation were already in existence. It is for that reason that it is made clear in the Bill that we are to include the whole of the population, but in Clause 21 the Minister is given the power to exclude certain groups in certain territories. As the work progresses, so these groups and these territories can be increased or reduced. I think hon. members will agree that that is a logical starting point. It is a scientific method of doing work. But to come and ask at this early stage what the costs are going to be in connection with the work and which groups will be included and which not, well, those are administrative details which obviously will have to be attended to from time to time as the work progresses. I do not think hon. members need worry about that at this stage.

*Mr. BARLOW: But Parliament must know what it is going to cost.

*Prof. A. I. MALAN: It is also obvious that Parliament will know it later on, but at this point it is not necessary to go into the question of costs.

Mr. STUART: As far as the group in this corner of the House is concerned, we accept this Section 2 as it now stands. I think it immensely more desirable that in a Bill of this description, even if you are trying to get at the African — which God forbid — you should not make it obvious in the first operative section of the Bill by using the words "excluding all Native females and all Native males . . .", as the clause was drafted. The amendment by the Select Committee meets with my personal approval, because it is general and non-racial. It says—

> There shall, as soon as practicable after the fixed date, be compiled by the director, and thereafter maintained by him, a register of the population of the Union.

It throws no brickbats, and there are no complications. As pointed out by the last speaker, the point that might have been debated on this clause can now be debated under Section 21. It is merely removed. From my point of view that is the answer to the hon. member for East London (City) (Dr. Smit).

However, what I wish to point out to the hon. the Minister is in reference to the word "practicable". It says "as soon as practicable", and so on. After a fixed date certain things must be done if they are practicable, and a portion of those things must be done in regard to the Africans. It is quite true, as has been pointed out by the hon. member for Berea (Mr. Sullivan) that there is certain machinery in existence which would cover the case of quite a number of the African population, and the census will cover a certain number. But what I want to put to the Minister is this. He must tell his director that if he wants to get a satisfactory census of the Africans in the Transkei or in the reserves of the Ciskei, he will have to use African enumerators to a certain extent. We have been told at various stages during the last two years, that the object is that the Europeans should run the European area and the Africans should, where possible, run the African area. I do not believe — I do not believe — there is anybody available. You have the difficulties about staff, which were mentioned by the hon. member for East London (City). They are quite insuperable. It will be costly to the limit. When the hon. member for East London (City) says something is impracticable, I personally do not weep because I am not enamoured of the Bill. But the principle has been accepted, or it has been thrust down our throats, and we must get on with it. It is not practicable to do it with European enumerators. You just cannot get them. It might be practicable if you use African enumerators. But let me assure the Minister that the existing organisation in the Transkei is totally incapable of handling this. Let me remind him what that organisation actually is. Apart from the few people at headquarters and specialists in the district, like agricultural demonstrators, overseers, and so on, the organisation consists of the chiefs and the headmen. Here and there you find a chief drawing something which resembles a salary. But the mass of the headmen do all the work of control and of certifying when Natives come forward to the mines, and everything else, for the princely sum of £5 per year. You cannot expect that excellent type of person, which is the remaining portion of your organisation, to go about de diem in order to get the details for this organisation without further pay. There are younger educated Africans without jobs who can be employed to get this information. If the director sends them he will get the information. If he sends a low class Native to get the information he will not get it. If he sends a low class European to get the information, he will not get it either. In other words, this is not a job for the unemployed or the unemployable. It is a task which entails numerous difficulties in areas where the only Europeans seen by the Natives are the agent or the storekeeper, or the policeman. It will be difficult to get

this information, to get authoritative information as to the actual numbers of the African population. I submit this to the Minister in all seriousness.

*Mr. LIEBENBERG: Arising out of what the hon. member for Durban (Berea) (Mr. Sullivan) said here, I wish to say that we have already decided on the principle of this Bill and that the question of cost is part and parcel of the principle. The cost in connection with this Bill has, therefore, been approved of in that sense. I therefore feel that it is unnecessary to discuss that principle again. It has been accepted and the money will have to be spent. Now I do wish to point out that the hon. member has apparently overlooked the fact that the Minister and his officials have supplied that information. The hon. member must remember, on the other hand, that there are other factors which counter-balance the expenses of registration. Figures have been quoted to show, for instance, that the Union Government loses £200,000 and the provinces lose £150,000 a year through taxes not being paid owing to the impossibility of tracing certain individuals. I do not wish to speak about non-Europeans who do not pay taxes either, because they cannot be traced. Then there are these foreign Natives in the country who do not pay taxes. The principle of the cost involved has been accepted and I therefore consider it unnecessary to argue that point any further. As far as the speech of the hon. member for Transkei (Mr. Stuart is concerned, the matter he raised can be considered. It is a guide. The chiefs and the vice-chiefs are there, and if we use them we shall probably, in the first instance, be able to get a better census.

*Mr. STUART: Will they be paid for it?

*Mr. LIEBENBERG: Naturally, they must be paid for it on a reasonable basis. If the chiefs and the vice-chiefs bring that information in it will be done much more easily and more expeditiously.

Dr. SMIT: In reply to what has been said from the Government benches, I would like to say that I do not agree with discrimination between any classes of persons on the grounds of race. But what I am trying to point out is this, that the addition of the provision that all Native women are to be registered, makes the carrying out of this Bill quite impossible, unless the Government is prepared to provide a huge army of officials to do it. That is why I say that this clause, as amended in the Select Committee, is quite impossible. I do not know whether the Minister has a clear conception of what is going to take place. Just imagine the game of hide-and-seek that will take place in the backyards of Sophiatown and Newclare, and in the slums of Moroka, when the director and his officials try to lay hold of all these Native women in order to register them.

Mr. RUSSELL: Black Man's Buff.

Dr. SMIT: Particularly when the women will be required to pay 2s. 6d. to 5s. for the benefit of registration. In every sphere of the public service the Government's activities are being hampered by lack of staff. We see it on every hand, and especially in the Department of Native Affairs, on whose shoulders the great burden of this Bill will fall.

Mrs. BALLINGER: Mr. Chairman, I find it a little difficult to understand the approach of the hon. member for East London (City) (Dr. Smit) to this clause as it now stands. In effect this clause does not alter the original balance of the Bill. The original Bill provided in Clause 2 that there should be a population register of everybody except African women and African males under 18, but in Clause 22 the Bill gave the Minister the power to apply registration to any group excluded. This clause simply puts the Bill the other way around. It says if you are going to have a population register, you are going to have a population register. And later on, as has been pointed out, we can argue whether the Minister should, in fact, be permitted to have a population register which is not a population register, whether he should have the power to exempt large groups of the population. There is no change of principle involved in this change of wording in the Bill.

Now I want to make it quite plain for the benefit of the hon. member for East London (City), who, I know, is concerned about the reactions of the Native population to this Bill, that speaking for myself, and I think others here will agree, there is nothing essentially wrong with a population register. But what we object to, and we shall have plenty of occasion to make that perfectly clear to the Minister by and by, is a population register which is, in effect, a pass law. That is something quite different, and we are naturally opposed to registration cards and the carrying of registration cards, and the rest. That is the essential point of our approach to this Bill. We have said before that the cost of this thing is going to be enormous. We are perfectly persuaded that it cannot be put into operation without great expenditure of money and not only that, but it cannot be put into operation without an enormous staff. That will be the responsibility of the Government. The Government will have to find the money.

Mr. WARING: The taxpayer will have to find it.

Mrs. BALLINGER: The taxpayer, yes, but he will have his answer.

An HON. MEMBER: And an identity card.

Mrs. BALLINGER: Yes, and an identity card, unless we can persuade the Government at the appropriate point in this Bill that the taxpayer will not be prepared to pay for an identity card. The question is whether we will be able to do that. But those are quite different arguments from those against the registration put up by the hon. member for East London (City). While we on these benches are prepared to accept this clause of the Bill, I want to make clear what our approach to it is. It is that it does not involve any greater burden on the African people than is already imposed by the Bill. And it does not even involve the change which some hon. members are hoping for. As the Bill stands now, it is still possible for the Government to apply the Bill to the European woman and make her carry a pass while the African woman is exempted, unless we can persuade them again of the unwisdom of trying to make anybody carry a pass. But if you are going to have a population register, I can see no reason why we cannot be clear about the scope of that register.

Mr. KAHN: Mr. Chairman, the hon. member for East London (City) (Dr. Smit) has rightly drawn the attention of this Committee to the practical impossibilities which are going to create titanic obstacles in the way of an effective and efficient population registration system. Mostly they arise out of the fact that the people concerned are compulsorily illiterate but in this clause, as amended, this Bill contains the seeds of its own destruction, then all the better.

Mr. WARING: It is obvious that the hon. member for East London (City) (Dr. Smit) was not speaking for this side of the House, but I think it ill behoves the hon. member for Westdene (Mr. Mentz) and the righteous member for Gezina (Prof. A. I. Malan) to administer the corrective they did to the hon. member for East London (City). I remember when this clause was discussed on the second reading and when it was suggested by the Opposition that this part of the clause should go because it would lead to the impossible situation of a European woman having to carry a pass while her maid would not be obliged to carry a pass, they said that we were just trying to make political capital out of it.

Mr. MENTZ: You are busy with another political stunt now.

Mr. WARING: It is amazing that the fact that we made so-called political capital out of it has resulted in their agreeing to this amendment. It was such political capital that they have now accepted the amendment and now hon. members on the other side get up and choke off the hon. member for East London (City).

Mr. MAREE: Seeing you remember so many things, can't you remember what the Minister said when he introduced the Bill?

Mr. WARING: No, the Minister saw the light of day after the United Party had finished with him. When this point was mentioned by the hon. member for Alberton (Mr. S. J. M. Steyn) he was accused of trying to make political capital out of it. That accusation was levelled against him because he said that in this clause you were discriminating between White women and Native women. Now my hon. friends are taking full credit for this amendment.

The CHAIRMAN: Order, order! The hon. member cannot now discuss the principles of the Bill. We are dealing with Clause 2 only.

Mr. WARING: I am talking about this particular clause.

The CHAIRMAN: Yes, but the hon. member must talk about this clause only.

Mr. WARING: Clause 2, as it was introduced, read as follows—

> Excluding all Native females and all Native males who have not yet attained the age of eighteen years.

Native females were excluded, and when the United Party raised this matter it was political capital, and now the righteous, unctuous members on the other side tell the hon. member for East London (City) how wrong he is. No, Sir, this is our amendment and we stand by the idea that this should be a full register.

The MINISTER OF THE INTERIOR: It has been very interesting to hear from the Opposition that this is their amendment, when apparently the Opposition is at sixes and sevens amongst themselves. The hon. member for Orange Grove (Mr. Waring) has said at once that I must not take the remarks of the hon. member for East London (City) (Dr. Smit) as representing the views of his party. Well, I am at a loss to understand what is the view of his party. But I think the memory of the hon. member for Orange Grove has been playing him parts. When I introduced this Bill, before there was any speech from the hon. member for Alberton (Mr. S. J. M. Steyn) or any other member on that side, I envisaged this particular amendment to Clause 2.

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Mr. KAHN: The newspapers dealt with it.

The MINISTER OF THE INTERIOR: I introduced that clause not because of anything that hon. members on the other side had said. They tried to misrepresent the position after I had said that I was going to introduce that amendment, and that is what we said was party political stuff — the fact that they were trying to misrepresent the position. I think the hon. member for Cape Eastern (Mrs. Ballinger) has set up the position correctly, that in effect there is no difference between Clause 2 as it now stands, read with Clause 21, and Clause 2 as it stood originally, read with Clause 22. It is only a question of the form in which it has been put and for political reasons, because I was fully aware that hon. members opposite would like to make political capital out of it, I forestalled them by making this change in form before they could suggest it. I am sorry that I have to deprive hon. members of the privilege of claiming this as their particular baby, but I am happy to welcome them in the fold of people who agree with this clause, even though it means the temporary divorce of that party from the hon. member for East London (City). The question has been put to me how this Bill will be applied. This is an administrative matter and it will be applied in the way which is dictated by the conditions of the service and staff and other considerations as they arise; but the object of the Bill is as set out in paragraph 2. That is the object of the Bill. During the sitting of the Select Committee this question was put to the Director of Census—

> Is it an uncommon thing in other countries, for instance in Kenya, to apply your register in sectors?

The answer was—

> It is not uncommon. That is the basis on which the Kenya Government is working.

The hon. member for Berea (Mr. Sullivan) then asked—

> What do you mean by sectors?

The reply was—

> Geographical sectors.

The Chairman then asked—

> It is only applicable at the moment to males in Kenya and it may be extended to females by proclamation?—Yes.

That is exactly the position here. Even though it is applicable to all of them ultimately, we have to start somewhere and we have said that we are starting on the census of next year. You cannot introduce this scheme for twelve million people all at once. It must be done in sectors and that is why we have that provision in Clause 2, so that we have the power to exclude from its operations those who, for practical reasons, we cannot include right at the beginning. How it is going to be done is a matter for the Department. It is quite true that there are practical difficulties in the way of its wholesale application immediately, but it will be applied as soon as possible to meet the objects as set out in Clause 2, that is to say, a population register, a register for the whole population.

As far as the cost is concerned I indicated to the House in my second reading speech what that cost is anticipated to be at the moment. The only difference is that I put it a little higher than the Director of Census did. It is not different from the evidence which he gave. I said that the cost of the establishment of that system, after having acquired the necessary information from the census returns, would be £165,000, and the Director of Census has put it at £160,000, for White persons and Coloured persons. Then for the maintenance of it there would be an additional cost of £115,000, which he has also stated. As far as the Natives are concerned, naturally it is not possible at this stage to say what it will cost but in order to include male Natives over eighteen years, i.e., 1,500,000 to 2,000,000, there would be an extra cost of £40,000 per year. That figure has been given.

Mr. SULLIVAN: That is what we wanted.

The MINISTER OF THE INTERIOR: Beyond that it is difficult to say. The Director of Census has already said that as far as the Natives are concerned, they will compile the register in the same way as for Europeans and for the Coloured people, that is to say, from the census returns.

As far as the registration of male Natives over eighteen years of age is concerned, for that purpose they will make use of other machinery than the census returns; so hon. members will see that it is an administrative matter which will be determined by the Department of Native Affairs in the first instance who will advise my Department on it. They will have to see to it and they are responsible for seeing that it is carried out. Naturally it will mean an increase in staff. It stands to reason that there must be an increase in staff for that purpose.

I may say to the hon. member for Transkei (Mr. Stuart) that I have no doubt that Native enumerators may again be used as was the case during the census of 1946 for the purpose of registering Natives. I think that course will be followed again.

As far as they can be made use of they will be made use of just as was the case in 1946 when we had a census of the whole population. If there is a census of the whole population next year, then it stands to reason that use will have to be made, as on previous occasions, of the services of Native enumerators, who, I am sure, did a very good job of work.

I think that deals with the points that have been raised. I have the assurance of the Department of Native Affairs that this can be carried out. I have the assurance of the director that it can be carried out and it is a matter to be determined by them in consultation, how it is to be carried out. I do not think that is a matter which we, with the little knowledge we have of the practical side of the question, can really deal with fruitfully in this House today.

Mr. BARLOW: I do not think there is any question of this side of the House being at sixes and sevens. The hon. member for East London (City) (Dr. Smit) who held a high place in Native Administration, was pointing out the difficulties. We all know that there are difficulties. That does not mean that the hon. member differs from us. But I would like to congratulate the Minister on moving this amendment in the Select Committee. We took exception to the fact that white women had to carry passes while their maids were not obliged to carry passes.

An HON. MEMBER: [Inaudible.]

Mr. BARLOW: Is there anything wrong with that? Will the hon. member allow me to make my speech? We took exception to this and the hon. the Minister saw the light of day.

The MINISTER OF THE INTERIOR: No, I saw it before you took exception to it.

Mr. BARLOW: The Minister will see a lot of light before we finish with him. This is not an easy matter. Some of my friends who know nothing about the Transkei tell us how easy it will be to register Natives in the Transkei. Let me remind them that there are some parts in the Transkei and in Pondoland which have never been seen by a white man. No, Sir, this is not an easy matter. I want to point this out to the Minister. He is relying to a very large extent on the census. Does he recognise the fact that the last census figures were quite different to the figures that were received by the Government, when we were in power, when we asked for rationing cards for the distribution of food. When it was made known that nobody could have food unless he had a card, it was surprising what a large number of Natives came forward to be registered although they were not registered in the census. That applies even to the Coloureds. Here, in the Cape Flats, they came out of the bushes and the Government suddenly discovered that there were thousands and thousands of Africans or Natives who were running round the Cape Flats who did not appear on the surface. If the Minister would hold out a banana to these people he might be able to register them. Does he think he is going to register them by using these African enumerators? Where are these African Enumerators going to come from? If he is going to use some of these people who are very cleverly educated and pay them for every head they bring in on a card, they will bring five times as many heads as there are people. The Minister will find out that this Bill can't work. I am not against a population register; but it can't work. This is one of these mad schemes that we have got from this Government. Why not get these enumerators to close up the dongas and the ditches in the Transkei and make dams instead of embarking on this mad scheme. This is going to cost the country an enormous amount of money. The Minister talks lightly when he says it is only going to cost £200,000. Before we are finished with this scheme it is going to cost half a million pounds in enumerating alone, and it is going to cost at least another £400,000 a year to run it. And those, Sir, are the gentlemen who were going to save money. In the meanwhile the people and the country are so heavily taxed that they cannot buy their ordinary food.

The CHAIRMAN: Order, order! The hon. member must confine himself to the clause.

Mr. BARLOW: Surely, Mr. Chairman, I can talk about the cost. I say that the cost will have to come out of the pockets of the taxpayers. Surely I can refer to that? I say that that money could be spent on better things; it could be spent on buying meat, which is not there. This Government will be known as the "Mad Government". And what for? My hon. friend says there is nothing in numbering the people. She does not know her Bible. What happened to David when he numbered the people?

Mrs. BALLINGER: I did not say anything of the kind.

Mr. BARLOW: Ask the parsons on the other side.

An HON. MEMBER: Tell us, what happened?

Mr. BARLOW: You will find that David was punished heavily when he numbered his people. I am not worried about numbering the people, but I am wondering at

the absolute stupidity when you think that this clause can work. It is difficult enough to number the white people. But when it comes to numbering black people in the mountains and bush how are you going to number them? I wish the Minister would tell us. He must not just smooth over these things in that nice way he does. This Minister is a danger to the country. He has a smooth tongue and you find that also in the Bible. You also find that in "Pickwick Papers". He is going to put this country to an enormous amount of trouble, and then he talks about Kenya. Only last week two white men, and thirty enumerators, were speared in Kenya.

The CHAIRMAN: Order, order! The hon. member is wandering away from the clause now.

Mr. BARLOW: I am quoting the Minister, Sir. The Minister says we will go to Kenya and we will learn from Kenya how to enumerate, and I am telling him what is happening to the enumerators in Kenya.

The CHAIRMAN: Order, order! The hon. member must discuss Clause 2.

Mr. BARLOW: Mr. Chairman, if I am out of order; the Minister must have been out of order. I am talking about the enumerators.

HON. MEMBERS: Order, order.

Mr. BARLOW: The Minister is carrying out this particular Bill at his peril. The Minister recognises the fact that the Black man does not like being enumerated. They think this is going to be done for tax purposes. Does the Minister know these people? Does he know that when the headmen come along and demand their £1 per head, they run away into the bush. The Native will think the enumerators are coming to collect taxes, and he will run away, just as the White man runs away because he thinks he is going to be put on a jury. I have been longer in the land that most members in this House and I have been through the mill. I have seen these mad things being started in the House — always being started with £100,000, but the next year it costs £200,000 and the next year £500,000. Then the Auditor-General comes in and up goes the cost of everything and more money is extracted out of the pockets of the unfortunate taxpayers. This is just a mad scheme to make more money out of the pockets of the taxpayers. This measure won't deliver the goods; it won't work. My old friend who sits over there, my good old friend, the hon. member for Somerset East (Mr. Vosloo), is a wise man; he knows well enough and he has seen, as I have seen, how these young Ministers come in and start these mad schemes, which cost more money and always require many more civil servants. The result is that nowadays every fourth or fifth person in this country is a civil servant. Every fifth person in this country gets his money from the Government. There are no ordinary people in the country today. I say this thing won't work.

*Mr. J. J. FOUCHÉ: I rise to express my disappointment that the hon. member for Hospital (Mr. Barlow) was not one of the enumerators in Kenya.

Mr. RUSSELL: I do not intend to make quite such a short or silly speech as the hon. member who has just sat down. I should like to focus the attention of the House on rather an amazing and candid admission by the Minister. He tells us that this clause is being amended "for political reasons". I have never heard a Minister admit in this House before that an amendment to a Bill is made "for political reasons".

The MINISTER OF THE INTERIOR: Yes, to prevent political exploitation on your part.

Mr. RUSSELL: A clause is either right or wrong, advisable or inadvisable in the opinion of the House. A clause is introduced or changed for a specific purpose and that purpose is either right or wrong in terms of the Bill. I have never yet heard of an amendment adding something or taking something out, "for political reasons". I think it is a most amazing confession. I think the country and this House should have their attention spotlighted on that particular remark because if we have legislation introduced, or legislation changed or modified "for political reasons", surely it shows that the morality of this House is going down and down; even further down than we thought it had gone. The fact remains in this connection that this clause as introduced by the Minister, did originally exclude Native females and all Native males who had not attained the age of eighteen years. It is true that in his introductory speech he did say that he would include Native females afterwards. He gave us to understand that "eventually" they would be drawn within the orbit of the scheme. But was not that promise connected with certain newspaper attacks which were made on him for omitting them. Why does he do this now?

The MINISTER OF THE INTERIOR: To prevent your political exploitation of it.

Mr. RUSSELL: The Minister apparently excluded Native females originally "for political reasons", then withdrew his exclusion afterwards because he was afraid that these political reasons might be used against him.

The MINISTER OF THE INTERIOR: I knew your mentality.

Mr. RUSSELL: Now he tells us that although he has included them he can exclude them under Clause 21. Well, Sir, I would like to ask him is he going to exclude them under Clause 21, in spite of including them under Clause 2?

Mrs. BALLINGER: Yes.

Mr. RUSSELL: Is he going to do so or is he not?

The MINISTER OF THE INTERIOR: Do what?

Mr. RUSSELL: Are you going to exclude Native females from this Act under Clause 21?

The MINISTER OF THE INTERIOR: I don't know; I have the power.

Mr. RUSSELL: If you do not want to exclude them now why did you exclude them from the original Bill? Why was the exclusion there, Sir? It is beyond my comprehension. I cannot follow the hon. the Minister's reasoning. A sort of "include me out" argument.

The MINISTER OF THE INTERIOR: You should take a lesson in law from the hon. member for Cape Eastern (Mrs. Ballinger).

Mr. RUSSELL: I should prefer to do that rather to take it from the hon. K.C. opposite, although the hon. member for Cape Eastern is a "laywoman". I quite agree with the Minister. His lesson in law seems to be "political law" or it is spelt l-o-r-e. It is all the more distasteful because of the motive. I think the Minister's argument in saying here that "for political purposes" he is going to delete something from a Bill is a matter to which the attention of the House and the country should be drawn.

Mr. A. H. J. EATON: The Minister's reply has given us more reason to deal with this matter than the facts as placed before us by the Select Committee. The Minister has put an interpretation on the law which he is introducing here, when it does become law, which is not in keeping with the view of those who want to take a serious view of their work. The gravamen of his statement was this. We are going to leave it to the administration. That is all very well, but those of us who represent thousands of constituents will have to go back to our people and tell them what this law is all about. We will be asked when it is going to come into operation and those are going to be very difficult questions to answer. We will have to say that here is a matter of principle that has been introduced and it is left to the discretion of the administrators of this Act to decide when it is going to be put into operation. That is a very serious state of affairs. No Minister of the Crown should take up that attitude. Either we have a law which is passed and which becomes the law of the land and comes into operation within a reasonable time, or else it is not a law that we can take to the people with any confidence, and explain to them what it is all about. There has been an outcry in that part of the country from which I come, in relation to the registration of women. It is a serious outcry. The Minister very lightly passes over these things as though it does not matter.

The MINISTER OF LABOUR: What happened to the public meeting in Durban?

Mr. A. H. J. EATON: I agree with the hon. member for Hospital (Mr. Barlow) that this easy way of passing over serious matters has to come to an end.

The MINISTER OF LABOUR: What about the protest meeting in Durban?

Mr. A. H. J. EATON: The protest meeting did not support the idea of the principle in this clause being left to the discretion of those who are going to administer the Act. We want this matter taken seriously and we want every question dealt with in this House in a serious way and not glibly by an intellectual with a glib tongue that puts facts before us in such an easy way that they have no relation to fact. The fact is that the registration of women in this country is going to be a most serious thing, because traditionally and historically they have never been registered or treated in the same way as men.

The MINISTER OF LABOUR: Durban does not think so.

Mr. A. H. J. EATON: Durban wants you to take these people with you in a measure of agreement. I would like to ask the farmers opposite whether they are not aware of the fact that Native women have never been treated in the same way as men in relation to work or administration or any of the habits that apply to their way of living, and because of that we come here as laymen, as ordinary people, and tell the Minister that he is landing this country into serious difficulties, and we ask him in relation to the people whom he says will administer this Act, what advice he can give us. It is a pertinent thing to ask him. When this becomes law and the registration of women becomes legal and operative, will it be a year, will it be two years, will it be five years or twenty years before the discretion he gives his officials will be given effect

to? Sir, that is a pertinent question and I only rise because I do feel that the Minister is not taking this thing as seriously as he should in relation to the millions of people that this is going to affect, and if we can bring a spirit of seriousness into this debate, then, Sir, we will not have risen in vain.

*Mr. TIGHY: The hon. member for Westdene (Mr. Mentz) has attacked me because during the second reading debate I said that they were discriminating against the European women.

*The CHAIRMAN: Order, order! The hon. member cannot discuss that matter again.

*Mr. TIGHY: I am discussing Clause 2. At that time the Minister had excluded the registration of Native women. Now, as a result of the Select Committee, he has included them. When the hon. member for Woodstock (Mr. Russell) was speaking, the Minister said that he had done that in order to avoid political exploitation. I think this Committee is entitled to know from the Minister what the additional costs will be in connection with this extra registration. And is the country prepared to carry this burden merely to save the Minister's skin? I do not think he is justified in doing it and the Committee cannot leave the matter until the Minister has told us what the administrative costs will be. I am not discussing the principle but the administration. On the recommendation of the Minister the Select Committee has decided to include Native women as well.

*The MINISTER OF THE INTERIOR: Were you absent when I spoke a few minutes ago?

*Mr. TIGHY: I was present, but I did not hear the figures. Whatever the figures may be, the Minister has no right to plunge the country into heavy expenses in order to save his own political skin. The hon. member for Westdene has asked what I propose to say about this matter. The fact remains that as this clause and the other clauses read, the European and non-European women are placed on the same footing, and it may happen that a European woman who has not registered may be arrested while the maid looks on and laughs. But we will discuss the other clauses at a later stage. I want to emphasise the Minister's admission that he did it merely to prevent the United Party from exploiting the matter, from a political point of view.

*Mr. BOTHA: To prevent you from distorting it.

*Mr. TIGHY: The Minister did not find that necessary in the original Bill. In the original Bill only the European woman was required to carry a pass and it was not necessary for the maid to carry one.

*The MINISTER OF THE INTERIOR: What about Clause 22 of the original Bill?

*Mr. TIGHY: The hon. Minister knows that I cannot discuss Clause 22 at this stage. The hon. Minister may be a clever fellow, but his cleverness will still be his downfall. After all, the Minister himself is a lawyer and I take it that the original Bill was framed by the law advisers and that he read it subsequently and he must have realised, before the second reading, that those people were excluded.

*Mr. BOTHA: They were not excluded.

*Mr. TIGHY: I hope hon. members will send for the original Bill and study it. They cannot get away from the fact that in the original Bill they discriminated against the European woman of South Africa.

*Mr. BOTHA: Nonsense.

*Mr. TIGHY: It was only when we accused them of it that they woke up; it was only when the United Party stepped into the breach on behalf of the European woman in South Africa that the Government Party woke up.

*Mr. LUDICK: Rubbish.

*Mr. TIGHY: The Bill was then referred to a Select Committee, of which the Minister appointed himself as chairman. I may say that it was during the second reading when I was talking, that the Minister said by way of interjection, that he was going to ensure that they were included. Now they are included, but he admitted this afternoon that he simply did it in order to prevent the United Party from attacking him.

*Mr. BOTHA: You are distorting the facts.

*The MINISTER OF THE INTERIOR: That is a misrepresentation.

*Mr. TIGHY: The fact is that we are dealing with a cardinal principle, the pass system, and the entire principle was decided on and in the original Bill the Native women were excluded. Now you say you will include them in order to prevent us from making propaganda out of this question. I want to know what it is going to cost the country; what will the additional administrative costs amount to, costs which will be incurred merely to save the skin of the Minister and that of the Nationalist Party.

*Mr. BOTHA: You are always misrepresenting the facts.

*Mr. TIGHY: Let hon. members get up and tell us what is wrong. They will get the opportunity. My charge is that the Minister slighted the European woman and that he discriminated against her. When he discovered his mistake he rectified it and he admitted to the House that he did it purely for political reasons. That will not help him in any way because he still places the European woman on the same footing as the maid. What I want to know is what the additional costs will be as a result of this amendment.

*The DEPUTY SPEAKER: The hon. member must not repeat arguments.

*Mr. TIGHY: I hope the Minister will reply to us.

Mrs. BALLINGER: Mr. Chairman, I want to try to explain again my approach to this clause, as I have been used as an argument on both sides of the House for various things for which I take no responsibility at all. I got up to defend my acceptance of this clause in the Select Committee because of my great respect for the opinions of the hon. member for East London (City) (Dr. Smit). I felt that I was entitled to explain to him why I had accepted this amendment in Select Committee. I want to add now what may not have been perfectly plain, that I fully agree with everything the hon. member said about the application of the clause, both in regard to its difficulties and in regard to its dangers. I make no challenge to him on that whatsoever. I am completely satisfied that it is practically impossible to administer the Bill, that in spite of anything the hon. the Minister tells us, it will take an administrative staff and it will impose a financial burden, both of which I do not think this country really can sustain. I agree entirely with the hon. member for East London (City) in all that he said about the effect on the attitude and the mind of the African people if this does in fact become a pass law in so far as the African women are concerned. I just want to add — and in this I am not quite sure what the hon. Minister said. I though the hon. the Minister said to the Committee that the Native Affairs Department had assured the Select Committee, or assured him and various other people, that this Bill could be applied in respect of the African population. I trust, Sir, that the hon. the Minister was not suggesting to the Committee that the Native Affairs Department thought that this Bill could be applied to the African women and children now, because I can remember nothing that would support that suggestion. It is utterly impossible to apply this Bill to African women and children until the hon. the Minister implements his promise to introduce in this House, and to get into working, a Bill for the registration of vital statistics. We have no statistics of any kind on which you could possibly register African women and children. It is not possible. You can apply a Bill of this kind in some sort of way, probably fairly efficiently, to African men over eighteen years, because you have got their poll tax registration on which to base a register of that kind. I suppose the Minister might argue — I must be careful and be as precise as I can and not leave him any loopholes — it is possible for him to argue that once you have a census, you could lay a foundation of a register for women and children. But the hon. member for Hospital (Mr. Barlow) has suggested just a few of the difficulties of getting the sort of census that would give you any efficient basis for registration of women and children.

Sir, when I have said all that let me repeat what I have said before, that under Clause 21 the hon. the Minister has exactly the powers which he originally took in this Clause 2 to exclude African women and children.

Mr. TIGHY: Is he going to do it?

Mrs. BALLINGER: Of course he is going to do it.

Mr. TIGHY: Is he going to exclude?

Mrs. BALLINGER: When I say that he is not going to apply it to African women and children I say it simply on the basis of my own argument, and the hon. Minister need take no responsibility for that; I am not expecting him to take it. I simply say that it is impossible.

The MINISTER OF LABOUR: Why?

Mrs. BALLINGER: Oh! I have just said all that. As to the amendment itself, I am out of the whole of this argument between the two sides of the House as to who initiated it and why. I am not concerned at all with the argument between the United Party and the Nationalist Party about this business of white women carrying passes and African women not carrying passes, and who is going to get public support for their own point of view in that regard. I have got nothing at all to do with that argument, nothing. All I say is that if the Bill is applied as it now stands, if it is applied as the hon. the Minister obviously intends to apply it, and as I think is the only way in which he still can apply it, you can argue quite legitimately, in my opinion, that European women will still be carrying passes and African women won't.

*Mr. BOTHA: None so deaf as those who won't hear. The hon. members for Woodstock (Mr. Russell) and Johannesburg (West) (Mr. Tighy) simply refuse now to

understand things. As far as this clause is concerned, it remains unchanged in essence. It is merely phrased better, and it is less susceptible to distortion by the Opposition, who want to use this Bill solely to make political capital out of it. But the hon. the Minister has not waited for the Opposition to react to it before making the amendment. In anticipation, in his speech on the second reading, he held out the prospect of his making this amendment. What right have they to say now that they forced the Minister to do so? Any Bill can be better worded, because no measure is ever without faults; and that is the position with this clause. I just want to put this to the hon. members for Johannesburg (West) and Woodstock: If you had to devise a population register, would you not rather start at the logical start, where you already have statistics and details? Is that not so? Or would they start where no details are available? That I could understand, because those are true SAP methods. They always start off where they know nothing. The logical step is to start where you already have statistics and details; that is, with the Europeans. This Bill, however, is intended for the entire population. That was the original purpose and, for practical reasons only, you start with certain people. In essence, however, no difference is made and the fuss that has been raised about it is because they have been deprived of the easy weapon which they had intended using in connection with this regulation. They cannot use it and now, in their sorrow and disappointment, they are raising a big fuss.

Mr. WARING: The hon. member for George (Mr. Botha) has really put his foot in it. The more he speaks the deeper he puts it in. He comes to us and he says: This is no change of amendment, the Minister had the power all along. What absolute nonsense. These were excluded by statute in the second reading. The Natives were excluded by statute, and I say to the hon. member for Cape Eastern (Mrs. Ballinger) she is also wrong there.

Mrs. BALLINGER: That is bad.

Mr. WARING: Don't make any mistake, they were excluded in this Clause 2. They were excluded in 21, the difference is that if we had accepted Clause 2 as it stood we would have been a party to that exclusion. If we in this House had accepted Clause 2 as it stood we would have agreed to a statute which was excluding the Natives.

The MINISTER OF THE INTERIOR: Don't talk nonsense.

Mr. WARING: The Minister says, "Don't talk nonsense." He was outside having tea and he did not hear what the hon. member for George said. Sir, in Clause 21, the Governor-General can exclude by proclamation . . .

The MINISTER OF THE INTERIOR: Under the old system you could include by proclamation.

Mr. WARING: Mr. Chairman, I ask the Minister this: If Clause 2 had been passed excluding all Native females, all Native males who had not yet attained the age of eighteen years, could he, under Clause 21, have included them?

The MINISTER OF THE INTERIOR: Yes, of course.

Mr. WARING: According to Clause 21 you can exempt . . .

The MINISTER OF THE INTERIOR: Not originally. You could extend it to those sections which are excluded by Clause 2.

Mr. WARING: I want to know from the Minister whether you could include people who are specifically excluded from the register.

The MINISTER OF THE INTERIOR: Yes.

Mr. WARING: Mr. Chairman, I want to ask the Minister, then, why they are specifically excluded in Clause 2 . . .

The MINISTER OF THE INTERIOR: Just so that they could be included under Clause 22.

Mr. WARING: Mr. Chairman, I do not pretend to be a lawyer and I am not in a position to go in for lawyers' quibbles. I want to know this, why you specifically exclude them in Clause 2 and specifically include them in Clause 22? Where do we stand with this kind of legislation?

The MINISTER OF THE INTERIOR: What is your objection?

Mr. WARING: I studied the Bill. The hon. the Minister says that he agreed to this being taken out of Clause 2 because of the political exploitation that would have taken place. Now, Sir, I say it was not because of political exploitation, it was because this clause had to read, if it was to make sense, it had to read as it reads now with the amendment—

> There shall, as soon as practicable after the fixed date, be compiled by the Director and thereafter maintained by him, a register of the population of the Union.

If you want to include and you want to exclude in Clauses 21 and 22, when you have

got Clause 2 as it reads then it is quite a different matter, but when you specifically exclude them in Clause 2, I do not see how you can include them in Clause 22.

The MINISTER OF THE INTERIOR: You are getting muddled more and more.

Mr. WARING: Mr. Chairman, I want to speak to the hon. member for Westdene (Mr. Mentz) for a moment. When this particular clause was raised during the second reading the hon. member for Drakensberg (Dr. Steenkamp) said (Hansard, Vol. 7, Col. 2632)—

> Dr. Steenkamp: The Bill lays down that all are to be registered excepting the Native women and the Natives under 18 years. If one looks at this matter in its right perspective, its gravity becomes apparent. This Bill in its present form makes provision for the carrying of passes by White women.
>
> Mr. S. J. M. Steyn: Shame.
>
> Dr. Steenkamp: This same Bill does not, however, provide for the carrying of passes by Native women. White women are compelled to register and to give certain personal information.
>
> Mr. A. Steyn: Nonsense.

Nonsense. Mr. Chairman . . .

Mr. S. E. WARREN: It is not nonsense.

Mr. RUSSELL: Of course, it was nonsense.

Mr. WARING: It is nonsense. Does the hon. member say it is not nonsense? It says so there. These are the facts and I think the hon. member for Swellendam (Mr. S. E. Warren) also put his foot in it today.

Mr. S. E. WARREN: I don't put my foot into anything.

Mr. WARING: Yes, the hon. member did put his foot in it. Mr. Chairman, then the hon. member for Drakensberg went on—

> Dr. Steenkamp: . . . so that we do not have a situation where the White woman is compelled to carry a pass while the Bantu woman need not carry it. It is precisely becaus of the practical difficulties standing in our way that we ask the Minister, with due deference, though firmly to refer this whole principle to a Select Committee.
>
> Mr. S. E. Warren: No.

Mr. WARING: No! The hon. member for Swellendam said "No", yet the Select Committee comes and takes out this particular section which makes the difference. Mr. Chairman, I would have thought the hon. member for Swellendam would have somethink to say now.

Mr. S. E. WARREN: Yes, I have something to say. You are quoting what somebody else said, but you did not quote the reply of the Minister. Read the Minister's reply.

Mr. WARING: I am quoting what the hon. member said. When the point was raised by the hon. member, Mr. S. E. Warren said "No". I read further—

> Dr. Steenkamp: The hon. member may also give evidence there . . .

That is what he said to the hon. member for Swellendam—

> . . . in spite of all his ignorance, but give the people of South Africa the opportunity of stating their case.
>
> Mr. Botha: Go and tell that to Prieska.

Mr. Chairman, that is what he said. And now there is nobody so keen to have this section of the clause deleted than the very members who said "No" and "Go and tell it to Prieska", the members for George and Swellendam. They want to have this deleted. Surely this is a complete change of front. I know the hon. member for Swellendam feels very bad about it . . .

Mr. S. E. WARREN: You never tell the truth.

Mr. WARING: I think the hon. member will probably agree with the hon. member for East London (City) (Dr. Smit). There is no doubt that the hon. member for Swellendam also considers that this amendment was not necessary. No, Mr. Chairman, it is obvious that there is a very wide retreat by hon. members on that side of the House. I know that the Minister himself retreated almost before he brought in the second reading. [Time limit.]

*Mr. MAREE: This afternoon again we have beheld a scene in the House which made it quite clear to us that what the Minister had anticipated and expected of the United Party had come to pass — viz., that they would try to exploit the point which they are now moaning about. The Minister expected it of the United Party when he originally introduced this Bill.

*The MINISTER OF THE INTERIOR: I know their mentality.

*Mr. MAREE: Yes, we know them. I hope that the hon. member for Orange Grove (Mr. Waring) will listen for a little while. He made a number of allegations and when he realised that immediately he started arguing about the Bill he became totally

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confused, instead of making his own speech he selected a speech by the hon. member for Drakensberg (Dr. Steenkamp) and quoted that speech without even telling the Committee what the Minister of the Interior had said when introducing the second reading of the Bill. The Minister said quite plainly that he intended postponing this amendment to the Bill, but now the hon. member for Orange Grove says that it means a complete change in the essence of the Bill. I ask him whether he did not also serve on the Select Committee which considered this Bill? Was he not present the day when the Select Committee unanimously accepted this clause as it now stands? Now they come and want to make a fuss and he says that in the original Bill the Minister did not have the right to extend the application of the Bill to Native women and to male Natives under the age of 18 years. It was quite definitely there. Let me just read to the hon. member what Clause 2 originally stipulated —

> There shall, as soon as practicable after the fixed date, be compiled by the Director and thereafter maintained by him, a register of the population of the Union, excluding all Native females and all Native males who have not yet attained the age of 18 years.

That was the original Clause 2, and the original Clause 22, which must be read in conjunction with it, says this about the extension of the provisions of the Act —

> The Governor-General may, by proclamation in the Gazette and subject to such conditions, modifications and exceptions as may be prescribed in the proclamations, extend the application of this of the provisions of this Act to:
>
> (a) the territory of South-West Africa; or
>
> (b) any section of the Native population to which they do not apply, until the whole of the Native population is included in the register.

To any person with a little legal knowledge it must be quite clear. This provision is also made clear, but the hon. the Minister anticipated that the Opposition would never be able to resist the temptation to make political capital out of it. He expected that they would try to exploit this provision for political purposes, and therefore, knowing their mentality, the hon. the Minister announced an amendment, and he held out the prospects of this amendment when he introduced the Bill at the second reading.

Mr. DAVIS: Mr. Chairman, I do not think it is possible to estimate what the effect of this clause is unless you also look at Clause 21(d). Now it is quite true, as the hon. member who has just spoken said, that when this clause was originally before the House, in the Bill in its original form it provided that Native women should be excluded from registration as well as Native males under 18 years of age, and under Clause 22, in its original form, the Minister was entitled by proclamation to include them. Now the Minister has said he is going to register all Natives, male and female, no matter what their age is, but he has taken the power unto himself to exclude them from registration under the provisions of Clause 21(d). He has got the power by proclamation to exclude those people, so if he was bluffing the people, bluffing the country and bluffing this House by this clause in its original form, I would like to ask him whether he is bluffing this House and bluffing the country now by pretending that he is including them, whereas, in fact, he is going to exclude them under the powers he has taken under Clause 21(d). I think this Committee must know that. It is not just this pretence that he has made a substantial alteration. It means this, that the Minister has taken the power away from Parliament to exempt a particular class and he has vested that power in himself. If that is so, then I submit to the Minister it is better for this clause to stand in its original form and let Parliament exclude those people rather than give the Minister the power to exclude them by proclamation.

*Mr. MENTZ: It is obvious that the United Party are sore and feel bitterly disappointed because the Minister has closed the road to put a stop to their persistent and distorted propaganda. I would like hon. members opposite to get up and tell us what the difference is between the original and the new provision. On the second reading we all, including hon. members opposite, said that the entire population must be included. We said that we welcomed the Bill because the Minister could gradually include the entire population by proclamation. Now he can still do this, so what is the difference?

*Mr. WARING: I shall have to give you a little legal advice.

*Mr. MENTZ: It would be better for the hon. member to keep quiet. Every time he speaks he gets deeper into the mud. As far as this point is concerned, there is not the slightest difference between the provision as is was and as it is now. The purpose is the same as it was — viz., that of a Population Registration Bill. The purpose is that the entire population should come under it. That was the purpose before and that is still the purpose. All the arguments from the hon. members opposite arise from the fact that they are deeply disappointed because the road has been closed to them

and they cannot continue their propaganda of distortion throughout the country. That is what they and their Press have been doing, even after it was made obvious, in the second reading, that the Minister was going to alter the Bill in this respect and that the object was to include the entire population. No, I think it is now becoming clear that the United Party opposite is wasting time in order to thwart this measure.

Mr. BARLOW: I can quite understand the hon. member for Westdene (Mr. Mentz), who is well-schooled in the Pecksniffian idea of wriggling, being rather in a "moeilike posisie". I can quite see that the brilliant young Free Stater, the member for Newcastle (Mr. Maree) is learning to protect the Minister, but he does not know all the ritual yet of the Nationalist Party. He forgot the last phrase — "Ek dank die Minister." That is the final phrase he must always use. Well, he has not got much to thank this Minister for. This Minister has put his party into an awful hole. He has put the hon. member for Swellendam (Mr. S. E. Warren) into such a hole that all we heard from him was: "Wat is dit, wat is dit, wat is dit?"

I would like to advise my distinguished and honourable son-in-law (Mr. Waring) that it is no use endeavouring to get into an argument with the Minister. He should also know his Dickens and realise that the Minister is just a prototype of Sgt. Buzz-Fuzz who makes his speech as the lines of the famous "chops and tomato sauce". The Minister has known the "chops and tomato sauce" method of argument all his life. The Minister can always argue from that point, the legal point. He is the most dangerous Minister in the House. The country is beginning to find it out. He is the smooth-tongued, silver-tongued Minister who is always putting both feet into it. He is yet going to make a lot of trouble in this country. I have been in Parliament for many, many years and I have never yet heard a Minister say, not even the Minister who ranks at the level of the Minister of Transport, I have never heard a Minister say: I am doing this for political reasons. Translated, that means: I am doing this to save my party. I have never heard that said before. It means that our legislation is not done on principles, but is done on account of lack of principles. This Minister is responsible for a very big portfolio, that of Interior, and I heard the Minister say that. I wonder what is going to happen when he has to deal with other big important questions which are coming on. He will be suspect at once in the country. He is suspect with me. Up to now I have looked to the Minister as one whom, to a certain degree, you could trust. But now deliberately, across the floor of this House, he says: I brought in this clause for political ends. What does that mean?

The MINISTER OF THE INTERIOR: I never said that.

Mr. BARLOW: It simply means this: I have done this to diddle the people and to save my party. He will have to decide whether a man can remain in this country or whether he should be deported; and that is the class of man who has the lives of people in his hands. No wonder, Sir, that South Africa is afraid of tomorrow. People all over the country want to know what is happening in the country. You would never have heard that from Gen. Hertzog; you will never hear it from the present Prime Minister; you will never hear it from the Leader of the Afrikaner Party, and you will never hear it from the Minister of Native Affairs. What are we coming to?

An HON. MEMBER: [Inaudible.]

Mr. BARLOW: That may be what these members are thinking about, but that is not in accordance with the tenets and principles of this House, that a Minister can stand up here and tell the whole country: I have changed the Bill so as to get my party out of a hole. What is our legislation coming to? [Interruptions.] Yes, the members opposite are getting sore. I am saying from a front bench in this party that the Minister told Parliament that he deliberately went out of his way to change this Bill so as to save his party politically.

The MINISTER OF THE INTERIOR: And that is nonsense.

Mr. BARLOW: Yes, he said that, and he was taken up immediately by a back-bencher on this side, the hon. member for Woodstock (Mr. Russell). It is a known thing in this House that if a statement is made, and an hon. member says it is not a true statement, he must get up immediately and deny it. Why did the hon. Minister not deny the statement by the hon. member for Woodstock before he left the House?

Mr. S. E. WARREN: He denied it across the floor of the House.

Mr. BARLOW: The hon. member for Swellendam (Mr. S. E. Warren) is still dreaming about the old homes of England, which he has just visited. He is still dreaming of old England. I am dealing with the gentleman who turned that member out from a seat they thought he could not win, from Worcester. Mr. Warren wanted to be the member for Worcester.

*Mr. S. E. WARREN: On a point of order, Mr. Chairman. The member has just said something that is untrue, and he knows

it is untrue. I have never been a candidate for the Worcester constituency. Three deputations approached me, but I stood in a constituency where I considered that I could not win. It is dangerous for a man with the reputation of that member . . .

*The DEPUTY CHAIRMAN: Order, order!

*Mr. TIGHY: On a point of order, Mr. Chairman. The hon. member said that an hon. member on this side did not speak the truth, knowing it to be untrue. Is that in order? Every hon. member heard him say it and we cannot allow it.

The DEPUTY CHAIRMAN: The hon. member for Hospital (Mr. Barlow) may proceed.

Mr. BARLOW: The hon. member for Swellendam is an old Parliamentarian and he knows it is an old parliamentary trick that when somebody gets under your rib, you rise on a point of order. But I will leave the hon. member alone and come back to the Minister. I still ask the Minister that he must explain to the country why he wants to do this trick. It is a trick and it is a bad political trick. It is a party trick; it is a dodge. I do not like to say the Minister resembles the Artful Dodger. I think that it is a name that may fit him. I have seen a lot of artful dodging done by this Minister lately. He dodges in and out like Mr. Fagin's apt pupil. I must ask the Minister to explain why he said . . . [Time limit.]

*Mr. J. J. FOUCHÉ: We have now listened to a long argument regarding an expression which has been objected to. Did not the Minister say very clearly at the start that he was going to introduce this change to prevent the position being politically abused? It is perfectly clear to us that this Bill never intended only one part of the community to be placed on the register. It has been stated very clearly that it is to be registration of the population. Clause 2, as the Bill was drafted, only referred to the order in which the registration would take place. But the Minister stated very clearly in his second reading speech, and he also stated very emphatically at the time, what the actual position is and what the Government has in mind. On March 8th, Col. 2522, Vol. 7, of the English Hansard, the Minister said this—

> Now I want to say something about the position of the Natives. This is a matter which can be thrashed out further in the Select Committee, but the idea is, and I wish to emphasise it, that this Bill is aimed at embracing everybody, both European and non-European, man and wife, child and parent. It is only for certain practical reasons that it cannot be applied immediately to every one of the 12,000,000 people who will be subjected to the provisions of this Bill. At a later stage the Bill will be amended so as to put it clearly that it applies to everybody, but that it will only apply to certain groups after proclamation when it is considered practical to do so. At the moment the Bill does not apply to Native women and to Native children under 18 years of age, I intend introducing an amendment to make it clear that the Bill embraces everybody and that certain sections of the population may be excluded by proclamation for practical reasons because we do not immediately want to subject them to the obligations of this Act.

*Mr. TIGHY: Was that in reply to the debate?

*Mr. J. J. FOUCHÉ: No, that was in the Minister's introductory speech on the second reading. If ever a case was put clearly to this House, and if ever there was a matter which was made clear in the Bill, it is the fact that in the institution of a population register, it must cover the whole population. The Minister said so emphatically and repeatedly; he said it again in his reply to the debate. But with a view to abusing the position politically, that party on the other side has been stating over and over again that only a certain part of the population was to be brought under the provisions of the Bill. They said that white women would have to carry passes and Native women would not have to do so. To come back to the Bill, I just want to say this, that we are dealing here with the clause as it stands, and everyone on this side of the House is in favour of this registration covering all sections of the population. That would also have been the position under the Bill as it was originally drafted; that is the position as it is now, and for that reason we shall support the clause as it is before us now.

Mr. LOVELL: Mr. Chairman, the intentions of the Government in regard to this clause were to exclude Native females and also Native males under the age of 18. The clause as originally framed, merely disclosed those intentions. The clause, as it is now framed, merely attempts to conceal those intentions. Now, it can be debated whether it is legitimate for the Minister to conceal his intentions. That is what this debate has been about. The main question is not so much whether he tried to conceal his intentions or to disclose his intentions, but whether his intentions are evil or good. I cannot say the Minister's intentions are not honourable in this matter. If he wants to exclude Native females and Native males under 18 years, he obviously wants to do it for statistical reasons, and for that reason I am not prepared to oppose the clause as it has come

from the Select Committee. And I do not think my party will be prepared to oppose the clause as it is framed. I think the amendment moved by the hon. member for East London (City) (Dr. Smit) has some value, namely, that of bringing to the fore what the real argument was. It had the effect of bringing to the fore that the Minister, for political reasons — and he is entitled to have political reasons — attempted to conceal the fact that he will possibly have to exclude these classes of persons. If he wants to do it that way, he is welcome to do it that way. I think the real issue is whether we accept the clause or do not accept it. As far as I am concerned, we accept it.

Mr. WARING: Mr. Chairman, I want to correct an impression given to this Committee. First of all, I want to ask the members of the Committee whether they are in principle agreeable to accept the fact that the European woman must carry a pass and that the Native woman need not carry a pass. Does the hon. member for Smithfield (Mr. J. J. Fouché) agree with that?

Mr. J. J. FOUCHÉ: No, I do not.

Mr. WARING: Then he must support this side of the House when we move an amendment.

Mr. J. J. FOUCHÉ: But that is not the position under the Bill.

Mr. WARING: I know one can get tied up in legal language. But the point is that the Minister has let the cat out of the bag. Under Clause 21 he can exempt Native females. We on this side are against the pass, but we say that if women must have a pass you must not discriminate against the European woman in favour of the Native woman. That is one of the points we are fighting. It is no good hon. members opposite saying that under this clause the Native women are excluded. The point is that under Clause 21 the Minister retains the right to exclude Native women. He is going to do it by proclamation. It is all humbug.

The DEPUTY CHAIRMAN: The hon. member must withdraw the word "humbug".

Mr. WARING: I withdraw that word. I will say it is misleading the Committee and misleading the country. The Minister can issue a proclamation . . .

The DEPUTY CHAIRMAN: That argument has been repeated and the hon. member must not repeat it any further.

Mr. WARING: I was going to mention another thing the Minister can do by proclamation under Clause 21. He can also exempt an area where this national registration will then not apply. At first the exemption was under Clause 2, and it was done by Parliament. Now the exemption is under Clause 21. We do not want to exempt anybody. If we must have a national register and an identity card, then it must be for everybody and there must be no exemptions. We want the Minister to say to whom he is going to issue identity passes and who are going to be exempt.

The MINISTER OF LABOUR: Nobody will carry a pass; it is an identity card.

Mr. WARING: The Minister of Labour does not like the idea of a pass. He would simply have to swallow it by calling it another name. We do not want to give the Minister the power to exempt an area or a certain class of person. That right is now simply transferred from Clause 2 to Clause 21. The Minister has told us he can do it under Clause 21. I ask the hon. member for Smithfield to support me and not to allow the Minister to exempt people. He does not agree with the idea that one section must carry passes and another section be exempted. I am not speaking about political exploitation at the moment. The whole point is that we do not want to allow the Minister to force one section of the community to carry passes, while he exempts another section.

*The MINISTER OF THE INTERIOR: If ever I did a wise thing it was when I anticipated the political mentality of the Opposition and anticipated what was going to happen. The position has been explained perfectly correctly by the hon. member for Pretoria (Central) (Mr. Davis). Under the old Bill it was applicable to everyone, except certain parts, in terms of Clause 2. But in terms of Clause 2, the Minister could, as quoted here, extend the provisions of this Bill to those parts of the population which had been excluded under Clause 2. Members on this side also anticipated the political mentality of members opposite and they came to me and that is why I, in my second reading speech, said the following. I was setting out the reasons for the original Clause 2 and this is what I said—

> I shall give the reasons briefly. The first reason is that, at the moment, there is no compulsory registration of birth and death in the country areas. I am also considering the introduction of legislation in this respect as soon as possible. Secondly, we had a census of both Europeans and Natives in 1936 and 1946. Normally speaking we shall not have a census of Natives next year. That will only take place later on. But it may be that we will have a census of Natives next year, but if we do not have it, it may be necessary to postpone the application of this system

to a later date in respect of the whole population, without any exception.

And then I came to my main reason and I said this—

The main reason is that from the administrative point of view it is not an easy undertaking to apply a system of this nature to 12,000,000 people immediately.

That was the reason why we could not make it applicable to everybody at once. The object of this Bill is very clearly set out in Clause 2. That object is that there will be a population registration. That is the object. But if we turn to Clause 21 we find that it is assumed there that that is an object which we cannot achieve immediately and that is why provision is made to achieve that object gradually. We know, to a certain extent, where we are going to start and where we are going to co-operate with next year's census. But how we are going to extend it, that is a matter which has not yet been decided. The only thing we can say is that we shall have to make use of our powers under Clause 21 because we cannot possibly apply it immediately to 12,000,000 people. For practical reasons certain classes may be excluded. It is for practical reasons that that clause gives us the power, for the time being, to exclude certain classes. But when this clause appeared in its original form, members on this side came to me and said: "Clause 2 excludes certain Natives." I then told them that they should also study Clause 22. Their reply was that people would only concentrate on Clause 2 and would forget to look at Clause 22. And that is what actually has happened. I thereupon went to the legal adviser who had drafted this Bill and I said to him: "I want you to make it clear in Clause 2 that the object of the Bill is general registration, and if, for practical reasons, we should be unable to apply it immediately to everyone, we must have the power to be able to exclude certain classes by proclamation." His reply to me was: "But, Doctor, there is no difference; that is the position as the Bill now stands." I told him that from a legal point of view there was no difference but that we had to take account of the psychology, the political psychology of people, and I wanted it in that form to prevent political exploitation of the position by the Opposition. That, too, is what I said here. It is the same thing. There is no change in principle. We only wanted to avoid, as far as possible, what we expected would happen and what did happen, namely, that there would be political distortion, and that is why we drafted the Bill in these terms. If I had needed any justification for my attitude, then that justification was provided by the political distortion which has taken place here today. In spite of the precautions which I had taken, in spite of the fact that I, immediately the hon. member for Woodstock (Mr. Russell) had distorted my words here again, denied it, it was still continued by other members opposite. It has been repeated by front-benchers after I had specifically denied it. I only got up to deny the words which the hon. member has attributed to me, and I have told the Committee the actual course of events, and I ask the Committee, and I ask the country, whether I have not intelligently anticipated the political abuse that was going to be made of a form of words by an Opposition which is so bankrupt that it has nothing else to catch hold of but small things of this character.

*Mr. TIGHY: The hon. the Minister became very heated because we had accused him of political exploitation.

*The MINISTER OF THE INTERIOR: Your political exploitation.

*Mr. TIGHY: Yes, ours. It is a political deception of South Africa. That is what he is doing. The hon. the Minister is deceiving his supporters and the public. This afternoon the hon. the Minister openly admitted that he could extend this Registration Bill, or pass law, as we choose to call it, to all sections of the community. The Minister frankly admitted it and he gave four reasons why he could not extend this pass law to all sections of the community.

*Mr. BOTHA: Immediately.

*Mr. A. STEYN: You are distorting again.

*Mr. TIGHY: He has, therefore, assumed powers under Clauses 21 and 22 to act arbitrarily, or, in other words, for his convenience, for his own pleasure and for as long as he likes, he can make the European women of South Africa carry passes while the non-European women need not carry them. The hon. member for Cape Eastern (Mrs. Ballinger) has challenged the Minister. She said: "I do not care what the United Party says, I do not care what the Nationalist Party says; I say the non-European women will not carry a pass." That is correct; that is what the hon. member said, and has the Minister accepted that challenge? No, he has not even answered it.

*An HON. MEMBER: It means nothing, anyhow.

*Mr. TIGHY: The insertion of these words in Clause 2 is not going to help them to save their political skins. The fact remains that in his introductory speech the hon. the Minister admitted that for several reasons he could not apply this Bill to all sections.

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*An HON. MEMBER: That is not true.

*Mr. TIGHY: But he read it out here.

*An HON. MEMBER: You know that is untrue.

*Mr. BOTHA: You are distorter No. 1.

*Mr. TIGHY: I am afraid the Minister will again have to read his second reading speech to his own members so that they may understand it.

*Mr. BOTHA: You go and read it.

*Mr. TIGHY: The Minister said it quite clearly. What is one to infer? Since he cannot do it, he assumes the powers under Clauses 21 and 22 to exclude or include people arbitrarily. Now I ask hon. members opposite what guarantee we have this afternoon that as soon as this Law comes into operation, the European women of South Africa will not be asked to carry passes, while the non-Europeans need not carry them? [Interjections.] My hon. friends can fight as much as they like; the fact remains that from the admission by the Minister himself, the man in charge of this Bill, it is obvious to the country and to this Committee today, that arbitrarily and according to circumstances, it will be absolutely necessary to apply the law to Europeans first and then only later, if possible, to non-Europeans.

*The MINISTER OF THE INTERIOR: No, that is definitely not what I said.

*Dr. LOOCK: May I put a question to the hon. member?

*Mr. TIGHY: Yes.

*Dr. LOOCK: I want to ask the hon. member to read to me where it says in the Bill that any person must carry a pass or identification certificate, or whatever he cares to call it?

*Mr. TIGHY: I should like to answer the hon. member's question, but he is still so inexperienced in procedure he does not understand that under Clause 2 I cannot discuss that principle. I am now discussing the question of administration.

*The MINISTER OF JUSTICE: Caught out.

*Mr. TIGHY: The Minister has admitted . . .

*The MINISTER OF THE INTERIOR: He has not.

*Mr. TIGHY: Oh, has he admitted nothing?

*The MINISTER OF THE INTERIOR: Not what you said.

*Mr. TIGHY: The Minister has admitted that he has made this amendment because, according to his contention, we want to exploit this question politically. Well, then, very well. I now say that the Minister must admit to this Committee that, from an administrative point of view, he is not going to apply this Bill to our entire population of twelve million people. Am I right or am I wrong?

*Mr. BOTHA: He said that from the start.

*Mr. TIGHY: Well, then, why do you deny it? They say now that the Minister did say it.

*Mr. A. STEYN: Why don't you sit down?

*Mr. TIGHY: They say now that the Minister has admitted that he is going to begin with the Europeans and that he cannot apply the Bill to everyone immediately. The hon. member for George (Mr. Botha) said this afternoon that you have to start wherever a start can be made.

*Mr. BOTHA: You must not do what the Saps do.

*Mr. TIGHY: You must not do now what you did at Riviersonderend, where you ran away without your pants.

*The CHAIRMAN: Order, order!

*Mr. TIGHY: My theory therefore is absolutely correct, that, in terms of this clause and of this further clause, it rests with the hon. the Minister to decide who should carry a pass and who should not. My hon. friends are quiet now. I hope they accept it.

*The MINISTER OF THE INTERIOR: No, it is the Governor-General; do not insult him.

*Mr. TIGHY: In addition, the Minister gave four reasons this afternoon, which he gave in his second reading speech, why he cannot apply it to non-Europeans.

*Mr. OLIVIER: I move—

That the Question be now put.

*Mr. RUSSELL: In the middle of a speech?

*Mr. TIGHY: They are already showing the white flag and we have not even started yet. They are a bunch of cowards.

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Question put and the Committee divided:

AYES — 63.

Abraham, J. H.	Loubser, S. M.
Bekker, H. T. van G.	Ludick, A. I.
Bezuidenhout, J. T.	Luttig, H. G.
Boltman, F. H.	Luttig, P. J. H.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Maree, W. A.
Brits, G. P.	Mentz, F. E.
Conradie, J. H.	Mostert, D. J. J.
Deysel, A. J. B.	Olivier, P. J.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Schoeman, B. J.
Du Plessis, W. C.	Scholtz, D. J.
Erasmus, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Erlank, A. E.	Steyn, G. P.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hugo, P. J.	V. Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Van Schoor, J. J. F.
Le Roux, P. M. K.	Viljoen, J. H.
Le Roux, S. P.	Visser, de V.
Liebenberg, J. L. V.	Vosloo, L. J.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 56.

Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bell, R. E.	Lewis, J.
Benson, E. A.	Lovell, L.
Bloomberg, A.	McMillan, N. D.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Smit, D. L.
Delport, G. S. P.	Smuts, J. C.
Du Toit, R. J.	Solomon, B.
Eaton, A. H. J.	Steyn, C. F.
Eaton, N. G.	Strauss, J. G. N.
Friedman, B.	Stuart, W. H.
Frielinghaus, H. O.	Sturrock, F. C.
Gale, D. J.	Sullivan, J. R.
Gay, L. C.	Tighy, S. J.
Gluckman, H.	Tothill, H. A.
Graaff, de Villiers	Trollip, A. E.
Henderson, E. J. W.	Van Coller, C. M.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Hopewell, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

On Clause 3,

Clause, as amended by the Select Committee, put and agreed to.

Mr. DU TOIT: I want to ask the hon. the Minister, in connection with Clause 3, whether the Minister intends to see that when the census is taken in 1951 it is carried out properly. Last time we had a census taken we found that that census was taken in a manner which left much to be desired, and particularly in the Coloured areas, large numbers of Coloured men who were previously on the voters' roll found after the census returns had been taken, that their names had been omitted. I do not know, Sir, whether the Minister could hear me with all this noise going on. But in the last census large numbers of Coloured people found after the census that their names had been deleted from the roll, and the reason afterwards was ascertained to be that many hundreds of them had never been approached while the census was being taken and therefore I want to ask the hon. the Minister to exercise particular care to see that the enumerators that are appointed do their job in a thorough manner. I would suggest that in addition to the suggestion he has already received that Natives should act as enumerators in Native areas, Coloured people should be given a chance in Coloured areas to act as enumerators. I am sure you will then get a much more reliable census than on the last occasion.

Mr. BARLOW: I want to know when the Minister thinks the census will be held. Has he any idea?

The MINISTER OF THE INTERIOR: Usually in May.

Mr. BARLOW: I take it that means May of next year; in a year's time. But in May, 1951, the Minister won't be there. If the census is only going to be held next May it will be a good census because it will be run by us. But we may not get there for we may want the Minister to go on a bit and break his neck. We want to know how the census is going to be run. We have not even as yet got all the figures of the last census. How long will it take the Minister to take the census? The Minister must not just keep quiet because we want to go home and I particularly want to go home — this evening. I would like the Minister to answer that question. When will we get these figures? The Minister must not just sit there and chew his pencil. It is a fair question. We want to know where we stand. We are not like our friends on the other side who swallow everything. This party on the other side is going to be known as the "sluk" party — they swallow everything. We don't; we are too hard; we want to ask questions and we

want to be told where we stand. Will the Minister please answer that question. When will we get the census and does he think it will be a proper census and how is he going to run the census in the Native areas? That is what is worrying me. Some of these people in the Native areas are never seen by anyone. They are never reached, and when a census is taken, they go into the bush, and that would not give us a full record of the people. We want a full record of the people, if we do have one, not a half-baked record. I believe we have at least 500,000 or 1,000,000 more blacks in this country than the number revealed in the last census. For the sake of South Africa, if we are to have a proper population register, we must first have a proper census, and that is why we want to know from the hon. the Minister if he is going to have a proper census or is he not? Or is he just going to have what we had last time when large numbers of people were not taken; they were only taken afterwards. I know even in my own home the census papers had not arrived. I had to go and fetch census papers.

Mr. MENTZ: That was under your Government.

*Mr. BOLTMAN: On a point of order, is an ex-Minister entitled to sit here reading a newspaper?

Mr. RUSSELL: It is not a newspaper; it is "Die Burger".

Mr. BARLOW: One can understand now why the Speaker has asked the members of that caucus on the other side to behave themselves. Now we can understand it, after hearing that sort of interjection.

*An HON. MEMBER: That is not true and you know it.

Mr. BARLOW: Now we can understand why a special message had to go to the Nationalist Party caucus to order the Nats. to behave themselves.

The MINISTER OF NATIVE AFFAIRS: That is not true.

Mr. BARLOW: It is true. And we can see what is going on here.

The CHAIRMAN: Order, order! The hon. member must confine his remarks to the clause.

Mr. BARLOW: I am. A most important thing is the question of the census, and while we are dealing with that one of the hon. members on the other side gets up and asks whether a member is entitled to read a newspaper in this House, when he was not reading a newspaper; he was reading the Order Paper.

The MINISTER OF THE INTERIOR: I want to say in reply to the hon. member for Cape Flats (Mr. du Toit) that my Department has received no complaints about the census taken in 1946 and in reply to the hon. member for Hospital (Mr. Barlow) I can merely say that the 1946 census was not taken by this Government, and whatever blemishes he may find on that he had better blame on his own party.

Clause put and agreed to.

On Clause 5, as amended by the Select Committee,

Mr. STUART: I move—

To omit sub-section (2).

My reason for doing that is as follows: I read the clause first, because it is a precious clause which should be embedded in the memories of all. This sub-section reads—

> The Governor-General may by proclamation in the Gazette prescribe and define the ethnic or other groups into which Coloured persons and Natives shall be classified in terms of sub-section (1) and may in like manner amend or withdraw any such proclamation.

My first objection is that if Clause 2, which we have passed, means anything, if it is of general application, I can see no reason why the Governor-General if he is going to do anything by proclamation, may not prescribe and define the ethnic groups of all persons covered by the registration. What is this "ethnic group" business? Are we turning the whole of this Bill into a Bill for the assistance of unoccupied anthropologists?

An HON. MEMBER: What does that mean?

Mr. STUART: The hon. member must get a dictionary. I take the liberty of going into that matter again. I do not see why we should secure a large amount of material quite unnecessarily for the purpose of anthropological study and have it only partially. If we are going into anthropology let us go into it thoroughly. I have no objection at all to an anthropologist studying my curiously mixed stock — about three-quarters Scots, and a chunk of English and a chunk of German. I have no objection to that at all I do not quite know in which angle an anthropologist would be interested. The population of this country, Sir, is enormously mixed. The white population is enormously mixed. Why should we have any objection to being classified? If we are going to provide this information we can only be doing it for a few selected purposes. One of the purposes may be an honest desire to get

information of an entirely scientific character about the African and Coloured groups. If we are trying to do that purely for purposes of science, why leave out the White people. If we are not trying to get it for purely scientific purposes, what is at the back of it? Are we going to harry the Coloured people into groups or are we going to harry the various detailed groups of the African people? At what stage of this historical inquiry, for which this stuff is being prepared, is this going to stop? If we are going to do it, let us do it thoroughly. Let us decide that we have so many basic people who are pure Flemish in their original stock; then we decide that there are so many people who are 50 per cent. Flemish and 50 per cent. Huguenots. That is another ethnic group. Then there are the original descendants of the 20 per cent. of Germans who settled here in the time of Jan van Riebeeck and the later settlers. Let us discuss them and see how far that sturdy stock has improved. That is another ethnic group. Then there are the subsequent arrivals of all sorts. I would like to see us study those groups; if we are going to be serious about it, let us be serious. Let us have a study of the different results of planting a Scotsman or a Welshman or an Englishman in the 1820 Settlers. Then there is another enormous ethnic group for the existence of which I thank God, and that is the only group that is true South African, and that is a mixture of the blood of both great races of South Africans, that is to say the people who are half Afrikaans and half British in their stock — a very interesting, a very valuable, and a very powerful stock. I don't have the good fortune to be one of them, but I have cousins and cousins' cousins who are, and if we are going to do ethnic groups let us do the lot. If we are going to give jobs eventually to half a dozen anthropologists or a few stray professors or a few semi-erudite experts — I do not know how one can be semi-erudite and an expert, but I find a good few of that class knocking about among our so-called experts in this country — if we are going to do that, then, Sir, let us go and do it.

But if, on the other hand, we are not sincere, if it is only a sort of nibble at the African people or a nibble at the Coloured people, what is the value of knowing that one of the ethnic groups of your Coloured people is half Malay and half Hottentot? If there is no value in knowing that one of your ethnic groups is half Flemish and half Huguenot, what is the fundamental difference? I think most of the members on that side of the House, if I asked them, would be far more interested in spending money to find out exactly what their forebears were rather than to know what the precise forebears of the Coloured community were. That is a much more interesting topic if we are serious about it. On the other hand, if we are not serious about it, what incalculable tangles of potential mischief and racial overcrowding are hidden behind this simple proposition that we may describe and define the ethnic and other groups in which Coloured persons and Natives will be classified in terms of sub-section (1). If you prescribe your ethnic groups I do not know how you can do that without an anthropologist. If you can do that scientifically or otherwise let us prescribe our ethnic groups by all manner of means and go thoroughly into the subject. Let us decide whether one ethnic group is British, another Afrikaans, another mixed British and Afrikaans, another Huguenot; whether another is Jewish. We can even have an ethnic group to decide whether we have White Assyrian-Oriental stock in the country. I believe there is. We can see how far the Jew has mixed ethnically with the Afrikaner; we can see how the Jew has mixed ethnically with other groups here; we can try every conceivable mixture as long as we can get the Governor-General to prescribe it. But I do not know why the unfortunate Governor-General — when he is allowed to define the ethnic group of the Africans of various kinds — should not be permitted to prescribe and define the ethnic groups of the mixed European population of South Africa, when he is allowed to define others ad lib. ad nauseam and I suppose ad valorem, eventually in order to find out what they are going to do with them or get out of them; I don't quite know what they are going to do with them, if not to decide what they are going to fetch in the open labour market. I know a good deal about the African, not only in South Africa but also in East Africa. I have good working knowledge on the subject and I cannot see any fundamental differences between the average Africans which warrants the making of ethnic groups. If you want to find out what is the difference between a Tembu and a Fingo, between a Gaika and a Galeka, if you want to see the difference between Pondos and Pondomisi, there is no need to define ethnic groups. You can go to the chief magistrates or any sub-magistrate in Pondoland or the Transkei as at present constituted. They will give you an excellent lecture on the subject that will carry you much further than any casual information collected from a census. Under those circumstances what on earth is the good of these ethnic groups? I see no purpose in it, except perhaps the inconceivable purpose of oppression. Who is the person who is responsible? Not the Minister, I am sure. He had this drawn up and then polished it up in his inimitable manner. But who is the person who originally jammed in the ethnic groups, and jammed in the ethnic groups with a view to doing something curious to the Coloured people and doing

something curious to the Africans? [Time limit.]

On the motion of Dr. Jonker, the Chairman put sub-section (3), as amended by the Select Committee.

*Dr. JONKER: I should like to move in Claus 5 (3) the amendment appearing under my name on the Order Paper—

> To omit all the words after "incorrect" in line 39 to the end of sub-section (3) and to substitute "he shall give notice to that person and if he is a minor, also to his guardian, that he intends to alter the classification of that person and if that person so consents the Director may alter his classification accordingly, and if he does not consent thereto within one month of date of such notice the Director shall refer his proposed classification to a Board, whereupon the provisions of Section 11 shall apply mutatis mutandis."

A certain procedure is provided here in sub-clause (3) according to which the classification of a person can be changed. The director is given the power here, if he considers that the classification of a person has been wrongly indicated, to order that person to appear before him and to question him, and if he is of opinion that such person has been wrongly classified, he has the power to change it. I must add that the right to appeal to the board and eventually to court, is still allowed to the individual whose classification has been changed, under Clause 11; but for the rest the power rests entirely with the director. This is a most important matter. A person is classified in a certain group. He is classified as European or non-European, or as black, and here, in some way or other, information is placed before the director and on the ground of that information he decides that that person has been wrongly classified. It is true that the Select Committee has added that that person must be notified, or if he is a minor, that his guardian must be notified; but still, the final power remains in the hands of the director to say under this clause that that person has been wrongly classified. Primarily the difficulty here is that in this clause we are laying down a procedure according to which the classification of a person can be changed, whereas, in Clause 11, later on, a different procedure is laid down, the formal procedure under which someone must come and object and has to prove his case. There are other provisions in addition which we can discuss when we get to them. I want to put this to the hon. the Minister, that it is not good to have two different procedures in the same law — one procedure of objecting, under this clause, or change of classification, and a different procedure which is created under Clause 11. Two channels, two sets of machinery, by which the classification of an individual can be changed, especially where we are dealing here with such a serious matter. It may affect the whole status of an individual. There is no indication to show, more or less, how such information, such data, must reach the director — information on which he may decide that the individual has been wrongly classified; but with a little imagination we can see for ourselves how this may be done. I propose later, when I shall move a further amendment, to go more fully into this. I, therefore, need not do so now. Personally I would have preferred to see the whole clause dropped, but one cannot prevent information in certain conditions being supplied to the director or his officials about people appearing on the register, and as this cannot be avoided, I want to try to have this clause linked up with the procedure, which is laid down in Clause 11, so that there will be only one way for objections to be lodged against the classification of people, to make sure that people will only enter by the front door, and a person who objects to the classification of another person will have to enter by the front door, as prescribed in Clause 11, to lodge his formal objections, deposit his £10 and try to prove his case, and the board will then make its decision. I am afraid that this clause leaves a back door open. There are people who like to work in the dark, people who do not like to show their faces, who do not want to sign their names, but who want to enter by the back door and supply certain information to the director as the result of which a person's qualification may possibly be changed, not by the board in the first instance, but only by the director himself. Then the onus is placed on the persons against whom an objection is lodged, the person who is affected by such an objection, and he has to try, under Clause 11, to get his name restored. I do not think that is fair and I feel that the hon. the Minister, if he looks at matters in that light, will agree with me that it is better to have one procedure, only one fixed open procedure, and not to open his back door which may lead to a lot of abuse and to a great deal of inconvenience.

Mr. KAHN: I would like to support the amendment moved by the hon. member for Transkei (Mr. Stuart) and I think it is necessary that a consequential amendment should be moved to Sub-section (1) of Clause 5, viz., to delete all the words after "as the case may be" in line 29, because if "ethnic or other groups" is deleted in Sub-section (2) there is no need for it in Sub-section (1), and I move accordingly —

> To omit all the words after "be" in line 29 to the end of Sub-section (1).

The hon. the Minister has not explained to us the object of having this special discrimination in the case of Coloured or African persons, that there should be a further subdivision into "ethnic or other groups." In the first place the Minister should explain to us what the other groups are, what he means by "other groups". I take it an Indian would be regarded by the Minister as an ethnic group of the Coloured group and the same thing might perhaps apply to Malays. Those racial divisions, for what they are worth, could be regarded as ethnic groups, but what does the Minister mean by "other groups"? Does he mean linguistic, does he mean cultural, does he mean economic classes? I think in the first place we should ask the Minister to specify what is meant by "other groups". My objection is, in the first place, to the special discrimination in respect of the Coloured and African sections of the community. Why is there a special need that they should be subdivided into ethnic or other groups? The fact of the matter is, speaking of ethnic groups, that if the word "ethnic group" is capable of a special meaning, there are far more ethnic groups amongst the white people than there are amongst the African, because so many different races or nationalities have gone to the making up of the white people of this country, French people, Germans, English people, Dutch people, Scotch people and the Jews, people of all races, people of all creeds have come to this country. When the Minister speaks of "other groups", does he possibly mean religious groups? What we have to guard against in South Africa, bitterly divided as it is already into various racial groups and camps, into various cultural groups, linguistically seaking, is to prevent the further cantonisation of the South African people, and what we suspect, knowing the Government policy in general as we do, is that this attempt to lay down separate ethnic and other groups for the non-European people, is an attempt by the Government to lay the foundation for a further fragmentisation of our black people in this country. It is an effort to atomise our black people, and a futile effort, with a view to trying to prevent the unity that is growing up amongst them, the unity that has been encouraged by the common bond of suffering which they had under the present Government, of reaching its fruition. But I say it is a hopeless and futile attempt. The Minister of Native Affairs, when he made his recent statement on his Vote in Committee, told us that it might be desirable to have separate locations or separate housing schemes for particular tribes of the African people. It is bad enough that we have to be subidvided as though we were different animal species into peoples of different colour.

An HON. MEMBER: They subdivide themselves.

Mr. KAHN: It cannot be a natural subdivision if you are proposing to leave it to the Governor-General (that is, the Minister) to alter the ethnic groups. It should be self-speaking what race people represent, of what racial origins they are. Why this attempt to give legislative powers, most arbitrary and bureaucratic powers, against which nobody has the right to appeal, to the Minister to decide in what ethnic group or what other group you go? He has not explained to us, as I said, what this other group is, whether it is class, whether it is religious, whether it is linguistic, or what it is to be. As I say, the only motive behind it is a hopeless effort on the part of the Government to stem the growing unity among the non-European people. The Minister thinks he is going to build Chinese walls between these different racial sections of our community and play the one out against the other, as Hitler tried with nations. It won't work. This Government has brought the non-European people closer together than they have ever been before, as a result of common measures of oppression and persecution of the non-European people.

Mr. LUDICK: Be careful.

Mr. KAHN: And that is why we are opposed to this particular clause. It is a pity that you and your Government were not careful on the 1st of May, then we would not have had all that bloodshed on the Rand. South Africa was the only country in the world where lives were lost on the 1st of May.

The CHAIRMAN: The hon. member should confine himself to the clause under discussion.

Mr. KAHN: I was diverted for a moment, Mr. Chairman, but the fact remains that we are entitled to know what lies behind the Government's attempt to have all these compartments, all these smaller and smaller groups, molecular division on the part of the Government in respect of the non-European people. The Minister should explain what the motive is behind this particular clause and why it is confined only to the non-Europeans. If you want to know peoples' ethnic group, what about the Europeans, why can't we know. If it is useful in respect of non-Europeans, I think it must be all the more useful in respect of European people. For that reason I move the amendment which I have read out and unless the Minister can satisfy this Committee with an explanation, I am not prepared to support the Clause as it stands and I also will support the amendment to Sub-section (2) moved by the hon. member for Transkei.

*Mr. VILJOEN: It is very obvious that the hon. member who has just spoken and who is supposed to represent the Native people of the country, knows absolutely nothing about the mind of the Native. He is just a political agitator who is out to corrupt the Native mind. There are numbers of Native tribes who are not happy together. Practically every weekend faction fights occur in Johannesburg in which numbers of lives are lost merely because the people live together and have certain backgrounds which do not enable them to be friendly to each other, and the purpose of this clause — the motive is to make provision through Government channels so that Native tribes can be happy through living in separate areas. You cut out the possibility of their coming into contact, especially over weekends and you prevent old feuds, dating back many centuries perhaps, from breaking out and causing heavy loss of life. Has the hon. member so little understanding of the Native mind that he is going to oppose this clause? It is put in in the interest of the Native population, but it is very obvious that the hon. member does not want any registration, and I think it is also very obvious that the population of our country, at least the freedom-loving population, has not the slightest fear of registration. As far as the other portions are concerned, the sooner they are registered, the better.

Mr. GALE: I wish briefly to support the amendment which has been moved by the hon. member for Cape Town (Gardens) (Dr. Jonker) in regard to sub-section (3). This clause in the Bill gives the director the power to alter classifications and I think that on account of the fact that this clause empowers a single person in his official capacity to alter the classification of any person whose name appears on the register, it is very necessary that this Committee should examine the provisions of this clause very carefully. Now sub-section (3), to which I refer, is to the effect that if it appears to the director, and I would like the Committee to remember that word "appears", because I shall refer to it later, if it appears to the director that the classification of a person is incorrect, then the director after giving notice to that person or that person's guardian in the case of a minor, and giving an opportunity to that person to appear and be heard, may alter the classification. That procedure is one which lays itself open to abuse. The words "if at any time it appears to the director" should be capable of more explanation. How does it appear to the director? The director I take it sits in his office in Pretoria and if certain persons whose names appear in the register are not sufficiently fortunate to live in Pretoria, then it is obvious that it must appear to the director by virtue of some communication that the person's classification is wrong. I ask the Minister how he considers the director can form an opinion on the classification of a person, how can it appear to the director when that director sits in an office in Pretoria and the person concerned anywhere in South Africa? The amendment which has been moved by the hon. member for Cape Town (Gardens) is to the effect that notice of such appearance or incorrect classification should be given to the person concerned and the person concerned should have the right to consent to an amendment of the classification within one month. If that person consents within one month, then the power of the director is clear and he alters the classification accordingly. But in the event of that person not consenting, then the procedure which is laid down in Clause 11 is the procedure which the amendment proposes should be adopted. As we know, the procedure in Clause 11 means that the person who objects to the classification has to put in an affidavit and has also to make a deposit of £10 in support of his objection. That to some extent is a deterrent and the object of the amendment is that there should not be objections sent to the director without any due cause and that these objections if they have any due cause should be submitted to the procedure laid down in Clause 11. As the hon. member for Cape Town (Gardens) said, this particular clause rather leaves a back door open for any member of the public who desires to make it appear to the director that another person's classification is wrong. All that a member of the public has to do is to give some information to the director, either verbally or in writing, to the effect that a certain person's classification is wrong and then the director might say that it appears to him that the classification is wrong and he thereupon calls upon this person more or less to show cause why his classification should not be changed in the register. In this instance the Minister is throwing the onus on the person whose classification is being attacked, throwing the onus on that person to show cause why the classification should not be altered. As the hon. Minister knows, it is a very salutary provision in our laws that he who alleges must first prove, but in this particular instance if it "appears" to the director, as the clause puts it, then the onus is immediately thrown on the unfortunate individual to show that his classification is correct and moreover he is invited to go to the expense of appearing before the director in Pretoria in order to put his case and then the director himself is the sole arbiter, whether he has been legally trained or not, whether he has any sort of judicial mind or not. He is the sole arbiter after having heard the person whose classification is being objected to, he is the sole arbiter as to whether that classification should be altered or not. I consider that the amendment which throws the onus on the

person making the objection and therefore making it appear to the director that someone's classification is wrong, is a sound amendment. That onus should be carried by the objector and the procedure laid down in Clause 11 should then be followed. But there is a short cut. If, for instance, it should appear to the director by reason of some communication, either verbal or written, that a person's classification is wrong, and in fact the director might get that information through the ordinary official channels as by way of the Director of Statistics and Census, and if it is a patent error in the register, the director then has the power, after having given notice to the person whose classification is alleged to be wrong, and provided that person consents that it is wrong, to alter such classification accordingly. But in no other case should the power be given to the director, and the opportunity to others to come through the back door and make it appear to the director that a person's classification is wrong; the procedure laid down in Clause 11 should be followed. In no other case I submit should the director have the power to tamper with the register which holds the classification and status of each person in South Africa, and I support the amendment accordingly.

*Prof. A. I. MALAN: When a Bill such as this is proposed, one should try to think practically about it, but when one wants to apply it to the objections from the other side of the House, in connection with ethnic groups, on finds that their point of view is impractical. First of all it is undesirable to emphasise the ethnic differences in our European population. We have enough racial strife and there is no point in emphasising the racial differences in our European population. Most of us are most probably descendants of the Nordic racial groups, and that would mean that the Semitic groups would have to stand apart. I mention this merely as an instance to indicate that the emphasising of the differences in the ethnic groups would not be desirable in our country and not practical, either because, as the European group, we are regarded as a unit in the country. As far as the non-European section of our population is concerned, it is exactly the opposite. Among the non-Europeans, if we start with the Coloureds, we have groups which completely diverge and which differ from one another. Among them we find the Coloureds of the Cape Province, the Coloureds as a whole; we have the Asiatics from the East, and the Indians. We know the difficulties — I am speaking now only of the Coloureds — the difficulties which exist in connection with the groups which differ totally from one another yet live together, the difficulties in regard to the future plan of having separate residential areas for separate racial groups. There we have a practical example if these ethnic groups are defined, a practical example of the value of such definition.

Business was suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

*Prof. A. I. MALAN: When the House adjourned, ample proof had been adduced to show how incomplete and inaccurate the population register would be if provision were not made for classification according to ethnic or other groups in the case of the Coloured people. It would mean that Indians, Asiatics and so on would be classified with Coloureds. No one will deny that that would be an unsatisfactory position. When we come to the Natives, it would be just as unsatisfactory. There are two large ethnic groups: the Zulu-Xosa and the Sotho-Tshwana groups. But because a lot of detribalisation has already occurred among the Natives, it is not always possible to indicate the ethnic groups. We have groups like the Basuto, Barolang, Fingo, Swazi and so on. Those groups can be defined, but possibly not the ethnic groups. This, also, is the reply to the question of the hon. member for the Transkei (Mr. Stuart) about what other groups are meant. If we speak of the ethnic groups only, we cannot have a classification such as Basuto, Barolong, Fingo, and so on, as I indicated. We want to define them more closely. Everyone will agree that this is necessary. By this small insertion of ethnic or other groups, we can achieve it.

With reference to the amendment proposed by the hon. member for Gardens (Dr. Jonker) I want to say that two separate methods are indicated in this clause by which a person who has been wrongly classified, can have the position rectified. Here again it is necessary for a very simple and practical reason. It is quite possible, and particularly in the initial stages, it is most probable, that a name will be incorrectly classified. If there is documentary evidence that the person is wrongly classified, is it necessary then to go through the entire cumbersome procedure of Clause 11 to have the mistake corrected? No, it is much more simple to give the Director the right to rectify that mistake once he is convinced that a mistake has been made in the classification. Actually, the person in whose classification a mistake has been made, does not want a lot of publicity in connection with it. He will welcome it if there is a method, if his classification is obviously wrong, he will welcome a simple method of rectifying it, instead of having to go through a long rigmarole. I trust that those who have raised objections to the expression "ethnic or other groups" will realise that it is necessary and that the position is considerably simplified in cases where a mistake

has apparently to be rectified under the provisions of Clause 5.

Dr. FRIEDMAN: Mr. Chairman, I do not know whether the hon. member for Gezina (Prof. A. I. Malan) expressed the Minister's point of view on the amendment of my hon. friend the member for Gardens (Dr. Jonker). He dealt very summarily with this clause and tried to explain it all away. According to him it merely authorises the director to deal with mistakes or errors in classification in the first instance. Has the hon. member read the clause? The clause is enormously wide in scope. Even if the director receives a verbal or anonymous objection, he is obliged to act on it, if it appears to the director that a wrong classification has been made. I think the hon. member for Gardens argued the case for the amendment very lucidly, and I am surprised that the hon. Minister did not accept it with alacrity. The principle here is that there should be only one channel for dealing with objections and carrying them to their logical conclusion. Clause 11 should be the logical channel. That being so, the logical thing is to close up any other channel for objections. That is the purpose of the amendment. No objector will operate under Clause 11, with all its safeguards, if he can achieve the same result far more simply and even anonymously under Clause 5. The Minister is like a person who takes elaborate precautions to guard his front door against undesirable intruders, but he leaves the side door wide open for such undesirable intruders. In fact, the open side door will be a positive invitation to evil-intentioned persons.

The position is simple. We do not like this measure. We cordially dislike it. It is a pass law. But we want to make it as acceptable as possible, seeing it is going to be pushed down our throats. One of the most bitter complaints against this measure is that it will encourage that most undesirable breed, the snooper, the common informer and the wielder of the poison pen. This measure, if this clause is unaltered, will foster the growth of a nest of scorpions in our society. Surely the Minister does not want to accept responsibility for that state of affairs. We want to help the Minister. We want to remove these objectionable features from the Bill and render it as innocuous as possible. I think the hon. member for Gardens rendered a service in that respect, and the Minister should accept the amendment with both hands.

*The MINISTER OF THE INTERIOR: I have given my attention to the amendment proposed by the hon. member for Gardens (Dr. Jonker). As a matter of fact, the same ideas were voiced in the Select Committee. I cannot, however, accept his amendment. I think his amendment is largely based on a misconception of the Bill as it now stands. There are not two procedures for lodging objections. Under Clause 5(1), as it now stands, the right is given to the director to make the original classification. That is here. Somebody has to start the ball rolling and this function is left to the director. Now it may be that he makes a mistake and gets the wrong information. If the amendment is agreed to it will mean that the individual himself, or an objector against the classification, will be obliged under Clause 5 to go to the Board.

*Sir DE VILLIERS GRAAFF: No.

*The MINISTER OF THE INTERIOR: We want, as far as possible, to give the person who considers that he is wrongly classified the opportunity to rectify the mistake with as little publicity as possible. Clause 5 not only gives the objector the right to submit something to the director, but it also gives the person who is wrongly classified the opportunity to get his classification rectified with the least possible trouble, by simply going to the director, lodging his objection and stating the position as it is. If the director then accepts those facts, he effects the alteration immediately and it is unnecessary then for the individual to go to the board in terms of Clause 11. I do not think much use will be made of this clause. One must take it that the director is a responsible man. Under Clause 5 (1) we give him the right to make the original classification, and if facts are submitted to him, he will not just act on them immediately. He will investigate those facts carefully. He may not be prepared to accept the word of the objector. He will investigate all the documents which can be obtained in connection with the case. This also is the answer to the hon. member for East London (North) (Mr. Gale). I do not say that the onus is put upon the person concerned; but the director can say: I accept the original classification unless, I am convinced that it is wrong. That is the meaning of it. It does not mean that there is an onus on the person who is objecting to his own classification. It merely puts him in the position of being able to clear up everything without difficulty.

*Dr. JONKER: The amendment makes provision for that.

*The MINISTER OF THE INTERIOR: The amendment which has been proposed here says that if he does not agree, the case has to go before the board. It will take months, and what happens to the man in the meantime? He may have changed his address or he may have taken a trip to Europe, and even then he has to go before the board. This is a matter which can be cleared up very easily. The amendment apparently takes it for granted that the

person who lodges the objection will not be the person whose name is wrongly classified. He may be the man and this provision is also for the protection of the person who is wrongly classified and who himself wants to have it changed.

*An HON. MEMBER: That is not all.

*The MINISTER OF THE INTERIOR: No, that is not the only possibility. There may be other cases as well. A mistake may slip in. It comes to the notice of the director, and he then advises the person so that the matter may be rectified easily. We have inserted this for the reasons which I have given. If the person accepts that a mistake was made the case need not go any further.

Of course, there is the right of appeal. This is the mistake which hon. members with the exception of the hon. member for Gardens, have made. The hon. member for Gardens said that it should be understood that the individual had the right to appeal. The hon. member for East London (North) did not see it that way. I want to make it clear to him that the opinion of the director is not final. If the person is not satisfied and he feels aggrieved he can still make use of Clause 11 and he can still lodge an appeal. In view of the fact that under 5 (1) we give the director the right to take the first step, we also give him the right to rectify a mistake, possibly in the interest of the person himself. It can be done without difficulty and without having to go to the board. If this does not give satisfaction, the person against whose classification an objection has been made has the right to lodge an appeal. He has his remedy. He can say under Clause 11 that he will go further to take the necessary steps to bring the matter before the board; and if he is not satisfied with the board, he can go to the Appeal Court.

But the two points which I want hon. members to understand are that this clause can, in certain circumstances, be in the interest of the person himself; that it makes it easier for him to rectify an incorrect classification. The second is that he still has his remedy in the event of the decision of the director not satisfying him. I think that we must give the director the right to make the classification in the first instance and to correct mistakes where they are obviously mistakes. I felt that hon. members had proposed their amendment as the result of an incorrect appreciation of the true position. I cannot accept the amendment. I feel that to a certain extent we shall be depriving the individual who feels that he has been wrongly classified and who wants to rectify it without publicity. With their amendment hon. members would not only pour away the dirty water, but the baby as well.

Col. JORDAN: Mr. Chairman, the hon. Minister's main reason for opposing the amendment of the hon. member for Gardens (Dr. Jonker) comes as something of a surprise in view of the terms in which the original clause was framed and also in view of the terms in which the clause, as amended by the Select Committee, is framed. The hon. the Minister now suggests — I think, if you will allow me to say so, quite mistakenly — that the original object of Clause 5 (3) was to cover the case of a person who desired the director to amend his own classification. Then, it seems a little inconsistent that the clause should cast upon the director the duty to give notice to the person, who has objected to his own classification. May I put to the Minister what my own conception of this situation would be? It is this. I thought the position was that, if a person felt he had been wrongly classified, as a result, perhaps, of a patent error, where the true racial classification was clear, he would be able to write in that regard to the director purely as an administrative matter, and not requiring the cover of any statutory authority to assert his rights. And only in the event of being aggrieved by the decision of the director upon the letter addressed to him in regard to the classification, would the necessity arise for invoking the appeal provisions of Clause 11. The Minister will, I think, recollect, and I hope he will unhesitatingly correct me if I am wrong in my recollection, that the Director of Census, in the evidence he gave before the Select Committee — and I would like to seize this opportunity of paying tribute to that official for the manner in which he sought to help the Select Committee in its deliberations — did say that he would not like to be placed in a position of having to exercise any judicial function. It was in the light, very largely of that evidence, the official evidence of this official, relative to his own functions under this projected legislation, that this amendment was framed

What is there in the amendment of the hon. member for Gardens which need cause the Minister any apprehension that it will have any destructive effect on the measure whatsoever? I do want to put it in all seriousness to the hon. the Minister. If I am right in the interpretation I place upon the clause as originally contained in the Bill, as read a second time, and on the clause as amended by the Select Committee, then obviously the clause was not designed to cover the case of a man dealing with his own classification.

The MINISTER OF THE INTERIOR: It could cover that.

Col. JORDAN: It could, but not necessarily.

The MINISTER OF THE INTERIOR: It is not excluded.

Col. JORDAN: It could cover that, but it does not necessarily cover that case only.

The MINISTER OF THE INTERIOR: It covers both cases.

Col. JORDAN: It covers both cases. Then my question is whether there is any necessity for covering both cases, for the reasons I have advanced, and that is that a man would deal with his own objection administratively with the director and only after he disagrees with the director would it be necessary to invoke the appeal provisions of Clause 11.

The MINISTER OF THE INTERIOR: The director could not alter his own classification.

Col. JORDAN: I quite agree, after the classification has taken place. We want to relieve the director of the burden of having to make any judicial decision whatsoever and, even if he has made an error in somebody's classification, the rectification of that error should be left to the board and only the board should exercise any judicial function whatsoever — even in relation to whether a bona fide error was made in the classification should that take place. Because the subject of racial classification is a very highly important matter of status. In this country with its multi-racial population it must be perfectly obvious that racial classification is of much more importance than any other question of status, such as, for instance, entitlement to divorce, etc. I do hope the Minister will examine this amendment, if I may be allowed to say so, a little more carefully before he summarily rejects it.

Let me for a moment deal with the case of alteration in the classification of which the owner of the classification, the person classified, objects to the classification or to which objection has been taken as the result of some information brought to the notice of the director.

If it is well-founded under this amendment, and the person affected consents, then the amendment is made. There is no administrative difficulty and the whole object, in making provision for amendment by consent is to overcome the administrative difficulty with which the hon. the Minister dealt just now, and for the rest, surely, if you are not prepared to consent to an amendment being made to your own classification, then there is only one tribunal under this legislation to which this question should go and that is to the board under Section 11.

The MINISTER OF THE INTERIOR: It can still go to the board.

Col. JORDAN: It can still go to the board, admittedly, but here we force it to the board in order to relieve the director of the onus, in a case where there is a dispute, of having to function in a judicial capacity, and, as I reminded the hon. the Minister, he himself was very anxious to avoid the imposition of that burden upon him.

I want to conclude by saying that I do hope that when these amendments, which are carefully considered amendments, are put forward — they are not amendments which are entitled to have placed upon them the stigma that they have only a political object; they are amendments which are designed to lessen the burden of this measure upon the people of this country — I hope that the hon. the Minister, in considering these amendments, will not approach them in a spirit of suspicion. I am going to ask the hon. the Minister not to approach these amendments in a spirit of suspicion, but, as far as the amendments that have been placed on the Order Paper are concerned, to give credit to us on this side of the House for framing amendments in terms designed to improve the Bill, however much we dislike it. The principle has been adopted, and these amendments are designed to improve the Bill and to alleviate the lot of the persons, constituting the whole population of this country, upon whom this burden has been placed. [Time limit.]

*Prof. A. I. MALAN: I do want to point out very briefly how illogical the attitude is of the hon. member who has just sat down. He admits that the director has the right, in the first instance, to classify a person. Then he admits the director may make a mistake. Now, after the director has made a mistake, the hon. member refuses to admit that the director should have the right to rectify his mistake.

*HON. MEMBERS: No, no, you misunderstand him.

*Prof. A. I. MALAN: That is the whole trouble. The hon. member does not want to give him that right, but if he gives that right to the director then the person whose classification is rectified can, if he is dissatisfied, go to the board, but if the individual is satisfied, then everything is in order. Hon. members will see, therefore, how simple the clause is in its effect. The right is given to the director to rectify a mistake in the classification made by him, and if the person concerned is not satisfied, he can go to the board.

Mr. HEPPLE: I want to draw the attention of the Minister to one aspect of this clause which may not have struck him nor the Select Committee. It is this, that in so far as poorer people are concerned . . .

Mr. TIGHY: Speak up, we can't hear you.

Mr. HEPPLE: Well, make less noise.

Mr. TIGHY: Don't be insulting.

Mr. HEPPLE: Under this particular clause, as far as the poorer people are concerned, if they feel that they have been wrongly classified and they have to appear before the director, it means that they will have to take time off work for which they will not be paid. This is very important to poor people and there is no provision to protect them against this. As far as Clause 11 is concerned, the appeal will be the prerogative only of rich people. The poorer people, who are going to be mainly affected by this Bill, are going to have no protection at all against financial loss. I think the hon. the Minister must appreciate the fact that it is going to be the poorer people, the employee class, who are going to be affected by wrong classification. A poor person who is put in the wrong classification may lose his employment on the basis of that wrong classification. It is essential for him to see that he has been correctly classified and he has not got the means of making this appeal.

An HON. MEMBER: He can write a letter.

Mr. HEPPLE: The hon. member says he can write a letter. I only wish all our people were competent to write a letter to Government departments in order to get as sympathetic a hearing as they could through a legal representative. That is a very important factor. While rich people may be able to overcome this difficulty, poor people will not be able to avail themselves of this right of appeal. This is a very serious aspect and at this stage I merely wish to draw the Minister's attention to it. When we come to Clause 11 I will ask him to accept an amendment to financially protect poor people who will have to appeal under this particular section.

Sir DE VILLIERS GRAAFF: I find myself in the happy position this evening of differing to some extent to the interpretation of the hon. the Minister, and also to some extent from the interpretation of the hon. member for Rondebosch (Col. Jordan). The clause as originally framed appeared to provide, in sub-clause 3—

> If at any time it appears to the director that the classification of a person is incorrect, he may, subject to the provisions of sub-section (7) of Section 11 and after notice to that person and, if that person is a minor, also to his guardian, alter the classification of that person in the register.

It is perfectly clear therefore that on a generous interpretation of that clause the individual, if dissatisfied with his classification could draw the attention of the director to that fact under the operation of Clause 5 (3). The Minister has argued for that interpretation himself. Under the amendment I think it is perfectly clear that the individual does not lose that right. The amendment provides that also subject to the provisions of sub-section (7) of Section 11 and if necessary after notice to the person concerned and so on, and after hearing the person to whose classification the communication relates, the director may alter the classification of the person in the register. The amendment then, in my submission, gives the individual aggrieved exactly the same right as he had under the original clause 5 (3). In addition, under the new sub-clause 5 of Section 5, if there is a patent error the director may amend it at once and there is no difficulty about that either. Therefore the position is that so far the aggrieved individual has lost nothing, and there I disagree with the hon. member for Gezina (Prof. A. I. Malan), whose logic in his first speech I appreciated, though his Afrikaans got a little involved, but in his second speech his Afrikaans was excellent, his logic not quite so good. The question is why then the amendment? The reason for the amendment is perfectly clear. One of the objections to this Bill has been the scope which it will allow for the individual writing poison-pen letters. Under the clause as suggested by the Minister he would be able to write anonymously or otherwise to the director without lodging an objection formally in the manner set down in Clause 11, and provided he satisfied the director or drew his attention to relevant facts, the director would be in a position to alter the classification of the individual concerned. The amendment, however, places the anonymous objector in this position that if he objects wrongly by means of an anonymous letter or some communication direct to the director without following the procedure laid down in Clause 11, he is subject to the dangers of the law of defamation under sub-section 4 of the amendment. The consequence is then that the individual who may feel aggrieved at his classification has exactly the same rights as he had under the clause proposed by the Minister. The director has exactly the same rights but the individual who is objecting to his classification has a further protection in that the law of defamation may be invoked if people are going to object to his classification unfairly or in a manner which they cannot establish.

The MINISTER OF THE INTERIOR: Where is sub-clause 5 of this clause?

Sir DE VILLIERS GRAAFF: It appears on page 456 of the Order Paper.

The MINISTER OF THE INTERIOR: That has been amended now. There is no longer any sub-clause 5. That amendment has been withdrawn.

Sir DE VILLIERS GRAAFF: I beg the Minister's pardon. I was working on the previous amendment of (5), but I think I am still correct in what I have said save in respect of sub-clause 5.

An HON. MEMBER: Where is your logic now?

The MINISTER OF THE INTERIOR: That is the crux of your argument.

Sir DE VILLIERS GRAAFF: No, sub-clause 5 of clause 5 is not the crux of my argument. The director still has exactly the same rights as he had under the Minister's original suggestion; he has lost no rights whatever, but the individual concerned has an additional protection.

Mr. STUART: I get in as early as possible to thank the Minister for his courtesy in not answering the amendment.

The MINISTER OF THE INTERIOR: I am sorry, I will mention it.

Mr. STUART: Well I missed it completely.

The MINISTER OF THE INTERIOR: No, I will mention it.

Mr. STUART: I hope he will mention it after what I have just said. I want to deal with one of two speeches which have been made here. I am very appreciative of the point of the hon. member for Vryburg (Mr. J. H. Viljoen). I think he was a little devastating. Much as I differ from the member for Cape Western (Mr. Kahn) I must at times come to his defence. And when he was told by the hon. member for Vryburg that because he had moved an amendment precisely similar to mine, he therefore proved that he knew nothing at all about Africans, I felt that the hon. member for Vryburg, in the best of manners, was taking rather a lot upon himself. Shortly after that he said that the reason why he did that was because you had to know what the different types were, because one tribe was always apt to fight the other. Well, you know, this is a free country. Well, it used to be a free country. We are still working under that pleasing hypothesis that to a certain extent it may remain that. All the same, it is a country where it is true that certain groups of Africans do tend to fight each other. They do tend in their crudest form to have stick fights, much on the same basis the University of Stellenbosch and the University of Cape Town play football. We all know that. I could give a fascinating and interesting lecture on that point.

Mr. WARING: You won't go to cricket next Saturday.

Mr. STUART: When he says that it is impossible, that you must distinguish between the various groups, if the distinguishing mark of ethnic groups is going to come down to who is going to fight who, that won't help you at all because the fights are usually between two groups of Tembu or two groups of Fingo or two groups of Gelekas. The fights, as a matter of fact, that occur between Natives in the Native Territories and in other places are usually between rival groups of the same tribe.

Mr. BARLOW: It sounds like the Nationalist Party.

Mr. STUART: It is not unlike the Nationalist Party and it has rather a startling resemblance to what I call the rank and file of the Nationalist Party. I don't care to insult the Ministers, but they are a very ignorant people — about the Natives. I am representing the educated Natives.

An HON. MEMBER: That is quite clear.

Mr. STUART: It is quite clear. There is not need to make it clear. The enthusiasm with which my remarks on the subject of the Nationalist Party have been received led me a little bit off the point I wanted to make. I notice that the hon. member for Vryburg whom I respect in many ways and whom I exclude from some of my cricisms, says we must keep these conflicting people separate we must know where to put one lot and where to put the other lot. Sir, is this a sort of fanciful jail where you are going to put your Tembus there, your Fingos there, and you are going to put your Shangaans there, and you are going to put your Swazis there. One of my duties for a good many years past has been to look officially at the jail returns of the various jails of the country that I have had occasion to work in . . .

An HON. MEMBER: Did you say "to serve" them?

Mr. STUART: And it was my duty as a judge to see that everything was in order. And there you do see it listed so that people of one particular group are put in one cell and people of a different group are put in another cell. If you are proposing to turn South Africa into a jail for the Africans, well, get on with the good work, by all manner of means. Then I must say I am quite indebted to the hon. member for Gezina (Prof. A. I. Malan). I enjoyed his speech; I

enjoyed it because it was thoughtful, and I welcome with both hands, with enthusiasm, the first remark he made. It is the only good reason I have ever heard for not having ethnic groups amongst the Europeans. He said it was time that there should be no division among the Europeans of South Africa; that they were one group of people. I welcome that with both hands and I hope to God he infects the rest of his party on that particular point.

Prof. A. I. MALAN: And yours.

Mr. STUART: It is time something of that kind happened that we should realise that we are just one family in South Africa. I congratulate him from the bottom of my heart on that remark. With regard to his remaining remarks I do agree with him that whilst I do not like this general power to inflict ethnic groups, with all it may mean and with all the curious mental inspections and physical inspections that may follow — these curious sub-divisions — I do appreciate one thing and that is that I do think the Minister should make, as it should be done generally, a separate list for Asiatics. I think that is probably necessary under the circumstances of South Africa, because we actually have four types of people in South Africa — Europeans, Coloureds, Asiatics and the Bantu. That is a fair division. But the division should be put in more primarily. I should prefer the Minister not to go into ethnic sub-divisions to the nth degree, which is perfectly possible under the Bill as it stands at present. I hope after my amendment the Minister will make some other alteration and put in the necessary terms which will make provision for this fourth group.

*Mr. TIGHY: It is very obvious that the amendment as proposed by the hon. member for Gardens (Dr. Jonker) is aimed at having absolute certainty that the person whose interests are affected by this clause will be fully protected and not merely half protected. There is no doubt — and I hope the hon. the Minister will not take it amiss when I tell him this tonight — that in all Bills which he has introduced in the House, he has gone exceptionally far to give himself and his officials special powers. We are amazed that this should come from the hon. the Minister of the Interior, because he is, as he will probably be told later in the discussion, one of those who opposed the granting of rights or the delegation of powers to officials. In this Bill, as well as in other Bills which he has introduced, he is out to take autocratic powers unto himself. He almost wants to be an Adolf Hitler. We might almost call him Adolf Dönges.

*An HON. MEMBER: Speak about the clause; Hitler has been dead a long time.

*Mr. TIGHY: Tonight, seeing that we know the Minister, we are asking for protection, and he cannot take it amiss our taking up this attitude, bearing in mind what he has done so far. As far as the amendment of the hon. member for Gardens is concerned, we can probably admit the argument which the hon. the Minister used; that the director, in those circumstances, can possibly call the man, the officer, before him; but what guarantee have we got that that person will be satisfied after he has seen the director? The Minister says that he can take action under Article 11. If he can take action under Article 11 why can provision not be made for it in Clause 5? What objection can there be?

*Mr. SCHOLTZ: Why do you want it in Clause 5?

*Mr. TIGHY: The hon. the Minister and his colleagues and the members behind him appear to think that the people who will be affected by this Bill, when it is put on the Statute Book, will all be familiar with the law, or will be members of Parliament. We are dealing with people from all strata of the community. We shall have to deal with people from the highest to the lowest, from the richest to the poorest. The Minister laughs. He can easily turn up his nose and laugh at these things. There are many things about which South Africa will yet call him to account. There is not another Minister in the Cabinet who tries to be such an autocrat as the Minister of the Interior.

*The CHAIRMAN: Order, order! The hon. member is getting away from the subject.

*Mr. TIGHY: I merely replied to the Minister's reaction. I said that we shall have to deal not only with people who are well versed in the law, but with simple people as well.

*An HON. MEMBER: Like Tighy.

*Mr. TIGHY: I say that when a Bill is passed in this House it must not aim only at protecting people like lawyers and privileged persons; on the contrary it must aim at protecting the poor people and the less well-off and the uneducated people.

I want to say a word about the suggestion which has been made by the hon. member for Rosettenville (Mr. Happle). There is much to be said for the attitude which he has adopted. Firstly, why should the person concerned be called upon to defend himself? Why, first of all, should he be wrongly classified if he has given his word that he is White or Coloured, whatever may be the case? Why should he be subjected to the subtle tongue or pen of any trouble-maker or loafer or no-good, and then

have no protection? What people want today is peace and work. They don't want this sort of academic needless thing which the Minister is trying to force on them. I think the hon. member for Rossettenville is entirely justified in his request that when a person is not treated justly in regard to registration, and where he has to waste his time to rectify it, he should receive protection. It is easy for the Minister, arrogantly to look down on those people. That is his reaction to what I am saying, and he cannot deny it. He is a rich man today; he lives well; we know that, but the poor man must waste his time to get his registration rectified.

*The MINISTER OF THE INTERIOR: Which clause is that in?

*Mr. TIGHY: If the Minister does not know his own Bill yet — and I am not surprised that he does not know it — he must not ask me to teach him

*The CHAIRMAN: Order, order! The hon. member is completely off the point.

*Mr. TIGHY: The Minister may possibly at this moment not be able to do what the hon. member for Rosettenville suggests. The point is one which no one has thought about. Nor is there an amendment to cover the point raised here this evening by the hon. member for Rosettenville. I hope that on a future occasion the Minister will see his way to provide that protection for those people. The Minister knows that the question will arise later in the Bill where the Courts will sit, where the Board that will judge in the event of any person wanting to make an appeal, will sit. What protection is the individual going to get?

*The MINISTER OF THE INTERIOR: Read Clause 30.

*Mr. TIGHY: Yes, I know Clause 30 — those deposits. What does it mean? It is just wasting time. I think that the sooner the hon. the Minister of Labour confines himself to his own affairs the better it will be for him. Well, I have said these few words to support the argument of the hon. member for Rosettenville.

*Mr. MENTZ: From the speech of the hon. member who has just sat down it is very obvious that he has apparently not read the Bill, and I don't believe that his colleague next to him has read it, either. The hon. the Minister of Labour said, by way of an interjection while the hon. member for Johannesburg (West) (Mr. Tighy) was speaking, "Look at Clause 30", and he replied that he knew the clause. Yet there is no such clause.

Mr. TIGHY: Do you think that you trapped me? You are mad if you think so.

*Mr. MENTZ: The United Party has no arguments and now, having no arguments against this provision, the hon. member for Johannesburg (West) comes and accuses the Minister that he has not provided for the poor man under this clause. It is under this very clause that the poor man gets his protection.

*Mr. TIGHY: What is the protection?

*Mr. MENTZ: The protection is this; it is not necessary for him to go to the board first if the director finds out that a mistake has been made. It is not necessary to go to the board under Clause 11. If the director finds out that a mistake has been made, the individual simply goes to the director and puts his case to him and the whole matter is solved probably in a few minutes. What more do you want? The hon. member will not have it. Let us read the amendment; it reads as follows —

> Subject to the provisions of Sub-clause 7 of Clause 11 and after notice to the person concerned . . .

I would almost say: "Look at all the rigmarole which a poor man has to go through" —

> . . . and if he is a minor, also to his guardian, of any communication by any other person addressed to him in regard to that person's classification, either anonymously or otherwise . . .

Look at the false impression which is formed by an amendment of this kind. What director would worry about an anonymous letter? It is unthinkable. The director gets an anonymous letter in which the writer protests against the classification of someone else. Would the director worry about it? Now I ask hon. members opposite and the hon. member who has proposed the amendment whether they think that a director would be so foolish as to act upon an anonymous letter?

*An HON. MEMBER: Anonymous letters from Sap members.

*Mr. MENTZ: Now they are quiet. Now we get no answer.

*Mr. TIGHY: You know I cannot interrupt you.

*Mr. MENTZ: Naturally the hon. member cannot, because he can say nothing about it. This sort of amendment is meant merely to give a false impression to the public outside. I ask my hon. friends to read the Bill. Read these provisions and do not come forward with such silly amendments.

*An HON. MEMBER: Read Clause 30.

*Mr. MENTZ: Yes, let them read Clause 30. I must honestly say that I think people are anxious to see this Bill through. My hon. friends opposite have produced no arguments. We know the hon. member for Gardens (Dr. Jonker); he is trying to give the false impression to the people outside that the director will act on anonymous letters. That is why he has proposed this amendment. He knows quite well that no reasonable person who is appointed as director will worry about anonymous letters. I hope, therefore, that the hon. the Minister will not accept such nonsensical amendments. I ask my friends opposite to be realistic. They must not come here and speak about Adolf Hitler who has been dead for years.

Mrs. BERTHA SOLOMON: I noticed that the hon. member who has just down was anxious that we should be realistic about this matter. Quite frankly I cannot understand why the hon. the Minister finds it difficult to accept the amendment moved by the hon. member for Cape Town (Gardens) (Dr. Jonker). I have listened to the debate and had no intention of taking part, but Clause 5 gives the director the right to make a classification. Then, assuming that the director makes a mistake, there is, theoretically, the protection for the individual wrongly classified, but what is actually the position where the director himself makes a mistake, and what has shaken my confidence in the value of this protection, is the fact that it gives the director who has made the mistake the power to alter the classification. What kind of confidence can that create in the mind of a person who is affected, particularly when there is nowhere included in this Clause any reference to the giving of notice in regard to any document that may come before him. The clause merely says that if the person concerned does not consent, he may object and be heard by the director, but I would suggest to the hon. the Minister on his own showing, that he would not have very great confidence in appearing before a judge who had already made a mistake. Therefore, all the amendment seeks to do, is to provide that where the director has made a mistake and he notifies the person affected and the person consents, then, of course, the classification can be altered, but if a person does not consent, then let the matter go to the board. The person affected can then appear before the board and he can have no grievance against the Director if his classification is altered by the board and if we add to that a new sub-clause also referred to by the hon. member for Gardens, dealing with a communication to the person affected by a change in his classification, that he must be notified, those two afford him at least protection against a possible injustice. The clause as it stands does not afford proper protection, more particularly because it does not say that the person affected must be notified of any communication received by the director. So I hope the hon. the Minister will carefully reconsider the amendment proposed by the hon. member for Gardens. I put this point seriously to the hon. the Minister and I hope he will realise that there is something in the point raised.

Mr. GALE: The hon. the Minister in his remarks when he was replying to the hon. member for Cape Town (Gardens) (Dr. Jonker) and myself made a suggestion I think which might be interpreted to mean that I had cast some reflection on the ability and the judgment of the director who is to be appointed in the future. I want to assure the hon. the Minister that there was no intention in my mind when I said that the duty should not be placed upon the director as sole arbiter to judge on the classification of a person, there was no intention in my mind whatever to cast any reflection on his integrity or his ability or his judgment, but I would like to inform the Minister that I think it is grossly unfair to place the decision in a question of such vast importance as the status and the classification of South African citizens entirely on the shoulders of one person, to leave it entirely to the judgment of one person, however good he may be — he might be the archangel Gabriel, but it is totally unfair.

The MINISTER OF THE INTERIOR: You have no objection to sub-section (1) that gives him that power.

Mr. GALE: We are dealing now with sub-section (3) and I don't agree that sub-section (1) gives him that power, but if it does my objection still stands, because the hon. the Minister has provided in another clause — and I throw that back at him if he throws this one at me, that he has given the power to the board in Clause 11 and if he gives the power to the board in Clause 11, then he should not quibble when I say that the power should be given to the board also in Clause 5. Now the hon. the Minister also suggested that Clause 5 was in the interest of the person who might object against his own classification. He said it was in his own interest, I think the words he used were "in sy eie belang", and I say that it is an absolutely fatuous suggestion on the part of the Minister to say that Clause 5 was drafted for the purpose of allowing any person to make an objection to his own classification. I think that is perfectly clear from the wording of the section which as it stands at present provides that the director must give notice to that person or if that person is a minor, to his guardian, and surely the Minister does not seriously contend that that clause was drafted for the purpose of allowing a person to make objection to his own classification.

The MINISTER OF THE INTERIOR: That is also included.

Mr. GALE: So it was not drafted specifically for the purpose of allowing a person to make objection to his own classification?

The MINISTER OF THE INTERIOR: It has a double object.

Mr. GALE: What is the other?

The MINISTER OF THE INTERIOR: One is the protection for himself so that a mistake can be rectified without going to all the trouble of going to the board under Clause 11, and the other to empower the director if he is satisfied that it is correct, even though it may be against the will of the person who is changed, subject to his right of appeal.

Mr. GALE: I appreciate very much the Minister's explanation in that particular matter, but I would like to draw the attention of the Committee to the fact that one of the reasons that he gave for the drafting of the clause was the protection of the person whose classification is objected to, and with the word "protection" I think the hon. the Minister has in his mind the possibility of somebody attacking a person's classification, so that he will have the protection of this clause.

The MINISTER OF THE INTERIOR: Protection against a wrong classification so that he can make objection, too.

Mr. GALE: If there is a wrong classification in terms of this clause, the Minister then wants to place the onus on the person concerned to clear his own classification and I say that where the Minister uses the words in the clause that the person concerned will have an opportunity of being heard, I think the hon. the Minister knows that in ordinary legal parlance where a person is given an opportunity of being heard, he is generally being given the onus to clear himself and to meet such allegations as are made against him by the other side. So there is no doubt at all that this clause throws the onus on the person against whom objection has been made to clear himself. Now following on the Minister's statement, the Minister also said that he thought that this clause gave the person against whose classification an objection was made, an opportunity with the least trouble to clear himself; he said "met die minste moeite". I fail to see how the hon. the Minister can seriously say that this is "met die minste moeite" when the wording of the section in respect of the person whose classification has been objected to, is to the effect that he will be given an opportunity to be heard. Where will he be heard? Where will I, who come from East London, be heard? If I have to appear, it must certainly be in the office of the director in Pretoria? Will the director come to East London to give me an opportunity of being heard? Or will he go to Gardens or will he go round South Africa as a kind of minor circuit court to give these people an opportunity of being heard with the least possible trouble? I say that this involves these people in terrific expense. The onus is thrown on them to clear themselves and this involves them in terrific expense. So I say that I don't think the Minister has convinced me and I am quite certain he will not convince people outside that this clause as it now stands is in the interests of the person against whose classification objection has been made. I suggest that the Minister should accept the amendment, which is perfectly clear and briefly amounts to this that where it should appear to the director that a person's classification is wrong, the director simply gives notice to the person concerned, the person then can admit that this classification is wrong, in which case the director makes the alteration in the register, but if a person does not admit, if that person refuses to admit, if he does not consent to the alteration, then obviously the procedure and the machinery must be that laid down by the Minister under Clause 11. The procedure laid down in Clause 11 has its good points in this regard that before a person can make an objection he must make a deposit of £10, that is small enough, but he must also declare on oath, he must make an affidavit and these things amount to deterrents and therefore I say that Section 11 has its good points. That is the procedure that has been laid down by the Minister himself and we are asking the Minister to carry out his own suggestions, but the Minister said that he is not prepared to do that. I say that that is fatuous and I suggest that the Minister should read again the amendment moved by the hon. member for Cape Town (Gardens) and give it his very serious and favourable consideration.

The MINISTER OF THE INTERIOR: I wanted to reply to the hon. member for Transkei (Mr. Stuart), who I see is not here, in regard to the point I forgot in my earlier reply, viz., the question of the ethnic or other groups. To a certain extent he has strengthened the justification for some grouping under the heading of "Coloureds". He has suggested there should be Asiatics or Indians. Now let me say that one of the reasons why provision is made for subgrouping is because in our existing legislation there are certain groups of persons who fall under the broad head of "Coloured", but do not form an ethnic group e.g. the Cape Malays. They are a group which is very proud of themselves, who have a group-sense and they are particularly desirous of preserving that group, but yet they would

not be an ethnic group. They have approached me already to ask me that they should be placed in a specific group, and that is why this provision has been made in this clause. Another point, of course, is that it may be that other groups are desirous of being disassociated from groups of a wider whole. The Indian may not be satisfied. Maybe that he prefers to be divided into two groups, either Hindu and Moslem or India and Pakistan. Now, if the provision is left in the Bill as it stands it will make this possible. As far as the Natives are concerned, I think the hon. member for Gezina (Prof. A. I. Malan) has met the objections made on that point. Then, in reply to the hon. member for Rosettenville (Mr. Hepple), I don't think there will be any undue hardship, because there is no necessity for a personal appearance of a person who is informed, in terms of Section 5, that the Director intends to change his classification. He need not appear and there need not be any loss of time. Then the hon. member for East London (North) (Mr. Gale) seems to labour under the misapprehension that Clause 5 entails a personal visit to the Director in Pretoria.

Mr. TIGHY: How otherwise can he appear?

The MINISTER OF THE INTERIOR: For the benefit of the hon. member for East London (North) and particularly for the benefit of the hon. member for Johannesburg (West), may I refer them to the definition of "Director"—

> "Director" means the Director of Census appointed under Section 4 of the Census Act, and includes the Assistant Director of Census and any officer acting under a delegation from or under the control or direction of the Director.

So, if the hon. member has any objection, there will probably be a person at East London who has the delegation from the Director and he will be deprived of the pleasure of a trip to Pretoria for the purpose of rectifying his classification. I think that also answers to a certain extent the point raised by the hon. member for Rosettenville. There need not be a personal appearance, nor need there be an appearance before the person of the Director. Somebody can be nominated by him for that purpose and, if he is satisfied by the person concerned, that there is no ground for a suggested change in the classification, then there won't be any change. If the Director or the person acting for the Director finds that the proposed change is not justified in his opinion, then that is the end of the matter. If he finds it is justified and the person whose classification is changed is aggrieved by that decision, then he has the free right to go under Clause 11 to the board appointed for that purpose. So I think the difficulty raised by the hon. member for Rosettenville need not arise.

Mr. HUGHES: I think the Minister's explanation to the hon. member for East London (North) (Mr. Gale) only makes the matter worse. He now says that the Director can be anybody with delegated authority. In the small villages and towns you may have a director appointed. If not, the person who is aggrieved will still have to journey to a bigger town . . .

The MINISTER OF THE INTERIOR: What is wrong with the magistrate, delegating to the magistrate?

Mr. HUGHES: Will it be the magistrate? There is nothing in the Act to say that it will be the magistrate. We don't know. But I can't follow the Minister's reasoning. It is that the clause was drafted in this way for two reasons, the first to enable the person aggrieved to have an amendment made without cost to himself, and the other that if the director has made a patent error himself, he can also have it easily amended. Those apparently are the two reasons, but if we take the amendment moved by the hon. member for Cape Town (Gardens) (Dr. Jonker), you find that those two purposes are covered by that amendment. The person aggrieved can still have his classification amended without going to the board or without going to appeal, because it can be amended by his consent, and if the director finds that he has made a mistake and he wants to amend, then according to the amendment moved by the hon. member for Gardens he can do so with the consent of the citizen concerned and we stress that that is most important, because the onus will then be on the director to go to the board and he then has to satisfy the board that he has made a mistake. If we accept the clause as drafted by the Minister then the citizen aggrieved, if the director, whoever he may be, refuses to accept his representation, is forced to incur the costs of going on appeal. And if the hon. the Minister says that his intention was to make it easy for the citizen, then the amendment proposed by the hon. member for Gardens makes it still easier.

The MINISTER OF THE INTERIOR: No.

Mr. HUGHES: The hon. the Minister shakes his head, but he cannot deny that under the amendment moved by the hon. member for Gardens, it is the director who has to take the steps to effect a change if the citizen does not agree. If the citizen consents it is easy enough to make the alteration. Now if the classification is wrong, why should not the director have to go to

the board? Why should the poor citizen, who possibly cannot afford it, be forced to go to the board? The Minister keeps harping on Clause 11, but that is a different thing altogether. Under Clause 11 it may not be a patent error. It deals with cases where the director has satisfied himself on direct evidence, maybe, and he has not made any patent error, but the citizen himself feels aggrieved with the original classification and the director is not prepared to assist him — then the citizen has the benefit of Clause 11(1). We grant him that. But there is a difference between Clause 11(1) and Clause 5(3), and I appeal to the hon. the Minister to be reasonable in this. I want to give him the assurance that we are not trying to obstruct him in any way and we are only trying to make this Bill as acceptable as possible for the citizens. The Minister's argument that he is only out to assist the citizens does not carry weight when argued against the amendment moved by the hon. member for Gardens, especially with regard to onus. I ask the hon. the Minister to reconsider the amendment.

*Dr. JONKER: I think after what has been said here by this side of the House, it must be obvious to the hon. the Minister that he has not fully understood the purpose of our amendment. It is not our intention at all to make it more difficult for the ordinary citizen. We actually want to make it easier, as the hon. member has said. Nor is our purpose to deprive the director of a right, of the right to rectify his classification when it is incorrect; it is not our intention to interfere with his duty to classify people in the first instance. But I think that we can expect — we know that he will be — we can expect him to be careful in his primary classification and, if a mistake is made, under my amendment the way is open for him to advise the individual concerned and, if that person sees that it is a mistake, he will be the first to say to the director: "Yes, put that mistake right." If the person who has been wrongly classified raises an objection himself, there is nothing in my amendment to stop him from going to the director or writing to him and saying: "A mistake has been made." And there is no publicity at all attached to it. The purpose of this amendment is merely to limit the wide powers given in Article 5(3) for the protection of the person affected. The interpretation given by the hon. the Minister of this clause as it now stands, and the interpretation by the hon. member for Gezina (Prof. A. I. Malan) is much narrower than the purpose here. It will be seen that the Select Committee found it necessary to limit these exceptionally wide clauses, and they added that before the director could haphazardly change the classification, he must first notify the person concerned and give him an opportunity of putting his case. I think the interpretation of the Select Committee is in precisely the same direction as my amendment. The only difference I find is that the Select Committee did not go far enough in limiting those exceptionally wide powers, and to direct any objections to classifications into the royal stream of Clause 11. I am certain that if the hon. the Minister sees it in that light, he will find that our purpose is to make it easier to rectify obvious mistakes which are made, without opening a fresh channel for the stream, which should eventually pass through Clause 11. Here we have two courses. People can lodge an objection with the director against a classification which they regard as wrong. That is the easier way and it is only human for people to take the easier way. If, for instance, Mr. A considers that he has grounds for informing the director that B's classification is wrong, he is not going to take the hard way of doing it in terms of Clause 11, because he would then have to make a deposit. He would take the easier way and he would lodge his objection with the director, and, if Clause 5 remains as it is, Clause 11 will become a dead letter. We therefore feel that it is necessary, for the protection of the public and of the director himself, that this channel should be made as narrow as possible and used only in such cases as the Minister himself has indicated; cases where an obvious mistake has been made. All cases can still come up and be dealt with under my amendment. As the clause now stands, numbers of other cases can be brought up under it. I hope that the hon. the Minister will yet see his way clear to accept this amendment.

Mrs. BERTHA SOLOMON: I want to ask the hon. the Minister whether he has given attention to what he is going to do in regard to any notification to a person affected of any communication which the director may have. As the clause now stands if the director finds that he has made a mistake, or much more likely the director receives a communication, the Minister makes no provision for a notification to the person who is affected.

The MINISTER OF THE INTERIOR: He will inform him that a mistake has been made in his classification and that he intends to make an alteration, and he will ask him what he has got to say.

Mrs. BERTHA SOLOMON: He will not give him a copy of the letter which he may have received.

The MINISTER OF THE INTERIOR: Of course not, he will give him the facts not the sources.

Mrs. BERTHA SOLOMON: I repeat there is nothing in the clause as it now stands to

make the director do that. He can simply say: "I am going to alter the classification on information received."

The MINISTER OF THE INTERIOR: You will have to tell him to what you are going to change him, surely.

Mrs. BERTHA SOLOMON: But he will not give him the facts, the Minister says that he will have to tell him to what his classification will be changed. But there is nothing in this clause to say that the director "shall" . . .

The MINISTER OF THE INTERIOR: Surely we must leave something to the common sense of the director.

Mrs. BERTHA SOLOMON: I don't think we should give such wide powers and if the hon. the Minister is not going to insist that the information has to be given, it seems to me we will be opening the door for a good deal of abuse. I do seriously think the hon. Minister ought to give his attention to this suggestion that at least the person affected shall be notified of the information given against him. If the Minister does not wish to mention the objector's name, that can be omitted, but the particulars of the information should be given to the person against whom the objection is raised. Supposing the director writes to A that information had been given to him as the director, to the effect that he is not really a European but a non-European, and the director has in hand, shall we say a birth certificate, and he does not disclose that to A, then we have this position. A arrives before the director for the hearing of his case and he does not know these facts. It means that he appears before the director and he does not know what he has to meet. Surely the hon. the Minister is not going to allow such a position to arise, and I cannot understand why he objects to this suggestion.

*Mr. TIGHY: It appears that the Minister and the members who support him in this debate have the wrong impression. It looks as though they think that we are dealing with the amendment which appears on the agenda. As Clause 5 now stands, the door is left wide open for abuse, and the purpose of the amendment of the hon. member for Cape Town (Gardens) (Dr. Jonker) is to protect the individual person against this.

*The DEPUTY CHAIRMAN: I must ask the hon. member not to repeat.

*Mr. TIGHY: No, Mr. Chairman, I do not intend to repeat.

*The DEPUTY CHAIRMAN: But the hon. member is repeating.

*Mr. TIGHY: With all respect, it is my intention to argue that the Minister and his supporters are labouring under a false impression.

*Mr. LUDICK: No, it is not so.

*Mr. TIGHY: That hon. member never takes any part in a debate; he merely sits there and buzzes like a bee. The difference, which apparently the hon. Minister does not realise, is that while, in the first place, in Clause 5 the door is wide open for . . .

*The DEPUTY CHAIRMAN: That has already been said.

*Mr. TIGHY: It puts the onus on the person to defend himself, while we want the onus on the State, and therefore we refer to Clause 11.

*The DEPUTY CHAIRMAN: The hon. member is now repeating.

*Mr. TIGHY: Mr. Chairman, if you will give me a chance to finish my argument, you will see that I am not repeating. If we are repeating, the Whip on the other side can move the closure of the debate. The Minister appears to think, or he gives the impression, that action under Clause 11 can only take place my means of appeal to the board or by reference to the board. It goes much further. It can give rise to a court case, and who has to pay then? Our attitude is that the State must pay.

*The MINISTER OF THE INTERIOR: That applies under the amendment of the hon. member for Cape Town (Gardens) as well.

*Mr. TIGHY: It looks as though the Minister does not understand the argument. I want to explain to him, but the Chairman says that I am repeating myself. The amendment of the hon. member for Cape Town (Gardens) comes down to this; that the State must take these steps. That is where the difference comes in. Does the Minister deny it?

*The MINISTER OF THE INTERIOR: Must the director then lodge an appeal against his own rulings?

*Mr. TIGHY: No.

*The MINISTER OF THE INTERIOR: That is what the hon. member for Cape Town (Garden) proposes.

*Mr. TIGHY: The Minister still does not understand the position. He need not appeal against his own ruling. He has to appeal against the objection of the person. It is very easy for the Minister to take up a

purely legal attitude and to regard the case simply from the point of view of a lawyer, and to laugh about it. He thinks that because he is a good lawyer, he can tie us up with legal terms. This House is not here for lawyers only, but for all representatives and also for those who want to plead the cause of the poorest people. The Minister's reply to the amendment is that the director cannot appeal against his own ruling. In what way is he then prepared to protect these people?

*The MINISTER OF THE INTERIOR: He is protected under the provisions of the Act.

*Mr. TIGHY: Under Clause 11 the State has to furnish the evidence.

*The MINISTER OF THE INTERIOR: Just as under Clause 11, as amended by the Select Committee.

*Mr. TIGHY: Up to a point.

*The MINISTER OF THE INTERIOR: No, throughout.

*Mr. TIGHY: I say that if a person makes a mistake himself, then action can be taken against him; but where the State makes the mistake, it is not right for the Minister to expect that the person concerned should do it. I do not want to talk about this clause any longer, and I conclude by saying that the Minister has shown that he is not prepared to protect the interests of the poorest man in South Africa.

Amendment proposed by Mr. Kahn put and negatived.

Question put: That sub-section (2) proposed to be omitted stand part of the clause.

Upon which the Committee divided.

AYES — 51.

Abraham, J. H.	Frates, T. J.
Bekker, H. T. v. G.	Grobler, D. C. S.
Bezuidenhout, J. T.	Havenga, N. C.
Boltman, F. H.	Hugo, P. J.
Botha, P. W.	Klopper, H. J.
Brink, W. D.	Labuschagne, J. S.
Conradie, D. G.	Le Roux, P. M. K.
Conradie, J. H.	Le Roux, S. P.
Deysel, A. J. B.	Liebenberg, J. L. V.
Dönges, T. E.	Loock, J. H.
Du Pisanie, J.	Loubser, J. A.
Du Plessis, P. J. C.	Loubser, S. M.
Du Plessis, W. C.	Ludick, A. I.
Erasmus, F. C.	Luttig, H. G.
Erasmus, H. S.	Luttig, P. J. H.
Erlank, A. E.	Malan, A. I.
Eyssen, S. H.	Maree, W. A.
Fouché, J. H.	Mentz, F. E.
Fouché, J. J.	Mostert, D. J. J.
Papenfus, S. F.	Uys, D. C. H.
Sauer, P. O.	V. d. Heever, D. J. G
Schoeman, B. J.	Van Heerden, D. P.
Scholtz, D. J.	Van Rhyn, A. J. R.
Stals, A. J.	Visser, De V.
Swart, C. R.	

Tellers: J. J. Serfontein and J. H. Viljoen.

NOES — 44.

Allen, F. B.	Hopewell, A.
Ballinger, V. M. L.	Hughes, T. G.
Bekker, P. B.	Jonker, A. H.
Benson, E. A.	Jordan, R. D. P.
Bloomberg, A.	Kahn, S.
Bowker, T. B.	Lewis, J.
Butters, W. R.	Lovell, L.
Cull, J. A.	McMillan, N. D.
Davidoff, H.	Mushet, J. W.
Davis, A.	Oosthuizen, O. J.
Delport, G. S. P.	Pocock, P. V.
Eaton, N. G.	Russell, J. H.
Friedman, B.	Smit, D. L.
Gale, D. J.	Solomon, B.
Gay, L. C.	Strauss, J. G. N.
Gluckman, H.	Stuart, W. H.
Graaff, de Villiers	Tighy, S. J.
Henderson, E. J. W.	Tothill, H. A.
Henwood, B. H.	Trollip, A. E.
Hepple, A.	Van der Byl, P. V. G.
Higgerty, J. W.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Stuart negatived.

Mr. RUSSELL: Mr. Chairman, I would like to move a further amendment to sub-section (3) This is an amendment to the amendment proposed by the Select Committee—

> In line 44, after "heard" to insert "either in person or by counsel or attorney on his behalf".

I will not keep the Committee long if the Minister indicates that this will be an acceptable amendment. My object here is to ensure that the person making representations to the director should be able to have legal help. If he wishes to, he should be able to have representations made for him by an attorney or other legal representative. I feel that under this clause it will often happen that people find that their classification is queried. In many cases that may lead to further legal action. Under Section 11 they are allowed to have legal representation, and I am sure it will be a good thing to allow it under this sub-section as well. It will be a desirable thing to protect a man, who may be ignorant of the law, in this way. This is a very small amendment and relatively easy to administer. If a person's classification is questioned and

he approaches the director himself he may be placing himself in a position of future difficulty. I hope that the hon. the Minister will be able to accept this amendment. I do not think it can hold up the working of the Act. It will not make the administration of the Act any more difficult. At the same time it does give an added safeguard and added security to a man who may be overawed by the processes he has to go through. He may be a Coloured man or a poor white man who is overawed by having to appear before the director. It is necessary, especially as the eventual result may lead to further legal action of some sort. If there is an appeal to the board at a later stage, he will have the right then to be represented by counsel or by his attorney. It is only right that he should also be represented at this stage. I move accordingly.

The MINISTER OF THE INTERIOR: I cannot accept the amendment. I think the hon. member for Rondebosch (Col. Jordan) pointed out that one of the main points raised in the Select Committee was that the director should not be in the position of being a judge with both parties arguing before him. His function under Clause 5 is purely the function of correcting the registration where other things have been brought to his notice — of acting informally. It would place him in the very invidious position, which the hon. member for Rondebosch has warned against, if we accept the amendment of the hon. member for Woodstock (Mr. Russell), and in those circumstances I am not prepared to accept the amendment. He has his remedy; when it comes to an issue before he judicial board then he can be represented; he has got full right of representation there, but not at this early stage where it may be an informal hearing and a decision on facts which are patently clear.

Mr. RUSSELL: I cannot follow the hon. the Minister in his argument. Apparently he does not wish the director to be placed in the position of having to act in a judicial capacity. Sir, how can he avoid it? By the hon. Minister's own clause this person is entitled to "an opportunity of being heard". If a person is entitled to be heard he appears before the director to make certain representations, and willy-nilly, whether he likes it or not, the director, is acting in a judicial capacity; the director is making a decision; and must apply a judicial attitude of mind to that decision.

The MINISTER OF THE INTERIOR: In the same way as he is making a decision under sub-section (1).

Mr. RUSSELL: In a judgment such as this if the director decides that a mistake has been made and he wants to interview a man about it, he has to make a decision. If anyone appears before him . . .

The MINISTER OF THE INTERIOR: He has to make a decision in the first instance, too.

Mr. RUSSELL: Precisely. But in this case you give the man a chance to be heard. Why?

The MINISTER OF THE INTERIOR: If you don't want it we can take that out.

Mr. RUSSELL: Now, that is quite the wrong argument for a Minister to use. One presumes that in this clause he is trying to make it a good Bill. He is trying to make it a fair Bill.

The MINISTER OF THE INTERIOR: I am trying to meet the objections to this clause. The same point was raised in the Select Committee in the same way as you are doing now.

Mr. RUSSELL: Whether it was raised in the Select Committee or not the Minister cannot avoid the point. If a person appears before the director and he is entitled in terms of this clause "to be heard", either to lodge an objection to his classification or to make an objection of some sort, then the director concerned must be making a decision. He must come to a decision, that is why he is hearing this person; and if he is making a decision he must in so far as he can try and act in a judicial capacity. He is going to hear both sides of the case and he is going to come to some sort of judgment. Although we know that he is in what one might call a quasi-judicial position, Sir, the fact remains that if we insist that he brings a judicial attitude of mind to bear on this problem we are more likely to get the right decision in the matter. For the client, at this stage, to have representation by an attorney cannot prejudice the justice of the case. How can it prejudice the director? Whether the director likes it or not he is being placed in the position of a judge, of judging a case.

I entirely fail to see how the Minister can argue that if a man is given an opportunity of being heard the director is not making a judicial decision of some sort. I think it is most important that the person affected should be allowed legal representation, and I am surprised that the hon. the Minister rejects my proposition.

Col. JORDAN: Mr. Chairman, I desire to move a further amendment which I think will give effect to something that the hon. the Minister said a little earlier in the course of the debate on this clause, and which I think he will find himself quite able to accept. This takes the form of the addition of a further sub-section to the clause, which

will then become sub-section (4), and reads as follows —

> No change other than a correction of a patent error shall be made in the classification of a person under sub-section (3) without his written consent.

Now it does seem to me that in view of the hon. Minister's observations this evening he will be in no difficulty in accepting this amendment. The hon. the Minister will recollect that earlier he dealt with the contention that this clause was designed to cover two cases; one of them was a patent error, I think, and the other was the case of a person objecting to his own classification. I think that is what the hon. Minister argued.

The MINISTER OF THE INTERIOR: No.

Col. JORDAN: Anyhow, I now move this amendment, and in doing so I want to say that as far as we on this side of the House are concerned we definitely prefer the amendment which was moved by the hon. member for Gardens (Dr. Jonker), that is the first amendment to the clause that was moved; in other words to delete certain words in Sub-section (3) and to substitute other words. But now, if we do not succeed in extracting that from the hon. the Minister, then we feel that this new sub-section (4) should be inserted as an additional safeguard. I move accordingly —

> To add the following new sub-section to follow subsection (3):
>
> (4) No change other than a correction of a patent error shall be made in the classification of a person under subsection (3) without his written consent.

The MINISTER OF THE INTERIOR: I cannot accept this amendment. It is really part of the amendment moved by the hon. member for Cape Town (Gardens) (Dr. Jonker). It is only an element in that amendment which has already been rejected by the House.

Mr. RUSSELL: It has not been rejected by the House.

Mr. STRAUSS: It has been rejected by you, but that does not mean that it has been rejected by the House.

The MINISTER OF THE INTERIOR: I thought that amendment had already been rejected by the House.

Mr. RUSSELL: No.

The MINISTER OF THE INTERIOR: Then it is the same principle, and I have no reason for varying my reasons why I rejected the clause proposed by the hon. member for Cape Town (Gardens) The same reasons apply to this amendment. As far as the hon. member for Woodstock (Mr. Russell) is concerned, a person can only act in a judicial capacity when he has to determine rights as between parties.

Mr. RUSSELL: The State is a party here.

The MINISTER OF THE INTERIOR: Under Clause 5 there are no parties. There are no rights in conflict.

Mr. RUSSELL: It means determination of the man's status.

The MINISTER OF THE INTERIOR: It is purely an administrative decision as under sub-clause (1). Under sub-clause (1) the director has to classify. There are no conflicting rights in dispute at that stage. He makes his decision under sub-clause (1), and in the same way under sub-clause (3).

*Dr. JONKER: I want to support the amendment of the hon. member for Woodstock (Mr. Russell). It appears to me that we do not fully appreciate the importance of a decision by the director's when he wrongly classifies the race or the group to which a particular person belongs. If we realise that for that individual, it is one of the most important things that can be done by the State or the director, then we must very carefully consider this matter. If a person is once wrongly classified in a group to which he does not belong, it may have exceptionally inconvenient and possibly legal consequences for that person. He may be wrongly classified for months. The individual may be classified as a coloured person for two months when he is a European, and this is most important. It affects the man's status and prestige in society.

*The DEPUTY-CHAIRMAN: That argument has already been used.

*Dr. JONKER: I am only mentioning it.

*The DEPUTY-CHAIRMAN: The hon. member must not repeat arguments which have already been used.

*Dr. JONKER: I only want to indicate how necessary it is for such a person to have the protection which is asked for by the hon. member for Woodstock. He asks that a person who has been wrongly classified should have the right to be represented by counsel when his case is heard or reviewed by the director. As it is such an important matter he should have that right. It might be said that the director does not make a judicial ruling, but the Minister himself used those words in the debate, that the objector

tenders his objection to the director and the director then decides; and the Minister went further and asked whether we wanted the director to be obliged to appeal against his own ruling. Those are the words he used. A decision is made whether it is made by a Court or not. It is no use quibbling about legal points. The fact remains that the director makes a ruling as to whether the individual is correctly classified or not, and the individual is therefore entitled to protection by a legal representative when he appears before the director. There are hundreds, thousands, and millions of people in the country who cannot speak up for themselves when they have to appear before a highly placed official in such complicated matters. These people cannot present their case as it should be presented, and it is a serious matter to them. I think therefore that if the Minister wants to put himself in the right light, he must concede that on this important question the people must have the right to be represented by a lawyer. It concerns their status, and they must have the assistance of a lawyer so that they may be protected against an incorrect decision by the director.

Mr. DAVIS: I wish to propose an amendment which I think is a necessary amendment. The amendment reads as follows. It is an amendment to the amendment proposed by the Select Committee—

> In sub-section (3), in line 42, after "person", to insert "specifying the particulars in respect of which the classification is incorrect".

I do not know whether the Minister appreciates the point. The point is that this is not only a question whether a person is a European, a Coloured person or a Native. But the Minister has now asked for classification into ethnic and other groups to which the person may belong. So that there are all sorts of matters which may arise particularly in respect of Coloured persons, and surely the Coloured person is entitled to know what the particulars are in respect of which the classification is incorrect. Is it that he is not a Coloured person but a Native, or is he a Malay or an Indian, and what particular type of Indian; or has he been classified as a white person, and the director desires to classify him as a Coloured person? It seems to me a perfectly reasonable thing to expect the director to give these particulars to the person who has been wrongly classified, or where he wishes to alter the classification of a citizen. Let him know that he is a Coloured person and that he has been classified as a European, or vice versa. We have this additional consideration that persons must now be classified according to their ethnic or other groups. In the case of an Indian he may be a Hindustani, a Pakistani, a Mohamedan, or whatever group may be decided on.

The MINISTER OF THE INTERIOR: But surely that will be done.

Mr. DAVIS: It seems to me perfectly reasonable that the Minister should insist on this being done. The man must know the grounds for the correction. He must know what is wrong with his classification. If he is classified as a white person and it is not correct, he must know on what grounds he will be classified as a Coloured person. He must have all the details. I move my amendment.

Mr. GALE: I wonder whether the Minister will be good enough to clarify a matter which has given me no small difficulty in the debate this evening. The Minister has on no less than three occasions referred to the fact that a decision made by the director under sub-clause (3) is similar in all respects to the decision he has to make under sub-clause (1). Perhaps I may be wrong in saying in all respects. But the Minister did say, not only to me but also to the hon. member for Rondebosch (Col. Jordan) and the hon. member for Woodstock (Mr. Russell) that under sub-clause (1) the director also had to make a similar decision, and consequently the Minister saw no objection against his having to make a decision in certain circumstances under sub-section (3). Under sub-section (1) the director has to classify the persons whose names are to be included in the register. But under Section 2 of the Bill the particulars required for the compilation of the register are received by the director under the Census Act. As I see the position, the director receives the particulars that are required under the Census Act, which gives him the information whether a person is a European, a Native or a Coloured person. That is stated on the form. In effect the director, when he makes a classification, makes no decision at all. He simply takes the names from the list supplied by the census forms on which is stated whether the person is a European, a Native or a Coloured person; and he puts those names on his lists in order to make a classification. He does not make a decision.

The MINISTER OF THE INTERIOR: Even though the facts may be wrong?

Mr. GALE: That comes under sub-section (3). Under sub-section (1) he makes no decision.

The MINISTER OF THE INTERIOR: He does.

Mr. GALE: He receives these particulars under the Census Act and he classifies according to those particulars. But under

sub-section (3) he has to make a decision because there you have a dispute. There is a distinct possibility that the classification the director desires to alter will not be agreed to by the person against whom objection is made. There, in effect, the director must make a decision, and in fact it is not only a quasi-judicial decision, but a decision of the highest importance. It is a decision in regard to the status of the citizens of the country. We all know that when it comes to a question of status, it is an important matter. Take matrimonial status. It is taken out of the jurisdiction of the magistrate's court and placed in the hands of the Supreme Court. If it is a matter of status, it is a matter of the utmost importance. I would like the Minister to explain this matter of the decisions under sub-clauses (1) and (3) which he says are the same.

Before I sit down, I would like to say a word in regard to the amendment moved by the hon. member for Woodstock (Mr. Russell). I think that is a fair and reasonable amendment. The hon. member only asks that in this very important matter the person whose classification is objected to should at least have the ordinary right of a citizen to have legal and competent representation when his case is being heard before the director. That is the ordinary right the man in the street has and which every citizen should have with regard to such an important matter.

The MINISTER OF THE INTERIOR: He will have it when he disputes the decision of the director.

Mr. GALE: I know, but why go to double trouble? In the first place he must have the decision of the director; if that is against him, he appeals. He is put to trouble twice. Many people against whom objections will be made will be unintelligent and illiterate, and in any case very few will be legally qualified, and I am sure the Minister in his wisdom would not debar an unfortunate person who finds himself in the position of having to clarify his classification from the ordinary remedy the man in the street has of having legal and competent representation. I suggest finally that if the hon. Minister himself is in the position that he has to justify his classification, he would prefer to have representation. I am quite sure he will require representation, not because he is in any way incompetent, illiterate, not because he is not legally qualified—because he is—but because he is so busy that he cannot attend to it.

The MINISTER OF THE INTERIOR: If it is an administrative decision I would not require representation.

Mr. GALE: I suggest to the Minister that he should be reasonable in the matter and allow legal and competent representation to the person whose classification is in dispute.

Capt. BUTTERS: I must confess I have listened to the hon. member for Woodstock (Mr. Russell) and the hon. member who has just sat down, and having heard the hon. Minister's reply, I can see no justification for the Minister's refusal to accept this very reasonable amendment moved by the hon. member for Woodstock. If the Minister has any human feelings he must appreciate this point. There are thousands of people in the country who are utterly incapable of making representations to authority if they have to do so. And it is only proper and just that they should have the right to have someone to represent them in order to make those representations.

The MINISTER OF THE INTERIOR: He can get an attorney to write a letter for him.

Capt. BUTTERS: I submit a person should not be put to the great difficulty and expense and other difficulties in a matter of this nature, but that he should be assisted to make representations to the authorities so that his interests may be properly protected and so that he may have a square deal. There can be no just reason why this amendment moved by the hon. member for Woodstock should be rejected. If the Minister rejects it, it is just another indication of the way in which the civil rights of citizens in this country are being taken from them.

Mr. RUSSELL: I would like to renew my appeal to the Minister. Surely he does not mean exactly what he said when he interjected that in an administrative decision, where the decision is what he calls an administrative decision, he would "never" approve of legal representation.

The MINISTER OF THE INTERIOR: If there is a right of appeal.

Mr. RUSSELL: Now he is qualifying it. Is he not impressed at all by my argument that, as in all probability there will be an appeal, it is better that this man, who will be finally represented, should be represented ab initio if he wishes? Just examine the other parts of this clause. It says here that if a person is a minor, he should be represented by his guardian. Why is that? That is because the minor is thought to be unfit by reason of his age to represent himself properly. He suffers from a certain disability; therefore he needs a senior to represent him. Surely the same principle holds good in the case of a man who may be suffering from certain other disadvantages. I presume that under this Bill—the Minister made it quite clear when he introduced the Bill—the people concerned will be the "mar-

ginal" ten thousand or so. He is dealing here with "border-line" people who look as if they are European but who may be Coloured, or vice versa; poorly educated poeple whose whole future is at stake in a matter like this. Why should a person like that on appearing before a director not be represented? Let us presume that it is a question of whether his status is that of a white man or a coloured man; he may look rather dark, but he has been put down as a European, or he may look rather light but has been put down as a Coloured man. Why should this humble person be placed in a position of having to go before the director without legal representation and run the risk of compromising himself? This man may be persuaded by the director to produce a birth certificate, although he is under no onus to do so. Sir, if the amendment of the hon. member for Gardens (Dr. Jonker) is accepted the onus of proof remains where it should be. In other words, under the Minister's amendment the onus of proof is thrown on the man himself to prove a certain quality about himself, whereas if the amendment of the hon. member for Gardens is accepted, the onus of proof rests on the director. I know that in this matter the Minister must have in mind securing the greatest measure of safety for the ordinary man. It is essential that wrong should not be done to any single individual if it can be avoided. I am sure the Minister bases all his reasoning on that premise. Therefore it is only right that a poor and perhaps ignorant man should be subject to no possibility of prejudice. This poor man, lacking all legal knowledge, and perhaps terrified by the ordeal of appearing before the director, should have this safeguard. He should be guarded against any possible prejudice that he may do to his case by not presenting it in the best possible light. The Minister has said that there is no judicial decision to be made; he has said that in clause 1 he makes an administrative decision. To my way of thinking the only decision he makes is to write out or to make a copy of an entry from a census form. I cannot see what decision he makes there.

The MINISTER OF THE INTERIOR: Not necessarily.

Mr. RUSSELL: Can the Minister tell me what sort of decision he makes.

The MINISTER OF THE INTERIOR: Look at clause 3.

Mr. RUSSELL: I am looking at subclause 1.

The MINISTER OF THE INTERIOR: Well, look at clause 3 which says that the information appearing in the census form and "from such other records as may be available" may be extracted by the director.

Mr. TIGHY: What are they?

Mr. RUSSELL: I take it then that the Minister argues that in clause 1 he makes an important administrative decision; that in addition to the census returns he may have some other records available.

The MINISTER OF THE INTERIOR: There may be contradictory evidence and he has to make up his mind.

An HON. MEMBER: Where does that evidence come from?

Mr. RUSSELL: I do not know where that information would come from. The Minister has not made it clear as to what other sources he might use. Even so I go further and say that if the director has to make a decision in clause 1 no second party comes into that at all; he makes the decision alone. No other party is, as yet, knowingly affected.

The MINISTER OF THE INTERIOR: Yes.

Mr. RUSSELL: In the second case the director has actually put certain machinery into action which means that another man appears before him to represent a case; another man comes before him either to raise an objection or to lodge a complaint. Surely the Minister cannot argue that there is no decision being made there. Even an administrative decision should be made in as judicial a way as possible. We know that in the past we have objected to administrative decisions because although they sometimes affect the man's very life and liberty, the decision is made in the dark, with no publicity; it is not tested by cross-examination; and no reason need be given for the decision when it is made. The man making the decision is not even obliged to be reasonable. It has been held in the courts of law that a bureaucrat making a decision need not even be reasonable. The only ground on which you can upset a decision like that, is on the ground of male fides, which is a very difficult thing to prove. Here they are deciding on a very important issue; here a decision is being made on a matter which is more important even than the ownership of property. It is a more vital decision than practically anything else in a man's life. The director decides whether a person is a white or a coloured man. It does not only affect him; it affects future generations springing from that man's loins. In those circumstances surely the Minister must see the reasonableness of this plea. Guarantee to the man, when he appears before the director for this preliminary interview, an assurance that he will not be prejudiced; that he will have the ordinary protection of legal representation. The Minister knows himself, as a lawyer, that often in the smallest transaction, perhaps where a

small sum of money may be involved, a person may prejudice his case in an interview. He has probably himself often given this advice to his clients: "Don't talk to the other side except in the presence of your lawyer; don't compromise your case." And yet, in an important matter like this he grudges the man, if he can afford it, the benefit of a legal representative. I am sure that if the Minister wishes to see true justice done he will agree to this simple amendment of mine which cannot clog the workings of his Act.

The MINISTER OF THE INTERIOR: It will.

Mr. RUSSELL: I wonder if the hon. the Minister will be good enough to explain to us how it can hold up the administration of the Act.

The MINISTER OF THE INTERIOR: It puts the director in the position of a judge where he is really called upon to make an administrative decision. We want to have the proceedings as informal as possible.

Mr. RUSSELL: Is the director, not acting as judge when he decides on a man's own representation?

The MINISTER OF THE INTERIOR: If he has reason to believe him, he gives him a chance to put anything he wishes before him before he makes his decision.

Mr. RUSSELL: Obviously he is acting as a judge. He is using the element of judgment and the Minister really astounds me when he contends that only because and when a legal representative happens to be present, does it convert the whole transaction into one of a decision and a judgment.

The MINISTER OF THE INTERIOR: You want to give it the appearance of that.

Mr. RUSSELL: Now he is retreating. He says it gives the appearance of a judgment. Why not? In every decision we make in life we act as a judge. We weigh up the pros and cons of every situation as fairly as we can and we judge. Now the Minister tells me that he does not want the director to act as a judge, and he uses the feeble excuse that the director himself wants to divest himself as far as possible of all judicial powers. The director should welcome the position I place him in; the director is acting in a judicial capacity. He is acting in a judicial capacity in a case virtually between a man and the State; he has to decide the man's status. I think the Minister should be fair and give this man the elementary protection of what representation he may be able to afford so that no injustice will be done in any possible case.

Capt. BUTTERS: I want to repeat what I said just now.

HON. MEMBERS: You can't.

The DEPUTY CHAIRMAN: Order, order, the hon. member cannot repeat what he said.

Capt. BUTTERS: I want to repeat what I said to the effect that there are conceivably in this world a large number of people who are unable to make representations on their own behalf.

The DEPUTY CHAIRMAN: Order, order. That has been said already.

Capt. BUTTERS: I appreciate that it has been said already, but I want to emphasise the fact.

The DEPUTY CHAIRMAN: Order, order.

Capt. BUTTERS: Without legal representation or someone to speak for him, such a person is very clearly handicapped, and in those circumstances an individual who wishes to make representations to the director . . .

At 10.25 p.m. the Deputy-Chairman stated that, in accordance with the Sessional Order adopted on the 1st February, 1950, he would report progress and ask leave to sit again.

House Resumed:

The DEPUTY CHAIRMAN reported progress and asked leave to sit again.

House to resume in Committee on 5th May.

Mr. SPEAKER adjourned the House at 10.27 p.m.

FRIDAY, 5th MAY, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

QUESTIONS.

Elimination of Middlemen.

1. Mr. RUSSELL asked the Minister of Agriculture:

(1) Whether his attention has been drawn to a report in an Afrikaans daily newspaper published in Cape Town to the effect that the Government is working on a plan to eliminate the mass of middlemen in the distribution of foodstuffs; and

(2) whether he will make a statement in connection with any such plan.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

The MINISTER OF AGRICULTURE:

(1) Yes, as well as to the subsequent correction.

(2) No.

Natives Exempted from Pass Laws.

III. Mr. HEPPLE asked the Minister of Native Affairs:

What is the total number of Natives exempted from the pass laws in (a) the Union, (b) the North -Western Rand, (c) Johannesburg, (d) Durban, (e) Cape Town, (f) Pretoria and (g) Port Elizabeth.

The MINISTER OF NATIVE AFFAIRS:

Before furnishing the information asked for I wish to explain that certificates of exemption under Proclamation No. 150 of 1934 were at the outset issued only by the Secretary for Native Affairs. In July, 1940, however, this function was assigned to Native Commissioners including the Pass Officer, Johannesburg.

The Secretary for Native Affairs did not classify the holders of exemption according to districts or areas so that the figures for districts which I am about to give merely indicate the position since July, 1940.

I would add, moreover, that the figures do not include the large numbers of persons who are automatically exempt from the pass laws or who have been exempted from Native law (and thus also from the pass laws) under a Union or pre-Union statute.

The reply to the question is then as follows:

(a) The latest figure available is that for July, 1948, when 81,216 Natives in the Union had been exempted from the pass laws.

(b) It is not possible to give a figure for the North-Western Rand. On the West Rand, however (i.e, the districts of Krugersdorp, Randfontein and Roodepoort), 2,304 Natives have been exempted since July, 1940.

(c) The figure for Johannesburg is 39,307.

(d) for Durban, 603;

(e) for Cape Town, 381;

(f) for Pretoria, 4,727, and

(g) for Port Elizabeth, 152.

The figure for the Witwatersrand is 55,457.

Prosecutions Under Masters and Servants Laws.

IV. Mr. HEPPLE asked the Minister of Justice:

What was the number of prosecutions under the Masters and Servants Laws during 1947, 1948 and 1949, respectively.

The MINISTER OF JUSTICE:

1947	21,588.
1948	23,811.
1949	20,780.

V. Mr. SULLIVAN—Reply standing over.

Broadcasting of Willowmore Speech by Minister of Economic Affairs.

VI. Maj. VAN DER BYL asked the Minister of Posts and Telegraphs—

(1) Whether the South African Broadcasting Corporation in its news service at 1.15 p.m. on the 23rd April, broadcast an item to the effect that the Minister of Economic Affairs, speaking at a meeting at Willowmore the previous night, had stated, inter alia, that the readers of the English newspapers were being misled by the majority of parliamentary correspondents;

(2) what action, if any, does he intend taking in the matter;

(3) whether the item was broadcast in error; if so, whether he will have a statement to that effect broadcast in the near future;

(4) what steps has he taken to ensure that his statement of policy on the 28th April, 1950, is adhered to by the Corporation;

(5) what steps will he take to ensure that party political propaganda will not be relayed on broadcast services; and

(6) whether he will take steps to prevent the good name of newspapers being drawn into question in broadcasts.

The MINISTER OF POSTS AND TELEGRAPHS:

(1) Yes.

(2) None.

(3) No.

(4) This is a matter for the Board of Governors of the South African Broadcasting Corporation.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

POPULATION REGISTRATION BILL.

First Order read: House to resume in Committee on Population Registration Bill.

House in Committee:

[Progress reported on 4th May, when Clause 5 had been put, upon which amendments had been moved by Dr. Jonker, Mr. Davis, Mr. Russell and Col. Jordan.]

Mr. DAVIS: I have moved an amendment which I would like to withdraw in order to substitute another amendment.

With leave of the Committee, the amendment was withdrawn.

Mr. DAVIS: I then move the following amendment—

In line 43, after "guardian" to insert "specifying in which respect the classification is incorrect".

The MINISTER OF THE INTERIOR: The director assures me that what the hon. member proposes in his amendment would be done in any case. I therefore have no objection to agreeing to the amendment in the form in which he now has moved it.

Mr. RUSSELL: Now that the hon. the Minister is in a mood to accept amendments . . .

The MINISTER OF THE INTERIOR: Only reasonable amendments.

Mr. RUSSELL: Then we must try to make him see reason. I would like to bring the House and the Minister back to a reconsideration of the amendment I moved last night in connection with legal representation when an appearance is made before the director, especially now that the Minister, by accepting the amendment moved by the hon. member for Pretoria (City) (Mr. Davis), has given the director the task of supplying particulars in respect of a classification which happens to be incorrect. Now, last night, by way of an interjection, the Minister indicated that one of the reasons for refusing my amendment was that he did not like to put the poor man to the expense of being legally assisted when he appears before the director. My contention is that in the long run he will actually save money. If a legal representative is present in the initial stages it is more likely that the matter will be settled rightly at the beginning. I think it will be less likely that the matter will need to proceed to the Board, which would eventually involve greater legal expenses. I presume that a man whose status is questioned will almost certainly want legal representation once he does proceed, by appeal, to the Board. Because in this matter, Sir, we must remember that the decision is affecting more than this man's or this woman's future. It will affect the future of their children, maybe "unto the third and fourth generation". It means that once a man has been declared to be "white", he and his descendants will go on to be classed as white, no matter how dark they may get. Once a man has been declared "Coloured", his children go on being classed as Coloured, no matter how much whiter his descendants may in time become.

I think myself that the Minister should now consider this amendment of mine more seriously than he seems to have done hitherto, especially in view of some of the remarks he dropped during the course of the debate. Replying to the hon. member for East London (North) (Mr. Gale) he mentioned that he would not have the trouble of journeying to Pretoria to put his case before the director. He told him clearly that there would not only be delegation of a quasi judicial function, but that there would be sub-delegation and sub-sub-delegation. We want to know where the powers that we are granting are going. They will go from the director to some other lesser authority; then to a magistrate, maybe even down to a police sergeant. I maintain that we are in the dark as to the extent of the sub-delegation. We are therefore entitled to see that proper legal representation is made to that official who has these powers and who, we must insist, should exercise them, as nearly as possible, in a "judicial" way, if we can force him to do so. Now, Sir, I have also been perturbed by more than one of the interjections made by the Minister during this debate. You will remember, Sir, that when I was urging last night that this person is entitled to be legally represented when called upon to be "heard" by the director, the Minister found a subtle difference between sub-section (3) and sub-section (1) of this same clause. He argued that because in sub-section (1) a decision would in his opinion be made by the director whilst no legal aid was present, that a similar circumstance should exist in terms of sub-section (3). In other words that no legal representation was necessary there because it was not necessary in the case of sub-section (1). I maintain that that is just a quibble. After all the Minister himself said why he had appointed the director under this Act to take the first initial steps in this registration system. The director abstracts from the census of 1951 certain information. He then classifies persons because, to use the Minister's own words, "somebody has to start the thing going". I maintain that when he "starts the thing going", he is not really as yet making a decision that manifestly calls for the presence of other people. The first opportunity that

people have of knowing that this decision affects them comes under sub-section (3). Then only do they require representation. Sir, there is another disturbing element in this matter. While we were discussing sub-section (3), the Minister referred us back to Clause 3. He pointed out to us that not only will the director use for this registration system the information gleaned from the 1951 census, but that he would have before him for classification purposes information from "other sources". Now if he he will have information "from other sources" placed before him, if, when a man's classification is being corrected, the director is going to have other information of a sort about which we know nothing definite, all the more does the man affected need representation to help him find out all about those particulars and to examine the information in respect of which his classification may have been altered. It does look as if a back door is again apparently left open. Therefore, it seems that, in a clause seemingly harmless, there is a back door through which, for all we know, the political informer can come in. He gives the director information in the dark and secretly. He is apparently entitled to give it in terms of Clause 3. I would like to ask the Minister whether his refusal to entertain this particular amendment of mine is not for political reasons. He has indicated that political reasons are behind many of his actions in connection with this Bill. It may be his fear — he can deny it if he wishes — that the very presence of a legal representative at an interview such as this, which is affecting a man's whole future status and his children's and children's children's status, that the very presence of a well-informed attorney or counsel will have the effect of counteracting the story of the informant who had previously contacted the director. He may throw an entirely new light on whatever source of information has led the director to his decision. I think we should be very careful to see that every single person who is affected by this Act should be given every possible facility for fair and just treatment. I think it can be accepted as an axiom, an axiom that should be well received in this House, that no consideration of administrative inconvenience, no consideration of administrative expense ought in any way to hamper any single individual, however humble, from being treated with fair and due justice. That should be an axiom that should be very dear to the Minister's own heart.

The MINISTER OF THE INTERIOR: I accept that.

Mr. RUSSELL: What? The amendment?

The MINISTER OF THE INTERIOR: Fairness in respect of any individual.

Mr. RUSSELL: If the Minister does believe that he should not be averse to making assurance doubly sure He cannot say, he cannot claim that the presence of a legal representative at an interview called by the director to hear a person's case would hamper justice being done.

The MINISTER OF THE INTERIOR: I distinguish between administrative and judicial or quasi judicial decisions.

Mr. RUSSELL: It is a quasi judicial decision . . .

The MINISTER OF THE INTERIOR: It is an administrative decision. There is a right of appeal, there is nothing between him and the courts of law.

Mr. RUSSELL: Most administrative decisions are quasi judicial. It depends, in some definitions, on whether the "judge" must come to a decision or not. Even if it is an administrative decision, I hope I have brought the Minister thus far with me that he realises it is an important decision. It affects something more than just the property of a man. It is a decision that affects the whole future life of a man and, as I have indicated, future generations of that man's family. Therefore, this matter should in fact be considered in a judicial way. The Minister knows the various ways in which he can force an administrative officer to act in a judicial way. One of the main ways is to insist that both parties should be heard. Both parties are to be heard here. The next way, Sir, is that the result of the decision should be given in the form of a reasoned document. That element is not present. [Time limit.]

Mr. J. J. FOUCHÉ: I move—

That the Question be now put.

Upon which the Committee divided:

AYES—54.

Abraham, J. H.	Fouché, J. H.
Bekker, H. T. v. G.	Frates, T. J.
Bezuidenhout, J. T.	Fullard, G. J.
Botha, P. W.	Grobler, D. C. S.
Brink, W. D.	Havenga, N. C.
Brits, G. P.	Hugo, P. J.
Conradie, J. H.	Jansen, E. G.
Deysel, A. J. B.	Labuschagne, J. S.
Dönges, T. E.	Le Roux, P. M. K.
Du Pisanie, J.	Le Roux, S. P.
Du Plessis, P. J. C.	Liebenberg, J. L. V.
Du Plessis, W. C.	Loock, J. H.
Erasmus, F. C.	Loubser, J. A.
Erasmus, H. S.	Loubser, S. M.
Eyssen, S. H.	Luttig, P. J. H.
Faurie, W. H.	Malan, A. I.

Malan, D. F.	Uys, D. C. H.
Papenfus, S. F.	V. d. Heever, D. J. G.
Schoeman, B. J.	Van Heerden, D. P.
Scholtz, D. J.	Van Niekerk, J. G. W.
Stals, A. J.	Van Rhyn, A. J. R.
Steyn, A.	Van Schoor, J. J. F.
Steyn, G. P.	Visser, de V.
Steyn, J. H.	Vosloo, L. J.
Strydom, G. H. F.	Warren, S. E.
Strydom, J. G.	Wilkens, Jan.

Tellers: J. J. Fouché and P. J. Olivier.

NOES—47.

Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Lawrence, H. G.
Benson, E. A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Christie, J.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Russell, J. H.
Delport, G. S. P.	Shearer, O. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Strauss, J. G. N.
Friedman, B.	Stuart, W. H.
Frielinghaus, H. O.	Sturrock, F. C.
Gale, D. J.	Sullivan, J. R.
Gay, L. C.	Tighy, S. J.
Gluckman, H.	Tothill, H. A.
Graaff, de Villiers	Trollip, A. E.
Hepple, A.	Van Coller, C. M.
Higgerty, J. W.	Waring, F. W.
Hopewell, A.	Waterson, S. F.
Hughes, T. G.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That the words from "he may" in line 39, down to and including "after" in line 41, proposed to be omitted by Dr. Jonker, stand part of the Clause,

Upon which the Committee divided:

AYES—53.

Abraham, J. H.	Frates, T. J.
Bekker, H. T. v. G.	Fullard, G. J.
Bezuidenhout, J. T.	Grobler, D. C. S.
Botha, P. W.	Havenga, N. C.
Brink, W. D.	Hugo, P. J.
Brits, G. P.	Jansen, E. G.
Conradie, J. H.	Labuschagne, J. S.
Deysel, A. J. B.	Le Roux, P. M. K.
Dönges, T. E.	Le Roux, S. P.
Du Plessis, P. J. C.	Liebenberg, J. L. V.
Du Plessis, W. C.	Loock, J. H.
Erasmus, F. C.	Loubser, J. A.
Erasmus, H. S.	Loubser, S. M.
Eyssen, S. H.	Luttig, P. J. H.
Faurie, W. H.	Malan, A. I.
Fouché, J. J.	Malan, D. F.
Papenfus, S. F.	V. d. Heever, D. J. G.
Schoeman, B. J.	Van Heerden, D. P.
Scholtz, D. J.	Van Niekerk, J. G. W.
Stals, A. J.	Van Rhyn, A. J. R.
Steyn, A.	Van Schoor, J. J. F.
Steyn, G. P.	Visser, De V.
Steyn, J. H.	Vosloo, L. J.
Strydom, G. H. F.	Warren, S. E.
Strydom, J. G.	Wilkens, Jan.
Uys, D. C. H.	

Tellers: J. J. Fouché and P. J. Olivier.

NOES—48.

Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Benson, E. A.	Lawrence, H. G.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Davidoff, H.	Oosthuizen, O. J.
Davis, A.	Oppenheimer, H. F.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, O. L.
Eaton, A. H. J.	Smit, D. L.
Friedman, B.	Strauss, J. G. N.
Frielinghaus, H. O.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Gluckman, H.	Tighy, S. J.
Graaff, de Villiers	Tothill, H A.
Hepple, A.	Trollip, A E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Dr. Jonker dropped.

The omission of the words in lines 41 and 42 proposed to be omitted by the Select Committee was put and agreed to.

The words proposed to be inserted by Mr. Davis in the words inserted by the Select Committee were put and agreed to.

The words proposed to be inserted by Mr. Russell in the words inserted by the Select Committee were put and the Committee divided:

AYES—46.

Barlow, A. G.	Delport, G. S. P.
Bekker, P. B.	Du Toit, R. J.
Bell, R. E.	Eaton, A. H. J.
Benson, E. A.	Friedman, B.
Bowker, T. B.	Frielinghaus, H. O.
Brooke, R. S.	Gale, D. J.
Butters, W. R.	Gay, L. C.
Christie, J.	Gluckman, H.
Davis, A.	Graaff, de Villiers

Hepple, A.	Russell, J. H
Higgerty, J. W.	Shearer, O. L.
Hopewell, A.	Smit, D. L.
Hughes, T. G.	Strauss, J. G. N.
Jonker, A. H.	Stuart, W. H.
Jordan, R. D. P.	Sturrock, F. C.
Lawrence, H. G.	Sullivan, J. R.
Lewis, J.	Tighy, S. J.
Lovell, L.	Tothill, H. A.
McMillan, N. D.	Trollip, A. E.
Mushet, J. W.	Van Coller, C. M.
Oosthuizen, O. J.	Waring, F. W.
Oppenheimer, H. F.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—52.

Abraham, J. H.	Loock, J. H.
Bekker, H. T. van G.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Papenfus, S. F.
Deysel, A. J. B.	Schoeman, B. J.
Dönges, T. E.	Scholtz, D. J.
Du Pisanie, J.	Stals, A. J.
Du Plessis, W. C.	Steyn, A.
Erasmus, F. C.	Steyn, G. P.
Erasmus, H. S.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Uys, D. C. H.
Frates, T. J.	V. d. Heever, D. J. G.
Fullard, G. J.	Van Heerden, D. P.
Grobler, D. C. S.	Van Niekerk, J. G. W.
Havenga, N. C.	Van Rhyn, A. J. R.
Hugo, P. J.	Van Schoor, J. J. F.
Jansen, E. G.	Visser, De V.
Labuschagne, J. S.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan.

Tellers: J. J. Fouché and P. J. Olivier.

The insertion of the words proposed by Mr. Russell accordingly negatived.

The words proposed to be inserted by the Select Committee, as amended, were put and agreed to.

The new sub-section (4) proposed by Col. Jordan was put and the Committee divided:

AYES—46.

Barlow, A. G.	Du Toit, R. J.
Bekker, P. B.	Eaton, A. H. J.
Bell, R. E.	Friedman, B.
Benson, E. A.	Frielinghaus, H. O.
Bowker, T. B.	Gale, D. J.
Brooke, R. S.	Gay, L. C.
Butters, W. R.	Graaff, de Villiers
Christie, J.	Hepple, A.
Davis, A.	Higgerty, J. W.
Delport, G. S. P.	Hopewell, A.
Hughes, T. G.	Shearer, O. L.
Jonker, A. H.	Smit, D. L.
Jordan, R. D. P.	Strauss, J. G. N.
Kahn, S.	Stuart, W. H.
Lawrence, H. G.	Sturrock, F. C.
Lewis, J.	Sullivan, J. R.
Lovell, L.	Tighy, S. J.
McMillan, N. D.	Tothill, H. A.
Mushet, J. W.	Trollip, A. E.
Oosthuizen, O. J.	Van Coller, C. M.
Oppenheimer, H. F.	Waring, F. W.
Russell, J. H.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—51.

Abraham, J. H.	Loock, J. H.
Bekker, H. T. van G.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Papenfus, S. F.
Deysel, A. J. B.	Schoeman, B. J.
Dönges, T. E.	Scholtz, D. J.
Du Pisanie, J.	Stals, A. J.
Du Plessis, P. J. C.	Steyn, A.
Du Plessis, W. C.	Steyn, G. P.
Erasmus, F. C.	Steyn, J. H.
Erasmus, H. S.	Strydom, G. H. F.
Eyssen, S. H.	Strydom, J. G.
Faurie, W. H.	Uys, D. C. H.
Fouché, J. H.	V. d. Heever, D. J. G.
Fouché, J. J.	Van Niekerk, J. G. W.
Fullard, G. J.	Van Rhyn, A. J. R.
Grobler, D. C. S.	Van Schoor, J. J. F.
Havenga, N. C.	Visser, de V.
Hugo, P. J.	Vosloo, L. J.
Jansen, E. G.	Warren, S. E.
Labuschagne, J. S.	Wilkens, Jan.
Liebenberg, J. L. V.	

Tellers: J. J. Fouché and P. J. Olivier.

New sub-section accordingly negatived.

Clause, as amended, accordingly agreed to.

On New Clause, to follow Clause 5,

*The CHAIRMAN: May I ask the hon. member for Gardens (Dr. Jonker) whether he wants to propose his amendment?

*Dr. JONKER: Yes, I want to propose a new clause to follow Clause 5. I move—

That the following be a new clause to follow Clause 5:

6. (1) If the Director receives a written communication (other than a communication made by a public servant in the course of his official duties) alleging that the classification of a person, in terms of sub-section (1) of Section 5 is incorrect, he shall forward a photostatic copy

of the communication to the said person and, unless the communication is anonymous, in which event no further action shall be taken upon it, shall require the objector to proceed in terms of Section 11.

(2) The provisions of sub-section (1) shall not be construed to affect the law of defamation.

*Mr. P. J. H. LUTTIG: I want to know, Mr. Chairman, whether the closure of the debate does not mean that we may not discuss this clause any further.

*The CHAIRMAN: The question was put in connection with Clause 5, but this is a new clause which has been proposed.

*Mr. P. J. H. LUTTIG: Is this not an addition to Clause 5?

*The CHAIRMAN: No, this is a new clause.

Mr. BARLOW: I think the hon. member for Calvinia (Mr. P. J. H. Luttig) should go back to the wilds. Dr. Conradie, I want to move—

That the Chairman report progress and ask leave to sit again.

An HON. MEMBER: That is obstruction.

Mr. BARLOW: One can see that members on the Government side of the House are not prepared to go on with this Bill this afternoon. They are not prepared to go on and they ask the Chairman to bring in the closure. I know that it is in the discretion of the Chairman . . .

Mr. S. E. WARREN: You are wasting time.

Mr. BARLOW: It is in the Chairman's discretion whether he will accept a motion for the closure, and I am not discussing that. The Minister is not prepared to go on with the discussion of this Bill this afternoon. If he is prepared to go on we must discuss every clause and every word of this Bill. The public wants that. The public outside does not want a Bill like this rushed through the House. There is nothing the public hates more than rushed legislation. There is nothing the courts hate more than rushed legislation, and this is going to become rushed legislation. I do not know whether the Minister wants to go to football or whether there is a wedding on, but they are trifling with this measure. This is one of the most important Bills that has ever come before Parliament, and what do we find? The other side rushes through three clauses in three minutes. People like ourselves, who sit here, have come long distances and many miles. We want to discuss this Bill. We have spent an enormous amount of time upstairs studying the Bill. It can be seen by the speeches on this side that we have studied the Bill and that we know what we are talking about. We see on the other side that they swallow exactly what the Minister tells them. There was a time when people on the other side took exception to Bills being rushed through the House, and I supported them, and some of my friends here supported them. I have always voted against the closure, and so have other members on this side.

Mr. S. S. WARREN: You are just wasting time.

Mr. BARLOW: The hon. member for Swellendam (Mr. S. E. Warren) also voted against the guillotine, but since he was refused a Government job . . .

The CHAIRMAN: The hon. member must discuss the motion before the House.

Mr. BARLOW: I am speaking to the motion, but the hon. member has interrupted me. That is not right. He should be called to order.

Mr. S. E. WARREN: You are out of order.

Mr. CHAIRMAN: Order, order!

Mr. BARLOW: The party on this side wants the Bill discussed quietly, calmly, seriously and reasonably, and we find that is not possible this afternoon because the Minister is not interested. All the Minister is interested in is chewing sweets, and then he asks a Government Whip to move the closure. I know it is in the discretion of the Chairman to accept the motion, but he will not accept it unless he is asked to do so. I am certain that you, Mr. Chairman, with your great knowledge of the Rules would never do so; you would never put the closure unless you were asked to do so and we are asking our friends on the other side why they ask that this particular debate should be stopped. Here we are at the tail-end of a hard week. We are tired, but we are prepared to go on and do our duty. We are prepared to go on and see the country through. We could also go home or go to football, but we stick to our jobs, we do not like this crossing over the floor of the House all the time.

Mr. S. E. WARREN: Why call divisions then?

Mr. STURROCK: Why not?

Mr. BARLOW: We do not like calling divisions. We know that certain members on the other side are quite prepared to cross the floor of the House all the time, because they never know where they are. I want to protest here this afternoon so that

the whole country can see that the government of this country today is being done by the steamroller, by the iron hand. You are treading on the corpse of liberty; there is no such thing as democracy any longer. The Broederbond is in the ascendancy, and then the Prime Minister goes to Another Place and he talks glibly and at length about freedom. His party do not know what freedom is. Freedom is not what is being done in this House this afternoon; freedom is free speech. Our forefathers fought for free speech; the Voortrekkers left the Cape Colony for free speech. Today we have an iron curtain and an iron hand on this House. This House is not functioning; Parliament is not functioning.

The MINISTER OF THE INTERIOR: The other side is not functioning.

Mr. BARLOW: Before a member can speak, someone on the other side jumps up and asks for the closure to be applied. We protest; we protest before the country. This will go before the country and if the Prime Minister thinks he will get away with things of this kind, I challenge him to go to the country.

*The PRIME MINISTER: On a point of order, I want to ask what this has to do with the motion to adjourn the debate?

*The CHAIRMAN: I cannot see what the hon. member means by his speech. It has nothing to do with the motion.

Mr. BARLOW: I am speaking in English, Mr. Chairman, and I would like to have your ruling in English.

The CHAIRMAN: The point of order was raised in Afrikaans. The point of order is whether what the hon. member says has anything to do with the subject under discussion. As far as I can see, his remarks have nothing to do with the subject under discussion, because the subject under discussion it that we report progress and ask for leave to sit again.

Mr. BARLOW: I am closing now. I have lodged my protest and I have made the Prime Minister get up. He cannot answer my protest so he still comes with his anti-free speech and tries to get me ruled out of order.

The CHAIRMAN: Order, order!

Mr. BARLOW: I am asking that we should report progress and ask leave to sit again so that members on that side may go home and think quietly over the position into which they have put this House today. We are supposed to be the legislators of the country. Look what we look like. We cannot function; we cannot carry on because a disgruntled Minister and a Whip simply say: "You shall not speak again."

The CHAIRMAN: Order, order! The hon. member must not reflect on the Chair.

Mr. STRAUSS: He is not reflecting on the Chair.

Mr. STUART: I am glad you called on me, Sir, because I represent a different point of view.

*Mr. OLIVIER: On a point of order, may I ask whether you are prepared to allow discussion on this motion for the adjournment of the debate at this stage.

Mr. LAWRENCE: That is according to the Rules of the House.

Mr. RUSSELL: Don't you know the Rules of the House?

*The CHAIRMAN: The Committee will have to decide whether we are to report progress now or not.

HON. MEMBERS: No, no!

*Mr. OLIVIER: May I have your ruling, Sir?

*The CHAIRMAN: What was the hon. member's question?

*Mr. OLIVIER: My question was whether you are going to allow this motion that progress be reported be debated and whether you are going to accept the motion of the hon. member for Hospital (Mr. Barlow)?

*The CHAIRMAN: It is not for me to decide that; it is for the Committee to decide.

*Mr. OLIVIER: In that case I move —

That the Question be now put.

Mr. WARING: On a point of order, may I ask you a question, Mr. Chairman? I understand that the hon. member has moved the closure on this motion which was moved by the hon. member for Hospital. I understand according to the Rules that it is in your discretion to accept or to reject a closure motion. May I ask whether you have accepted the closure?

The CHAIRMAN: I have accepted it; that is why I am putting it. I now put the motion.

Motion put.

PARLIAMENT THE PARLIAMENT OF SOUTH AFRICA

The CHAIRMAN: I think the "noes" have it.

HON. MEMBERS: The "ayes".

The CHAIRMAN: I am sorry. I made a mistake, the "ayes" have it.

Mr. LAWRENCE: On a point of order, you have ruled that the "noes" have it.

Mr. OLIVIER: And I call for a division.

The CHAIRMAN: There has been a misunderstanding. I will put the motion again.

Mr. STRAUSS: What motion is this? You have already put it.

The CHAIRMAN: And I gave it in favour of the "ayes".

Mr. LAWRENCE: No, you gave it in favour of the "noes".

Mr. STRAUSS: We all heard you say: "The 'noes' have it."

*Mr. OLIVIER: On a point of order, as you correctly said, you wrongly gave it to the "noes" but I then immediately got up and asked for a division.

The CHAIRMAN: Practically two motions were under discussion at the same time and my intention was to accept the motion for the closure. I merely mixed up the two motions, but what I accepted was the motion for the closure and on the voices, I intended to give it to those who did not want to report progress. I am sorry I made a mistake, but that was what I intended to do.

Mr. TROLLIP: On a point of order . . .

Mr. S. E. WARREN: Be a gentleman and play the game.

Mr. LAWRENCE: If you made a mistake there is a remedy.

Mr. STUART: On a point of order, may I ask whether the closure has ever been accepted before in this House just after the first speaker has spoken and when the second speaker has just risen to speak?

The CHAIRMAN: Yes, it can be done.

Mr. TIGHY: They did it last night too.

The Committee divided.

AYES — 52.

Abraham, J. H.	Botha, P. W.
Bekker, H. T. van G.	Brink, W. D.
Bezuidenhout, J. T.	Brits, G. P.
Conradie, J. H.	Luttig, P. J. H.
Deysel, A. J. B.	Malan, A. I.
Dönges, T. E.	Malan, D. F.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Schoeman, B. J.
Du Plessis, W. C.	Scholtz, D. J.
Erasmus, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Frates, T. J.	Strydom, J. G.
Fullard, G. J.	Uys, D. C H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, De V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan.

Tellers: J. J. Fouché and P. J. Olivier.

NOES — 46.

Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Lawrence, H. G.
Bell, R. E.	Lewis, J.
Benson, E. A.	Lovell, L.
Bowker, T. B.	McMillan, N. D.
Brooke, R. S.	Mushet, J. W.
Butters, W. R.	Oosthuizen, O. J.
Christie, J.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H
Du Toit, R. J.	Shearer, O. L.
Eaton, A. H. J.	Smit, D. L.
Friedman, B.	Strauss, J. G. N.
Frielinghaus, H. O.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hepple, A.	Tothill, H A.
Higgerty, J. W.	Trollip, A. E.
Hopewell, A.	Van Coller, C. M.
Hughes, T. G.	Waring, F. W.
Jonker, A. H.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

The motion to report progress and ask leave to sit again was put and the Committee divided:

AYES — 47.

Barlow, A. G.	Davis, A.
Bekker, P. B.	Delport, G. S. P.
Bell, R. E.	Du Toit, R. J.
Benson, E. A.	Eaton, A. H. J.
Bowker, T. B.	Friedman, B.
Brooke, R. S.	Frielinghaus, H. O.
Butters, W. R.	Gale. D. J.
Christie, J.	Gay, L. C.

Graaff, de Villiers	Pocock, P. V.
Hepple, A.	Russell, J. H.
Higgerty, J. W.	Shearer, O. L.
Hopewell, A.	Smit, D. L.
Hughes, T. G.	Strauss, J. G. N.
Jonker, A. H.	Stuart, W. H.
Jordan, R. D. P.	Sturrock, F. C.
Kahn, S.	Sullivan, J. R.
Lawrence, H. G.	Tighy, S. J.
Lewis, J.	Tothill, H. A.
Lovell, L.	Trollip, A. E.
McMillan, N. D.	Van Coller, C. M.
Mushet, J. W.	Waring, F. W.
Oosthuizen, O. J.	Waterson, S. F.
Oppenheimer, H. F.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES — 53.

Abraham, J. H.	Loubser, J. A.
Bekker, H. T. v. G.	Loubser, S. M.
Bezuidenhout, J. T.	Luttig, P. J. H.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Papenfus, S. F.
Conradie, J. H.	Schoeman, B. J.
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Eyssen, S. H.	Uys, D. C. H.
Faurie, W. H.	V. d. Heever, D. J. G.
Fouché, J. H.	Van Heerden, D. P.
Frates, T. J.	Van Niekerk, J. G. W.
Fullard, G. J.	Van Rhyn, A. J. R.
Grobler, D. C. S.	Van Schoor, J. J. F.
Havenga, N. C.	Viljoen, J. H.
Hugo, P. J.	Visser, De V.
Jansen, E. G.	Vosloo, L. J.
Labuschagne, J. S.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan.
Loock, J. H.	

Tellers: J. J. Fouché and P. J. Olivier.

*Dr. JONKER: Yesterday afternoon and yesterday evening we asked the hon. the Minister to amend the clause which has just been disposed of and which leaves open a back-door for a new procedure of lodging objections, in such a way that that back-door will be closed. Unfortunately, he did not see his way clear to close that back-door. Now this new clause which I am proposing here assumes far greater importance than it would have had if he had acceded to our request yesterday to close that back-door. We should ask ourselves in what way the director will obtain information which will persuade him to change the classification which he has already made. He will, of course, receive information through certain official channels. There will be officials who will report to him after they have made their investigations, and as a result of such information he may possibly decide to change the classification. But that is not all. He will undoubtedly be inundated by the information passed on by other people. He will receive information from the slanderers, the blasphemers and the persecutors. He will also get voluntary statements and information from all types of people, and it is the object of this new clause to set bounds to the activities of this miserable, mentally degenerated, deformed and twice miserable creature, the poison-pen writer. Unfortunately, we find these creatures to whom I refer in every country and in every age. It is a regrettable fact. But this obscene fellow, the wielder of the poison pen, who is always ready to wound but never has the courage to strike, is the type of man to whose activities we want to set bounds in this amendment, but the hon. the Minister does not want to do it. He protects those people. We asked him yesterday just to yield to this extent that the person who has been libelled be informed in the proposed manner what information has been passed on to the director. The hon. the Minister does not want to do it. He wants to protect those people. He wants to protect this type of vermin to whom I have referred, and we are now asking him in this amendment to set bounds to the activities of people of that kind. I would like to tell the House why we are asking in this amendment that a photostatic copy be made of such a communication received by the director and forwarded to the person concerned. It also applies to anonymous communications, although we state clearly that we do not expect the director to take any action in respect of anonymous communications which he receives. But we would like to see that the honour and standing and status of the person concerned, whose wife and children may be affected by it in the future, are protected, and the only protection that we can give, now that the Minister has left open the back door for this venom, is the protection of our law of defamation and the protection of the courts. That is why we want the director to send to the person concerned a photostatic copy of all these obscene things said against him. I want to mention one case in point. Many of us have come across that wielder of the poison pen at some time in the past. The hon. member for Alberton (Mr. S. J. M. Steyn) is unfortunately not here. He has knowledge of it. The hon. member for Woodstock (Mr. Russell) has even been threatened with murder by that cowardly type of creature whom the hon. the Minister now wants to protect. I have received many of these communications. I well remember that I once received a pamphlet which was sent through the post and delivered to me. It was an anonymous pamphlet containing the most

obscene, the lowest and most despicable utterances. As usual this anonymous pamphlet immediately went into my wastepaper basket, but as soon as I had thrown it away something struck me, something familiar, and I recovered it from the wastepaper basket. What struck me was the handwriting — that is why we want the photostatic copy — I was struck by the handwriting. I recovered it and studied the handwriting and I then went to my files and looked through old letters which I took out in order to study and compare the handwriting. The author had not even made an attempt to camouflage or cover up his own handwriting. I could easily identify the man from his handwriting, although he had not put his own name to this document. I did not take the matter any further because the author of that obscene pamphlet was a person who had held one of the highest positions in this country until before the war, and if I had disclosed the matter, it would have cast such a reflection on our public life, that I left it in my drawer where it still is today, but I would not advise hon. members opposite to ask me to disclose it now. That is the type of thing to which we want to set bounds. The hon. the Minister has now left the back door open for this sort of obscene, low and libellous accusation. We want to get hold of those people. We expect the hon. the Minister to protect us against the people who attack us behind our backs, the people who lack the courage to enter through the open door of Clause 11 and to lodge their objection openly, the people whom he does not want to keep out by changing Clause 5. That is why, although it is not absolutely necessary in this Bill, we want to make it clear that the author of such a communication, of which a photostatic copy should be forwarded to the person who is slandered, should not escape the consequences of a libel action against him. That is why this second sub-section has been inserted, which provides that the provisions of sub-section (1) shall not be construed to affect the law of defamation. We want to see that those people who wield the poison pen, those people who we unfortunately have in our midst, pay the penalty for their activities, and we want the State and the Minister and the director to ensure that those people do pay the penalty when they commit libel or other offences. It is the Minister's duty to protect us; it is his duty to protect both the people on his side of the House and the people on this side of the House. It will not only affect us and it will not only affect members of the public outside; that type of thing might equally affect members opposite. That is why I am pleading for their rights as well as our rights and the rights of the people outside, and that is why I ask that we all be protected.

*Mr. BOTHA: Why did you not plead for these things during the war years?

*Mr. J. J. FOUCHÉ: The hon. member for Cape Town (Gardens) (Dr. Jonker) has advanced a very serious argument against that despicable creature who anonymously writes malicious letters and gets people into trouble. I would agree with him that this type of creature is despicable. No fair-minded person has any sympathy with such a distorted creature, and it is not necessary for the hon. member for Gardens to put up a plea to incite us against that type of contemptible creature. We detest those mean creatures. We have quite recently had quite a lot of experience of that type of mean and low creature who writes anonymous letters with the malicious intention of getting people into trouble. It really was not necessary for the hon. member for Cape Town (Gardens) to come and plead here in order to fill us with a sense of vengeance and repugnance against those low creatures. We had an adequate opportunity not so very long ago to learn to hate that type of man. We know that the Bill as it stands, affords the people every possible protection against false accusations. That protection is given throughout this Bill, and it is given more and more effectively. Now, Mr. Chairman, our director is a respected man, a man who will not act on anonymous letters; he will only act on real objections which are lodged with him. But what do these members want? We were not given the names of the people who slandered us in the recent past, and I take it there were good reasons for destroying those names. Similar reasons and perhaps even better reasons also apply now. For what earthly reason do they want the director to send the person concerned a photostatic copy of an anonymous letter which he receives and which he ignores? They suggest this simply and solely for the sake of causing more difficulties. I honestly think that the plea made by the hon. member was an unnecessary plea. There is not a single person in public life who has not received those dirty, slanderous, anonymous letters. We all loathe that type of person, but this amendment which the hon. member proposes is not going to restrain those low creatures. If it would, we would all be in favour of it. Those people should be hanged. I still wish that we could put against the wall those low creatures who slandered us on this side not so long ago. We have no sympathy with people of that type, but this amendment will not restrain that type of low creature.

Mr. WARING: I listened with interest to the speech of the hon. member for Smithfield (Mr. J. J. Fouché). Surely his admission that this anonymous type of letter — some of them are not even anonymous — is sent by those people, strengthens our case for the amendment proposed by the hon. member for Cape Town (Gardens) (Dr. Jonker). He referred to the fact that this

side had received many of these letters. I can give him the assurance that it is not one-sided. I remember when my wife was standing for the provincial council in the election in Johannesburg, the type of letter one received, signed, with addresses, the most scurrilous type of letter written to her, and I do say this that the amendment of the hon. member for Gardens does make another attempt in this legislation to stop and prevent that kind of thing. These are letters that are directed to people in person, and now these letters and many many more will be directed to the Director of Census and if the man against whom these letters are written is given the opportunity of bringing about a libel suit, if the information is scurrilous, if he gets the opportunity by the fact that a photostatic copy is sent to him, surely it is going to improve the position, and as the hon. member for Smithfield feels so strongly about it, as also hon. members here, let us include this provision and let us try to stop as far as possible this practice, and if we can't stop it, let us at least give the other fellow something that he can use against scurrilous arguments. I would suggest that this amendment is definitely worthy of consideration.

*The MINISTER OF THE INTERIOR: Mr. Chairman . . .

Mr. BARLOW: You are surely not going to move the closure of the debate?

*The MINISTER OF THE INTERIOR: I still have a little sense, I have not yet reached the age where I have no sense. The amendment of the hon. member for Gardens (Dr. Jonker) is tantamount to a glorification of the poison pen, as he calls it. He wants to invest it with an importance which it does not deserve. Even the anonymous letter must now be immortalised; the anonymous letter, which in most cases goes to the wastepaper basket, must now be rescued from oblivion; a photostatic copy must be made of it, and it must be forwarded to the person who otherwise would have known nothing about it and would not have been caused further distress through it. He wants publicity to be given to these slanderous words, and that by law. I am being asked to insert a provision here to the effect that I shall forward anonymous communications to the person who is slandered, and who would otherwise never have seen or received such a communication. I am now asked to make a photostatic copy of it; in other words, to spread the libel. That is what they expect the director to do. He must be an accessory to it, and then in the following sub-section the hon. member says that we should remember that the law of defamation is still in force. If we carried out the provisions of the Act, including the nonsensical provision as contained in sub-clause (2), the director would be sued on the ground that he published that libel.

*Dr. JONKER: You could easily protect him.

*The MINISTER OF THE INTERIOR: Then you should not have put it in the form in which you have put it. Here the hon. member wants to compel him to do it, and he demands that the director must spread the libel. I cannot understand how hon. members who are so concerned about it — and I am also concerned about it, because they are not the only people who receive that type of letter — can think that this is the only way to combat that anonymous wielder of the poison pen. Here one gives him what he would like to have, and that is publicity. He will know that the easiest way to obtain publicity is by writing such a letter, because in terms of the Act the director will then be compelled to give publicity to it. The law of defamation does apply in certain circumstances, irrespective of whether it is mentioned in this Act. I know, and the object of sub-clause (2) is to make it clear, that the law of defamation is applicable.

*Dr. JONKER: To the slanderer.

*The MINISTER OF THE INTERIOR: Of course, it cannot apply to anybody else.

*Dr. JONKER: The director?

*The MINISTER OF THE INTERIOR: The law of defamation does apply in any case, and while that is the position, why should one say it in the Act? What purpose can be served by it?

*Dr. JONKER: Just to deter them.

*The MINISTER OF THE INTERIOR: Then one should insert a provision in every piece of legislation, in every case where there is a danger of this nature, to the effect that anybody who infringes any of the provisions of that legislation will be punished. No, we should retain our sense of perspective, and we should not, simply because we are opposed to slanderous communications, to these poison pens, act in a way which is calculated to give them an importance which they do not deserve and it is impossible, therefore, on every conceivable ground, to accept an amendment of that nature.

Sir DE VILLIERS GRAAFF: The Minister's reasoning to my mind is virtually in support of the amendment which has been placed before the Committee. It is perfectly clear from the existing position of Clause 5 in this proposed Bill that a director is still in the position if he receives an anonymous letter, or if he receives a letter of any kind giving him certain information,

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to act on that information. He will then find himself in this unfortunate position that information may be placed before him on which he feels constrained to act in spite of the fact that the person giving him that information did not have the courage to lodge an objection, nor has he proceeded in the manner laid down in Clause 11. That to my mind, and to the mind of this side of the House, encourages irresponsible communications to the director, because it imposes no penalty on the individual concerned. The director will receive that information and there are times when he may feel disposed to act upon it. It is no meeting of that argument to say that those are communications which should go into the waste-paper basket. One well knows that even the police have on occasion acted as a result of anonymous letters which have been sent to them.

The MINISTER OF THE INTERIOR: Are you against that?

Sir DE VILLIERS GRAAFF: I am not against that. The letters have been sent to them and they have been in the position to make proper inquiry, but must I now accept that the Minister is not against anonymous letters being sent objecting to the classification of an individual, when a proper procedure is provided in Clause 11? Surely it is not the intention of the Minister to leave that loophole?

The MINISTER OF THE INTERIOR: The police also have other channels as apart from the anonymous communications.

Sir DE VILLIERS GRAAFF: In the one case a crime is being investigated, in the other case it is merely . . .

The MINISTER OF THE INTERIOR: If your analysis is correct, then you must ask for a similar amendment in the Police Act, too.

Sir DE VILLIERS GRAAFF: That is your analysis, not mine. The hon. the Minister is straining the comparison . . .

The MINISTER OF THE INTERIOR: Straining your analogy.

Sir DE VILLIERS GRAAFF: The Minister is straining the analogy to breaking point to try and avoid the result of the interjection which he made. The point is simply this: Here you have a procedure whereby an individual in an irresponsible manner can make allegations against the classification of people whose names are in the register. Surely it is not the intention of the Minister that he should have this alternative procedure with the gate wide open for something of this kind. This amendment proposed by the hon. member for Cape Town (Gardens) merely puts a stop to that undesirable type of procedure which the Minister himself admits he is not in favour of.

The MINISTER OF THE INTERIOR: My submission is that it encourages that kind of thing.

Sir DE VILLIERS GRAAFF: Let us examine the statement of the hon. the Minister that in his view this amendment encourages that sort of thing. How can it encourage that kind of thing when the individual objecting knows full well that a copy of that objection will be sent to the person concerned, who in most cases will take steps to find out who he is? Is that an encouragement?

The MINISTER OF THE INTERIOR: Of course.

Sir DE VILLIERS GRAAFF: Under the clause proposed by the Minister, the objector will go to the director. It may never be revealed in full to the individual who is objected against.

The MINISTER OF THE INTERIOR: No notice may be taken of it and must not be taken of it.

Sir DE VILLIERS GRAAFF: Quite a lot of notice may be taken of it, even under the clause as it now stands. It is therefore proposed that should notice be taken of it, as proposed under this clause, there should nevertheless be the possibility of the sanction of a penalty, because it would be sent to the individual about whom that information is spread abroad. The consequence is that that individual will have his remedy, he will be able to avail himself of the law of defamation. Here again I am in this difficulty with the Minister: I know that he has been suspicious of a lot of the amendments from this side of the House, a totally unjustified suspicion I may say. I see the hon. the Minister smiles. I know he is not serious . . .

The MINISTER OF THE INTERIOR: Smiling because you are talking with your tongue in your cheek.

Sir DE VILLIERS GRAAFF: The hon. the Minister is in a playful mood this afternoon and he is doing his best to avoid this point, he will try to evade it with one of those stories for which he is famous. But let us get this matter perfectly clear. By accepting this amendment, the position of the director is in no way weakened. By accepting this amendment the position of the person concerning whom the information is spread, is improved; is improved because he will have an opportunity now of meeting the information spread about him and will have

his remedy under the law of defamation against the individual concerned. He will also be placed in such a position that he will be in a favourable position to cause investigation to be made. As regards the individual who writes scurrilous letters of this kind to the director, he will find himself in a less advantageous position than he would have been had this amendment not been accepted. This simply means that the Minister is giving away nothing, the amendment is improving the position of the individual concerning whom there may be doubt and his position is further safeguarded. What possible objection can the Minister have to accepting this amendment? In all sincerity I tried to follow his arguments. He says that his information will now be published by means of photostatic copies. Of course it will be published only to the individual concerned. He receives the information and he can act upon it and it is his right to receive that information and to act upon it. Why should this matter then be kept in the dark if people are writing letters concerning a man's classification to the director? The more things of this kind are placed in the category in which the individual concerned is entitled to avail himself of the remedies offered him by the law, the better for everyone concerned, and the more likelihood there is that this law will not be as oppressive as it may be otherwise. For those reasons I once again request the Minister to reconsider his attitude towards this amendment, because I feel that if ever there was an honest amendment placed before the House from this side of the House, it is this one. It is sincerely meant to avoid one of the dangers, one of the evils inherent in this Bill and one of the objections which have been launched against this Bill from the moment that it has made its appearance in print. We have always felt that one of the dangers in legislation of this kind would be the scope it gave for the poison-pen writer, the wielder of a pen resulting in scurrilous statements. I think the Minister is not giving all his attention at the moment, but I do feel that he must understand that an honest plea is being placed before him in this connection. I would sincerely ask him to reconsider his attitude in this matter, more especially as he can lose nothing and he may gain a lot not only in added protection to the individual concerned, but also in the goodwill which will result of the acceptance of the amendment.

*Mr. TIGHY: With reference to the amendment of the hon. member for Gardens (Dr. Jonker), the hon. the Minister has advanced the argument that no notice is taken of anonymous letters and that they simply go to the waste-paper basket. I wonder whether that actually is the case? I would like to draw the hon. the Minister's attention to the fact that at present one can write to the electoral officer concerned and simply inform him that a person whose name appears on the voters' list no longer lives in that constituency. The electoral officer must cause an investigation to be made and he cannot ignore that communication; in that case we do not know who the author of the letter is. We have no guarantee from the hon. the Minister that the director will ignore such a letter. Hon. members often forget that there is a tremendous difference between an Act itself and the administration of such an Act. Very often when a Bill is piloted through the House, we in this House, and also the Government and the Minister concerned, are imbued with the best intentions in the world. Such a Bill becomes an Act, and when it comes to the administration of such an Act, the effect is sometimes totally different from what the Minister intended it to be. The hon. the Minister should also remember that any undertaking which he gives us is not always incorporated in the Act. The hon. the Minister now says that he does not want — just as the hon. member for Gardens does not want it — the poison pen to be glorified and that he does not want libellous letters to be glorified through publication. I accept the sincerity of the hon. the Minister as far as this matter is concerned, but he should not forget that his intentions are not incorporated in the Act. He should also not forget that he will not be Minister for ever. The present director may have honest intentions and may never intend to take notice of anonymous letters, but he, too, will not remain Director of Census for ever. We are worried about that aspect of the matter. We are here dealing with legislation which fundamentally affects human rights, the rights of the individual, the rights of the citizen, and I feel, therefore, that we should be doubly careful. The hon. the Minister seems to think that some of our amendments are proposed simply for the purpose of obstructing this legislation and to make it more cumbersome, but if he had accepted the amendment of the hon. member for Gardens last night, this might not have been necessary. We on this side appreciate the dangers contained in this Bill to the individual, the danger to the citizen of the State, and it is therefore our duty as Opposition to do everything in our power to protect the ordinary man against the possibility of profane exploitation. That is the viewpoint on which our amendments are based, namely, that we want to protect the citizens of the State. I do not want to anticipate the remaining clauses, but every amendment on the Order Paper has been framed with a view to protecting the ordinary man in the street against exploitation. I would like the hon. the Minister to realise that. This legislation is without

to act on that information. He will then find himself in this unfortunate position that information may be placed before him on which he feels constrained to act in spite of the fact that the person giving him that information did not have the courage to lodge an objection, nor has he proceeded in the manner laid down in Clause 11. That to my mind, and to the mind of this side of the House, encourages irresponsible communications to the director, because it imposes no penalty on the individual concerned. The director will receive that information and there are times when he may feel disposed to act upon it. It is no meeting of that argument to say that those are communications which should go into the waste-paper basket. One well knows that even the police have on occasion acted as a result of anonymous letters which have been sent to them.

The MINISTER OF THE INTERIOR: Are you against that?

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The MINISTER OF THE INTERIOR: The police also have other channels as apart from the anonymous communications.

Sir DE VILLIERS GRAAFF: In the one case a crime is being investigated, in the other case it is merely . . .

The MINISTER OF THE INTERIOR: If your analysis is correct, then you must ask for a similar amendment in the Police Act, too.

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The MINISTER OF THE INTERIOR: Straining your analogy.

Sir DE VILLIERS GRAAFF: The Minister is straining the analogy to breaking point to try and avoid the result of the interjection which he made. The point is simply this: Here you have a procedure whereby an individual in an irresponsible manner can make allegations against the classification of people whose names are in the register. Surely it is not the intention of the Minister that he should have this alternative procedure with the gate wide open for something of this kind. This amendment proposed by the hon. member for Cape Town (Gardens) merely puts a stop to that undesirable type of procedure which the Minister himself admits he is not in favour of.

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Sir DE VILLIERS GRAAFF: Let us examine the statement of the hon. the Minister that in his view this amendment encourages that sort of thing. How can it encourage that kind of thing when the individual objecting knows full well that a copy of that objection will be sent to the person concerned, who in most cases will take steps to find out who he is? Is that an encouragement?

The MINISTER OF THE INTERIOR: Of course.

Sir DE VILLIERS GRAAFF: Under the clause proposed by the Minister, the objector will go to the director. It may never be revealed in full to the individual who is objected against.

The MINISTER OF THE INTERIOR: No notice may be taken of it and must not be taken of it.

Sir DE VILLIERS GRAAFF: Quite a lot of notice may be taken of it, even under the clause as it now stands. It is therefore proposed that should notice be taken of it, as proposed under this clause, there should nevertheless be the possibility of the sanction of a penalty, because it would be sent to the individual about whom that information is spread abroad. The consequence is that that individual will have his remedy, he will be able to avail himself of the law of defamation. Here again I am in this difficulty with the Minister: I know that he has been suspicious of a lot of the amendments from this side of the House, a totally unjustified suspicion I may say. I see the hon. the Minister smiles. I know he is not serious . . .

The MINISTER OF THE INTERIOR: Smiling because you are talking with your tongue in your cheek.

Sir DE VILLIERS GRAAFF: The hon. the Minister is in a playful mood this afternoon and he is doing his best to avoid this point, he will try to evade it with one of those stories for which he is famous. But let us get this matter perfectly clear. By accepting this amendment, the position of the director is in no way weakened. By accepting this amendment the position of the person concerning whom the information is spread, is improved; is improved because he will have an opportunity now of meeting the information spread about him and will have

his remedy under the law of defamation against the individual concerned. He will also be placed in such a position that he will be in a favourable position to cause investigation to be made. As regards the individual who writes scurrilous letters of this kind to the director, he will find himself in a less advantageous position than he would have been had this amendment not been accepted. This simply means that the Minister is giving away nothing, the amendment is improving the position of the individual concerning whom there may be doubt and his position is further safeguarded. What possible objection can the Minister have to accepting this amendment? In all sincerity I tried to follow his arguments. He says that his information will now be published by means of photostatic copies. Of course it will be published only to the individual concerned. He receives the information and he can act upon it and it is his right to receive that information and to act upon it. Why should this matter then be kept in the dark if people are writing letters concerning a man's classification to the director? The more things of this kind are placed in the category in which the individual concerned is entitled to avail himself of the remedies offered him by the law, the better for everyone concerned, and the more likelihood there is that this law will not be as oppressive as it may be otherwise. For those reasons I once again request the Minister to reconsider his attitude towards this amendment, because I feel that if ever there was an honest amendment placed before the House from this side of the House, it is this one. It is sincerely meant to avoid one of the dangers, one of the evils inherent in this Bill and one of the objections which have been launched against this Bill from the moment that it has made its appearance in print. We have always felt that one of the dangers in legislation of this kind would be the scope it gave for the poison-pen writer, the wielder of a pen resulting in scurrilous statements. I think the Minister is not giving all his attention at the moment, but I do feel that he must understand that an honest plea is being placed before him in this connection. I would sincerely ask him to reconsider his attitude in this matter, more especially as he can lose nothing and he may gain a lot not only in added protection to the individual concerned, but also in the goodwill which will result of the acceptance of the amendment.

*Mr. TIGHY: With reference to the amendment of the hon. member for Gardens (Dr. Jonker), the hon. the Minister has advanced the argument that no notice is taken of anonymous letters and that they simply go to the waste-paper basket. I wonder whether that actually is the case? I would like to draw the hon. the Minister's attention to the fact that at present one can write to the electoral officer concerned and simply inform him that a person whose name appears on the voters' list no longer lives in that constituency. The electoral officer must cause an investigation to be made and he cannot ignore that communication; in that case we do not know who the author of the letter is. We have no guarantee from the hon. the Minister that the director will ignore such a letter. Hon. members often forget that there is a tremendous difference between an Act itself and the administration of such an Act. Very often when a Bill is piloted through the House, we in this House, and also the Government and the Minister concerned, are imbued with the best intentions in the world. Such a Bill becomes an Act, and when it comes to the administration of such an Act, the effect is sometimes totally different from what the Minister intended it to be. The hon. the Minister should also remember that any undertaking which he gives us is not always incorporated in the Act. The hon. the Minister now says that he does not want — just as the hon. member for Gardens does not want it — the poison pen to be glorified and that he does not want libellous letters to be glorified through publication. I accept the sincerity of the hon. the Minister as far as this matter is concerned, but he should not forget that his intentions are not incorporated in the Act. He should also not forget that he will not be Minister for ever. The present director may have honest intentions and may never intend to take notice of anonymous letters, but he, too, will not remain Director of Census for ever. We are worried about that aspect of the matter. We are here dealing with legislation which fundamentally affects human rights, the rights of the individual, the rights of the citizen, and I feel, therefore, that we should be doubly careful. The hon. the Minister seems to think that some of our amendments are proposed simply for the purpose of obstructing this legislation and to make it more cumbersome, but if he had accepted the amendment of the hon. member for Gardens last night, this might not have been necessary. We on this side appreciate the dangers contained in this Bill to the individual, the danger to the citizen of the State, and it is therefore our duty as Opposition to do everything in our power to protect the ordinary man against the possibility of profane exploitation. That is the viewpoint on which our amendments are based, namely, that we want to protect the citizens of the State. I do not want to anticipate the remaining clauses, but every amendment on the Order Paper has been framed with a view to protecting the ordinary man in the street against exploitation. I would like the hon. the Minister to realise that. This legislation is without

doubt of a far-reaching nature. The aim of the amendment, which the hon. member for Gardens proposed yesterday and of this amendment which is now under consideration, is to protect the ordinary citizen. The hon. the Minister says that no notice will be taken of anonymous letters and that they will simply be thrown into the wastepaper basket. Those anonymous letters may be aimed at prominent people and those people may later on find that their names have been dragged through the mud, and there is absolutely no protection for them. But if the writers of such anonymous letters know that those letters will be sent to the people against whom they are directed, and that they can get into trouble, they will think twice before writing such letters. It is also not true to say that responsible people always destroy anonymous letters. The hon. the Minister will remember that when they came into power a colleague of his entered this House with files which he cast in our teeth. Anonymous letters can be kept in the files and subsequently cast in people's teeth, or used for political purposes. It may affect prominent people. We have had examples in this House. We know what the hon. the Minister of Defence did in respect of the Rt. Hon. the Leader of the Opposition, and we know what the hon. the Minister of Justice did in respect of the hon. member for Salt River (Mr. Lawrence).

*The DEPUTY CHAIRMAN: What the hon. member is now saying has nothing to do with this proposed clause.

*Mr. TIGHY: If you have a little patience, Mr. Chairman, I shall explain it to you. Anonymous letters may perhaps accumulate in a file; they may affect prominent people, Cabinet Ministers and members of Parliament . . .

*The DEPUTY CHAIRMAN: That has nothing to do with this amendment.

*Mr. TIGHY: It has something to do with it.

*HON. MEMBERS: Order, order.

*Mr. TIGHY: Mr. Chairman, I am trying to reply to the question which you asked me, but members opposite do not want to give me an opportunity to do so. It is becoming a habit here, and it makes things very difficult for the Chairman and for the speaker.

*The DEPUTY CHAIRMAN: The hon. member must come back to the amendment.

*Mr. TIGHY: What I am trying to explain is that anonymous letters can be used, and if the person against whom they are directed is not placed in a position where he can take action, we do not know in what way those anonymous letters may be used against them later on. In support of my argument, I mentioned the examples which we have had in this House.

*The MINISTER OF THE INTERIOR: Then you should propose a general amendment to the effect that this procedure should be followed in all departments.

*Mr. TIGHY: The hon. the Minister also told the hon. member for Hottentots Holland (Sir de Villiers Graaff) to propose such an amendment in connection with the Police Act. We are not dealing here with a general Act. The hon. the Minister knows that we on this side cannot introduce general legislation. We are dealing with this Bill and we want the people to be protected fully in this Bill. The hon. the Minister will remember that when he was on this side of the House, our Ministers opposite often accepted amendments of the Opposition. The hon. the Minister should not adopt such an absolutely stubborn attitude. If he wants to be honest, he must admit that there is a possibility of abuse.

*The DEPUTY CHAIRMAN: I want to warn the hon. member that that has been said over and over again, and I want to ask him to refrain from repeating arguments already advanced.

*Mr. TIGHY: I am the last person who would want to repeat arguments. But the hon. the Minister interrupted me and said that we on this side should propose a general amendment. The fact of the matter is that he has introduced a Bill here which leaves ample scope for any malicious person, and now he wants us to draft another Bill. The hon. the Minister should listen to us and he should allow this Bill to be amended in such a way that these malpractices cannot take place. [Time limit.]

*Dr. VAN RHYN: It seems to me that the longer members opposite discuss the amendment of the hon. member for Gardens (Dr. Jonker) the weaker their case becomes. The hon. member who has just sat down says this will also prevent documents received by the director from being spread about, as in the case of certain documents which were disclosed in this House out of the files of previous Ministers; and in spite of that danger he still wants to insert a clause in this Bill to the effect that every anonymous letter which the director receives and which every sensible person would throw into the fireplace, should actually be sent into the world in photostatic form. That is what the amendment amounts to.

*Mr. TIGHY: No, only to one man.

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*Dr. VAN RHYN: It seems to me that the position is now becoming ridiculous. I cannot understand why members should take so much notice of those people who write anonymous letters. Any person of any importance in the world has received letters of this kind at some time, and any man with any sense throws them in the waste-paper basket. That is a fact which the Opposition apparently does not accept. The director, who is at the head of affairs, will with his exerience and intelligence be able to judge when he receives such a letter, whether it came from a malicious person or whether there is anything in it. If it does mean anything, he could have a photostatic copy forwarded to the person concerned, but if it is valueless he will simply throw it away and nobody will know anything about it. Any person with experience, on reading the letter, will be able to judge whether it was written by a malicious person or whether there is something in it which should be checked. If it has to be checked, the person concerned will get an adequate opportunity to defend himself. I know that the intentions of the hon. member for Gardens are sincere, but he will not attain his object with this amendment. If a photostatic copy has to be made of every letter received, such communications will have to be kept in the files. It will make the position worse for the person concerned. They want to protect the people, and I can well understand that a person who is so low as to write a letter with the sole purpose of harming people should be put in his place. I think they are setting about the whole matter in the wrong way. I cannot see how the hon. the Minister can possibly accept it. Both the hon. the Minister and the director are responsible. When they receive a letter they will be able to judge whether they should act. I know the hon. member is sincere in his intentions, and I also wish that we could devise a method by means of which we could curb the activities of malicious people, but this amendment will not achieve that object.

Col. JORDAN: I hope the hon. the Minister will not remain adamant in his present attitude to the amendment moved by the hon. member for Gardens (Dr. Jonker). I also hope he will pay attention to the arguments advanced by the hon. member for Hottentots Holland (Sir de Villiers Graaff). I want to put the position of the amendment, perhaps from another angle, and that is an angle that the Minister will appreciate when I make the point. It is very far from reflecting any discredit on him. I suggest grounds do exist which may convince him that if he accepts this amendment, he and not we — because he is in charge of this Bill — will get credit for the political wisdom that will attach to the acceptance of the amendment. I want to put this to the Minister, that his Bill provides for two methods of attack upon a classification. There is the machinery in Clause 5, and there is the machinery provided by Clause 11. Now in regard to the machinery under clause 11, with which the proposed new Clause 6 links up, that is machinery to safeguard the rights of a person whose classification is attacked. Those safeguards take the form of appeal to the board, from where, in the case of a person whose classification is attacked, he may go to the Provincial Division on appeal — it is not called an appeal. From the Provincial Division he can go to the Appellate Division, as the Minister provides in Clause 11. The provisions of Clause 11 establish beyond all question the gravity which the Minister himself attaches to any attack upon a person's racial classification, and later there are amendments to Clause 11 which do not attack the safeguards the Minister provides — I think they are fair safeguards and show that the Minister attaches no light weight to the gravity of an attack upon the racial classification of a person in this multi-racial country. Under Clause 5, on the contrary, there are no safeguards at all. Now the new Clause 6 will serve to provide some additional safeguard to the person whose racial classification is attacked by way of communication, anonymous or otherwise, addressed to the director. The hon. member for Hottentots Holland put it this way. He said the director might feel disposed to act upon the receipt of an anonymous communication. But I want to put it to the Minister much higher than that. Might it not be the duty of the director, upon information conveyed to him, even in an anonymous communication, either to act or to ignore it at his peril?

The MINISTER OF THE INTERIOR: But, according to the amendment, he will be obliged to ignore it.

Col. JORDAN: We want to make it obligatory on him to ignore it. He may be bound to act . . .

The MINISTER OF THE INTERIOR: It may be his duty not to ignore it.

Col. JORDAN: In the absence of statutory provision to the contrary, it may become his duty to act upon it. We say it is improper to act on an anonymous communication and in the absence of statutory direction an official might feel bound to act upon it. We say the only action in relation to an anonymous communication should be that a photostatic copy should be sent to the person against whom objection is made, to enable that person to take advantage of such internal evidence as the document may provide about the author, to enable him to deal with the author of the anonymous communication in a

court of law. If you had two or three such cases, it would operate as a very powerful deterrent to the wielder of the poison pen under the cloak of anonymity and it would undoubtedly in due course relieve the director of a considerable amount of administrative work in relation to dealing with those communications.

Let me pass on to the other provisions which the new Clause 6 seeks to introduce into the Bill. There is the case of the writer who has the courage to sign his communication. What he is doing, is to object to a classification, but he does not object in accordance with the provisions of Clause 11 which attach some formalities to the objection, and require compliance with certain formalities. In that case we say the director shall be under the duty, upon receipt of such a letter, to require the writer of the letter to proceed in terms of Clause 11. Surely, that is not unreasonable and all the amendment seeks to do is to adopt the safeguards in Clause 11, which, as I have stated, are welcomed by this side of the House, namely, the appeal safeguards — we are merely seeking to apply those safeguards to some other communications the director may receive.

The Minister has, if I may say so, rather scouted the necessity for the inclusion of sub-section (2) of the new clause proposed by the hon. member for Gardens. I want to put this to the Minister — that Clause 11, however, undoubtedly casts a duty upon a person, if he knows facts relating to another person's classification, to bring those facts to the notice of the director; and immediately that is so he is enabled to act under the cloak of qualified privilege in the law of defamation because under Clause 11 he is under a duty to make a communication to the director and the director is under a duty to receive it; and in the absence of malice, as understood in the law of defamation, qualified privilege is immediately brought into being. But where a person elects to convey his information in some manner other than that prescribed by Clause 11, we say: Put him on his guard and tell him, because an invitation to the country at large is extended under Clause 11 to supply the director with information, he must use the machinery created by that section and he cannot use other machinery; and if he uses other machinery and he does make statements recklessly as to their truth or otherwise, we remind him in this legislation, even though thereby we are only re-enacting the common law, that there is the law of defamation. [Time limit.]

*Dr. JONKER: I am sorry that the hon. member for Bethlehem (Dr. van Rhyn) is not present at the moment, as I would like to reply to what he said. But what he said was also mentioned by other members. It seems to me that the idea is that this clause is only aimed at anonymous letters. Not only anonymous letters will be received but also other letters, as the hon. member for Rondebosch (Col. Jordan) has pointed out. But as far as anonymous letters are concerned, the hon. member for Bethlehem has said that every person receiving an anonymous communication, will immediately throw it into the wastepaper basket. Let me tell him that that is unfortunately not the case. The human being's inquisitiveness is of such a nature that he does not automatically forget these things. I know that a similar communication was distributed amongst the members opposite.

*Mr. VAN DEN HEEVER: The Departments concerned destroy such communications.

*Dr. JONKER: I am not referring to a Government Department. It was distributed amongst the members opposite. I know about that document which they passed on from one member to another. One of the Ministers passed it on to the other members.

*The MINISTER OF THE INTERIOR: What are you referring to now?

*Dr. JONKER: An anonymous document.

*The MINISTER OF THE INTERIOR: What are you trying to insinuate?

*Dr. JONKER: I am not insinuating anything. I am saying very definitely that it is not true that every sensible person immediately destroys an anonymous communication. The human being's inquisitiveness is of such a nature that he sometimes keeps these documents. What satisfaction they get out of it, I do not know. But that nevertheless happens. If the objection is to the making of photostatic copies of such communications, let us arrive at a compromise on this matter. Let us then agree that the original should be sent to the person concerned per registered post, if hon. members do not like the idea of a photostatic copy. Let us then send it to the person against whose classification objections are lodged. Let the man at least know who is objecting to his classification and on what grounds the director is changing the classification.

I do not contend that this amendment is perfect. I am sorry that the hon. the Minister has referred to it as a frivolous amendment. He has used a contemptuous adjective. I understood him to say it is a silly amendment. I could also make use of adjectives to describe this Bill if I want to do so. But we want the hon. the Minister to accept the responsibility for it. He has in this Bill created a lovely paradise for the wielders of the poison pen, enabling them to flourish to their heart's content. He has built a playing

field for them such as they have never had. He has come here and set the veld on fire, and now he wants to stand on one side and say that he cannot do anything about it. He does not want to assist in extinguishing the fire. I want to ask him why he is setting the veld on fire. That is what he did when he introduced this Bill in the House. Why is he creating a channel like this, I almost want to say, a sewerage pipe for the dregs which pass through to injure people; and why does he refuse to protect the people who may be injured by it? If our amendment is not perfect, the Minister can assist us in changing the second part of the amendment so that the underlying idea can be given effect to, so that the people who will play rugby on the sports grounds of the Minister of the Interior, with the honour and character of other people, can be tracked down.

I do not want to give publicity to the wielders of the poison pen. I think the hon. the Minister does not understand the mentality of those pepole. They are not people who seek publicity. They are the rats and the moles who work in the dark. They are the people who go down into the sewerage pipe to crawl around there. They are not after publicity. We want to shed a little light on the mud pool created by this legislation, and by the Minister's refusal to plug that drain-hole with which we were dealing yesterday.

We cannot escape our responsibility in this way. The hon. the Minister must do something to lessen the danger of this Bill which he himself laid before us and for which he is responsible. For members to say that we cannot deal with those people, does not bring us anywhere. They can be dealt with. They are afraid of publicity. We want to afford publicity to their acts in order to protect other people. If the hon. the Minister will help us to frame this amendment in a better way, I am convinced we shall succeed in drafting an effective amendment. I am not a lawyer. But all I am asking is that the hon. the Minister should make his mind more receptive, not only as far as legal conceptions or legal expressions are concerned, but also as far as human justice and fairness are concerned; let him then with his brilliant mind use that fairness and justice to assist us in framing an amendment which will really afford protection to the public. That is all we are asking.

I want to raise one other point. The hon. the Minister said that we will be exposing the director to libel actions. It will be easy to prevent that. We can insert a clause to the effect that when the director takes any action in accordance with the provisions of the Act, he will be indemnified against any libel action. It can easily be done if the hon. the Minister will accept the basis of this amendment. There will be no difficulty in that respect. [Time limit.]

Mr. STUART: I want to put one point to the Minister quite seriously. It is this. Since this debate started yesterday the members in this corner of the House have taken up about twenty minutes in moving one amendment that was put. I am afraid that in the course of the battle between two points of view, governmental and United Party, and the very large number of amendments which appear on this list, that on those occasions when it is absolutely necessary for some representations to be made by the Natives' Representatives on any point particularly affecting the Natives, we Natives' Representatives may be innocent victims of perhaps a little impatience on the Government side, because they may say that we have had a lot of talk about this particular Bill on one thing and that they are now going to stop it. I am perfectly certain that the Minister is capable of dividing his mind into compartments, and I ask him that where a matter particularly and essentially affects the Africans, he will at any rate not operate, shall I say, the strength of his party to stop the discussion before he has given us an opportunity of putting forward our point of view on that particular point. That is the point I want to make.

Mr. GAY: Every man and every woman in the course of his or her public career sooner or later comes up against the curse of the informer. You come up against the type of person who, while afraid to come out into the open, will use his pen anonymously mainly to get at some particular individual against whom he feels he has a grudge. This particular Bill that we are discussing, by its very nature, must lay itself open to encouraging that particular type of parasite. You cannot avoid it. The Bill itself balances on a knife edge one of the most delicate human prides, the pride of race, the pride of its group. It not only balances it on a knife edge, but it will fix it eventually, for today, tomorrow and for all time, for that particular family. We are told that one of the objects of this Bill is to create a family card, and that card, once started, will continue right throughout the history of that particular family. The decision arrived at in grouping the particular individual is therefore going to be enshrined in law forever for that family as to just what place they are going to take in their own community. There is no getting away from it. Once their appeal has been decided, once they have been put down in their particular category they and their children yet to be born will have to follow it, so we are starting something in this country which is entirely new. I am not discussing the

merits of it now. I am merely dealing with what we are going to lay down in this Bill.

The CHAIRMAN: The hon. member cannot discuss the Bill now; he can only deal with the amendments at the moment.

Mr. GAY: I am dealing with the amendments bearing on this point in the Bill itself. We cannot, therefore, leave open this back-door to allow anyone who feels that he has a grudge against another person to make this sneaking attack upon him, in order to get his own back. In framing the clauses of this Bill we should give every possible protection to any citizen whose case is being judged upon a complaint to see that he gets a square deal when his case comes before the judge; to protect him against that type of parasite whom we know is going to avail himself of every opportunity afforded to him under this measure. We spent several hours in this House recently discussing the manufacture of DDT to be used against one type of parasite. Unfortunately, it is no good for these parasites. Daylight, sunlight, is the only cure for them, and the particular amendment moved by the hon. member for Gardens (Dr. Jonker) is designed to drag the informer out into the daylight, to make him face up to the man or the woman he is accusing. That is the only cure that you can apply to that particular parasite, to focus the spotlight of public opinion and public justice upon his actions, to put the signature of public opinion to the letter that he has failed to sign; to make him face up to that. This amendment is designed to achieve that. I believe that the Minister himself is perfectly genuine when he says, in his opinion, this Bill is designed for the betterment of South Africa. We may differ from him but I give him credit for being perfectly genuine in believing that. I also believe that the Minister would prefer to have these particular clauses agreed to by all of us rather than to bludgeon them through this House by the force of a party majority, and I am going to ask him this once more: He has the power of a parliamentary majority to force these particular clauses down the throat, not only of this Parliament, but of South Africa, and I am going to ask him as a man who undoubtedly has very wide experience of humanity and a very close and widespread knowledge of the law, that he is now promoting to accept this party's amendment, if not in the words in which it has been moved, then at least in the spirit in which it is intended. The spirit of that amendment is to afford every individual in this country the best possible protection we can give him against the poison pen and the informer, and I make this appeal to the Minister that if he does not like the wording of the amendment moved by the hon. member for Gardens, let him at least accept the spirit of it and give us an amendment in his own words which will reflect that spirit and will meet the wishes, not only of this side of the House, but of every thinking man or woman in South Africa.

Mr. WARING: I would like to support the hon. member for South Peninsula (Mr. Gay) and I want to ask the hon. the Minister whether he is prepared to accept the following amendment, that on page 492 of the Order Paper, where the amendment of the hon. member for Gardens (Dr. Jonker) appears that all the words after "person" in the second line be deleted up to and including the word "it" in the fourth line and substituted by the following words: "and in the case of an anonymous communication no action be taken by the director save that the original communication be forwarded to the person against whom the objection has been made". Would the Minister be prepared to accept that as the basis of a new amendment?

The MINISTER OF THE INTERIOR: No, it makes no difference.

Mr. WARING: I ask the Minister this because he himself has said that the idea of making a photostatic copy of an anonymous objection would perpetuate it and I do submit to the Minister that there is a tremendous difference between anonymous communications to the police and anonymous communications to the director in connection with classifications under this Bill. Provision is made that any objector must proceed in terms of Clause 11. Therefore I suggest to the Minister that any anonymous objection should be completely disregarded by the director, and that anonymous communication should merely be forwarded to the person against whom the objection is lodged. I do feel that this meets the objection that the Minister has raised to this particular amendment. He says that he objects to it because it perpetuates something that is not worth perpetuating. I say that this new amendment will give protection in every way to a person against whom an objection has been lodged, and I would ask the Minister to tell me in his reply why he cannot accept this alteration which has been suggested to the amendment moved by the hon. member for Gardens.

Mr. BARLOW: I would like to remind the Minister that unfortunately in this country, at any time of great emotion, the poison pen is resorted to.

An HON. MEMBER: We know what happened in the war.

Mr. BARLOW: I am not talking about the war now. For the last eight or nine years I have received anonymous letters three or

four times a week. I receive these letters so regularly that it has become a joke, but it has not always been a joke. There was a time of great emotion in this country and it may come again. There was a time of great emotionalism in this country when the Nationalist Party was divided, when there were deep heart-searchings, and the hon. the Minister of Finance and the late Gen. Hertzog left the party and we had the "Freemason's letter". We had a poison pen letter, a Freemason's letter, one of the most terrible letters that has ever been written in South Africa, accusing two great South Africans of throwing up their allegiance and bringing in a present Minister of the Cabinet — the hon. the Minister of Justice. The hon. the Minister of Justice is referred to in this letter and it is said that he spread this letter. In any case, I am not going into this question. The hon. member for Smithfield was then appointed as chairman of a committee which was appointed to go into that letter. They have never reported publicly yet. Well, that was the story. Why shouldn't that happen again? I would remind the Minister that that came out of his own party. That poison pen did not come from this party; it was the biggest poison pen that South Africa or any Dominion has ever seen. It was a poison pen that set out to destroy the hon. the Minister of Finance.

An HON. MEMBER: What has that got to do with the Bill?

Mr. BARLOW: That is history, quiet, cold history.

An HON. MEMBER: The Bill does not deal with history.

Mr. BARLOW: History teaches us, and history has taught us that at a time of great emotion amongst the Afrikaners the poison pen was used against two great Afrikaners.

Mr. J. H. CONRADIE: And also amongst the English. Why only the Afrikaners?

Mr. BARLOW: The hon. member is always interrupting me. He must not interrupt me. I say at a time of great emotion amongst the Afrikaans-speaking people this awful letter was written which was supposed to have been found in a Freemason's Lodge in Bloemfontein. It was hauled out and it was directed against men like the Minister of Finance and the late Gen. Hertzog, and the Nationalist Party appointed a commission to go into it, and the hon. the Minister of Justice was in it right up to his neck at the time; he was accused of spreading this letter. That is history. It will go right down the corridors of history, how these men were attacked by the poison pen, and now this Minister turns round and says the poison pen won't be used. If it can be used against the greatest South African we have ever produced, why should it not be used against a poor man, a White man who looks Coloured? I am not like my hon. friends on the opposite side. They are prepared to swallow everything and all they do is to make hysterical remarks. I know that they are passing through this House as the wind passes up a chimney. I know that with the next election they will disappear like mist before the morning sun. I know it; I have seen them disappear before. They will be restored to the grave from which they have arisen. We know that they are mosquitoes of the dark, but I leave it at that. But the Minister of Finance has suffered; he has suffered at the hands of the poison pen, a poison pen which emanated from the Malanites. They used that poison pen against him.

The CHAIRMAN: Order, order! I would like to point out that there is too much repetition on this clause. Every member merely says what some previous speaker has already said. This cannot continue.

Mr. BARLOW: On a point of order, it is impossible to hear your ruling. These hon. members here will not allow you to speak.

The CHAIRMAN: I said that there is too much repetition on this particular clause and I want the hon. member to stop repeating arguments which have already been advanced.

Mr. BARLOW: I have made my point and I am going to sit down, but I just wanted to quieten the House a little bit.

Mr. RUSSELL: I do not propose to keep the Committee long. I intend to add some other arguments, if possible, to those advanced by the hon. member for Orange Grove (Mr. Waring) in connection with his suggestion dealing with anonymous letters. I know we all hate the poison pen and I see a lot of merit in the Minister's argument that anything that might perpetuate the existence of these anonymous letters is bad. That is why I did not originally like the idea of a photostatic copy being made, even although the motive was excellent.

The CHAIRMAN: Order, order! The hon. member is also repeating previous arguments; that argument has been used frequently.

Mr. RUSSELL: If you will allow me to develop my argument I will show you that this is no mere repetition. I must obviously refer to a previous argument in order to enlarge upon it. I have to revert to the reference which has been made here to photostatic copies of anonymous communications and I want to link that up with the question of the negatives. If you can tell me how to refer to the one without mentioning the other, I would like to know, Sir.

I am saying that if a photostatic copy exists, it presupposes the necessity that a negative must have been made, and that negative, I suppose would be kept in a file. If the Minister accepts this argument that the original letter be sent immediately to the person concerned, then it is going to the right person. That person can then destroy it or he can take action, just as he wishes. Our amendment meets the Minister's objection. Nothing is then perpetuated or kept in files and no harm is done to the person, yet the person who should receive these letters has a chance to take action if he wishes. I think this would do away with the writer of the poison pen letter. There would be no encouragement then to send anonymous letters to the director, because the person who sends it would immediately run the danger of being subjected to investigations by the police under the laws of our land in terms of existing Acts. I think that would be one of the biggest safeguards. Having said that I hope the Minister will reconsider his interjected refusal of the amendment suggested by the hon. member for Orange Grove. We would like to have his views on that amendment.

Mr. GALE: The amendment which has been moved by the hon. member for Gardens (Dr. Jonker) is a very admirable one indeed, and, in fact, it is a most reasonable one. The hon. member for Hottentots Holland (Sir de Villiers Graaf), who is known for his honesty of purpose, has himself endorsed the honesty . . .

Mr. FRIELINGHAUS: On a point of order, I cannot hear a word with all that talking going on on the other side.

The CHAIRMAN: Order, order!

An HON. MEMBER: Wash your ears.

Mr. RUSSELL: I hope the Chairman heard that remark.

Mr. LAWRENCE: Where does that come from?

The CHAIRMAN: Order, order!

Mr. GALE: I thank you for your protection, Sir. I was saying before I was interrupted that the amendment moved by the hon. member for Gardens was an admirable one, but admirable though it may be, I feel that it has one slight defect, and consequently I propose to move an amendment to the amendment of the hon. member for Gardens. The amendment which I propose to move reads as follows —

In line 7, after "it", to insert "by the director".

The effect of that is that it does not leave totally in the air the provision in the amendment that no further action shall be taken upon it, that is to say, upon an anonymous communication. Naturally, the Minister would not agree to enshrine in legislation an injunction on any ordinary person, any ordinary citizen of South Africa, that he shall not take any further action on an anonymous letter if that person should feel so inclined, so it is quite obvious that this injunction refers only to the director, and the purpose of my amendment is that that shall be made perfectly clear.

The new Clause 6 which the hon. member for Gardens seeks to put before the House and have accepted by this Committee, provides "if the director receives a written communication". In that respect, in regard to the word "written" the new Clause 6 is totally different to Clause 5 as it was passed by this Committee this afternoon. Clause 5 provides in sub-clause 3—

If at any time it appears to the director . . .

Well, it can "appear" to the director either by written or verbal communication, and consequently the new Clause 6 which has been proposed by the hon. member for Gardens is really complementary to Clause 5, and I suggest to the hon. the Minister that as Clause 5 might cover only verbal communications, this new clause is absolutely necessary because it is complementary to Clause 5, in fact it is the counterpart to Clause 5, and I seriously suggest to the Minister that he should accept this clause.

An HON. MEMBER: He does not know what the amendment is.

Mr. GALE: I think he does. In the amendment which is submitted, an exception is made in regard to public servants. I think that is very necessary too. I think that the amendment which is being submitted to the House is so full of necessary provision that I really fail to see why the Minister should be against it. As I said, it is possible that official communications in regard to the classification of a person might come to the director through the office of the Director of Census and Statistics, i.e., an official communication, and quite obviously the provisions of this clause are not intended to apply to official communications. A very salutary provision in the amendment and one that has been touched upon by various members this afternoon, is that if the allegation is made that the classification of a person is incorrect, that allegation must be conveyed to the person concerned. I suggest, Sir, that it should be peremptory in this Act that the actual allegation in its most accurate form

should be transmitted to the person against whom that allegation is made and a photostatic copy of the letter is obviously the most accurate form in which it can be transmitted. I understand that the hon. the Minister, during my temporary absence this afternoon, stated that he was not in favour of photostatic copies being sent, on the ground that that perpetuated the allegation or also on the ground — I may be quite wrong and I hope the Minister will correct me if I am wrong — that it might lay the State open to action for defamation in that publication of this defamation is actually made by the State. I do not think that that is sufficient ground, because even if the Minister does feel strongly on that point, and he feels that it might bring the law of defamation into action against the director or some other official, the Minister is quite capable of making a provision in this Bill exempting that particular official from any action for defamation; so that objection, if it was made during my absence this afternoon does not, I think, carry very much weight. But I would like to draw the attention of the Minister to the fact that photostatic copies are quite usual matters. When you apply to the Master of the Supreme Court for a copy of a will you get back, not a typewritten copy, but a photostatic copy. Why should not the same procedure be adopted in regard to this particular Bill?

I think that the matter of the poison pen has been underlined sufficiently and I do not intend to carry that any further, as my time is nearly finished, but I do just want to touch on an angle of that which I think has probably not been touched on before, and that is that there are some people, unfortunately in South Africa too, who live on blackmail. They make a living out of blackmail. By their threats to innocent people they extract money from those people and make the lives of those people miserable. I think that argument is sufficiently strong to persuade the Minister that this clause which has been submitted by the hon. member for Gardens is a very worthy, a very reasonable one, and should be included in the Bill.

Amendment put and negatived.

New clause proposed by Dr. Jonker put and the Committee divided:

AYES — 47.

Barlow, A. G.	Du Toit, R. J.
Bekker, P. B.	Eaton, A. H. J.
Bell, R. E.	Friedman, B.
Benson, E. A.	Frielinghaus, H. O.
Bloomberg, A.	Gale, D. J.
Bowker, T. B.	Gay, L. C.
Brooke, R. S.	Graaff, de Villiers
Butters, W. R.	Hepple, A.
Christie, J.	Higgerty, J. W.
Davis, A.	Hopewell, A.
Hughes, T. G.	Shearer, O. L.
Jonker, A. H.	Smit, D. L.
Jordan, R. D. P.	Strauss, J. G. N.
Kahn, S.	Stuart, W. H.
Lawrence, H. G.	Sturrock, F. C.
Lewis, J.	Sullivan, J. R.
Lovell, L.	Tighy, S. J.
McMillan, N. D.	Tothill, H. A.
Mushet, J. W.	Trollip, A. E.
Oosthuizen, O. J.	Van Coller, C. M.
Oppenheimer, H. F.	Waring, F. W.
Pocock, P. V.	Waterson, S. F.
Russell, J. H.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES — 54.

Abraham, J. H.	Loock, J. H.
Bekker, H. T. v. G.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Papenfus, S. F.
Deysel, A. J. B.	Schoeman, B. J.
Dönges, T. E.	Scholtz, D. J.
Du Pisanie, J.	Stals, A. J.
Du Plessis, P. J. C.	Steyn, A.
Du Plessis, W. C.	Steyn, G. P.
Erasmus, F. C.	Steyn, J. H.
Erasmus, H. S.	Strydom, G. H. F.
Eyssen, S. H.	Strydom, J. G.
Faurie, W. H.	Uys, D. C. H.
Fouché, J. H.	V. d. Heever, D. J. G.
Frates, T. J.	Van Heerden, D. P.
Fullard, G. J.	Van Niekerk, J. G. W.
Grobler, D. C. S.	Van Rhyn, A. J. R.
Havenga, N. C.	Van Schoor, J. J. F.
Hugo, P. J.	Viljoen, J. H.
Jansen, E. G.	Visser, De V.
Labuschagne, J. S.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan.

Tellers: J. J. Fouché and P. J. Olivier.

New clause accordingly negatived.

Clause 6 put.

The MINISTER OF THE INTERIOR: I move—

That the Chairman report progress and ask leave to sit again.

Agreed to.

House Resumed:

The CHAIRMAN reported progress, and asked leave to sit again.

House to resume in Committee on 8th May.

On the motion of the Prime Minister the House adjourned at 6.7 p.m.

that the first people to receive information about any measure, either by way of a memorandum, to which reference has been made here, or by means of the Bill itself, particularly in the case of matters which have to be dealt with in this House in the first instance, should and must be the members of this House. I want to express the hope that some other procedure can be laid down whereby hon. members of this House will receive the information first, before it appears in the Press.

*The MINISTER OF JUSTICE: Mr. Speaker, permit me just to make an explanation in connection with this memorandum. This memorandum will not be laid before the House as such; it is a memorandum that was issued by the State Information Office and drawn up by them. I did not hand it to the Press.

*Mr. ROBINSON: Still worse.

*The MINISTER OF TRANSPORT: Mr. Speaker, may I just draw your attention to the fact that in many cases the public is informed of the contents of Bills which are going to be laid before the House, long before any member of the House knows anything about the details. For many years it has been the policy on many occasions to publish Bills in the "Government Gazette" even before Parliament meets and even while Parliament is in session, and in many cases members of the public get details of such a Bill long before members of this House are officially informed of those details. It is therefore a general custom to discuss Bills to be introduced in this House with the people concerned and for public discussions to take place in the Press on Bills long before they are introduced in the House. I cannot see how the publication of such details and the disclosure of such details to the public can in any way be regarded as disrespectful to the House. I again ask you, Mr. Speaker, to reconsider your words in this connection, because what has happened in this case has often happened in the past, and it is the customary procedure to inform the public of Bills to be introduced in the House before members are officially given the information.

*The SPEAKER: We cannot have a discussion on this matter in the House now, but I just want to point out that it is a very sound rule — and I trust the Government and other Governments will observe the rule — to publish Bills in the "Government Gazette". In that way both the members and the public outside obtain the information, but in this case I definitely do not feel happy about the fact that this morning I had to read for the first time in one of the newspapers the full text of a Bill and the contents of a memorandum — in connection with which the hon. the Minister has explained that it did not emanate from him — while hon. members have not yet officially been notified of the contents of the Bill. I do not, however, want to allow any further discussion on this matter now, but I feel it is my duty to say on behalf of members of this House that the least they can expect is that when a measure has to be discussed here, they should obtain the information before the Press and the public outside get it.

BUSINESS OF THE HOUSE.

Suspension of Automatic Adjournment.

The PRIME MINISTER: I move—

That the proceedings in Committee on the Population Registration Bill, if under consideration at Twenty-five minutes past Ten o'clock p.m. today, be not interrupted under the Sessional Order adopted on the 1st February, 1950.

Mr. SERFONTEIN: I second.

Mr. STRAUSS: This is the steamroller again.

Upon which the House divided:

AYES—65.

Abraham, J. H.	Luttig, H. G.
Bezuidenhout, J. T.	Luttig, P. J. H.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, D. G.	Mentz, F. E.
Conradie, J. H.	Olivier, P. J.
Deysel, A. J. B.	Oost, H.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Schoeman, B. J.
Du Plessis, W. C.	Scholtz, D. J.
Erasmus, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Erlank, A. E.	Steyn, G. P.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Van Schoor, J. J. F.
Le Roux, S. P.	Viljoen, J. H.
Liebenberg, J. L. V	Visser, De V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan.
Louw, E. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—57.

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Benson, E. A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan. N. D.
Butters, W. R.	Mushet, J. W.
Christie, J.	Oosthuizen, O. J.
Cull. J. A.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Robinson, A. E. P.
Du Toit, R. J.	Russell, J. H.
Eaton, A. H. J.	Shearer, O. L.
Eaton, N. G.	Smit, D. L.
Friedman, B.	Smuts, J. C.
Frielinghaus, H. O.	Solomon, B.
Gale. D. J.	Steyn, S. J. M.
Gay, L. C.	Strauss, J. G. N.
Gluckman, H.	Stuart, W. H.
Graaff, de Villiers	Sturrock, F. C.
Hayward, G. N.	Sullivan, J. R.
Henwood, B. H.	Tighy, S. J.
Hepple, A.	Van der Byl, P. V. G.
Hertzog, A.	Waring, F. W.
Higgerty, J. W.	Waterson, S. F.
Hopewell, A.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

FINANCIAL RELATIONS AMENDMENT BILL.

The MINISTER OF THE INTERIOR: I move—

For leave to introduce a Bill to amend the Financial Relations Consolidation and Amendment Act, 1945.

Mr. SERFONTEIN: I second.

Division called.

As fewer than ten members (viz., Messrs. Kahn and Stuart) voted against the motion, Mr. Speaker declared it agreed to.

Bill brought up.

The MINISTER OF THE INTERIOR: I move—

That the Bill be now read a first time.

Mr. SERFONTEIN: I second.

Division called.

As fewer than ten members (viz., Mr. Kahn) voted against the motion, Mr. Speaker declared it agreed to.

Bill read a first time.

The MINISTER OF THE INTERIOR: I move—

That the Bill be read a second time on 15th May.

Mr. SERFONTEIN: I second.

Mr. KAHN: I object.

Mr. SPEAKER: If the hon. member objects, he must suggest an alternative date.

Mr. KAHN: I suggest Monday, 22nd May.

Division called.

As fewer than ten members (viz., Mr. Kahn) voted against the motion, Mr. Speaker declared it agreed to.

POPULATION REGISTRATION BILL.

First Order read: House to resume in Committee on Population Registration Bill.

House in Committee:

[Progress reported on 5th May, when Clause 6 had been put on the motion of Mr. Tighy, the Chairman put the amendment proposed by the Select Committee in line 46.]

Mr. TIGHY: I move as an amendment to the amendment proposed by the Select Committee—

In line 46, to omit "identity" and to substitute "registration".

In moving this amendment I would like to indicate to the House and to the country that this side of the House is entirely opposed to the idea of an identity card or pass. We are irrevocably opposed to the carrying of a pass and we intend to fight this pass issue to the last ditch. We are not prepared to support the Government in further humiliating our people. We submit that the national register can be compiled and maintained without the necessity of an identity card.

Capt. HENWOOD: A pass.

Mr. TIGHY: In other words, we submit that an identity card or pass as it will be known, is not an essential part of the national register. I sincerely hope that even hon. members on the Government benches will appreciate that point.

The CHAIRMAN: Order, order! The hon. member cannot talk about the identity card here. Only the number is referred to in this clause. There is no reference in this clause to an identity card.

Mr. TIGHY: I am referring to the registration number. That is what I have in mind. The Minister may try to score a debating point or he may try to split hairs as far as the wording is concerned, but he cannot get away with that.

*Dr. VAN NIEROP: You don't know what you are talking about.

Mr. TIGHY: As I pointed out, this is not an essential part of the Bill. In other words, a national register can be compiled and maintained without an identity number, but purely with a registration number. Our submission is that if John Citizen has in his possession a registration number which indicates that he has complied with the terms of the Act, and that he has registered himself, then there is nothing further that is required because the Department will then have full details of that person in his register. The fact of the matter is that the Minister wants people to carry the identity number with them wherever they go, whereas we maintain that a registration number is all that is wanted, and as long as the man has a record of his registration number to prove that he has registered, that is all that is necessary for the purposes of the Act, because the Department has all the necessary information in the register about the man concerned. We maintain that while this House has accepted this Bill in principle, from the administrative point of view it is absolutely unnecessary to have this identity number. We maintain that it is superfluous. Associated with that identity number is the identity card, and the Minister must admit that. We maintain that it is superfluous; that it is absolutely unnecessary and that it is repugnant to the South African democratic spirit. In South Africa the carrying of an identity number or a pass or an identity card or whatever you may choose to call it, carries a stigma with it.

*Mr. VISSER: Where must the person carry it?

Mr. TIGHY: No matter in what euphemistic language the Minister tries to put it, no matter how he tries to translate this idea, the fact still remains that it is a pass number and a pass card. The man in the street will now have a number on his pass and he will have to carry his pass.

Dr. LOOCK: There is no obligation on him to carry a pass.

Mr. TIGHY: If the hon. member for Vereeniging (Dr. Loock) would like to carry a pass, we certainly will not object, but members on this side of the House would not like to carry a pass. Whatever hon. members opposite may say, I am sure their wives would not like to carry a pass. In South Africa the idea of a pass number and a pass is obnoxious to the people.

The CHAIRMAN: Order, order! The Committee is only dealing now with the number in this particular clause. The hon. member cannot discuss the question of identity cards or passes.

Mr. TIGHY: If that is your interpretation, Sir, then we must get a proper ruling from you, for the simple reason that if this amendment is not moved here it cannot be moved later on. The Minister now points out that it is only the number that is referred to in this particular clause.

The MINISTER OF THE INTERIOR: The other matter comes under Clause 13.

Mr. TIGHY: If this clause is passed could this amendment be moved under another clause? We must understand each other.

The CHAIRMAN: Order, order! This clause deals with the identity number only. I take it that a person could have an identity number without an identity card. That is why the two questions are dealt with in separate sections. The hon. member can only deal with the identity number under this clause, but at a later stage we will allow discussion on the identity card.

Mr. TIGHY: Under what clause?

The CHAIRMAN: Under Clause 13.

Mr. TIGHY: Thank you, Mr. Chairman. Surely an identity number must be associated with a card. I wonder whether the Minister — in terms of this clause — would write his identity number in the air. Surely he must write it on something. It must be written on some sort of document; what is he going to write it on?

The MINISTER OF THE INTERIOR: It says in the register.

Mr. TIGHY: We want the number to be known as a registration number not an identity number, because an identity number is associated with a pass. Don't you try to put it across this House with your K.C. stuff. [Laughter.] Hon. members may laugh but I say that an identity number must be written on something. We object to an identity number. Why not call it a registration number, as we have on the voters' roll. After all, when you register as a voter you have a number. You cannot vote without a number.

*Dr. VAN NIEROP: You keep on repeating the same thing.

Mr. TIGHY: I say that we are opposed to this idea, and we are taking the earliest

opportunity to indicate it to the hon. the Minister and to this Committee. A colleague of his tried recently to force Coloured women and Native women of this country to accept the same idea.

Capt. HENWOOD: And then funked the issue.

Mr. TIGHY: And they funked the issue, as my colleague here says. They had to drop it. They wanted non-European women to have identity numbers and cards, in other words, a pass, and they had to abandon that idea. You had to give in to the Native women and now you want European women to do what Native women refused to do.

Dr. LOOCK: That is a lie.

Mr. TIGHY: The hon. member for Vereeniging says that is a lie. I should like him to tell the Committee why they did not continue with that scheme. Why did they not give the Native women an identity number? [Time limit.]

Mr. WARING: I submit to you, Mr. Chairman, that the whole basis of an identity number as against a registration number, as proposed by the hon. member for Johannesburg (West) (Mr. Tighy) is this, that on the one side it is associated with a number whereas in the other case it is associated with a photograph and identity. That is why we on this side of the House support the suggested amendment in favour of "registration", because the clause as drafted not only means the number, but identity, supported by a photograph, which photograph appears in the register and we on this side of the House submit that the idea of an identity number has always been associated with criminal records of people, not with registration records, not with records required for birth registrations and death registrations, but it has always been identified with criminal procedure, and we say that in this country you are bringing into a register — you don't even call it register number, you are ashamed to call it a register number — you are bringing something in that is attached to photographs and identity, and we maintain that the Government is going to use this for purposes that no register would be commonly used for and, Sir, the whole basis which this side of the House is objecting to is the idea behind the carrying of an identity pass which contains an identity number and an identity photograph.

The CHAIRMAN: I have already ruled that the pass, or whatever it is called, may not now be discussed.

Mr. BARLOW: On a point of order. May I draw your attention to page 11 . . .

The CHAIRMAN: What is the point of order?

Mr. BARLOW: That the law says that this is an identity card.

The CHAIRMAN: Not in this clause.

Mr. BARLOW: Will you please allow me to put the point? I am referring to page 11, Clause 13 (2), which says—

> If the person referred to in sub-section (1) is a White person or a Coloured person and is not an alien or a person referred to in sub-section (4), the identity card issued . . .

The CHAIRMAN: That can be discussed when we come to Clause 13.

Mr. TIGHY: On a further point of order. It is not quite clear to us whether, when we come to the identity card, we can discuss the identity number.

The CHAIRMAN: By that time, it can be discussed.

Mr. WARING: Because of your ruling, I move—

> That the further consideration of this clause stand over.

The MINISTER OF THE INTERIOR: To meet hon. members, I would be prepared to let this clause stand over until Clause 13 has been discussed. But I want to point out that the question of an identity card can be discussed under Clause 13, but if a controversy is raised again under Clause 13, and there may be other clauses, a controversy of the same point, then there is no sense in letting this clause stand over until Clause 13 has been dealt with.

Col. JORDAN: On a point of explanation, I think the Committee agrees with the hon. the Minister that our discussion must be concentrated on the place where the word "identity" occurs . . .

The CHAIRMAN: The hon. member for Orange Grove (Mr. Waring) was speaking.

Mr. WARING: Do I gather that the hon. the Minister has agreed to let this clause stand over?

The MINISTER OF THE INTERIOR: Not now that it has been suggested that in Clause 7 we will be met with the same position. If this were the only clause, then I would be prepared to let it stand over, but now I think we must take the clauses in the right order.

Mr. WARING: I only in passing referred to the identity pass and identity photographs, but I tried to make clear to the Committee that the whole feature of this Bill is the

fact that there is an identity number referred to here and this side of the House objects to the idea that this register should be used for identification purposes and that it should be carried further on as it appears in other sections, that this pass is a sort of pass that a criminal might have to carry, and definitely no decent person in South Africa. We on this side of the House are absolutely opposed to this principle of making our ordinary people carry something, an identity number and all the other things associated with it and that they must produce, and we object to our women having an identity number . . .

Dr. LOOCK: May I ask you a question?

Mr. WARING: I think that in Committee, where a member has only ten minutes, he should not give way for a question. That is the point. We definitely object to this kind of system, we object to our people having to produce something which carries an identity number. We object to it in principle. We object in principle against a system which has this feature. We are not against a system of registration of births and deaths, but at the first opportunity we have, we must object to this principle of creating an identity register, an identity pass system. We object to it in principle and we will oppose it as far as we can and with all the constitutional means at our disposal. It is absolutely against the spirit of South Africa. We do not accept it and we know and hon. members there know that they will only create identity numbers in the direction that suits them, but they will not bring it in for the whole population, and it is absolutely foreign to all our principles in South Africa.

*Mr. MENTZ: Mr. Chairman, we have had two speeches right at the beginning, one from the hon. member for Johannesburg (West) (Mr. Tighy) and one from the hon. member for Orange Grove (Mr. Waring). The hon. member for Johannesburg (West) rose to say that he does not want a number under any circumstances.

*Mr. TIGHY: That is untrue.

*Mr. MENTZ: His whole argument was against the number.

*Mr. TIGHY: Nonsense.

*Mr. MENTZ: What is the hon. member objecting to?

*Mr. TIGHY: Read the amendment.

*Mr. MENTZ: The hon. member is now saying that there should be a number. What is he arguing about then? Here he again comes with the question of photographs. I do not know whether hon. members opposite are ashamed of their own photographs, but they will be given sufficient opportunity to raise their objections under Clause 13. I want to ask them of what value a register will be without a number. What is their objection to it? I still maintain that the whole trend of the speech made by the hon. member for Johannesburg (West) was that he is against the number. Now he says that he is not opposed to it. Why is he objecting then? The hon. member for Orange Grove goes further and says we should postpone the matter a little until Clause 13 has been disposed of. I think it is very clear that the United Party cannot advance the slightest argument in support of their opposition to this provision. They only want to obstruct the passing of this measure. In all sincerity and fairness I say that their objection is based not so much on the question as to whether there should be a number or whether there should not be a number, but their aim is to obstruct the passing of this Bill. The hon. member for Orange Grove says he is in favour of a number.

*Mr. WARING: Read the amendment, a registration number.

*Mr. MENTZ: Whatever the point is, what is the difference? There must be a number. That is why I say that they should advance practical arguments and say what they really want; only then can we reply to their arguments. The hon. member now wants to suggest that such a number implies something criminal. He will not obtain any support for that argument. They now come with the argument in connection with this clause that they refuse to allow their wives to have numbers. What numbers?

*Mr. TIGHY: You know what you are going to use it for.

*Mr. MENTZ: That can be raised under Clause 13, and when that clause is dealt with, we shall fight it out with them across the floor of this House. I do not think that any of the arguments which hon. members opposite advance or any of their suggestions can be considered by the hon. the Minister. Do hon. members opposite believe for one moment that they are interpreting the views of their own people? We know of those big protest meetings in Durban. Only three or four people turned up. I think the hon. the Minister need not take any notice of this.

Col. JORDAN: I think the hon. member for Westdene (Mr. Mentz), perhaps, is under a misapprehension in regard to the purpose of this amendment. In this clause the amendment is consequential upon the acceptance of or rejection of Clause 13, but quite independently of whether that clause is maintained or not in Committee, the object of this amendment is to remove what

may be regarded by the public as a blemish upon the Bill. Now again, unfortunately, the character of the approach to the amendment is one of suspicion.

An HON. MEMBER: You are always full of suspicion.

Col. JORDAN: There is no need whatever to view the matter with any suspicion. Of course you can't deal with the subject entirely adequately, unless you can link it up to some extent with other clauses in the Bill. I think one does not want to debate the merits of the other clauses in any way, and I quite appreciate that I would be, perfectly correctly, ruled out of order if I attempted to do that, but I just want to remind the Committee, Mr. Chairman, that, in the contents of the register and in the contents of the identity card, both matters dealt with in other clauses of the Bill, provision is made for the inclusion in the register of an identity number and provision is made for the inclusion in the identity card of an identity number. Now Clause 6 as it happens presents the first opportunity to deal with the question of the wisdom or otherwise of substituting the word "registration" for the word "identity", and I am sorry that the hon. the Minister felt unable, owing to a misunderstanding I am perfectly certain, to allow this clause to stand over until Clause 13 has been dealt with, because I want to say this to the hon. the Minister — there are 32 other substitutions for the word "registration", and the hon. the Minister must not imagine for a moment that if this amendment is accepted in Clause 6, that we would not pursue it with similar amendments wherever it would be necessary to make them with the purpose of substituting the word "registration" for "identity". I am trying to help the hon. the Minister and I am putting this particular point of view that, so far from any necessity arising to view it with suspicion, this side of the House will not attempt to pursue the amendment further if it is not accepted here. It would be settled here and no time would be taken up with consequential amendments. We would have preferred it to have been dealt with after Clause 13 has been agreed to. I want to put it to the hon. the Minister what the case is for the substitution of "registration" for "identity". The term "identity", whether we like it or not, is associated to a certain degree with the administration of the criminal law and if you assign the duty to the director of giving an identity number to every person whose name figures in the population register, it will be known on every document as his identity number. Now we claim that it would strip this Bill of one of its, perhaps, minor objectionable features and make the measure a more palatable measure to the public, upon which it is being foisted, if the objectionable term is extracted from the measure and a more acceptable term substituted. Now what we hope is that when we come to Clause 13, the hon. the Minister will see the wisdom of being content to substitute a card which would identify a person with a card which would enable a person to prove that he has complied with the law and has in fact registered in terms of the law. So that, when you view it from that angle, you see that there is no necessity that a question of this nature should generate any heat. If one approaches the thing quite objectively and asks the question what would the public prefer to have assigned to it: a registration number, such as you have in the case of other registers, a birth register, a marriage register, or whether the public would prefer to have a number assigned to it which is to be cloaked by a description which appears to be in closer conformity with the criminal law than with a law of this sort. That being the purpose of the suggested amendment, I am going to ask the hon. the Minister not merely to close his mind, and, with great respect, I am afraid he is a little inclined to do so where an amendment comes from this side of the House, but to consider the matter on its merits and to ask himself the question which I put to the Committee: Which of the two terms does he really think the public would prefer, and if he comes to the conclusion that the public would prefer the term "registration" to the term "identity", I think the hon. the Minister will then accept the amendment.

*Mr. J. J. FOUCHÉ: Members opposite are now objecting to the term "identity number", and the hon. member for Johannesburg (West) (Mr. Tighy) proposes that it should be described as a registration number. I really cannot see what objection there can be, because in reality there is no difference between those two terms. In the general spoken language in South Africa there is no stigma whatsoever attached to the term "identity number", and I cannot therefore see why any person should have any objection to that term. The use of the term registration number can only cause confusion. We already have registration numbers in connection with various things in this country. The Electoral Act provides for a registration number and one can understand that if this identity number is now going to be known as a registration number it will cause a great deal of confusion during elections. When there is an election one is asked for one's registration number. The individual would then have two registration numbers. Imagine the confusion that would cause. We use the term registration number also in connection with other matters, as, for instance, in connection with our motorcars. It will only cause confusion if we use the term registration number, and there is no advantage whatsoever attached to that term. If they can prove that the advantages

which will be derived from the use of that term outweigh the disadvantages, I shall be able to understand it, but I cannot see what advantage it will be. Nobody in South Africa associates any stigma with the term identity number, and because nobody can take any offence to that term, I cannot understand why a change should now be made which will only cause confusion.

Mr. WARING: May I avail myself of this opportunity to withdraw my motion that this clause should stand over?

Mr. KENTRIDGE: I hope the hon. the Minister will seriously consider the proposal that is now made with the object of saving the time of the House in connection with this matter. I, on my part, entirely agree with the reasons for the proposed amendment and I think the hon. member for Smithfield (Mr. J. J. Fouché) has given us an additional argument in favour of that amendment, because if he is correct in saying that the word "registration" will cause confusion, then I want to ask him why no confusion is created by that word in the numerous instances where the word is used, as he says, in regard to other activities. But the position is that, as far as we are concerned, we hold that the word "identity" carries with it a certain indignity, and if hon. members on the other side are prepared to submit themselves and the people of this country to any indignity whatever at the behest of the Minister, we are not prepared to do that. Such a series of yes-men as members on the other side I have not known in all the years I have been in this House, and I hope that the Minister will accept the proposal to let this clause stand over until Clause 13 has been dealt with.

With leave of the Committee, the motion by Mr. Waring was withdrawn.

Mr. TIGHY: I accused the hon. the Minister the other day when we were dealing with another clause in regard to the registration card for women and the numbers, of political bluff. I say here now, without any fear of contradiction, that this whole clause is nothing else but political bluff.

The CHAIRMAN: The hon. member should confine himself to the clause.

Mr. TIGHY: I say that the whole idea of an identity number is nothing else but political bluff. I am accusing the party there and the Minister of political bluff, particularly after I have listened to the hon. member for Smithfield (Mr. J. J. Fouché). He decided to speak in Afrikaans and referred to "register number" as a "persoonsnommer". He was bluffing the Committee.

The CHAIRMAN: Order! The hon. member must deal with the clause.

Mr. TIGHY: The hon. member was trying to wriggle out of it by referring to "persoonsnommer" and "persoonsbewys".

The CHAIRMAN: That is the term used in the Bill.

Mr. TIGHY: Exactly, Sir, and he was trying to get out of it by using that term. [Laughter.] I say that normally we on this side of the House would perhaps be prepared to accept this idea. Normally, it would not have been a very offensive idea to call it an identity number instead of a registration number, but I say that in the hands of this Government and this Minister it is very dangerous indeed.

HON. MEMBERS: Why?

Mr. TIGHY: Because since the other side have been in power they have had one object and that is to curb the liberties of the subject and that is why I say that it is very dangerous in their hands.

The CHAIRMAN: The hon. member should confine himself to the details of this clause.

Mr. TIGHY: This Committee and the country must never forget that these people have always advocated the curbing of the liberties of the people and this idea of an "identity number" is another attempt to do so, nothing more or less. This Committee and the country know that they are the people who have interfered with the freedom of the people and freedom of movement. And what is this identity number? Nothing else. We know you are bluffing. We also know that they are the people who are trying to suppress criticism. They want this identity number as a further dictatorial power to continue their fight against anybody who is against them or who dares to criticise them. That is what they want the identity number for. I repeat hon. members on that side of the House and particularly the hon. the Minister are out to bluff the public. They are out to suppress political thought in this country and the identity number is another attempt, another weapon in their hands to do so.

Mr. S. E. WARREN: You have no fault and therefore it will not affect you.

Mr. TIGHY: I think the hon. member for Swellendam (Mr. S. E. Warren) must leave us alone. Being an old man, he gets very irritable when we interrupt him. If he cannot take it, he must not interrupt. I say the Minister and his colleagues are out to suppress political thought in South Africa and this is another weapon in their hands to do it. I say this is a potential weapon in the hands of the Minister, and it is a highly dangerous weapon in the hands of this Government. It is beyond the functions and

duties of this House as a democratic institution, to sign away the rights of people, as it were, as the House is asked to do in this Bill. May I say that the whole idea of this clause and of this particular Bill has never been put to the electorate of the country. It did not form any part of the election platform of the party opposite. The Government has no right to assume that the people of this country want a Bill of this type, and I say that the United Party as such is not prepared to support it.

The CHAIRMAN: The hon. member must deal with the clause and not with the second reading debate.

Mr. TIGHY: It is my submission, Mr. Chairman, that the identity number which is referred to in this clause, is nothing more or less than giving a further weapon in the hands of the Minister.

The CHAIRMAN: The hon. member has already said that.

Mr. TIGHY: I say we are not prepared to sign away the rights of the people in this country.

*Mr. VAN DEN BERG: I do not know why the Opposition is proposing such an amendment to this clause. As the hon. member for Smithfield (Mr. J. J. Fouché) has rightly said, it will cause nothing but confusion if this amendment is agreed to. Various speakers opposite have spoken in support of this amendment, but not one of them could prove that there was anything wrong with this clause. The whole object of this Bill is to register people and to know who is who.

*Mr. TIGHY: And what then?

*Mr. VAN DEN BERG: I hope the hon. member will understand it when I say that they have the right to object, but they have not come forward with their real objections. The hon. member for Troyeville (Mr. Kentridge) has not disclosed their real objection, either; which is, that once this Bill is placed on the Statute Book that side of the House will lose at least 20,000 votes on the Witwatersrand. That is their real objection.

*Mr. TIGHY: Why?

*Mr. VAN DEN BERG: Because every year on the Witwatersrand they register thousands of voters who live in other constituencies.

*The CHAIRMAN: I have to ask the hon. member to revert to the clause and to confine himself to it.

*Mr. VAN DEN BERG: I say that hon. members opposite have not told us what their real objection to this clause is, and what the real reason is why they are hiding behind their amendment. If they again want a registration number here we shall be asked what stupidity this is, because the public already have their registration numbers for the voters' list. This amendment amounts to nothing but stupidity. But as I have said, those hon. members do not want to tell us what their real objections are. They also know that some members, like the hon. member for Troyeville, are afraid, and I hope that what I am now going to say will not again cause them to get into a frenzy.

Mr. KENTRIDGE: I am not afraid.

*Mr. VAN DEN BERG: Yes, the hon. member may not be afraid. But why does he not want the people to know who he is when he arrives in Bloemfontein? We on this side are going to let the people know with the greatest frankness wherever we go that we are Jim Fouché, Sidney Warren, or Serfontein of Boshof. We are not ashamed of it. No, the second reason why members opposite are opposed to this clause is because they want to plead for people who are afraid that the public will know who they are. Some of them are not afraid of it. But those who speak in favour of this argument are trying to wreck the object of this Bill. We know what the object of this Bill is. The object is the registration of the population to enable us to determine the identity of a person by means of a reproduction of his physiological appearance and a number. The arguments advanced by members opposite simply carry no weight. They have not advanced the real reasons for their objections.

The CHAIRMAN: I wish to point out to hon. members that the discussion has been too wide. The only question raised in the amendment proposed by the hon. member for Johannesburg (West) (Mr. Tighy) is that the expression "identity number" in the clause should be changed to "registration number". Hon. members should confine themselves to that point. The discussion has wandered too far afield.

Mr. BARLOW: So that we can get this particular clause into Hansard, I would like to read it. Clause 6 reads as follows—

> The director shall assign to every person whose name is included in the register a number to be known as that person's identity number.

My hon. friend, the member for Krugersdorp (Mr. van den Berg), who has just sat down, accused this side of the House of wishing to change the word "identity" to "registration", because we wish to cook the

voters' roll in Johannesburg. That is a rather serious statement for a front-bencher to make.

Mr. VAN DEN BERG: But it is quite true.

Mr. BARLOW: Will you say that outside?

Mr. VAN DEN BERG: Yes, I have said it in public and I will do so again.

Mr. BARLOW: Will you also say who cooked the roll?

The CHAIRMAN: I must ask the hon. members not to carry on a conversation across the floor of the House.

Mr. BARLOW: Mr. Chairman, he is the last man with whom I would wish to carry on a conversation, after the statement he has just made. I leave it at that. He stated that if we delete "identity" and call this a "registration number", there will be confusion. That is the word we are using at present in regard to the voters' roll, and where does the confusion come in? The hon. member for Smithfield (Mr. J. J. Fouché) spoke about a person's motor-car registration number. This identity number, which you quite rightly say is the only matter we are discussing in connection with this clause, brings me to ask the Minister why we want this identity number? There must be some reason for the identity number. We are given the reason in Clause 13. It says that we want an identity number so that . . .

HON. MEMBERS: Order.

Mr. BARLOW: Hon. members opposite are impertinent, all the time endeavouring to teach you as Chairman, after your long experience in this House and after you have been Administrator of South-West Africa, your business as Chairman of this House. They are making a stupidity of this House and are trying to make you look stupid, Mr. Chairman, which you certainly are not. Why do we want an identity number — I ask the Minister. He says in the Bill: I want an identity number to build up certain things. I want to build up a book in which the name and sex, the classification, the citizenship or nationality, the identity number, a recent photograph and the date of issue of the identity card is entered. You cannot have an identity card without a number. That is why he wants a number. We take exception to that, because in South Africa we have never had an identity number placed on any identity card. We have never had an identity card or an identity number. The only identity numbers we have in this country are in the case of convicts, and that is what we are going to do now. The Government does only one thing: if it has convicts is gives them a number. In Natal it is given to the togt boys. He carries it on his arm and he is known by a number. Now, Sir, this Government wants us to be placed in the same category as convicts and togt boys. They go further. I remember going into a big business in London where the manager called the girls behind the counter by their numbers. This is what will happen to our women. Once the Government gives them numbers, it will go to the shops, to the Railways, and so on, and the women will be called by their numbers. The hon. member for Krugersdorp will call his best girl: "Come here, 6." We do not want that. What does it mean in the end? [Laughter.] The hon. member may laugh. He does not take the same interest in the dignity of our women as we on this side do.

Mr. VAN DEN BERG: What?

Mr. BARLOW: If he cannot hear, I am sorry. The hon. member need not throw stupid interjections across the floor of the House. Let us try to get the Minister to see reason. My reason is this. If you have an identity number, it leads to a photograph. It must lead to a photograph and we do not want the women of our country going around with cards or a book or anything else, with their photograph in it. Any police officer can stop them and say: Will you please give me your identity number? The woman will reply that the only way she can give her identity number is to produce her identity card. She will have to produce her identity card to show her identity number. That can be done by the police officer. Now, within the last week the Minister of Justice in his wisdom has in the Transkei established a police station, and that police station is run entirely by black people.

The CHAIRMAN: The hon. member is now wandering far from the point.

Mr. BARLOW: No, Mr. Chairman. The position is that this identity number can be asked for by a police officer.

The CHAIRMAN: The hon. member must confine himself to the clause.

Mr. BARLOW: But why the identity number? We must know before we vote for it why there must be this identity number. We cannot, as legislators, merely vote for this identity number; we must first know what will happen to this identity number. We do not want the identity number, and I am going to vote against this identity number, because it will be used in such and such a way. One of the ways is that it can

be asked for by a police officer, with which we disagree. The women of this country can be asked for their identity numbers by police officers, and in this particular case the sergeant who is appointed is a Black man. So the Government has come down to this, that Black men must ask White women for their passes. That is a shocking state of affairs. White women will have to carry identity numbers which can be asked for by Black policemen. I leave it at that. I ask my friends opposite to take this Bill, which none of them have read — and tell me whether it is not so. That is the trouble with this Committee. The Minister reads the Bill. He goes to the caucus and says: Here is the Bill and you must take it. They take it, and nobody opposite can argue about it.

The CHAIRMAN: The hon. member must return to the clause.

Mr. BARLOW: That is what I want the hon. members to do, but they have not read it.

The CHAIRMAN: If the hon. member does not return to the clause I will ask him to sit down.

Mr. BARLOW: I can see there is some trouble about this identity number. If I may, I would like to move that the discussion of this clause stands over.

The CHAIRMAN: That has been moved, and the motion was withdrawn.

Mr. BARLOW: If I move it again, will you accept it?

The MINISTER OF THE INTERIOR: I stated on a former occasion that I was not prepared to accept it, and the motion was withdrawn.

Mr. BARLOW: Then I wish to move that this clause stand over.

The CHAIRMAN: I cannot accept it because no other motion has intervened.

*Prof. A. I. MALAN: The hon. member opposite has now objected to the number.

*Mr. TIGHY: No, we object to the word "identity".

*Prof. A. I. MALAN: The hon. member who has just sat down has said at least ten times that they do not want the word "number" in the clause. But in their amendment they advocated that there should be a number; they only want to call it by another name. And then the last speaker got up here and said almost a dozen times that they do not want a number, that people should not be given a number. I ask whether there can be a more inconsistent attitude than that — and that from people who were sent here as the leaders of the constituencies which they represent. It is, to say the least of it, a shame that the time of the House should be taken up with such childish arguments. And then they still accuse us of not having read the Bill and things of that nature. Mr. Chairman, it has already been said — I trust you will grant me the opportunity to emphasise the point — that the number is mentioned in this Bill and that it is also mentioned in the amendment. The number is mentioned in both cases. The only difference is that we want to call it an identity number and members opposite want to call it a registration number. I have not heard a single argument from members opposite as to why the word "registration" is preferable to the word "identity" in this case.

*Mr. ROBINSON: You will hear it now.

*Prof. A. I. MALAN: After spending the whole afternoon on this matter, the hon. member opposite has the audacity to say that they will now advance their arguments. That is tantamount to playing the fool.

*Mr. ROBINSON: I do not understand it.

*Prof. A. I. MALAN: If the hon. member cannot understand it, he should not blame my intelligence for it. He should search his own heart to try and find out why he cannot understand such a simple thing. Members opposite want to call this a registration number, but we on this side want to call it an identity number. The hon. member for Smithfield (Mr. J. J. Fouché) put the position very clearly and hon. members should have grasped it then if they would only read the clause. I only want to add that the identity card follows later, and that we call it an identity card and an identity number for a very important reason. The question has been asked here why it should be called an identity number. In view of the fact that there are so many registration numbers in other respects, one would like to know why an identity number is not better than a registration number. In English it is called "identity number" and "identity card". It is the real identity of the person concerned which must be determined. And let me at once advance this argument. All the thousands of troops had identity numbers during the war. They did not object to it. Every person was known by that identity number. But now the ridiculous argument is used here that only convicts have numbers. Is it fair to waste the time of the House with the arguments which have been advanced by members opposite?

*Dr. VAN NIEROP: I move—

That the Question be now put.

*The CHAIRMAN: I put the question . . .

*Mr. TIGHY: Mr. Chairman, the question of accepting such a motion naturally rests only with you. In this case the hon. the Minister has not yet replied to the debate. Is it the normal procedure to put the Question before the hon. the Minister has replied?

*HON. MEMBERS: The Minister replied long ago.

The Committee divided:

AYES—61.

Abraham, J. H.	Luttig, H. G.
Bezuidenhout, J. T.	Luttig, P. J. H.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Olivier, P. J.
Dönges, T. E.	Oost, H.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Le Roux, S. P.	Van Schoor, J. J. F.
Liebenberg, J. L. V.	Viljoen, J. H.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan
Louw, E. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56.

Abbott, C. B. M.	Eaton, N. G.
Allen, F. B.	Friedman, B.
Ballinger, V. M. L.	Frielinghaus, H. O.
Barlow, A. G.	Gale, D. J.
Bekker, P. B.	Gay, L. C.
Bell, R. E.	Gluckman, H.
Benson, E. A.	Graaff, de Villiers
Bowker, T. B.	Hayward, G. N.
Brooke, R. S.	Henwood, B. H.
Butters, W. R.	Hepple. A.
Christie, J.	Hopewell, A.
Cull, J. A.	Hughes, T. G.
Davis, A.	Jonker, A. H.
Delport, G. S. P.	Jordan, R. D. P.
Du Toit, R. J.	Kentridge, M.
Eaton, A. H. J.	Lewis, J.
Lovell, L.	Solomon, B.
McMillan, N. D.	Steyn, C. F.
Mushet, J. W.	Steyn, S. J. M.
Oosthuizen, O. J.	Strauss, J. G. N.
Oppenheimer, H. F.	Stuart, W. H.
Pocock, P. V.	Sturrock, F. C.
Robinson, A. E. P.	Sullivan, J. R.
Russell, J. H.	Tighy, S. J.
Shearer, V. L.	Van der Byl, P. V. G.
Smit, D. L.	Waring, F. W.
Smuts, J. C.	Waterson, S. F.

Tellers: J. W. Higgerty and C. M. Warren.

Motion accordingly agreed to.

Question put: That the word proposed to be omitted, stand part of the amendment proposed by the Select Committee in line 46,

Upon which the Committee divided:

AYES—61.

Abraham, J. H.	Luttig, H. G.
Bezuidenhout, J. T.	Luttig, P. J. H.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Olivier, P. J.
Dönges, T. E.	Oost, H.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Le Roux, S. P.	Van Schoor, J. J. F.
Liebenberg, J. L. V.	Viljoen, J. H.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan
Louw, E. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56.

Abbott, C. B. M.	Brooke, R. S.
Allen, F. B.	Butters, W. R.
Ballinger, V. M. L.	Christie, J.
Barlow, A. G.	Cull, J. A.
Bekker, P. B.	Davis, A.
Bell, R. E.	Delport, G. S. P.
Benson, E. A.	Du Toit, R. J.
Bowker, T. B.	Eaton, A. H. J.

Eaton, N. G.	Oosthuizen, O. J.
Friedman, B.	Oppenheimer, H. F.
Frielinghaus, H. O.	Pocock, P. V.
Gale, D. J.	Robinson, A. E. P.
Gay, L. C.	Russell, J. H.
Gluckman, H.	Shearer, V. L.
Graaff, de Villiers	Smit, D. L.
Hayward, G. N.	Smuts, J. C.
Henwood, B. H.	Solomon, B.
Hepple, A.	Steyn, C. F.
Hopewell, A.	Steyn, S. J. M.
Hughes, T. G.	Strauss, J. G. N.
Jonker, A. H.	Stuart, W. H.
Jordan, R. D. P.	Sturrock, F. C.
Kentridge, M.	Sullivan, J. R.
Lewis, J.	Tighy, S. J.
Lovell, L.	Van der Byl, P. V. G.
McMillan, N. D.	Waring, F. W.
Mushet, J. W.	Waterson, S. F.

Tellers: J. W. Higgerty and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Tighy dropped.

Amendment proposed by the Select Committee in line 46 put and agreed to.

Clause, as amended, put and agreed to.

On Clause 7,

Mr. SULLIVAN: Mr. Chairman, I move the amendment standing in my name on this clause, as follows—

To omit paragraph (h) of sub-section (1).

Among the several particulars required in the register on this clause is a recent photograph of the citizen, except in the case of a person who has not yet attained the age of sixteen years, or who has been admitted to the Union for a temporary purpose. Now, Mr. Chairman, we submit that section of the clause is unnecessary, is undesirable, and fraught with difficulties of administration. This is proved by the fact that most of the European countries in their registration systems make the inclusion of the photograph the exception and not the rule.

The only European countries which have a photograph on their identity cards or in their population registers are Italy, France, Belgium — and I might emphasise the fourth one, where there is a dictatorship and a police state — Spain. Therefore, we see that those countries whose form of government more nearly resembles our own form of government, countries such as England, Sweden, Denmark and Holland, though they have excellent population registration systems, have no photograph included in those systems.

England, for example, used a registration system with remarkable effectiveness in connection with war purposes, in connection with the mobilisation of industry, and in connection with rationing. Our system as is now suggested in this measure is in other respects, and in this particular respect, very complicated. The proposed system for South Africa that the hon. the Minister has before the House at the moment by the omission of the photograph would simplify the compilation of the register, would reduce the administrative costs and remove the imposition of an added cost on the people, particularly on the poorer sections and on the Native population.

I want, Mr. Chairman, to touch briefly on the difficulties that are involved in administration by the inclusion of the photograph. The Select Committee went into this matter carefully, into the practicability of including the photograph. Now, in the first place, as was pointed out there, every person changes his facial features during the years. Some Governments in Europe provide against that by making a photograph have a validity of from three to five years only. In this measure before us there is no such provision; if there were it would mean additional cost. The fact that there is no such provision, however, is a very strong argument against the inclusion of the photograph. Secondly, the difficulties of administration come in when the occasion arises that the photograph must be called in because it ceases to be a true representation of the person concerned. We leave the decision as to when the photograph should be called in to the director or his agent or representative. Now we submit that this is an almost impossible position. When we consider the vast non-European population who are ultimately to be included in vast numbers, this provision of the inclusion of a photograph for the reasons I have already stated cannot, we believe, be done efficiently. It is an administrative mistake and should be removed.

There is still another argument that we can use against the inclusion of the photograph, and that is the question of cost. The director has been very frank about this matter. He has pointed out that if this were done by private enterprise it would cost from 2s. 6d. to 5s. per photograph, but he has added that if he could organise it himself, apparently on some contractual basis, he could, keeping in mind the Native population, have it done at 6d. a copy. I am not prepared to challenge that, although I think it is extremely optimistic. But whatever the cost is, Mr. Chairman, for many of the people it will be a minor matter, but for the great majority of the people it will be in the form of an additional impost, additional taxation.

Assuming that four million people are included in this population register, and even if the Natives do get the cheap rate suggested by the director, the total cost to which the people will be put, because of the inclusion of the photograph, will be not less than half a million pounds, and probably

much more. This clumsy and unnecessary provision of the photograph is not worth the administrative work and cost involved in administration; it is not worth imposing this additional tax upon the people; it is not worth burdening the registration system with such details as the photograph, which is omitted in the main European countries.

It is for those reasons, Mr. Chairman, that I move the amendment to the effect that the photograph be deleted as one of the particualrs to be included in the population register.

*The MINISTER OF THE INTERIOR: What the hon. member for Berea (Mr. Sullivan) has just said is not quite correct. Most of the countries visited by the deputation of the department do include the photograph in their registration system.

Mr. SULLIVAN: How many of them?

*The MINISTER OF THE INTERIOR: I now propose to mention a number of names for the benefit of the hon. member, of countries which do use photographs in their registration system and with their identity cards.

Mr. SULLIVAN: Are you now quoting the evidence of the director? His evidence appears on pages 13 and 14.

*The MINISTER OF THE INTERIOR: Those are countries which he visited. Most of the countries which he visited have the system of photographs, but there are other countries which he did not visit, which also use the photograph system, and I might tell the hon. member that they are using the photographs in the Argentine as well as in Brazil.

Mr. ROBINSON: Democratic countries!

*The MINISTER OF THE INTERIOR: Then I also want to tell him that another country which he has not mentioned, and where this sytem is used, is Israel. There they have the identity card with the photograph. He says that they have not got it in England, but if one takes into consideration the green card in England, then they are also using that system.

Mr. SULLIVAN: It was not a general register.

*The MINISTER OF THE INTERIOR: That is true, but it is not quite correct to say that they have not got it in England at all. They have it where it is needed most, that is to say, in the form of the green card. I think the hon. member himself will realise that the value of a registration system and particularly of an identity card, is appreciably enhanced if it is a reliable method of identification, just as in the case of a passport. One might perhaps also have a passport without a photograph, just as in the case of the driver's licence, because there was a time when drivers' licences did not contain photographs, but the whole value of this system is appreciably enhanced if there is a method of identification, and it really surprises me that the hon. member has objections to it, because he, of all people, is the person who is concerned about social security, and where there are so many opportunities for abuse in the absence of a proper method of identification, an identity card with a photograph is of the utmost importance.

Mr. SULLIVAN: But in the countries where they have the best system of social security, they have an identity card without a photograph.

*The MINISTER OF THE INTERIOR: The reply to that still is that their system would have been so much better if it had included a photograph.

Mr. TIGHY: How do you know that?

*The MINISTER OF THE INTERIOR: But that is common sense. I am afraid I cannot call on any other authority than that.

Another objection which the hon. member has raised is that the cost will be so excessive that the improvements resulting from this system will not be justified. I think there are few members opposite who will not admit that an identity card with a photograph will be more effective than an identity card without a photograph. I do not think there is any member in his full senses who will deny that. But is may be argued that the difference in the usefulness may not be justified by the cost which it entails. I could well understand it if they advanced that argument. Let me deal with this argument immediately. The evidence given by the director before the Select Committee was given on the basis of the information which he had at that time, but the whole matter was given publicity and that publicity resulted in various private firms approaching the director with proposals. His evidence before the Select Committee was based on proposals which had been made to him before that time, but I now want to inform the House that since that time the director has received proposals from private firms which are prepared to do the work at 6d. per photograph, 1s. for the second photograph, and it might even be less; it depends on the size of the contract. It may even be less than 1s.

Mr. SULLIVAN: And for Natives?

*The MINISTER OF THE INTERIOR: No, that applies to everybody. They are

prepared to do the work at that price. It is naturally an administrative matter, but on the basis of the available evidence the hon. member is entitled to say that it will cost 1s. 6d. or 2s. I understand that that is the ruling price charged for passport photographs.

*Mr. MENTZ: The hon. member for Berea (Mr. Sullivan) will also have to pay 6d. only therefore.

*The MINISTER OF THE INTERIOR: Yes, he will also get it at that price. This is in any case an administrative matter, but I just want to say that the cost can now no longer be considered on the director's estimate of the cost at that time. I think even on that basis it will still pay one to have a photograph, even if it costs 5s. I think it will be so much more valuable if the photograph of the person concerned appears on the identity card and the trifling sum which one has to spend on it, will be saved later on because one will not need a photograph for one's driver's licence, for example. It will therefore be profitable even at that higher cost, but in view of the new information which the director now has, it would be very undesirable and very foolish on our part if we were now to drop the idea of having a photograph on the identity card on account of the cost; that is why I felt that it would only be right to lay the facts before the Committee, and I am convinced that these facts which are now before the Committee are convincing enough to persuade even the hon. member for Berea to withdraw his proposal if his real objection is the objection which he mentioned, namely, that certain countries can do without it and that the cost is excessive — to which the reply is that most of the countries which were visited, do use photographs. I might just quote another example. There is another country in Africa where the system of registration and the system of identity cards is followed, namely, Kenya.

Mr. SULLIVAN: And behind the iron curtain.

*The MINISTER OF THE INTERIOR: The hon. member knows more about that than I do. But they have that system in Kenya and it also applies to Europeans. There, they have not got the system of photographs, but instead of the photographs they use finger-prints. The experience, therefore, is that some form of identification or other is used in most of the countries which I have mentioned. And they are democratic countries. We need not discuss the other countries. The hon. member says that the system of photographs is in force in Spain. I want to accept that, but for the purpose of this debate and this Bill, I am honestly not interested in what happens in countries which are not democratic. I am only interested in what happens in countries which are democratic. And in those countries which were visited by the deputation, and also in those countries which were added to the list afterwards, like Israel, they use the photo system and there has been no objection to it. I hope, therefore, that the hon. member will withdraw his amendment.

Mr. SULLIVAN: What about a time limit as far as the validity of the photograph is concerned?

*The MINISTER OF THE INTERIOR: The question as to how long the photograph will remain valid is an administrative matter, which will be determined in the light of circumstances as they arise, but any member or person will always have the right, if he feels that the photograph on his identity card is no longer a true reflection of his natural beauty, to ask that it be changed, and to produce a new photograph. It is only when he can no longer be recognised on the photograph that the director will have the right to say that a new photograph will now be affixed to the identity card.

Mr. STUART: Mr. Chairman, I have an amendment standing in my name, but I am not going to move it exactly in that form. If I might have the Minister's attention, I would say that there are two things left out of the second portion of Clause 7; there are sub-section (1) and sub-section (2). I hope the Minister will be fair. Sub-section (1) deals with those people included in the register other than a Native. Sub-section (2) deals with Natives. Mr. Chairman, there are two very important differences, and the first is this, that in the case of a White or Coloured registered voter the electoral division and polling district in which he is a voter are put in, so that he has some evidence that he is a voter. Now, I am here because there are Native voters. But a similar clause has been entirely omitted in sub-section (2). In respect of Natives only certain particulars can be included and no other particulars whatsoever.

Mr. TIGHY: Don't you realise that they are going to put you out?

Mr. STUART: I know that, but they can't do it in decency until I am out. In the meantime, Mr. Chairman, I put it to the hon. Minister that that should be in, and instead of moving the amendment I was proposing to move, I move the following—

To insert the following new paragraph to follow paragraph (c) of sub-section (2)—

(d) in the case of a registered voter the electoral division and polling circle

in which he is registered as a voter under the Representation of Natives Act, 1936 (No. 12 of 1936).

I move that, and will bring it up presently, Mr. Chairman. But there is another point which I cannot help feeling the hon. Minister has omitted per incuriam. If you are White or if you are Coloured, your marital condition is put down, but if you are a Native it is not put down. Mr. Chairman, in the sixties of the last century one of the most devastating wars that ever tore a country apart was fought in the United States of America over the very simple question of whether you could sell a wife away from her husband down the river, or not. In other words, whether her status or his status included a marital condition. I honestly and sincerely say to the hon. the Minister that I must believe that that is an omission. If the hon. the Minister's advisers are under the impression that Natives are not married at all, because a great many are married by Native law and custom, then all I can say is that they are singularly behind the times, because there are plenty of Natives now whose grandparents were married according to Christian rites. Unless it is proposed to go back to a certain feature of the old Transvaal law, before the nineties, when there was no recognised marriage between black and black, it was merely the mating of a bull and a cow; if so, we must tell the world that we are going the limit, because it is the limit. Let us be candid about it. That, with respect, I cannot accept; I am perfectly certain it is a misprint. Surely you want the marital condition of the Natives as well. Surely. I do not know whether the Minister is listening, he is in consultation . . .

The DEPUTY CHAIRMAN: The hon. member may proceed. The Minister is listening.

Mr. STUART: I should like to hear the hon. the Minister on those two points. I have raised them without any anger, because it seems to me that they must be raised. I move.

May I say, on a personal explanation, before I sit down, that I have not moved anything with regard to the marriage item because I am certain in my own mind that the hon. Minister will come to the conclusion that it was a mistake.

*Mr. TIGHY: It is remarkable — I refer to the amendment proposed by the hon. member for Berea (Mr. Sullivan) that when any overseas country does anything which suits the Nationalist Party and that Government, they immediately follow the example of that country. I hope that when they want to proclaim a republic at some future date they will also follow the example of England. Whenever it suits them, they follow the example of overseas countries. Why did they not follow the British example in connection with the question of photographs and the card system? In that respect they did not follow the British example. No, whenever it suits them, they follow the example of England, but when it does not suit them, they call it Jewish imperialism. I wish the hon. the Minister would now refrain from using that sort of argument. He mentioned the example of Israel here. Does he realise that Israel has not got such a dangerous Government as this country has? We are afraid of this Government.

*An HON. MEMBER: We are glad to hear it.

*Mr. TIGHY: We are afraid because they are a danger to the country and a danger to democracy in South Africa.

*An HON. MEMBER: You are afraid of your own people.

*Mr. TIGHY: I say that this photograph system and all these things for which provision is made in this Bill, are dangerous in the hands of dangerous people. That is the point which I want to make, and I stand by it. The hon. the Minister tried to evade the question of administrative costs this afternoon. He says that the photographs will now only cost 6d. We would like to know whether he expects everybody to go to the same photographer and if he will enter into a special agreement in terms of which the people will be told to what photographer they should go for their photographs. As far as administrative costs are concerned, does he want to give these photographs free of charge to the non-Europeans, and does he realise what it will cost the country?

*The MINISTER OF THE INTERIOR: Where do you find that?

*Mr. TIGHY: In his own Bill. Does the hon. the Minister expect me to show him where it is? I say that the administrative costs to the State will be more than £250,000. When the whole Bill comes into force it will cost much more — more than £500,000. But we know that the hon. the Minister does not intend to make the Kaffirs carry passes nor does he intend to register them. Every time I raise that point he evades it. For the third time today, I say that he does not intend to make the kitchen-girl carry a pass.

*The MINISTER OF THE INTERIOR: Don't repeat.

*Mr. TIGHY: It surprises one to hear the hon. the Minister, who is supposed to be a

lawyer, advancing such ridiculous arguments. I would like the hon. the Minister to tell me who has to supply the information under paragraph (f), whether the onus will be on the man who is registered and whether he must supply that information. And if a constituency is altered, who will be responsible for effecting the change; is his Department going to do it or the person who is registered? I would also like to know from the hon. the Minister whether he realises that electoral division are sometimes changed. Who is going to effect those changes? Does he want to place that onus also on the people; does he want to burden the public with all that unnnecessary work? They have to register themselves, they have to have their photographs taken, and they may come to the director with photographs which, in his opinion, may not be suitable. Are they going to have a file for every person? They will have to have a tremendous number of files. We have the position already that practically the whole o fthe first floor of the Union Buildings is filled with files. The hon. the Minister will have to erect a new building for the purpose of storing these files. When they have their photographs taken, those photographs may not be acceptable, they may not be suitable. Other photographs will have to be taken. They will then be required to say in what electoral division they live. Quite apart from the cities, can the hon. the Minister tell me that in many of our country constituencies, where there are dozens of electoral divisions sometimes, every man is able to say under what electoral division he falls? And if the electoral officer changes the electoral division who is to effect the change in the registration card? Must the people themselves do it? I would like to know this, otherwise I shall have to propose an amendment on this point.

*An HON. MEMBER: What a man.

*Mr. TIGHY: The contempt which those people have for the public of South Africa is reflected time and again in that catlike grin on their faces.

*The DEPUTY CHAIRMAN: The hon. member should not be so personal.

*Mr. TIGHY: When one pleads a serious cause affecting the interests of the people and one sees that catlike grin . . .

*The DEPUTY CHAIRMAN: The hon. member must not say that.

*Mr. TIGHY: Call it supercilious then, if that is permissible.

*HON. MEMBERS: Order, order.

*Mr. TIGHY: Then I withdraw. [Time limit.]

Mr. DU TOIT: This sub-section referred to by the hon. member for Johannesburg (West) (Mr. Tighy), sub-section (f), says this—

> In the case of a registered voter, the electoral division and polling district in which he is registered as a voter must be recorded in the register.

Now I want to know who is going to be responsible for making any alteration in the register should a person change his polling district or his electoral division. As the hon. member has already pointed, out after every delimitation these changes come about and is this responsibility going to be placed on the individual concerned or is it going to be a responsibility of the Department to see that that change is made in the register, and who is going to make the alteration in the identity card or is a new card to be issued? Then we come to this question of photographs in paragraph (h). The Minister has not yet told the House whether the cost of providing photographs is to be borne by each individual or is to be borne by the State, and that is quite an important matter. I have heard that it will be possible to get photographs costing about sixpence each. I beg to query that. In any case, I consider that it is going to throw a considerable burden on the population generally if they have to have photographs taken at their own expense. In fact, I cannot see the necessity of having photographs. The Minister might, of course, find himself without a photograph of that kind on his own identity card and a similar position may arise with him as that in which the Prime Minister found himself years ago when he was Minister of the Interior and paid a visit to the Valkenberg Mental Hospital. In the course of that inspection he first of all contacted the staff and then he paid a visit to the various wards and I am given to understand that passing through one of these wards, there was a patient there who asked asked him who he was and what he was doing there. He replied, "I am the Minister of the Interior, Dr. Malan." The patient told him that he did not believe him and said, "When I came here, I said that I was the Emperor of France, Napoleon Bonaparte, and they did not believe me either." Now I can understand that if the Prime Minister had had an identity card with a photograph on it, it would have been a valuable means of satisfactorily identifying himself to that particular person. But I do appeal, Sir, that the expense of having these photographs on the cards should be borne by the Government. Provision has been made that on the card any change of address has to be entered. It is quite possible that a person moves from one area to another and then a person has to forward the necessary information within fourteen days to the Department. Now I feel that that is much too drastic and that the time should be considerably extended. In the case of the

Electoral Act, the period is three months. We know that it is compulsory by law that every person moving permanently to another area must, within a period of three months, notify his change of address. But this Bill only provides fourteen days and if one does not comply with the provisions of this Bill within that period, then one is subject to a very severe penalty or imprisonment. And whilst persons who are literate may find it comparatively easy to comply with the regulation in this regard, when one bears in mind the fact that thousands and thousands of people are quite illiterate, because Natives also fall under the Bill and will have to supply this information from time to time, and one knows that their financial position is such that they will not be able to meet the requirements that will be imposed upon them. Therefore I ask whether provision is going to be made for the necessary funds to build new gaols which will be required to house the thousands of people who wittingly or unwittingly are bound to break this law. I hope the Minister will give the information I have asked for and I am particularly concerned about the question of cost of photographs.

Dr. FRIEDMAN: I regret very much that the Minister did not see his way clear to meet us in regard to the question of the photographs. But for a moment I want to argue on the Minister's own premises. The Minister said that the value of an identity card is enhanced if you have some reliable means of identification. Precisely, Sir, and it it for that very reason that there are good practical grounds for dispensing with the photograph. Mr. Chairman, as you are probably aware, a photograph is seldom a good likeness. The Minister tells us that he is going to have photographs made at a shilling and even less. What sort of likeness are you going to get in these cheap and rubbishy photographs?

The MINISTER OF THE INTERIOR: It depends on the original.

Dr. FRIEDMAN: The Minister need not flatter himself in that respect. He wouldn't survive the test. I assure you the Minister is not conspicuous for an over-plus of pulchritude. In my experience even an expensive photograph, taken with great skill and care, can be extremely disappointing. Now this clause speaks of a "recent photograph". Mr. Chairman, I happen to have had something of a scientific education and I like terms to be defined. What is "recent"? Is it yesterday, is it two weeks ago, is it last year, is it five years ago? In fact I know of an archaeologist who regards the fall of the Roman Empire as a recent event. But let us assume that "recent" means six months ago. Even recent photographs can soon cease to have the slightest resemblance to the person it is supposed to portray. A man can change very radically in the course of six months. He can grow a beard. He can become completely bald, or his hair can become completely white; he may become emaciated as the result of disease or as the result of a regime of castor-oil and spare diet. And, Sir, as you know a woman is even more variable. A woman must obey the dictates of fashion. To be constant in her appeal, she must be variable in her attributes. You know, Sir, a woman can use art to improve upon nature and even to defy nature. It is amazing what a woman can do to her hair, her lips, her eyelashes and her eyebrows; she can have a pastic operation on her nose, and she can repair the ravages of time by having frequent face-liftings. When all these possibilities are taken into account, I doubt if one photograph in ten is a reliable means of identification. The Minister thought he scored a debating point by pointing out that a passport requires a photograph. The Minister should know better. So little importance is attached to the photograph in a passport that they demand a specimen signature as well; and of the two, the signature is by far the more important. Ask the banks. The banks will tell you that a specimen signature is an almost absolutely reliable means of establishing identity. Unfortunately the difficulty in this country is that the great mass of the people whom the Minister says he is going to register, viz., the non-Europeans — I agree it is still open to question whether he is going to do it — but the great mass of the people are illiterate and cannot sign their names. But why then should the literate section of the population be penalised by having their photographs put on a pass because the great mass of the people are illiterate? That is not logical. If this, as the Minister contends, is not a pass, then he can prove it by dispensing with the photograph; because it is the photograph which is one of the chief stigmata of the pass. Our purpose is to make the Bill as palatable as possible. We know that we have to swallow it, but we are trying to make it as palatable as possible, and therefore we beg the Minister to remove at least one stigma of the pass, viz., the photograph.

Mr. HEPPLE: In regard to this question of photographs, I wonder if the Minister has considered the position of people who have to take time off work in order to have these photographs taken. This is a point which I have raised on a previous occasion in connection with the cost, but here again I must raise this point. It is a most important one. Every person in this country has to have a photograph taken in order to supply the necessary copies to the authorities. This is going to mean an enormous cost . . .

The DEPUTY CHAIRMAN: I think the hon. member is now repeating previous speeches.

Mr. HEPPLE: I do not want to repeat anybody's arguments I just want to deal with this point of time that is going to be lost by people who must take time off to have photographs taken. I draw the attention of the Minister to the fact that every employee as well as every employer must take time off to have his photograph taken. It also means that they have to queue up to have their photographs taken and that is going to take up a lot of time. If this argument has been used before I do not think it has been stressed enough. It is essential to consider this aspect. I want to ask the Minister whether he is going to afford protection to those who take time off to have their photographs taken and where the employer says: "I am not going to pay for the time you take off". I raise this matter quite seriously because that is what is going to happen to a considerable number of employees, especially those on the lower wage scale who are unable by their tongue or by their actions to defend themselves. This is a most important point. And then, Sir, in connection with the same question of photographs, I want to ask the hon. the Minister whether he will see to it that sufficient photographic material is available and whether he is going to supplement the existing photographic concerns in order to tackle this enormous task. And then another important point is this: Is he going to see that there is price control on these photographs, because there is going to be an enormous demand and there is going to be a shortage of material and if there is no control on the charges for these photographs, then you will find that people will be fleeced, and particularly the poorer people. There is no provision in this Bill to protect people against financial loss and especially none under this clause. The Minister will have to take steps to see that all people who have to have their photographs taken are so protected. In the first draft of the Bill it was provided that the State would bear the cost in respect of those to whom this might be a financial hardship. That has been removed from the Bill by the Select Committee and that is a very serious matter. The cost of living is going up and up, although we are told by the Minister of Economic Affairs that in fact it is going down. It is going up and here is another burden on the average citizen that is not going to be computed in the cost-of-living index. The Minister says it will cost 1s. a head or less, but I say that in addition to that it is going to mean that thousands of people are going to lose time off work and the employers will refuse to pay for that time.

Mr. POCOCK: I want to ask the hon. the Minister one thing. Dealing with this question of photographs, on our passports every photograph has to be certified by a Justice of the Peace that it does belong to the person who it purports to be a photograph of. I take it that in this particular case you have to fill in particulars on the form, and you then have the photograph attached, but I want to know what steps are being taken to link up that photograph with the person it purports to be. It seems to me to be a very important point that in the ordinary passport every photograph must be certified by a judicial officer or a justice of the peace. Now in this particular case I understand there is no provision in this Bill to meet that particular point and that seems to me to be a very grave omission. Where you are going to have a register of the whole population, you will have no means of linking up the identity of the individual with the person purporting to be on the photograph. I would like the Minister to tell us what steps he is going to take. It seems to me an important matter and it deals with the point raised by the hon. member for Rosettenville (Mr. Hepple) that we have great trouble in finding the necessary justices of the peace to certify the ordinary photographs on passports. The hon. member has referred to time off, but it will be nothing compared to the time you will have to take off in order to find a justice of the peace and to have your photographs certified. Therefore I would like the Minister to tell us what he is going to do about it.

Col. McMILLAN: I want to take up the point which has already been discussed concerning the photographs and I want to say that I see no necessity for these photographs. There are one or two points I want to bring up which have not been mentioned so far. I have seen that with passports where photographs have been used that if that passport or anything with a photograph on it, or a driver's licence for that matter, gets wet — it can get wet very easily — then even a recent photograph is of no use whatever. I can get wet or it can get dirty. Another point is this: I have seen passports with photographs which were completely out of date. Moreover, as the hon. member here has said, if a person grows a beard or a moustache, you cannot be sure that the photograph is a photograph of the person carrying that particular passport, although it may be recent. And I want particularly to rub in this point in respect of Natives. I have thousands of them living quite near to me. How on earth are you going to carry out this particular idea of taking photographs of these thousands of Natives, Natives where there is practically no difference in their faces and appearances? Also, as the last speaker said, who is going to certify that the photograph is that of a particular person to whom the photo refers? There are all kinds of difficulties and I do trust that the hon. the Minister will consider these points and will withdraw or rather agree to the deletion of

this clause as suggested by the hon. member for Durban (Berea) (Mr. Sullivan).

Mrs. BALLINGER: Mr. Chairman, I hope you will not regard me as repeating unnecessarily what has been said if I do register my objection to the inclusion of this provision in the Bill. I think it is imperative that those of us who represent the African population should raise that objection. I approach it particularly from that point of view. I feel like so many other people that this is going to be perfectly impossible of administration among the African population. That is what the hon. the Minister would call a technical matter, a matter for the Department of Census to decide and it is for them to find how it can be done. But I think it is incumbent on us who are making these laws, or who are endeavouring to participate in the process of making these laws, to point out what we regard as essential difficulties. I am not only overwhelmed with the magnitude of the task of merely photographing this population, but I also feel that the point which has been raised now in regard to Europeans, the fact of identification, is something which has not been considered at all in regard to Africans. How are you in fact going to establish an identification of these Africans who don't happen to have their photographs taken by the Government authorities? The hon. the Minister may no doubt reply that since there is going to be a charge for those photographs, the average African will see that he is photographed by the public photographer and that provision will be made for identification. That is all very well in theory, how it is going to work out in practice is quite a different matter. I cannot imagine any system under which photographic machinery can be decentralised sufficiently to bring it within the range of the average African. Remember, Sir, that Bill lays down that a photograph has to be provided for every child of 16 years of age. Apart from the fact that the child is still at a physically unstable age, that he is still changing each year, there is the fact at the age of sixteen he has got to be brought to some centre at which photographic machinery will be available; and unless the Government really intends to have a complete peripatetic photographic machinery going around our reserves all the time I don't see how that is to be done. It is a fantastic proposition. I don't see how anybody in their sober senses can think that this is a practical thing. To my mind, it is just utterly and completely impossible, even if the Minister does, under Clause 21, exempt for the time being all the women and children. He will still have all these boys of sixteen years of age who must be photographed. Now I do hope the hon. the Minister will reconsider this clause. It is all very well for him to say that photographs are a normal feature of the identification system in other countries. He would be the first, Sir, to say that this country is quite different from any other country in the world. When it suits the book of the Government that is the argument they put forward; that we are a multi-racial society with problems that no other country has ever faced. Sir, this is going to be one of them, photographing the whole of our population and putting these photographs on a register. Now it is quite true that I am additionally opposed to this proposition since the Bill emerged from a Select Committee with the moderately reasonable provision which it originally contained, that photographs for the Africans would be supplied free, taken out. I think that is a most miserable change, but it wasn't a surprise; a miserable change to impose upon the African family now the burden of having to pay for the photographs. It is no good saying that the photographs will only cost 6d. The best proposition that was put forward to us was a price of 6d. a copy, which means 1s. per individual, and the further burden falls upon the family when the children are sixteen years of age, so that if the women and children are also going to be registered, it means that every man has to find at least this shilling for each member of his family; and with the earnings of the average Native, and particularly the earnings that they get in State Departments, where they are lucky if they get between £5 and £6 per month to feed their family, those shillings are of major importance. It would be a very grave mistake to regard this as a bagatelle, because it is a matter of major concern to the ordinary African family. Just before I sit down I want to raise one other point in regard to this paragraph, if the hon. the Minister will not allow himself to be persuaded of the wisdom of deleting this provision from the Bill. I would like him to consider the question of the age of sixteen years. As a matter of fact, it arises at other points in the Bill, but this is the first point at which I think it can be discussed. The age all the way through the Bill for personal responsibility in regard to registration is sixteen years. That is not a reasonable age to impose individual obligations on a child. Under the original Bill, African children under the age of 18 were exempted. For 18 years there is some reasonable ground as a dividing line, at least for the African population, because an African becomes responsible for poll tax at the age of 18. The normal age at which a child normally ceases to be a minor under the law is 21 years. Why should we then have any difference in regard to responsibility under this Bill from responsibility under other Bills. At any rate, I hope the hon. the Minister will consider revising this question of the age of 16 in regard to this and other provisions, and raise it at least to 18, which was the original dividing line for the Native population. But let me repeat in conclusion, that I hope, as far as the photographs are

concerned, the Minister will face up to all the difficulties and decide that this is an impossible proposition.

Col. JORDAN: Mr. Chairman, I would like, if I may, to stress two important points made by previous speakers, and I want to advance additional grounds in support of the contentions raised. First of all, I want to deal with the contention raised by the hon. member for Rosettenville (Mr. Hepple). It may well happen that the whole day, or even more time, will be required by a person who wishes to have his photograph taken. We have had the experience when people under bureaucratic direction have had to attend for particular purposes at particular offices. I have in mind, in particular, the case of unemployed persons queueing up at the offices of the Labour Department to secure unemployment benefits. They lose a great deal of time that could have been profitably occupied by their seeking work and thereby relieving the State of a burden. They occupy a great deal of time that could be so used, by standing in queues to report that they could not obtain work, or alternatively, to obtain the payment of benefits. So it is a matter of very real difficulty and very real gravity to these people. One would like to know, because this does affect the time factor in the case of people such as that, whether there has been any survey of the photographic facilities in the country. No photographer or photographic trade has yet had to face the burden of work which will be imposed by the necessity of photographing the whole population of the country, whether it is done in sections from time to time, or whether an attempt is made to photograph the whole population in one operation. What facilities exist, for instance, to take photographs in the platteland? It will be difficult enough in all conscience in the towns and cities. The burden on the available equipment in the towns and cities will unquestionably be an enormous and heavy burden. But when you get into the platteland, you may find many of the smaller towns where there is no photographer at all. Are you going to send an itinerant photographer to the platteland, and if so, has that entered in to the calculations of the cost of the scheme? The Minister suffers periodically from attacks of optimism, if he will allow me to say so. It may be that it is possible to take a snap on the spot at a cost not exceeding a sixpence or a shilling. But, if you have to send gentlemen round with their cameras to take photographs, the cost may be substantially increased by reason of that fact alone. These are factors which were not entered into when the Select Committee sat. The Minister will recollect that in his wisdom as Chairman of the Select Committee he did place certain obstacles — I am not suggesting that they were improper obstacles, because that would be unfair — in the way of any detailed examination of the costs, on what I thought at the time — I may have been wrong — was the wholly untenable ground that because the House in the second reading had settled the principle of the Bill, it followed that the House had undertaken the expenditure entailed by the passage of the Bill. That did not appeal to me as a tenable argument at the time. But we were under the duty to report to the House before a fixed date, and I think from the tribute the Minister paid to the members of the Select Committee at the conclusion of the deliberations, he will be prepared to say he did receive assistance from the members of the Select Committee to enable him to report within the fixed period. But this question of the employment of an itinerant photographer to be sent into the platteland and an itinerant photographer to be sent into the Native reserves, to search the dongas for their photographs, very much like shooting game, is an aspect of possible expenditure under the scheme into which no inquiry was made whatsoever.

May I also say, I entirely agree with the point, the very valuable point, if I may say so, made by the hon. member for Sunnyside (Mr. Pocock). He raised the question of what link of identity will be created between the register and the person whose photograph is to be included in the register. The scheme is that the director will extract the information, not from the person concerned, but from the census taken in 1951. By the time that information has been extracted and recorded by the Hollerith machine on the cards, it is not unreasonable to assume the passage of a considerable quantity of time, and then they commence to collect the photographs. The photographs are apparently to come forward not with the papers or with the complete forms, as when you apply for a passport, but they are to come forward as individual photographs. Now just imagine 250,000 photographs coming from a Native area, uncertified photographs, upon which few of the persons would have been able to affix their signatures because they cannot write — just imagine what absolute administrative confusion would ensue. [Time limit.]

Maj. VAN DER BYL: I listened very carefully to what the hon. member who has just sat down has said, and also to the hon. member for Cape Eastern (Mrs. Ballinger). It is perfectly obvious that among the Natives the whole scheme is unworkable. It cannot possibly be carried out. Anybody with any experience of Native affairs, knows that it is completely unworkable. The Government keeps on putting forward matters for discussion and wasting the time of the House, and in the end it will be something merely on paper. Let us take the question of expenditure. My hon. friend, the

member for Cape Eastern, spoke about the expense connected with the photographs. We know that within five years, between the ages of 16 and 21, when people change very much during the period of adolescence . . .

The DEPUTY CHAIRMAN: That has been said very often, and the hon. member must not repeat it.

Maj. VAN DER BYL: I want to point out this, Mr. Chairman . . .

The DEPUTY CHAIRMAN: The hon. member must use other arguments and not repeat arguments which have already been used.

Maj. VAN DER BYL: The argument is this, that I would like to know how often it is proposed to make it necessary for a new photograph to be taken. I have sat here, and nobody has raised that point. In regard to a passport we know that a new photograph must be supplied every five years, and are we going to compel these unfortunate people after five years to go to all this expense again in order to supply new photographs? The Minister has not indicated the period.

Mr. TIGHY: He is keeping very quiet.

Maj. VAN DER BYL: What I am trying to get at is this. I suggest to you, and I suggest to this House, that even if it were possible to carry out the scheme, and the Government were to have a photograph taken of every member of the population at a particular time, then they would still have this position that new people, young people, will be reaching this age and will have to be photographed apart from all those whose photographs have become obsolete, will have to be photographed again. That scheme will become unworkable. There will be no end to it. It will go on indefinitely and for ever.

Then the point was raised about the expense. The hon. member for Rondebosch (Col. Jordan) spoke about the platteland. I suggest that not only is there a heavy expenditure in connection with the photographs, but what about the time the person takes to get there to have the photographs taken, and what about the travelling expenses? You have people who are 50 or 100 miles away from the nearest town. And when they get to the nearest village, if it is a small village the photographer may not be there or he may be fully engaged and booked up for days ahead. Will they have to wait in the town for days to get the thing done. The Minister has time and again quoted the example of Great Britain, when it suited his book. There you have 50 million people. Here I have my identity card which I received when I travelled there for a couple of months.

The MINISTER OF THE INTERIOR: If you were in the class of V.I.P. it would have been green.

Maj. VAN DER BYL: I was there when still a Minister, and mine is not green. There is no photograph required on this, and there you have 50 million people. Here I have the identity card, and I do not think the ordinary Englishman has to have his photograph on the identity card. It is required on the passport but not on the identity card. If it is not necessary there, why is it necessary here? I have not taken part in this debate, but what irritates me is that the Government is continually putting forward proposals which we know are unworkable from the word go. It will never be carried out, and it will simply mean creating extra criminals in those who do not conform with this law.

Mr. S. E. WARREN: We have heard that before.

Maj. VAN DER BYL: It will have to be repeated 56 times to enter that hon. gentleman's head. But that is the point. I want the Minister to tell us after what period a new photograph will be necessary and whether the unfortunate person will again have to have this expense. What arrangements will be made in regard to transport, where the man has no transport available and may be forty miles away from the nearest town, and who will pay the expenses? As the hon. member for Cape Eastern has said, who is going to cover the expense of the long wait and the period of time lost by the man who has to be away from his work?

On the motion of Mr. Hughes, the Chairman put the amendment proposed by the Select Committee in lines 13 and 14 of subsection (2).

Mr. HUGHES: I wish to withdraw the amendment standing in my name, and instead of that amendment I wish to move the following amendment —

> In line 13, to omit "a recent photograph of himself".

Now that this Bill is becoming law, I wish to assure the Minister that we want to make the Bill as workable as possible, and more palatable. One of the reasons given by the Minister for the exclusion of Native women in the original Bill, was that it was impracticable to include them. That argument can be used with greater force when applied to this Clause 7. It may be practicable to send enumerators around to the Native locations and the Native reserves to get the names, the ages, and all the information required by the Minister. But I submit that it will not be possible to get the photographs. If he is going to send a photographer to each village to get these photographs . . .

The DEPUTY CHAIRMAN: I hope the hon. member is not going to repeat that argument.

Mr. TIGHY: But he has moved a new amendment.

The DEPUTY CHAIRMAN: Order!

Mr. HUGHES: I have moved an amendment in regard to Natives and photographers. The point is that it will be impracticable to get these photographs in the Native reserves.

The DEPUTY CHAIRMAN: That argument has been used twice or thrice.

Mr. HUGHES: I wish to point out why it it impracticable.

The DEPUTY CHAIRMAN: Provided the hon. member uses new arguments, he can continue.

Mr. HUGHES: I wish to point out to the Minister the difficulty we experience in connection with the administration of justice in the territories. Some of the Natives are old and they live a great distance from the court. They cannot attend, and it has frequently happened that the court had to journey to the location to interview the witness. What will happen to such an old Native when he is called upon to have a photograph taken in order to have himself registered? That is in regard to old Natives.

Who will be responsible for the children of 16 years? Is the father going to be liable in the case of children of 16 who have to be registered and who must have their photographs taken? Who will have to make arrangements for the children to be photographed? It may be workable in the first instance if the Government sends photographers to the various villages, but at the end of every six months quite a number of children will reach the age of 16. You will have to have a man permanently stationed in those villages to be able to deal with the Natives reaching the age of 16 from time to time. Moreover, when it becomes necessary to have a new photograph taken, will the Natives be forced again to go to the photographer to have their photographs taken? Imagine the cost to a head of a kraal. It may still be reasonable where the individual person has his photograph taken at the cost of 6d. or 1s. But what of the head of a kraal, who may be living with more than one wife, and have all the derelicts of the family living with him, too. Will he be responsible for every member of the kraal? If so, it will be a very onerous burden on him. Then there is another point in regard to Europeans, a point which was raised by another member. What will the position be if the photo is not recognisable . . .

The MINISTER OF LABOUR: Will you prefer fingerprints?

The DEPUTY CHAIRMAN: The hon. member is now repeating arguments.

Mr. HUGHES: I am replying to a question put by the Minister. I do not prefer fingerprints. I would point out to the hon. Minister, who has put a question to me, that when the Bill was introduced, the Minister in charge of the Bill used the argument in its favour that a similar Bill was in force in a country like Great Britain. The argument he brought forward then was that this type of legislation was required for social welfare services and various types of social insurance. Now, in reply to the hon. the Minister of Labour, if Great Britain can do without photos and without fingerprints, why cannot we do without them as well? The point is that we do not need fingerprints, nor do we need photographs. The hon. the Minister will see that I have amended the amendment I originally proposed. The original amendment omitted fingerprints for foreign Natives as well. I amended my amendment in that respect, because I can quite see that it is necessary to have fingerprints in the case of foreign Natives.

The MINISTER OF THE INTERIOR: And Union Natives?

Mr. HUGHES: No.

The MINISTER OF THE INTERIOR: What must they have?

Mr. HUGHES: I submit that no identification is necessary.

The MINISTER OF THE INTERIOR: For Union Natives?

Mr. HUGHES: Yes, not for Union Natives and not for Europeans, either.

Mr. A. STEYN: You cannot be serious.

Mr. HUGHES: No, it is not necessary. [Time limit.]

Dr. SMIT: I agree entirely with what has been said by the hon. member for Transkeian Territories (Mr. Hughes). He has dealt very fully with the question of photographs of Natives, and I want to pass on to another aspect, namely, in regard to other races. What is the Minister going to do in regard to paupers, old age pensioners and people drawing disability and blind pensions; and the many thousands of people who are poverty-stricken and unable to provide for themselves and who will now be required to have their photographs taken? How on earth is it to be done? No provision is made

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in the Bill as it stands for the State to undertake the cost of these photographs. I am thinking of an Old Ladies' Home where 50 indigent old ladies are maintained at the cost of the municipality and the State. What is to happen in those cases; must these old ladies provide two photographs, one for the register and one for the identity card? What is to happen in such a case? The Minister and his advisers have not given sufficient consideration to the practical side of the matter, and I appeal to the Minister to reconsider the situation.

Mrs. BERTHA SOLOMON: I am puzzled why the hon. the Minister, in view of all the difficulties that have been pointed out to him — the insuperable difficulties — if he insists on the photographs, will not accept the amendment. After all, this is the first time the Registration Bill has been introduced in this country. Now, the United Kingdom has had a great deal of experience as a welfare State, and there it has been shown that an identity card without a photograph works very well. Here we have a country with a very large illiterate population and with a population which is very poor. If the Minister, who is starting with this Bill and who is attempting to set up this register, is taking too much hay on his fork administratively, by demanding these photographs, then I would like to suggest: Why not accept this amendment deleting the photograph at this stage? Let the Bill be carried out for a year or two as it is, and then if it is found that without the photographs it cannot work efficiently, it is possible for the Minister to come back to the House and introduce an amending clause. In the meantime there are so many weighty arguments against the photographs that I suggest he accepts the amendment at this stage. I myself, Sir . . .

The DEPUTY CHAIRMAN: Is the hon. member moving an amendment?

Mrs. BERTHA SOLOMON: I am speaking to the amendment moved by the hon. member for Berea (Mr. Sullivan). I am particularly concerned about this question of the cost of the photographs. In any poor constituency such as mine there are hundreds of old age pensioners and people who receive public assistance, and 2s. 6d. or 5s. for each photograph will be a very large amount to them. It seems to me that the Minister really does not desire to put an extra burden on them, and I do suggest that at this stage he will be well advised to accept the amendment and to see how the registration will then work.

The MINISTER OF THE INTERIOR: I think a few points have been raised to which I would like to reply at this stage. The hon. member for Transkei (Mr. Stuart) raised two points. One was in connection with the voters' list and why that is not inserted in sub-section (2) as it is in sub-section (1). There are various reasons for that. In the first place, the number of Natives on the voters' list in relation to the total number of the population is very small. A more important reason is the fact that I have been informed by the officials of the Department of Native Affairs that where the register is kept the voters' list is also available. As far as the Natives are concerned, the individual Native will be in a position to get all the information from the local office where the register is kept.

An HON. MEMBER: Does that not apply to Europeans as well?

The MINISTER OF THE INTERIOR: It is a question of the disparity in numbers. The other question was why, under sub-section (2) the marital state of the Native is not made one of the desiderata. The reason for that is that administratively it is not difficult to check that as far as the Europeans are concerned. When there is a change in the marital state the information is conveyed automatically to the director through the Registrar of Marriages. That would be applicable, as far as the Natives are concerned, only to the civil marriages but not to all the marriages according to Native rites, and therefore it will not be possible to check up on it and keep the register up to date as far as the Natives are concerned.

Some questions have been asked as to who is responsible for keeping the register up to date with regard to the various items mentioned in Clause 7 (1). The first item is the full name, sex and ordinary place of residence. As far as the name is concerned, that is a matter which is in the first instance obtained from the census, or when the matter has been in progress for some years, from the Registrar of Births. The sex is a matter which usually remains unchanged. It is only in exceptional cases that the sex is changed. Provision is made for the ordinary place of residence in Clause 10. There the obligation is placed upon the person himself. He has to inform the director of any change of address, but that is all, as far as I am aware. After he has been put on the register, that is the only change in the particulars in the register about which he will be required to inform the director.

Mr. TIGHY: And under sub-clause (f)?

The MINISTER OF THE INTERIOR: I am still dealing with (a). As far as (b) is concerned, his classification, if there is any change there the director will know about it, and he will simply make that alteration, if an alteration is necessary after the matter has been debated and decided by the board or by any court of law. As to the date and place of his birth, those are facts which

usually remain unchanged. When there is any change in his citizenship or nationality, the Department of the Interior will know about it and will inform the director who then brings his register up to date . . .

Mr. BARLOW: These Departments will be doing nothing but writing letters to each other.

The MINISTER OF THE INTERIOR: The hon. member must not be so full of these empty little points.

Mr. BARLOW: They are not empty.

The MINISTER OF THE INTERIOR: In time to come it will probably be all one Department.

Mr. BARLOW: You won't be there.

The MINISTER OF THE INTERIOR: They are all under the Department of the Interior at the moment.

Mr. MUSHET: It is a very big interior.

The MINISTER OF THE INTERIOR: As to his marital condition, the Registrar of Marriages will simply make his list available to the director who can then bring his register up to date.

Mr. ROBINSON: What about changes?

The MINISTER OF THE INTERIOR: In the case of a registered voter the same applies. As far as the electoral division and the polling district are concerned, those are matters for the chief electoral officer and his information will be made available to the director.

Mr. TIGHY: Every time?

The MINISTER OF THE INTERIOR: Of course, every time. A change in the polling district is not something which takes place every day. As far as the changes of address are concerned, I have already said that in terms of Clause 10 that is an obligation that is placed upon the person himself; so hon. members will see that apart from the provisions of Clause 10, there is no obligation placed upon the person himself. Of course he may be required by the director, in terms of Clause 9, to supply information on certain points on which the director wants information, but on his own initiative he is not obliged to take any steps except under Clause 10.

The hon. member for Rosettenville (Mr. Hepple) has raised the question of the time taken to have the photograph of the particular person taken, and he has suggested that that might be a serious hardship. Frankly I can scarcely imagine that there are many of our people working in South Africa who have not at some time or another had a photograph taken of themselves.

Mr. TIGHY: I thought you said a recent photograph.

The MINISTER OF THE INTERIOR: It is not necessary to have that photograph taken during the working hours. The working hours are not 24 hours a day.

Mr. RUSSELL: Only in this Parliament.

The MINISTER OF THE INTERIOR: Surely to have a photograph taken once in three or five years is not going to impose such a hardship on the poor working man as the hon. member suggests. Administratively his case will be met as far as possible, but to suggest that that is going to be a great hardship is to lose all one's sense of perspective. I think that is really a minor point, but what is more important is the other point which the hon. member raised, and that is that we should not allow this system to be abused by the charging of excessive prices for photographs. That is a point of substance, and I can assure the hon. member for Rosettenville that I have already tentatively said that my Department will have to discuss this matter with the price controller and see that no excessive prices are charged for these photographs.

Mr. BARLOW: You sound like Eric Louw.

The MINISTER OF THE INTERIOR: No, I think the Barlowvian humour is rather out of place and out of date. A further question was raised in regard to the authentication of the photograph. May I say in general that these are all administrative matters. Hon. members are very concerned about them, but surely they are the concern of the Government of the day. The Government will have to see that this thing is worked out, but I am quite prepared to give the information because it is in the Bill itself. The hon. member says that there is no provision in the Bill itself for the authentication. Of course not; as such there is no provision, but if the hon. member will turn to Clause 20, he will see that amongst the regulations which the Governor-General will be required to make, there are two regulations under which this very necessary precaution that he has suggested can be taken, firstly under Clause 20, sub-clause (1), paragraph (g)—

> The size of and the requirements with which the photograph referred to in Section 16 shall comply.

It is the intention in framing the regulations under that to say that one of the requirements with which the photograph shall comply is that it shall be authenticated by a Justice of the Peace or some other responsible official.

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Mr. HUGHES: Even in the Native territories?

Mr. BARLOW: Will you send a Justice of the Peace into Pondoland?

The MINISTER OF THE INTERIOR: Hon. members need not be afraid of that.

Mr. BARLOW: You do not know the country.

The MINISTER OF THE INTERIOR: I will come to the question of the Natives and hon. members on the other side will be surprised if they see that responsible people in this country have taken a view which differs from the irresponsible view taken by hon members opposite.

Maj. VAN DER BYL: We are waiting for it.

The MINISTER OF THE INTERIOR: The hon. member for Green Point (Maj. van der Byl) should be the last one who is waiting for it. If he had done his job properly, if he had known what was going on in his Department, he would have found reports in this own Department . . .

Maj. VAN DER BYL: For taking photographs of Natives?

The MINISTER OF THE INTERIOR: Yes, for taking photographs of Natives. He is an ex-Minister of Native Affairs and he is unaware of it. Let him go and ask the hon. member for East London (City) (Dr. Smit).

Maj. VAN DER BYL: Quote the documents.

The MINISTER OF THE INTERIOR: I will give the House that information. The hon. member need not be afraid that I won't. But there is another clause under which this can be done and that is Clause 20 (1) (b)—

> The manner in which and the conditions subject to which an identity card should be delivered to the person to whom it relates. Every identity card must be delivered to the person to whom it relates.

Mr. POCOCK: Which clause is that?

The MINISTER OF THE INTERIOR: Clause 20 (1) (b); so I think the hon. member for Sunnyside (Mr. Pocock) can be satisfied that we will see to it that there is a proper authentication of the photograph to link it up with the person whose photograph it is supposed to be. There is ample provision for doing that.

The hon. member for Durban (Central) (Col. McMillan) referred to the danger of the identity card getting wet and becoming soaked and losing its value. I may tell him that the idea is that it will be a sealed card, laminated on both sides and the difficulty that he envisages there is not a difficulty that can arise under those circumstances. The photograph will be inside the sealed part. It will be laminated on both sides, so the difficulty of the photograph being subject to the ordinary wear and tear which it would be if it were not sealed, falls away.

Mr. ROBINSON: Can the Minister let us see one?

The MINISTER OF THE INTERIOR: If the hon. member wants to see what it will be like more or less, I can let him see it. The Department will still have to determine what it has in view. He will probably like it very much. It is a very useful document.

The MINISTER OF LABOUR: It is a very handsome document.

Mr. ROBINSON: Is the Minister's photograph on it?

The MINISTER OF THE INTERIOR: No, it is not. The hon. member for Cape Eastern (Mrs. Ballinger) and some other hon. members have referred to the difficulty of photographing as far as the Natives are concerned. I want to ask all those members who have raised this point whether they have any other alternative method of identification to suggest in the case of Natives. The other method that some hon. members have raised is the signature. Some members have said that that is the means of identification in the case of passports.

Mr. BARLOW: The hon. member for Pretoria (West) (Mr. van Heerden) said that you should have finger prints.

The MINISTER OF THE INTERIOR: As far as the European is concerned, we have said that we want the photographs. As far as the Native is concerned, we have also said that we want the photographs. Hon. members say that it is impracticable to have a photograph in the case of the Natives. Have they any alternative to suggest?

Mr. RUSSELL: Who is in the Government?

The MINISTER OF THE INTERIOR: Nobody on this side has said that it is impracticable.

Mr. S. J. M. STEYN: Scrap the lot.

Col. JORDAN: Scrap the Bill.

The DEPUTY CHAIRMAN: Order, order!

The MINISTER OF THE INTERIOR: I have heard a lot of interjections but I have heard no alternative; in other words, the alternative is to have no means of identification.

HON. MEMBERS: Yes.

The MINISTER OF THE INTERIOR: In other words, for the European you must have a means of identification . . .

HON. MEMBERS: No.

The MINISTER OF THE INTERIOR: That is what they want. For the Natives their suggestion is that it should be scrapped. That is the attitude of mind of hon. members opposite.

Mr. TIGHY: That is twisting again.

The MINISTER OF THE INTERIOR: I have asked them frankly how they want the Natives to be identified if not by means of a photograph.

Mr. ROBINSON: Scrap the Bill.

The MINISTER OF THE INTERIOR: To scrap the Bill does not help us in the matter of identification. I want an alternative for identification and it is no alternative to say that the lot should be scrapped. Let hon. members now come forward with something constructive; let them suggest what can take the place of the photograph. Apparently hon. members are speechless as far as constructive criticism is concerned.

Mr. ROBINSON: Will the Minister say whether he regards the photograph as practicable?

The MINISTER OF THE INTERIOR: Let me proceed then and say this to the hon. member for Cape Eastern. One of the most valuable papers which a Native can carry today is his exemption pass, and on that pass there is a photograph, and that photograph is supplied by himself.

Dr. FRIEDMAN: That is a privilege.

Maj. VAN DER BYL: That is a great privilege and how many are there?

The MINISTER OF THE INTERIOR: The hon. member must not hurry too much. He will have plenty of opportunity to retrace his steps by and by. I am making this point that it has been suggested — and I think very rightly suggested — that one of the reasons why the Native values his exemption pass is because of the photograph on it.

Mrs. BALLINGER: No, no.

The MINISTER OF THE INTERIOR: If hon. members go into the compounds at Welkom and De Beers, and they see with what pride the Natives put up little snapshots of themselves they will realise that they are very proud to have this photograph. It will be a valuable thing for them to have this photograph which they can carry with them. [Interjections.]

The DEPUTY CHAIRMAN: Order, order! I must ask hon. members to stop these interjections.

The MINISTER OF THE INTERIOR: The hon. member for Cape Eastern is not the only one who knows the Native mind. There are people who know much more about the Native mind than the hon. member over there. But let me come to something more directly in point. There was a commission appointed in, I think, 1939, the Mould Young Commission, and they recommended the photograph.

Maj. VAN DER BYL: To do away with all other passes, for males only.

The MINISTER OF THE INTERIOR: No, it is not that.

Maj. VAN DER BYL: Well, read it.

The MINISTER OF THE INTERIOR: I have the report here. This is what they said. I am talking about the photograph. I indicated in my second reading speech that I was given to understand that if this system is applied to the Natives, it will lead to a reduction in the number of passes that they have to carry. I have already said that. That was also repeated before the Select Committee by the Secretary for Native Affairs. This is the point I want to make. This document which was recommended by the Mould Young Commission was to be known as a "certificate of identification". Certain information and a number of facts were required to be given and amongst others there was the photograph.

Maj. VAN DER BYL: Or the thumbprint.

The MINISTER OF THE INTERIOR: No, wait a bit; the hon. member does not know his own records. That report of the Mould Young Commission was then referred to the Native Affairs Commission, and the Native Affairs Commission, of which the hon. member for East London (City) (Dr. Smit) was a member, then recommended that effect be given to Mr. Young's report, but suggested that the system should be introduced by proclamation issued under a certain Act. It says, and this is important—

It considers that the certificate of identification might well be described as an identification pass, but it feels . . .

And this is something constructive—

. . . that photographs should not be obligatory but that fingerprints might be substituted.

Mr. MENTZ: How is that?

The MINISTER OF THE INTERIOR: Is that the view of hon. members opposite? May I ask the hon. member for East London (City) who was a member of this Native Affairs Commission whether he still stands by that?

Dr. SMIT: I certainly do, but I would like to make a short explanation if I may.

The MINISTER OF THE INTERIOR: In other words, there is one hon. member . . .

Mr. TIGHY: Give him a chance to explain.

The MINISTER OF THE INTERIOR: . . . who is prepared to put up a constructive alternative.

Maj. VAN DER BYL: Why not give him a chance?

The MINISTER OF THE INTERIOR: No, the hon. member must be duly instructed before he speaks. I must give the hon. member for Rondebosch (Col. Jordan) an opportunity of instructing him properly before he speaks.

Mr. TIGHY: That is cheap.

The MINISTER OF THE INTERIOR: The hon. member will see that here is a practical alternative, supported by the hon. member for East London (City). Are they prepared to move that as an amendment? Let them move that amendment and I shall consider it very seriously. But that is not the only commission that thought it desirable to have the photograph. There was another very important commission, and that was the Fagan Commission. We have heard a lot about the Fagan Commission.

Mr. TIGHY: Why don't you accept the whole report?

The MINISTER OF THE INTERIOR: The Fagan Commission said that they wanted certain facts on this identity card, and amongst others —

(4) That the applicant's fingerprints should also be impressed upon it.

Mr. BARLOW: What page is that?

The MINISTER OF THE INTERIOR: Page 29.

Mr. TIGHY: Why don't you read the whole paragraph? You are again distorting the facts.

The MINISTER OF THE INTERIOR: Then the commission says—

Unless he objects to giving fingerprints.

If he objects, then instead of that—

(a) at his own cost brings his photograph in triplicate to be pasted on to the card and on its duplicate and its triplicate, and also

(b) signs his name, likewise in triplicate, with such a steady hand that the official who is registering him is satisfied that his signature will be sufficiently uniform for purposes of recognition.

The recommendation of the Fagan Commission was . . .

Mr. RUSSELL: That was not the pass to end all passes?

The MINISTER OF THE INTERIOR: . . . that for the present, under present circumstances, it should be a voluntary system, but they also added that every opportunity should be taken to give this identification card to every Native.

Mr. RUSSELL: Was it voluntary?

The MINISTER OF THE INTERIOR: No, they said that it should not be made obligatory but that its value should be impressed upon the Natives. They said that it was essential. Hon. members have argued here that if this is not applicable to all it will be of no use.

An HON. MEMBER: No.

The MINISTER OF THE INTERIOR: Do they then want a voluntary system which from the very nature of the case must be not applicable to all? Do they want a system which is ineffective?

Mr. MENTZ: They do not know what they want.

The MINISTER OF THE INTERIOR: The difficulty is that hon. members on the other side have not considered this matter. They have not worked it out to its logical conclusion and that is why they are at such sixes and sevens today; and that is why the same member does not say the same thing twice in succession.

Mr. WARING: They are not allowed to.

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The MINISTER OF THE INTERIOR: No, they would not be allowed to do so because that would be repetition, but they have said a number of things twice running and those are the things which reflect the least credit on them. As far as any sound argument is concerned, they will sometimes say one thing, and another member will get up and say the opposite. One member will say one thing and then he will promptly be disavowed by another member, as happened in the case of the hon. member for East London (City) the other day when he was repudiated by the hon. member for Orange Grove (Mr. Waring).

Mr. MUSHET: Under a misapprehension entirely.

Mr. TIGHY: You are trying to be clever again.

The MINISTER OF THE INTERIOR: Another hon. member has raised the question of the cost in special cases where the person involved is very poor. There is no provision in this Bill that the cost of the photograph will be borne in such cases by the State, but there are other Departments of State which, in specified cases, do help people who are paupers to meet expenses which they are called upon to meet. I have already discussed this matter with my colleague, the Minister of Social Welfare, and I have no doubt that some means can be devised by means of which societies which are subsidised by his Department can come to the assistance of those people who really cannot afford the 1s. or the 2s. 6d., as the case may be, perhaps once in three or four or five years, that will be required for the photograph. If there are really such exceptional cases, then I am sure provision can be made under the Department of my colleague, the Minister of Social Welfare, through one or other of the societies which obtain a subsidy from the Government.

Hon. members will see, therefore, that all the points that they have raised are really imaginary points. They are not points of substance. They are either provided for in the Bill or they are matters of administration which are the concern of the Government which will have to carry out the provisions of this Bill.

Dr. SMIT: I just want to say a few words about this question of the Young Report to which the hon. the Minister has referred in his statement. The copy of the report that he has, was, I believe, supplied to the Department of Native Affairs by me and also the recommendations of the Native Affairs Commission from which he quoted. The Young Commission, which was appointed as a result of a resolution of the Senate, inquired into the simplification of the Pass Laws, and Mr. Young, who carried out the work, recommended that all existing Pass Laws be repealed and a Union measure substituted for all the Provinces of the Union.

Mr. STRAUSS: That is quite different.

Dr. SMIT: And that a Native be registered in his district of domicile at the age of 18 years and given a "certificate of identification" on durable material. It is perfectly true that the identification certificate attached to that report left a space for a photograph. The Young Report was referred to the Native Affairs Commission. The Native Affairs Commission at that time consisted of very distinguished people and was a very representative body, representing various shades of opinion in this House.

Mr. STRAUSS: Not like today.

Dr. SMIT: The Commission consisted of the Hon. G. Heaton Nicholls, M.P., the late General E. A. Conroy, M.P., who belonged to the Afrikaner Party at that time, Mr. J. F. T. Naudé, our present Speaker, Mr. A. O. B. Payn, and Mr. J. Mould Young, and that body considered this report and recommended as follows—

> The Commission recommends that effect be given to Mr. Young's report but suggests that the system should be introduced by proclamation issued under Section 28 of the Native Administration Act of 1927. It considers that the Certificate of Identification might well be described as an "Identification Pass," but it feels that photographs should not be obligatory but that fingerprints might be substituted.

We appreciated the difficulty which would be encountered in obtaining photographs of all the Natives who might be required to carry these certificates, and we would leave it to the option of the Native as to whether he would prefer to have a photograph. If the photograph was not feasible then the identification would be by means of fingerprints. That is the position. After the second reading debate in this House I supplied the hon. the Minister, by letter, with a copy of the Commission's recommendations. I am sorry to say the Minister did not have the courtesy to acknowledge receipt of that letter which was written on the 17th March; but that is the sort of thing I am accustomed to from the Minister. I want to draw attention again to the distinguished body of men who sat on that Commission and recommended the abolition of the Pass Laws and the substitution of this certificate of identity. If that were carried out, and the identity certificate which the Minister now contemplates under this Bill, were applicable to male Natives over 18, I would at once agree to the provision of the photograph. The Native

would naturally be glad to get a document which would free him from the necessity of carrying all the documents and passes that he is required to carry today. That is what the Secretary for Native Affairs said in his evidence before the Committee. When the Secretary for Native Affairs was giving evidence before the Committee he was very clear on that point. He said that the Native would resent being required to provide a photograph if he had to pay for it unless it meant getting something in exchange, namely, freedom from a number of the documents he has to carry. This question of the relaxation of the Pass Laws has been considered by many commissions and the Young Report was the final instalment. It was a report to which a distinguished man like the Speaker of this House agreed and to which he gave his blessing. That is really the position and I think the Minister has behaved very unfairly towards me.

Mr. STRAUSS: Yes, he behaved very unfairly.

Maj. VAN DER BYL: Mr. Chairman, the hon. the Minister, as usual, is dragging a red herring across the path merely to score a cheap debating point. I think it is unworthy of him. Does he honestly suppose that if the hon. member for East London (City) (Dr. Smit) could supply the Government with documents and draw their attention to certain reports, for example, the Mould Young Report, that when I was Minister of Native Affairs and he was Secretary for Native Affairs, that he would not have discussed these matters with me again. To score a cheap debating point, he suggested that I was ignorant of those two reports.

The MINISTER OF THE INTERIOR: It looked like it.

Maj. VAN DER BYL: It looks like it because you want it to look like it. The point is this, that what the Mould Young Report and the Fagan Commission wanted to do was to find a way out of the Pass Laws which were causing a great deal of trouble where something like 345,000 people were put into gaol in a very short period for not having passes. These people were not criminals before, but they were brought into contact with criminals and therefore, not only to get away from the dislike which the Native has for the Pass Laws, but to get away from what followed due to these people having to be put into gaol and making criminals of what were really innocent people — people who had committed an offence through not carrying a pass — all that these Commissions have tried to do is to find a way out of the system of carrying passes. They tried to investigate every avenue, and one of the avenues they investigated was to suggest a general identification for the Native so as to get away from the multiplicity of passes which he had to carry. Now the hon. the Minister knows that, and when the hon. the Minister gets up in this House and makes a speech like the one he made, I say it is unworthy of him. He pretended that I did not know about the Mould Young Report. But what was the Mould Young Report about? The report's suggestion was that Natives of 18 years of age should carry a common identification card to get away from all other passes and, if necessary to identify them on that. The suggestion was that they should either have a photograph on it, or otherwise their fingerprints.

Mr. STRAUSS: Are they prepared to accept that?

Maj. VAN DER BYL: Is the hon. the Minister prepared to accept that? Now the point is this, that if it were possible to stop all this feeling of dislike of carrying a pass, every Commission tried to find a way out, but there was no suggestion made that every woman had to carry a pass as well. If that is so, they will have to take double the number of photographs that have to be taken. Apart from that . . .

The MINISTER OF THE INTERIOR: What about the 1920 Commission?

Maj. VAN DER BYL: Now you are trying to drag in another Commission. Let us confine ourselves to the two recent ones. Why not go back to 1066 and all that. That was the position and these various avenues of approach were investigated to see if it were not possible to find some way of getting out of this multiplicity of passes that Natives have to carry. That is a very important factor and it must be remembered that the Fagan Commission Report which he quoted made it a voluntary system. If the hon. the Minister had read the report as he should have, he would have known that.

The MINISTER OF THE INTERIOR: I said that.

Maj. VAN DER BYL: Then he comes along . . .

The MINISTER OF THE INTERIOR: But I said that.

Maj. VAN DER BYL: May I make my speech? The hon. the Minister had his opportunity and he should give me my chance now.

The CHAIRMAN: I must ask hon. members to refrain from making interjections. The hon. member must have an opportunity of making his speech.

An HON. MEMBER: The Minister did not give him a chance.

The CHAIRMAN: I hope the hon. member for Pietermaritzburg will now refrain from making such remarks.

Maj. VAN DER BYL: Thank you, Mr. Chairman. The hon. the Minister had the nerve to quote the example of an exemption pass on which the person's photograph appears as if that were solving the whole problem. He must know that the number of exemption passes are merely a few thousand compared with eight million Natives. The exemption certificate is something which is regarded by the Native as something of great value and the Native who gets an exemption pass would be prepared to pay anything for it—he would even pay to have his photograph on it. The point, however, is this, that such a Native has to carry no other pass and that gets back to the recommendation of the Mould Young Report and later to the suggestion of the Fagan Commission. Now, I suggest that the Minister's statement was an entirely spurious argument. Let me come back to the hon. the Minister's earlier statement. He said, is there anybody in the world who has not had his photograph taken at some time or another, and if they had it taken then, why cannot they have it taken again now? I ask him how many Native men and how many Native women—we are talking about the uneducated people in the Native areas—have had their photographs taken? Have these eight million people had their photographs taken? The point is this that that is the sort of specious argument which is irritating us on this side of the House. You have to make an appointment three or four days ahead to have a photograph taken even today. If you have to take the photographs of 12 million people, white and non-white, how long ahead will you have to make appointments? That is the sort of thing we have had from the hon. the Minister. He then told us that the Justices of the Peace would identify those photographs. May I ask him how many Justices of the Peace there are in the Native territories? How far will they have to go and what sort of transport is there? I do think that this is a very serious measure and we, on this side of the House, are taking it very seriously and we are trying, as the hon. member for Rondebosch (Col. Jordan) and other hon. members have said, to improve it. We have got to swallow it because it is being steamrollered through. But the point is that we are trying to improve it and when we come forward with serious arguments, it ill becomes the hon. the Minister to treat our arguments with cheap debating points.

Mr. ROBINSON: Mr. Chairman, listening to the reply which the hon. the Minister gave this afternoon to the series of debating points which were put to him by the hon. member for Cape Eastern (Mrs. Ballinger) and other hon. members on this side of the House, I charge him with having completely evaded the arguments put forward to him by each and every one. The position is this, that the hon. the Minister comes to this Committee and says, you have told me that the photograph system is impracticable. The Minister then goes on to say, tell me of another alternative. I would ask the hon. the Minister who is governing this country? Why come forward with a Bill unless he knows how he is going to administer it? I would like to ask the hon. the Minister whether he regards the taking of these photographs as practicable?

An HON. MEMBER: Who is trying to improve the Bill?

Mr. TIGHY: He is always coming forward with half-baked measures.

The MINISTER OF THE INTERIOR: Who is moving the amendments?

Mr. ROBINSON: The hon. the Minister asked this side of the House to suggest to him a better method than his own suggestion which is now before us. The hon. the Minister is asking us to improve the Bill for him.

The MINISTER OF THE INTERIOR: You said you would do it.

Mr. ROBINSON: That is not our job. If the hon. the Minister has not got the ability to work out a measure that will give effect to his own ideas and make them practicable, then he should withdraw the whole measure and come back at a later stage.

The MINISTER OF THE INTERIOR: Why then all these amendments from your side of the House?

Mr. ROBINSON: It is our duty as the Opposition in this country, when we are faced with a tyrannical Government, such as we have today, to make the lot of the people as easy as possible in the difficult circumstances in which they find themselves today.

The MINISTER OF THE INTERIOR: Why shirk it in this case?

Mr. ROBINSON: Because we have not shirked it. I will ask the hon. the Minister this. Does he regard the taking of the photographs for all classes of Europeans and non-Europeans in this country as a practicable proposition? May I ask the hon. the Minister that? Does he regard the proposals which are contained in the two

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sections of this Bill as a practicable proposal?

An HON. MEMBER: He cannot.

Mr. ROBINSON: Will the hon. the Minister reply?

The MINISTER OF THE INTERIOR: Do you think that I would have introduced this Bill if I did not think that?

Mr. ROBINSON: May I ask the hon. the Minister a simple question? Does he regard the taking of these photographs, in the light of the arguments which he has heard in this House this afternoon, as being a practical proposition?

The MINISTER OF THE INTERIOR: If I did not think it was practicable, I would not have introduced this Bill.

Mr. ROBINSON: So you do think it is practicable? I accept that. The hon. the Minister says that he considers that it is practicable. I say this, that no matter what the intention of this Government is, they are going to burden the European people of this country with this Bill, and under the relevant section later on they are going to exempt the Native people from having to comply with all these things. That is the real intention of this Government. The intention is that the Europeans will have to carry the passes in the future and the non-European people will still be burdened with a mass of passes which they are carrying today. They will be exempted from the provisions of this Bill, however.

The MINISTER OF THE INTERIOR: What delightful nonsense.

Mr. ROBINSON: The hon. the Minister must face up to the fact, because this is a perfectly logical conclusion or deduction to make from the arguments which we have heard here this afternoon, because everyone knows that you cannot enrol in a photographic sense eight million Native people in this country. In view of your ruling, Mr. Chairman, I do not propose to repeat those arguments, but I do charge the hon. the Minister, in his reply this afternoon, with having completely evaded the points which we put to him, and, what is more important, having failed in his duty as a responsible Minister, because he does not know how to handle this Bill, he has no idea of how he is going to run the show, and the sooner the Government withdraws it the better. Now I want to raise one other point. I want to refer the hon. the Minister to subparagraph (i) of this clause "his identity number" that has to be provided. In the interval between the last discussion on this matter and now, I have taken the trouble to look up in the dictionary the meaning of the word "identity", and the meaning of the word "register". I make this appeal quite seriously to the Minister. To register means to set down formally, in writing, or to enter or record in a precise manner. That is the Minister's intention, to set it down in the form of a registration. But the meaning of identity is the quality or condition of being the same. I have referred to Roland Burrows; I have referred to Stroud and I have referred to Bell for a legal interpretation of the term identity. And I tell the hon. the Minister that if he can produce a meaning for the word identity from any of the English dictionaries which are available to members in the Parliamentary Library which in any way fits in with the word identity or rather the phrase identity number, then I for one might be prepared to support his contention that the word should remain the same. I make the point quite seriously. It is not good English, and if the hon. the Minister wishes to preserve good English, will he be prepared to accept an amendment?

The CHAIRMAN: That part has already been accepted by the Committee and he cannot therefore move an amendment to it now.

Mr. ROBINSON: I just wanted to explain that . . .

The CHAIRMAN: It has to remain because it was accepted in Clause 6.

Mr. ROBINSON: It was accepted under a misunderstanding.

The CHAIRMAN: The hon. the member cannot move it.

Mr. ROBINSON: Perhaps the hon. the Minister might be permitted to give a reply to the point which I have made in the light of the information which has come to hand.

*Mr. HAYWARD: Mr. Chairman, reference has been made here to the difficulties which will arise in connection with the taking of photographs of the persons concerned. In my constituency there are about 20,000 Natives, many of whom are unemployed. Would they still be expected to pay for the photographs? What does the hon. the Minister intend doing in those cases to enable the poor and the unemployed to obtain photographs? Then there are the Coloureds, the large Coloured population of the Eastern Cape, who will be faced with similar difficulties in connection with the production of photographs.

*The CHAIRMAN: I must ask the hon. member not to repeat what has been said over and over again.

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*Mr. HAYWARD: But the hon. the Minister has not replied to it.

*The CHAIRMAN: That same argument has been used the whole afternoon. The hon. member must please not repeat.

*Mr. HAYWARD: I now call the Chairman as a witness. How is he going to apply the Act in the Willowmore district?

*The CHAIRMAN: Order! The hon. member may not repeat what has already been said. The same arguments have been advanced over and over in this debate.

*Mr. HAYWARD: This is a very important matter and the hon. the Minister has not yet given a satisfactory reply to it.

*The CHAIRMAN: I cannot compel the hon. the Minister to reply to it. But the hon. member may not use arguments which have already been used the whole afternoon, even if the hon. the Minister does not reply to them.

*Mr. HAYWARD: But that argument has not yet been advanced. Mr. Chairman, may I then put it this way. If the hon. the Minister visits the platteland, he will find that in many homes there is perhaps a photograph taken by a travelling photographer, but that is exceptional. There are hundreds and hundreds of our farmers who do not possess photographs of themselves. How are those people going to have those photograhs taken? In Steytlerville there is not even a photographer. Where must the photographer come from to take those photographs? That is a very important matter. Then I come to another point. In paragraph (c) there is a provision that the person concerned must also furnish details of his place and date of birth. There are many thousands of persons, Europeans, Coloureds and Natives, who do not know their date of birth. Where will they obtain it? Then the hon. the Minister spoke about the electoral divisions and the altering of the electoral divisions. That will be of very little assistance. I would like to tell the hon. the Minister that in my constituency changes have been effected with each delimitation in order to bring the number of voters into conformity with the quota. It is not such a rare event. The hon. the Minister also referred to the exemption certificates with which he says the Natives are so taken up. It is true that they will be glad, Mr. Chairman, if they are exempted from certain obligations. If the hon. the Minister will accept the suggestion that the Natives be exempted from all the passes and that this one pass be substituted for them, he will definitely not be sorry.

Mr. WARING: Mr. Chairman, the hon. the Minister went out of his way to try to justify his case by quoting the recommendations of the Young Report and of the Fagan Commission. I want to point out to the hon. the Minister that in every case they were referring to passes carried by Natives. When this side of the House has said that you are applying the same sort of system of passes to the Europeans in this country, there has been a great outcry from the Government benches. There has been a great outcry that it has been nothing of the sort. In fact they do not want to use the word "pass". They want to use the phrase "identity card" because they know in their own minds that they are trying to give a different name to something which has been associated with the Native people and which now places an obligation upon the European. This photograph is a matter which I say, from an identity point of view, can never in any way be of any use so far as the Native population is concerned.

Mr. SCHOLTZ: What alternative do you suggest?

Mr. WARING: It can never be of any use whatsoever as far as identification is concerned. First of all, it is quite impracticable. I have no intention whatever of repeating further arguments about the impracticability of it, but anybody who knows South Africa knows that it is absolutely impracticable to get photographs of the non-Europeans.

The CHAIRMAN: The hon. the member must not repeat the arguments that have been used over and over again.

Mr. WARING: I am using that argument just on the question of its practicability. If this is to be an identification system or rather an identification card for the non-European, there is only one way, practically, to identify them properly and that is full fingerprints—10 fingerprints.

An HON. MEMBER: Do you support that?

Mr. WARING: No, Mr. Chairman, my view on the question is quite definite. The hon. member for Potchefstroom (Dr. J. H. Steyn) proposed it for Europeans and non-Europeans on the Select Committee. Now let us get this right. The hon. member over there kept on asking: What do you suggest?

The CHAIRMAN: Is the hon. member now referring to the identity card?

Mr. WARING: I am referring to the alternative to a photograph which the hon. member for Potchefstroom indicated was fingerprints. An hon. member over there asked if that is what I suggested. I said, no, it was suggested on the Select Committee on this Clause. In the Select Committee on this Clause Dr. Steyn moved an amendment. His

amendment was, in paragraph (h) of subsection (1), line 59, after "himself" to insert "together with such fingerprints as the Director may determine". Now I want hon. members on that side of the House to get this quite clear. That suggestion came from their own Government benches.

The MINISTER OF THE INTERIOR: Give the voting.

Mr. WARING: I will give the voting. Dr. Steyn was the only member who voted for it. The rest of the Committee were opposed to it.

HON. MEMBERS: Well, well.

Mr. WARING: The point is this. The suggestion for fingerprints was made by the hon. member for Potchefstroom. I will give this for his honesty of purpose. He knows the only way of complete identification is to have fingerprints.

The MINISTER OF THE INTERIOR: Not immediate identification.

Mr. WARING: Because the present basis of a photograph as a means of identification is quite useless. The hon. member for Langlaagte (Mr. Robinson) is quite correct. This identity by means of photograph is going to be used for Europeans. It is not going to be used for the non-Europeans. The hon. member is quite correct because the hon. the Minister himself said when we were discussing a previous clause that he could get around it by referring to Clause 21 where he could extract the non-European, the Native and the Native women. He could take them out. Let us take the question of the photograph from an identity point of view. First of all so far as the European population is concerned it has a reasonable chance because we are a population in respect of which from a photograph there is a reasonable chance of identification. I want to point out to the hon. the Minister that in respect of a passport, not only has the photograph to be certified but a description has to be given when you make application for the passport. You have to give your height, the colour of your eyes, the colour of your hair, any physical peculiarities, etc. You have got to give all these particulars and that is a means of identification. I want to know seriously whether any member on that side of the House considers that a plain photograph, certified, or possibly uncertified, without any further addition or description of the individual can in any way be intended as a real means of identification. I go further. So far as the Natives are concerned, do you think it is in any way possible that just on the information of a photograph, one that is not even personally handed in—there is no personal contact, they may be coming in by the hundreds, when they cannot even judge whether it is a true photograph of the individual or not—that it can in any way be effectively administered. Of course it cannot. The whole thing is completely impracticable, and we, on this side of the House, have laid down that this must go. It is a waste of time and it is completely against the ideas in which we believe. We do not believe in the idea of fingerprints. We say that this should be a registration and we say that it is a complete waste of time for the people and a complete waste of money. It has no advantages whatsoever. It does not in any way prove identity and yet the hon. the Minister thinks it necessary to continue with this useless piece of legislation. It is time the Government woke up. The people of this country are getting sick and tired of their time being wasted by hopeless legislation as is contained in this measure. It is a hopeless piece of legislation. The fact that the photograph is being used here is just a complete bluff and we say that it is about time that this sort of thing stopped. Our amendment is to the effect that the photograph as it is is useless. We do not agree with it in principle and in any case it is completely useless. This should be a register containing particulars and that the pass itself should go completely.

*Mr. J. J. FOUCHÉ: Mr. Chairman, the hon. member for Langlaagte (Mr. Robinson) said of this side of the House that "the Government have no idea how they are going to run the show". I would just like to say that only a man who possesses such an unlimited amount of audacity as the hon. member for Langlaagte would use such a foolish expression.

*Mr. Robinson: Don't you agree?

*Mr. J. J. FOUCHÉ: The hon. member for Langlaagte knows better than the hon. the Minister who negotiated with the Departments concerned, how these things should be done. With his unlimited amount of audacity the hon. member actually believes—I think he really believes it, because people with such a mentality believe these things—that he knows better than the hon. the Minister and his Department how these things should be done. But, Mr. Chairman, in connection with Clause 7, members opposite have been arguing for hours about the impracticability of taking the photographs of the Natives. And then in the same breath this same member for Langlaagte says that this side of the House, the Government, do not intend taking photographs of the Natives. If we do not intend doing it, why then do they take up the time of this House for hours?

*Mr. ROBINSON: But you agree, do you not?

*Mr. J. J. FOUCHÉ: Mr. Chairman, I have never been prepared to agree with the nonsense of the hon. member for Langlaagte, and I am not prepared to agree with him now. For over an hour they have been arguing about that one point, namely, that we cannot have photographs taken of the Natives. They say it is impracticable. Then hon. members come here and say that this side of the House does not intend proceeding with it. But has this side of the House or the Minister ever said that they want to apply the provisions of the Act immediately to all the 12 million people of the Union, or the 9 million non-Europeans? The Bill provides that its provisions will gradually be applied to the various groups, and in that way it will definitely be possible to carry out the provisions of this Bill. The State will see to it. The hon. the Minister has explained very clearly how it will be done. And then the hon. member for Langlaagte comes here and says that we do not want to do it. They are opposed to the photographs, but they do not intend suggesting an alternative, because, he says, they are not governing the country. The Government is on this side, and since we are governing the country, we have suggested a way of carrying out the registration, and we shall carry it out with the aid of photographs.

*Mr. BARLOW: Why are you asking us for a plan then?

*Mr. J. J. FOUCHÉ: If hon. members opposite are not satisfied with it, why do they not suggest an alternative plan? Up to now they have proposed amendments to every clause, as alternative proposals. Did those gentlemen not know when they proposed those amendments that the country was being governed by this side of the House? They did know it, but they are afraid, afraid of their own bogy. They are afraid of fingerprints. Why do they not say that they do not want photographs but prefer fingerprints? They are afraid of it; that it why they do not suggest it, and now they are asking why they should suggest an alternative method while we are in power. No, Mr. Chairman, if they carry on in that way they will keep the House busy the whole day. They also said that the hon. the Minister was unreasonable in his statement with regard to photographs and the Young Report.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

*Mr. TIGHY: The hon. member for Langlaagte (Mr. Robinson) has cornered the Government in the same way as other members have done so in this debate, and he has shown the hon. the Minister how impossible it is to apply the provisions of this Bill to the non-Europeans of South Africa. For that matter I maintain that this Government does not intend applying this Bill to the non-Europeans.

*Mr. VAN NIEKERK: Where do you get that from?

*Mr. TIGHY: If the hon. member for Wakkerstroom (Mr. van Niekerk) is too stupid to see it he should go and plant mealies; he should not be sitting here. The hon. member for Langlaagte, and also other hon. members have shown that this Bill is impracticable. I want to tell the hon. the Minister this evening that when Aunt Siena will be carrying her pass, Grietjie, her non-European maid, will be exempt, because the Minister simply cannot apply it to the non-Europeans. I say it is the intention of this Government to compel European women to carry a pass and to exempt non-European women from that obligation. They are the Pass Government and the friends of Grietjie.

*Dr. LOOCK: I would like to say a few words about the last remark made by the hon. member for Johannesburg (West) (Mr. Tighy). They have no further arguments. All they have is the hon. member for Alberton(Mr. S. J. M. Steyn), who has already sent the women into the world with a wrong, distorted and false pass.

*The CHAIRMAN: The hon. member should confine himself to the clause.

*Dr. LOOCK: Just before I come to the clause I want to say that they have no arguments.

*HON. MEMBERS: Order, order.

*Dr. LOOCK: I just want to say that the hon. member said that the European woman will now have to carry a pass, but he cannot show me a single clause in the Bill where that is stated. It is a lie and he knows it is a lie.

*Mr. C. M. WARREN: Mr. Chairman, on a point of order, I ask that the hon. member be instructed to withdraw that word.

*Dr. LOOCK: Then I withdraw it, but I say that it is an untruth.

*The CHAIRMAN: The hon. member should withdraw it unconditionally.

*Dr. LOOCK: Then I also withdraw that. When we come to the clause in connection with the so-called carrying of a pass, I shall proceed with my speech to prove that they are deceiving the people outside. No single person is being asked to carry a pass, and they know that they are deceiving the people outside.

*Mr. C. M. WARREN: On a point of order, I ask that the hon. member be instructed to withdraw those words.

*The CHAIRMN: The hon. member may proceed.

*Mr. STRAUSS: The hon. member says that members on this side are deceiving the people and that they are aware of the fact that they are deceiving the people.

*Dr. LOOCK: May I just explain what I said?

*The CHAIRMAN: The hon. member must withdraw it.

*Dr. LOOCK: I withdraw it, but I say that they are misleading the country.

*Mr. STRAUSS: On a point of order, the hon. member must withdraw it unconditionally.

*The MINISTER OF LABOUR: Don't be so childish.

Mr. STUART: Mr. Chairman, the hon. the Minister has succeeded in avoiding the two points I put to him, according to his own idea. It is all very well, being one of these swerving three-quarters, but there comes a stage that the people notice that he never passes to the wing, even when he gets a chance, and that all he does is to swerve. If that happens, a man is apt to be dropped out of the team. I give the hon. the Minister fair warning that I personally am a little tired of putting up things reasonably to him. I am not referring for the moment to the amendment I moved. It is an obvious amendment, and his only answer is that there are only 24,000 African voters and that it is not worth while bothering about them. The answer to that is that the inalienable right of any one person is enough to make anybody with a conscience worry, but when the hyper-sensitiveness is based almost entirely upon the general instinct to oppose anything that is attempted to improve the provisions of this Bill, then inevitably we get the position we have got now. The Minister has been asked to admit a clause permitting the marital condition of the African to be put upon the list, in the same way as the marital condition of the European and the Coloured man is included in the list. The Minister refuses. I am sorry that the hon. member for Vereeniging (Dr. Loock) is apparently still apologising for the fact that he apologised.

Dr. LOOCK: Voertsek.

Dr. FRIEDMAN: On a point of order, is that Parliamentary language.

An HON. MEMBER: Ask Gen. Smuts.

Mr. STUART: Let the hon. the Minister contemplate this proposition. He has refused to give the indigenous portion of the community, the 10,000,000 Africans, according to this Bill leave to say whether they are married or not, because he is apparently not prepared to take their word—why I don't know. When Africans are sent up to the mines and asked whether they are married or not, they make their statement which includes the ordinary marriage by Native law and custom, as well as any other form of marriage. These Africans are not accepted by the Minister, but they are accepted by the Chamber of Mines when they say they are married and their statement is accepted to the extent of having their deferred pay sent back to their reputed wives. This is a very substantial thing. Nobody will send money to a wife, unless there is something in the allegation. It is quite lawful for an African to say "I am married to So-and-so". It is not an abnormal thing to lie on the subject, but I have known Europeans to lie on it, too. But this is my point. We have a fourth class in this country, the Indians. The Minister knows personally well that the average Indian wife is married according to Hindu laws and customs, she is not a wife in the strict christianised sense of church or the civil sense of the magistrate's court ceremony, exactly the same way as a raw Native woman is not. But why on earth must an Indian be allowed to declare his marital condition and have his wife accepted, and the African not? I know very well whose word I would take first, every time. But let us let this go for a minute. The Minister is prepared to take the word of the other people first. Both these types of marriages are normal to the civilisations represented by the particular people, and I say to the Minister that it is not even clever to say that he does not accept that in the case of the African. Thank God I am not wholly devoid of intelligence and I have met people before who were quite as capable as the Minister in twisting a point and the initial suggestion to me is this: You are not anxious to know whether a Native is married or not, because you are not certain whether you are going to have the Native woman in and you are not certain whether you are going to have the Native men in, because you don't worry whether they are married or not. What is the matter with this Bill? Is it possible that you are not going to bring in the African at all? Is it going to be limited to Europeans and Coloureds? Is that the whole game? Just to knock hell into a certain number of white-coloured Coloureds and whitewash a certain section, a certain number of very dark Europeans? Is that the object of the Bill? Then I can understand the Minister's object and why he does not care about the other classes of persons at all. But I would like to know, and the Minister is not very clever when I come in all inno-

cence with a couple of defective items in regard to Africans.

The CHAIRMAN: The hon. member should return to the Clause.

Mr. STUART: I was pointing out that the photographic side is not very important, but I want to say this: I don't think any African would mind having a clean pass instead of all the other passes, with a photograph upon it, provided he does not have to pay for it. Like everybody else, African people do not like to pay if they can avoid it. I ask the Minister once more to reconsider, though it may be difficult because I see the light of battle in the eyes of some hon. members, and they may keep us here till the early hours of the morning — this is not the moment for compromise and peace, but when we come to the Report Stage tomorrow or the day after tomorrow, I would like the hon. the Minister to reconsider very seriously whether he won't at any rate make the rest of the Bill as far as it affects the Africans, look at any rate technically as if it was not ultra vires.

Mr. STRAUSS: The Minister this afternoon in a sinister, smooth way has tried to place the onus on this side by referring to a report by Mr. Mould Young. The Minister tried to make out that in the Department of my hon. colleague the member for Green Point (Maj. van der Byl) there were documents to show that there were recommendations that photographs had to be placed on documents of identity in past years, and that the former Minister had shirked his duty, and in fact he also charged the hon. member for East London (City) (Dr. Smit), who was Secretary for Native Affairs at the time, of the same thing. But the Minister, in his attempts to be clever, sometimes forgets to be fair and does not put the whole position before the House, and so in this case the Minister referred to this report simply to try and create the impression that this report recommended photographs on identity cards, the same as he is doing in this Bill. The Minister suppressed the fact that at the time, and that is certainly a horse of quite a different colour, that the Young Committee recommended that a document of identity with a photograph on it should be introduced in lieu of the existing pass restrictions — and that is the important point—it recommended that this document of identity which they recommended with a photograph (he would have the option of a photograph or his fingerprints instead) should be introduced, but on the distinct understanding that the existing pass laws would disappear. It would be a quid pro quo for the pass laws. This sinister Minister has suppressed that completely and tried to score a point, which his yes-men on the other side very heartily applauded, but when the facts were referred to . . .

The MINISTER OF THE INTERIOR: The point was whether it was practicable or not.

Mr. STRAUSS: Then my hon. friend here placed the facts before the Committee, he then slithered away from the Mould Young Committee's report, and he said, "Yes, but what about your Committee of 1920?" Well, let us see what the Committee of 1920 had to say on this matter. In 1920 the Inter-Departmental Committee on Native Pass Laws recommended: "(1) That all the existing pass laws be repealed and the Union Native Registration Act be substituted and that each male Native be registered in his district of domicile at the age of 18 years or earlier if he were to leave his home before that age; (2) that each Native be furnished with a life-long document, called a registration certificate, that it be on parchment and should contain particulars of domicile and personal identity, and that it be either signed by or impressed by the thumbprint of the owner and that it be preserved in a receptacle to be provided by the Government free of cost." Very clearly it was on the basis that all the existing pass laws would be repealed and that that would be placed in its stead.

An HON. MEMBER: Do you support that?

Mr. STRAUSS: The Mould Young Committee said that all the officials and other persons, Europeans and Natives, with whom they discussed the matter were agreed that the recommendations of the 1920 Committee, if given effect to, would remove all cause for complaint and resentment on the part of the Native people. And then they suggested the repeal of all laws dealing with passes by Act of Parliament which would have effect in all the provinces of the Union. Now the Minister asks us whether we would be prepared to move an amendment in this direction, not the direction that I read out, but in the direction that he tried to indicate to the House, that is, the basis of photographs and fingerprints, without any quid pro quo and in addition to the existing pass laws. I want to throw this back on the Minister and I want to ask him whether he is prepared to accept the recommendations of these two committees which he himself referred to, the 1920 Committee and the Mould Young Committee. Is he prepared to have photographs on the identity card on the basis that all existing pass laws be repealed? Let the hon. the Minister tell us whether he is prepared to accept it on that basis. The onus is now clearly upon him.

*Mr. S. J. M. STEYN: The difficulty we are experiencing with the hon. the Minister who is piloting this Bill through the House,

is that he does not want to deal with the arguments of the Opposition, except that he refers to them now and then when he can score a small debating point. We have already witnessed this surprising phenomenon — as pointed out by the hon. member for Germiston (District) (Mr. Strauss) — that the hon. the Minister quotes minor portions of a report against the Opposition while he knows very well that those recommendations of the Committee were subject to a very important condition which preceded the recommendations.

*The MINISTER OF THE INTERIOR: The question was whether it would be practicable to have photographs or not. The Committee said it would be practicable.

*Mr. S. J. M. STEYN: That excuse which the hon. the Minister is now trying to advance will not help him either. The point is that the Mould Young Committee was preparing to recommend that an identity card, containing a photograph or fingerprints, should be issued to the Natives, on the condition that that card would replace all existing passes.

*The MINISTER OF THE INTERIOR: Even if it were impracticable?

*Mr. S. J. M. STEYN: If the hon. the Minister has so much courage, let him get up to reply to the hon. member for Germiston (District) and say that he is willing to do it — something which may perhaps justify a Bill of this nature to a certain extent — namely, to substitute the card for the existing passes which the Natives in our country have to carry. Then we may be willing to meet him half-way as far as the photographs or fingerprints are concerned, but the two things cannot be separated from each other, and the hon. the Minister is well aware of that.

*The MINISTER OF THE INTERIOR: Read what I said.

*Mr. S. J. M. STEYN: The hon. the Minister has also completely evaded all the arguments, and I think the arguments advanced by this side of the House in connection with the impracticable proposals for the inclusion of photographs in connection with this pass were convincing arguments.

*Dr. LOOCK: It is not a pass.

*Mr. S. J. M. STEYN: I want to ask the hon. the Minister this: Does he honestly think he is justified, just because this Government cannot differentiate between Europeans and non-Europeans in a few hundred cases — a difficulty which we on this side have never yet experienced — in compelling the people of South Africa to form long queues in front of the studios of the photographers in South Africa in order to have between 4,000,000 and 6,000,000 photos taken?

*The MINISTER OF THE INTERIOR: You are just repeating now.

*Mr. S. J. M. STEYN: I must put to the hon. the Minister the facts to which he has not replied. This is a very impracticable proposal. It would mean that if every member of the public—and remember that some of them will have to travel miles and miles to get to a photographer—has to spend twelve minutes to have his photograph taken and another twelve minutes to have the photograph sworn to by a Commissioner of Oaths, as proposed by the hon. the Minister, South Africa will lose no less than 2,000,000 man-hours which could have been used productively and in the interests of our people. It means that South Africa will lose no less than 833 man-years which could have been used productively. Does the hon. the Minister realise that in these times when there is a shortage of photographic materials, and where photographers are constantly troubling members of this House, and rightly so, because they cannot obtain adequate supplies of photographic materials to keep their businesses going, he will cause between 4,000,000 and 6,000,000 photographs to be taken unnecessarily for the sake of a pass law; and that the film material that will be used will be equivalent to a film strip 350 miles long? I would like to know from the hon. the Minister whether he is prepared to make representations to the hon. the Minister of Economic Affairs that preference be given to the importation of photographic materials for unnecessary photographs, in spite of other urgent requirements and at a time when we are suffering from a shortage of foreign exchange.

*Sir DE VILLIERS GRAAFF: And what about tractors for farmers?

*Mr. S. J. M. STEYN: Yes, that as well. The point is that we have asked the hon. the Minister a few plain questions. Our grievance against the hon. the Minister is not that he wants to introduce population registration; our grievance against him is that he wants to use population registration in an attempt to do the impossible, as for example this proposal in this clause in connection with the issue of a pass, especially to the Europeans of South Africa and in the first instance to the Europeans in South Africa. Here again we have the fair and direct questions asked by the hon. member for Germiston (District) and arising from a subject which the hon. member himself introduced in the debate and not we. We are awaiting the hon. the Minister's reply with interest. We have been trying to

show him what this apparently insignificant aspect of the Bill will mean in practice. We would like to know whether he honestly thinks it worth while to place this burden on the shoulders of the people, for the sake of the apartheid policy of the Government which has not yet been defined.

*Dr. VAN NIEROP: I move—

That the question be now put.

The Committee divided:

AYES—60.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Malan, D. F.
Döhne, J. L. B.	Maree, W. A.
Dönges, T. E.	Mentz, F. E.
Du Pisanie, J.	Olivier, P. J.
Du Plessis, P. J. C.	Papenfus, S. F.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Stals, A. J.
Eyssen, S. H.	Steyn, A.
Faurie, W. H.	Steyn, G. P.
Fouché, J. H.	Steyn, J. H.
Fouché, J. J.	Strydom, G. H. F.
Frates, T. J.	Strydom, J. G.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—54.

Abbott, C. B. M.	Frielinghaus, H. O.
Allen, F. B.	Gale, D. J.
Ballinger, V. M. L.	Gay, L. C.
Barlow, A. G.	Gluckman, H.
Bekker, P. B.	Graaff, de Villiers
Bell, R. E.	Hayward, G. N.
Bloomberg, A.	Henwood, B. H.
Bowker, T. B.	Hepple, A.
Brooke, R. S.	Higgerty, J. W.
Butters, W. R.	Hopewell, A.
Christie, J.	Hughes, T. G.
Cull, J. A.	Jonker, A. H.
Davis, A.	Jordan, R. D. P.
Delport, G. S. P.	Kahn, S.
Du Toit, R. J.	Kentridge, M.
Eaton, A. H. J.	Lewis, J.
Eaton, N. G.	Lovell, L.
Friedman, B.	McMillan, N. D.
Mushet, J. W.	Steyn, S. J. M.
Oosthuizen, O. J.	Strauss, J. G. N.
Oppenheimer, H. F.	Stuart, W. H.
Pocock, P. V.	Sturrock, F. C.
Russell, J. H.	Sullivan, J. R.
Shearer, V. L.	Tighy, S. J.
Smit, D. L.	Van der Byl, P. V. G.
Solomon, B.	Waring, F. W.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That paragraph (h) of subsection (1) proposed to be omitted stand part of the Clause.

Upon which the Committee divided:

AYES—59.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J B.	Malan, D. F.
Döhne, J. L. B.	Maree, W. A.
Dönges, T. E.	Mentz, F. E.
Du Pisanie, J.	Olivier, P. J.
Du Plessis, P. J. C.	Papenfus, S. F.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Stals, A. J.
Eyssen, S. H.	Steyn, A.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan.
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Cull, J. A.
Allen, F. B.	Davis, A.
Ballinger, V. M. L.	Delport, G. S. P.
Barlow, A. G.	Du Toit, R. J.
Bekker, P. B.	Eaton, A. H. J.
Bell, R. E.	Eaton, N. G.
Bloomberg, A.	Friedman, B.
Bowker, T. B.	Frielinghaus, H. O.
Brooke, R. S.	Gale, D. J.
Butters, W. R.	Gay, L. C.
Christie, J.	Gluckman, H.

Graaff, de Villiers
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Sullivan negatived.

New paragraph (d) proposed by Mr. Stuart to be inserted in sub-section (2), put and the Committee divided:

AYES—56.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Christie, J.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de Villiers
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Warren, C. M.
Waterson, S. F.

Tellers: A. W. S. Mortifee and W. H. Stuart.

NOES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Malan, D. F.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

New paragraph (d) accordingly negatived.

Question put: That the words "a recent photograph of himself" proposed to be omitted by Mr. Hughes, stand part of the Clause.

Upon which the Committee divided:

AYES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Malan, D. F.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Uys, D. C. H.
Van den Berg, M. J.
V.d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, De V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

NOES—56.

Abbott, C. B. M.	Higgerty, J. W.
Allen, F. B.	Hopewell, A.
Ballinger, V. M. L.	Hughes, T. G.
Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Bloomberg, A.	Kentridge, M.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Hughes negatived.

Amendment proposed by the Select Committee in lines 13 and 14 put and agreed to.

Clause, as amended, put and the Committee divided:

AYES—60.

Abraham, J. H.	Klopper, H. J.
Botha, P. W.	Labuschagne, J. S.
Brink, W. D.	Liebenberg, J. L. V.
Brits, G. P.	Loock, J. H.
Conradie, J. H.	Loubser, J. A.
Deysel, A. J. B.	Loubser, S. M.
Döhne, J. L. B.	Louw, E. H.
Dönges, T. E.	Luttig, H. G.
Du Pisanie, J.	Luttig, P. J. H.
Du Plessis, P. J. C.	Malan, A. I.
Du Plessis, W. C.	Malan, D. F.
Erasmus, F. C.	Maree, W. A.
Erasmus, H. S.	Mentz, F. E.
Erlank, A. E.	Olivier, P. J.
Eyssen, S. H.	Papenfus, S. F.
Faurie, W. H.	Sauer, P. O.
Fouché, J. H.	Schoeman, B. J.
Fouché, J. J.	Scholtz, D. J.
Frates, T. J.	Stals, A. J.
Grobler, D. C. S.	Steyn, A.
Havenga, N. C.	Steyn, G. P.
Hertzog, A.	Steyn, J. H.
Hugo, P. J.	Strydom, G. H. F.
Jansen, E. G.	Strydom, J. G.
Uys, D. C. H.	Van Rhyn, A. J. R.
Van den Berg, M. J.	Viljoen, J. H.
V. d. Heever, D. J. G.	Visser, de V.
Van Heerden, D. P.	Warren, S. E.
Van Niekerk, J. G. W.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56.

Abbott, C. B. M.	Higgerty, J. W.
Allen, F. B.	Hopewell, A
Ballinger, V. M. L.	Hughes, T. G.
Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Bloomberg, A.	Kentridge, M.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as amended, accordingly agreed to.

Maj. VAN DER BYL: I move—

That the Chairman report progress and ask leave to sit again.

I do that, Sir, not because you accepted the closure but because of the reason that was given and the way in which the closure was moved. It was nothing more nor less than an attempt to save the Minister's face.

The CHAIRMAN: Order, order! That was the decision of the Committee; the hon. member cannot discuss that point.

Maj. VAN DER BYL: The point is that I am moving that progress be reported and leave asked to sit again, and I am giving my reasons for doing so. The Minister quoted the Mould Young Report; he quoted the 1920 Report and then he quoted parts of the recommendations of the Native Affairs Commission to suit himself. It was then pointed out to him from this side of the House that he had merely quoted certain

parts and he was asked by the hon. member for Germiston (District) (Mr. Strauss) whether or not he accepted the whole conclusion and not merely the parts he had read. He then refused to comply and the Whip was called in to save his face. I say that that is contempt of this House and that is why I ask that progress be reported and leave asked to sit again.

The CHAIRMAN: Order, order! I regret I cannot accept the motion at this stage in terms of Standing Order No. 36 (2).

Maj. VAN DER BYL: With all due respect . . .

HON. MEMBERS: Sit down.

Maj. VAN DER BYL: On a point of order, I want to ask in all submission and with all courtesy whether the right time to move a motion that progress be reported and leave asked to sit again, is not the moment you have put the next clause.

The CHAIRMAN: The time is all right, but for acceptance it is not all right. I am not prepared to accept the motion at this stage.

On Clause 8,

Mr. GALE: After the very close shave which the Government has had in the last three divisions, when their majority has been reduced to the microscopic number of four in a House totalling 153 members, I think one of two things should happen: either the hon. the Minister should be more amenable to reason in accepting amendments which are put forward on this side of the House, amendments which are full of reason . . .

The CHAIRMAN: Order, order! Those amendments have been disposed of. The hon. member must now talk about Clause 8.

Mr. GALE: I am not talking about amendments which have been disposed of. I am talking about the close call which the Government has just suffered . . .

The CHAIRMAN: Order, order! The hon. member cannot discuss that now.

Mr. GALE: Even if I cannot talk about that, may I suggest to the hon. the Minister that the recent experience of the Government . . .

HON. MEMBERS: Order, order.

The CHAIRMAN: Order, order! If the hon. member does not come back to the clause I will order him to sit down.

Mr. TIGHY: On a point of order . . .

HON. MEMBERS: Sit down.

Mr. GALE: I bow to your ruling, Sir, and I now refer to Clause 8 and I suggest to the Minister that he be amenable to reason in regard to the amendments which I propose to move to Clause 8. I move the amendments which stand in my name on the Order Paper on page 456—

> To add at the end of sub-section (1), "and, subject to the provisions of Section 17 all particulars relating to a person whose name is included in the register shall, on the request of such person, be made available to him"; in line 27, to omit "A list" and to substitute "An extract"; to omit all the words after "therein" in line 29 down to and including "whatsoever" in line 30, and to substitute "his full name and identity number"; to omit paragraphs (a) to (e) of sub-section (2); and in line 45, to omit "a list" and to substitute "the extract".

I do trust that these amendments, being reasonable, will receive the favourable attention of the Minister. The amendments as printed on the Order Paper number five. There are five amendments, but two of those are basic to Clause 8 and the others are consequential upon these two. The two to which I refer are amendments Nos. 1 and 3. Amendment No. 1 is in regard to sub-clause 1 of Clause 8. Sub-clause 1 of Clause 8 provides—

> There shall be maintained at the office of the magistrate of every district or at such other place within a district as the Minister may approve, a copy of the register containing the names and other particulars recorded in the register in respect of all persons registered as presiding within that district.

The amendment which I move seeks to add at the end of sub-clause 1 the following words—

> And, subject to the provisions of section 17, all particulars relating to a person whose name is included in the register shall, on the request of such person be made available to him.

Section 17 to which reference is made in the amendment provides that particulars recorded in the register shall not be published or communicated except in certain specified cases, but neither in Clause 17 nor in the rest of this Bill is any provision made whereby the particulars in regard to any given person's record, are available to him at the magistrate's office of the district in which he lives, upon his own request, so

that I suggest that the various objections to Clause 17 as it now reads are not present in Clause 8 if it is amended in terms of the amendment which I am now moving. For instance, there would be no payment of any fee for these particulars. Hon. members representing the Labour Party over here, and hon. members on this side of the House have stressed the fact that quite a number of the provisions of this Bill require people to pay money, in other words, the cost of living as far as these photographs are concerned at the hands of this Government is again going up. If the amendment moved by me is accepted the person who wishes to ascertain the particulars in regard to himself will not be required to pay any fee. Furthermore, the amendments will not entail writing to Pretoria. If the ordinary citizen of South Africa requires to have knowledge of the particulars concerning himself, in terms of the clause he would have to write to Pretoria, where departmental delays will occur. We all know when we write to Pretoria how long it takes in many instances to get a reply. I myself have had this experience that I have written to Pretoria and that I have not had a reply until six months later, so I suggest that the removal of this burden from the shoulders of the officials at Pretoria would be a further advantage and in favour of my amendment, and it would be an argument in favour of the Minister accepting that amendment. Moreover, the procedure outlined in the amendment would not require that the director should be satisfied that the application is made in the interests of the person concerned, nor would the purpose for which the person concerned requires the information have to be given to the director, as is stated in Clause 17. I suggest, therefore, that there are so many objections to the alternative procedure and so many advantages in favour of the amendment that even to this Minister it should be patently obvious that this amendment is a reasonable one. There are other advantages, too. From the point of view of quick reference, a member of the public requires to check up in order to find out what particulars are contained in the register about himself, can simply go to the magistrate's office in the district in which he lives, or such other district as the Minister directs and find out immediately what particulars are recorded in the register in regard to himself. He cannot do that if he has to write to Pretoria or to the director. One of the main advantages is that the information in the register would, in terms of the amendment, be available only to the person concerned. I suggest that that is a very important advantage because it naturally follows that there would be no publication to third parties who are not concerned. There is a last advantage, too, and I commend this to the Minister for his favourable attention, and that is that it would achieve administrative decentralisation. We know of the troubles experienced by the officials at the head offices of the Government. If the amendment, which is to allow a member of the public to go to the magistrate's office, and there see his own particulars, is accepted, it will achieve administrative decentralisation which this Government has failed to achieve.

I pass on now to the amendment to sub-clause 2. The amendment to sub-clause 2 of Clause 8 is directed towards the publication in the list which shall be open to inspection at the magistrate's office of only the full name and the registration number of the citizen concerned, and therefore it is proposed to delete the particulars contained in paragraphs (a) to (e). The particulars in (a) to (e) are that in this so-called list there should appear not only the name, sex and ordinary place of residence of a person or, in the case of a Native, the district in which he is ordinarily resident, his classification in terms of Section 5, his citizenship or nationality, and in the case of a registered voter, the electoral division and polling district in which he is registered as a voter, and, lastly, his identity number — which should, of course, be "registration number" — it is proposed in this amendment that those particulars set out in paragraphs (a) to (e) be deleted and that only the full name and registration number of the person concerned should be supplied. I know that in Clause 5 we have been defeated on the question of the "registration number", and therefore I suggest that instead of "registration number" the words "identity number" be substituted so as to conform to the Committee's decision on Clause 5, and in order to have that formally on record, I now move —

> That where reference is made in my amendment to "registration number" it should read "identity number".

There is also a consequential amendment and that is that the words "a list" should be omitted and substituted by "an extract". In support of these amendments which I have moved, I suggest that the reasons which this Committee should take in consideration are, firstly, that this Bill is called a Population Registration Bill. The accent should therefore be on registration, the accent should not be on the question of identity, and the accent should be placed firmly and squarely on whether the person is registered or not. This fact can be quite easily ascertained by publication in the list which lies at the magistrate's office of only the name and registration number. [Time limit.]

Mr. CULL: I wish to support the amendment moved by the hon. member for East London (North) (Mr. Gale). In terms of

Clause 11 any person aggrieved by the classification of the director has the right to appeal and I feel that if any person is aggrieved he should be entitled to see the register or to have access to the register where the particulars in regard to his classification are recorded. With regard to the further amendments moved by the hon. member for East London (North) suggesting that only the full name and the registration number of the person concerned should be published and that items (a) to (e) be deleted, I suggest that wrong use could be made of those particulars by persons who should have no interest in those particulars. The identity number will consist of four parts apparently, according to the White Paper. If this identity number appears on the list, then it means that anyone who has access to that list has access to the following information, firstly, the last two digits of the person's year of birth. That means that any person can go along to the list if he is interested in the age of the person registered, and find out what his age is. If any man is interested in the age of any particular unmarried lady all he has to do is to go along to the magistrate's office and ask to see the list and he can straightaway see the age of that particular lady.

Mr. WARING: And change his mind.

Mr. CULL: If any male has matrimonial designs and he wishes to know the age of a particular lady, all he has to do is to go along to the magistrate's office and ask to see the list, and in that way he can find out what her age is. I think that those particulars should be sanctified; they should not be available to Dick, Tom and Harry. Simply by referring to the identity number, any individual who is interested, has access to these particulars automatically. The object of this Bill is to make provision for the compilation by the Director of Census of a register of the population of the Union for the issue of identity cards to persons whose names are mentioned therein, and these particulars should not be open to inspection by everyone. On the other hand, we will find during elections, that election agents will be constantly perusing the lists at the magistrates' offices.

An HON. MEMBER: Why not?

Mr. CULL: There is no fee. The electoral number of the person has to be indicated on the list and why should all that information be given to those agents? They can go along to the magistrate's office and obtain not only the information that they require for election purposes, that is to say, to check the names of voters on the voters' rolls, but after inspecting the list they will probably go about in the streets saying: "I always thought Mrs. So-and-So was 32; I notice she is 37", or they might go about saying; "I see that Mr. So-and-So's age is 52; I now find that he is 54" or "I find that he is 41". I maintain that these particulars should not appear on that list in the magistrate's office. All that should appear there is the name and the address of a person and a number which will enable the magistrate to verify that the information on the list is correct. I also notice that it is stated in Clause 8 that—

> There shall be maintained at the office of the magistrate of every district or at such other office within a district as the Minister may approve, a copy of the register containing the names and other particulars recorded in the register in respect of all persons registered as residing within that district.

Dr. LOOCK: Why not?

Mr. CULL: In Clause 16, it is stated that every person whose name is included in the register shall furnish the director with two copies of a recent photograph of himself, one apparently for the central register, and one for the identification card. In Clause 7, amongst the particulars to be included in respect of every person whose name is included in the register there appears—

> (h) a recent photograph of himself.

Clause 3 of Clause 16 states—

> One copy of the photograph referred to in sub-section (1) or (2) shall be attached to the identity card issued to the person concerned, and the other copy shall be filed in the register.

But, apparently, according to Clause 8, the photograph is one of the particulars, and therefore if all the particulars in Clause 8 have to be kept by the magistrate in the district concerned, and all the particulars enumerated in Clause 7, then I take it that the individual's photograph should be kept in the magistrate's office.

The MINISTER OF THE INTERIOR: Read the clause.

Mr. CULL: I understand it all right.

The MINISTER OF THE INTERIOR: The undermentioned particulars and no other particulars.

Mr. CULL: Mr. Chairman, in Clause 8 it says—

> There shall be maintained at the office of the magistrate of every district or at such other office within a district as the Minister may approve, a copy of the

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register containing the names and other particulars recorded in the register in respect of all persons registered as residing within that district.

Therefore, if it has to contain all other particulars, it must contain the particulars as enumerated under Clause 7.

Mr. GALE: Mr. Chairman, I would like to say at the outset that the hon. member for Port Elizabeth (North) (Mr. Cull) has made a very good point indeed. He has shown that the Government is going to be short of one photograph. They are going to have one on the identity card, they are going to have one in the register, and they also have to have one in the magistrate's office of every district. So that the costs to which the hon. the Minister referred have now gone up another 50 per cent. in regard to photographs. So I think that the hon. the Minister should be very much indebted to the hon. member for Port Elizabeth (North) for having drawn this fact to his attention. But, Mr. Chairman, I would like to say that from the point of view of population registration, why should the intimate details of any particular citizen as reflected in the register be open to the world at large? Why should that happen? Why should that be published? Why should everybody else be able to see what my nationality, my classification, and what my age is?

The MINISTER OF THE INTERIOR: Why should you be ashamed of it? What is wrong with it?

Mr. GALE: The hon. Minister does not show his age at the top of his head probably as much as I do, so I say why should anybody be able to go the magistrate's office and see my age as against the hon. Minister's? But I do not want to bring this matter down to the stage of being ludicrous; it is a very, very serious matter indeed. Imagine the opportunity for the poisen-pen experts, and for the snoopers, and for others maliciously inclined, to try to cause trouble; imagine the opportunity for them to bring misery and disappointment and a feeling of insecurity to the people against whom they bear a grudge. All they have to do is to go to the magistrate's office, have a look at a copy of the register, and there they can see the full details of their intended victims. I suggest that the hon. the Minister should avoid that as far as possible, but if he does not, Sir, I say that the hon. the Minister is creating a snoopers' paradise.

Mr. TIGHY: A Nationalist paradise.

Mr. GALE: The publication of all these particulars provides an opportunity for every kind of abuse. We know that unfortunately in South Africa there are certain maladjusted people who live by blackmail. Just imagine if such a person finds out particulars from the register in regard to his intended victim, that intended victim can expect to get very shortly a poisoned-pen letter, threatening all sorts of dire consequences if the secret which this victim has guarded so long and which now appears in the register, is brought to light.

Mr. Chairman, we must also remember that the clause provides that this register shall be open at the magistrate's office during all hours.

Mr. J. J. FOUCHÉ: No.

Mr. GALE: If the hon. member for Smithfield (Mr. J. J. Fouché) will kindly read the Bill he will see that in Clause 8 (1), in spite of the fact that he says "no", there is a copy of the register which is in the magistrate's office . . .

Mr. J. J. FOUCHÉ: A list.

Mr. GALE: I know, Clause 8 (2) says "a list", but if he will read the particulars from (a) to (e) he will see the classification there and also the nationality or citizenship. I take it that the hon. member for Smithfield, by his silence, now admits that I am right and that he is wrong. As I was saying, this list is now open at the magistrate's office during all office hours, so that the opportunity for these maladjusted people is unlimited. These nosey-parkers, these busy-bodies, and these snoopers, who pry into the affairs of other people in order to make trouble for them, will have an unlimited opportunity to do their snooping, and I suggest, Sir, that the motive of such snooping will never be to the benefit of the person whose character is being investigated, but it will always be adverse or detrimental to that person. So I say that the amendment which is proposed in sub-clause (2) of Clause 8 might be called an anti-snooping amendment, and it makes the list at the magistrate's office a closed book to these people whom I, for want of a better term, call snoopers. A person's classification is and should remain a matter between himself and the State; a person's classification should not be open to the inspection, by what we call Tom, Dick and Harry, and I say that the Minister should protect the individual in this regard by accepting this amendment. It is a reasonable one. The hon. Minister has it in his power to do so; the purpose of registration is fully achieved by publication only of the name and the registration — the purpose of registration is fully achieved by those two particulars alone, and I say further if the hon. the Minister refuses to accept this amendment,

I lay at his door the charge that he is encouraging these trouble-makers, he is encouraging these poisoned-pen writers, and he is encouraging these snoopers to make a paradise of this particular clause. I suggest, Sir, that if the Minister does encourage them by not accepting the amendment, he is making the lives of the citizens of South Africa very much more miserable than this Government has succeeded in doing to date — which is more than somewhat.

The MINISTER OF THE INTERIOR: The hon. members who have just spoken, I am afraid, have not read the Bill very carefully. The argument of the hon. member for East London (North) (Mr. Gale) that the provision of the Bill as it stands is going to send up the cost of living is to me so far-fetched and extraordinary an argument that I do not know how to deal with it.

Mr. GALE: Mr. Chairman, on a point of personal explanation, may I assist the hon. the Minister to deal with it? I referred to the cost of living with regard to these photographs.

The MINISTER OF THE INTERIOR: I think that the hon. member in his second speech said that the cost of living had gone up by 50 per cent. What he did suggest is that the cost of acquiring information under Clause 17, that that would send up the cost of living. That is purely optional. If you do not want that information you need not have it, you need not ask for it, then it does not cost you anything. That is the point that the hon. member apparently has not grasped. It is not essential for your cost of living. As far as I know if you look at the list of things which make up the cost of living the information as to the last address of somebody is not part of the cost-of-living index. I am sorry, it is simply a point one cannot deal with because it is so fantastic and absurd.

Now let me deal with the other point of the hon. member for Port Elizabeth (North) (Mr. Cull). His argument is that in Clause 8 (1), that requires a photograph, too, in the local register. That is his argument, I take it. Let me first say that there is a difference between the local register referred to in sub-clause (1) and the list referred to in sub-clause (2). There is a difference. Now as far as the copy of the register is concerned referred to in sub-clause (1), the hon. member will see that it says there "a copy of the register containing the names and other particulars recorded". You cannot "record" a photograph in a register, and therefore if the hon. member will turn to Clause 7 he will see that the Select Committee altered the word "recorded" to "included", because you can include in the register a photograph but you cannot record in the register a photograph, and, therefore, in the previous clause we altered the word "recorded" and made it "included", because there we wanted a photograph in terms of paragraph (h) of Clause 7. But here in Clause 8 we are not "including" and therefore the hon. member for Port Elizabeth (North) is entirely wrong when he thinks that the local register has to have a photograph. There are only two photographs required, I think, in terms of Clause 17, the one on the identity card and the other for the central register. Clause 8 (1) means all the other information which is recorded in the register, not included in the register.

Mr. TIGHY: What other information?

The MINISTER OF THE INTERIOR: All except the photograph.

Mr. TIGHY: All the information except the photograph? Is that the only difference between the local and the central register?

The MINISTER OF THE INTERIOR: All the information except the photograph will be in the local register. The only difference will be in the local register and the central register. The photographs are not in the local register.

Mr. TIGHY: That is the only difference? Thank you.

The MINISTER OF THE INTERIOR: Now, the amendment proposed by the hon. member for East London (North) to sub-clause (1) would be wholly unnecessary if the list contains the information from (a) to (e) as we have it in the Bill now.

An HON. MEMBER: That is for the public?

The MINISTER OF THE INTERIOR: No, it is for the public and for himself. The only points that are excluded in the list under sub-clause (2) are the person's date and place of birth, which is a matter peculiarly within his own knowledge, his marital condition, which he at any rate should know, and the date of his arrival in the Union if he was not born in the Union, and a recent photograph. Those are the things which are not in paragraph (b) of sub-clause (2).

Mr. CULL: The year of his birth can be ascertained from the magistrate's court.

The MINISTER OF THE INTERIOR: No, the hon. member is again at fault there. It is true that the White Paper said it would be made up of four digits, but there is nothing in the Bill. It is a matter which has to be decided under regulation still, and I have already indicated that I shall try my best to meet the point which the hon. member has raised to see that there is some code number for the year of his birth, and then his argument will fall away.

Mr. CULL: The White Paper has it.

The MINISTER OF THE INTERIOR: The White Paper has said something which is not in the Bill. That is all.

Mr. CULL: The White Paper is an explanation of the Bill.

The MINISTER OF THE INTERIOR: Yes. In that sense it is not an explanation of the Bill because it said something which is not in the Bill. It can't be an explanation, it simply went beyond the Bill, and to that extent it need not be right, and I do not want hon. members to be misled by that, and I have already explained it previously.

Mr. TIGHY: The White Paper was misleading.

Mr. BARLOW: Why did you not tell us that before?

The MINISTER OF THE INTERIOR: I told the House that before. Now let me say this, that the real object of the amendment — I think it is necessary that we should know — is the last words of the last speaker. He objects particularly to (b), that that should be available to the public; a person's classification in terms of Clause 5. That is what the hon. member objects to. That is the main point, and it is as well that the House realises that and that the country realises that. Remember, here is a person who is being classified; on that classification will rest certain rights, for example, the right to vote, and the right to vote is one which anybody is entitled to challenge. In the existing scheme of things we also publish for the information of the public the names of people and their classification. There is a separate roll for Coloured voters, and anybody can come along and object if he thinks that a person is on the roll of European voters who should not be there. Anybody can come and do that. The same applies here. This scheme will ultimately supersede a great deal of that is done under the Electoral Laws today, under the compilation of the voters' roll. Here you have to give the information to the public because it is a public right to know that nobody exercises the vote who is not entitled to do so, and therefore it is very essential that the public should know what is the classification of X . . .

Mr. CULL: They can see that from the voters' roll.

The MINISTER OF THE INTERIOR: X may claim that he wants to be on the voters' roll. Is he entitled to be on the voters' roll, or is he not, and for that purpose the public must know what he is classified as, because on that will depend whether he is rightly or wrongly on the voters' roll. [Interruptions.]

The CHAIRMAN: Order, order!

Mr. CULL: They are separately classified today.

The MINISTER OF THE INTERIOR: Yes, and why should they not be separately classified under this? What is your objection? The public knows today that they are separately classified. A man may be on the European roll and he may be classified as a Coloured person.

Mr. CULL: You said that was our reason.

The MINISTER OF THE INTERIOR: Yes, that is what the hon. member for East London (North) said. Why should the man's classification be known to the world? He does not want it to be known. I am giving you a very good reason. I am saying that whatever class a man falls under, if he has sufficient pride in his particular group he need not be ashamed of it, whatever that group may be. That is what I say, and that is what I think the public are entitled to know. They must know that all these involved amendments of hon. members are simply designed to get items (a) to (e) out of the list which is available to the public: They are not so much concerned with items (a), (c), (d) and (e); their real objection is to item (b). That is what they do not like. They do not like that to be published, and in order to camouflage that they have got to object to items (a) to (e) inclusive — all these — and in order to get that out of the way they must meet the case of the man who wants to find out what is his own position. He must at any rate know what his own position is without having to go to the central office, and therefore they have got to make this provision, that he is entitled to ask under sub-clause (1) for particulars of his own position.

I think the House now knows what the spirit and what the gist of the amendment is that has been placed before them, and I think they are in a position to know whether that is information that should be available to a member of the public or not, and they can decide on that.

Mr. KENTRIDGE: Mr. Chairman, the hon. the Minister, as usual, comes along with all sorts of stories. Tonight, however, he has justified the very point that was made, because now he tells us that the object of the Bill, of that particular provision, is to enable members of the public to go along to this particular office at the expense of the State, and I think the House is entitled to know from the Minister of Finance whether he approves of it; he wants members of the public to be able to come

along and see whether a person who is on the European roll should not be on the Coloured roll. You are going to start the whole story over again and create a position much the same as existed in Germany in the days of the Nazis. That is what the hon. member for East London (North) (Mr. Gale) objects to. You are actually going to encourage, at the expense of the public, the snoopers, the people who are ill-disposed, to find out things in order to create trouble for their victims. That is the explanation of the Minister in his attempt to justify this clause. But it was not enough to justify it to this side of the House — nor to the other side if they were not yes-men — they are willing to accept the clause as it stands.

The hon. the Minister has made another point. He has come along and told us that the hon. member who moved the amendment is quite wrong, that he has been misled by the hon. the Minister, who put out an explanatory memorandum which he now says does not apply to the Bill as it stands. The Government put out information about another Bill which we are going to discuss later in the Session in which it excludes information which is included in the Bill that is coming up. On the one hand we are given more information which is not included in this Bill, and on the other hand information is kept away from us. Now, Sir, how is this House and how is the public, after the explanation of the hon. the Minister in which he says that the explanatory memorandum is all wrong, to understand the position? We do not know whether the House is being misled by the memorandum or by the Minister, or whether the hon. Minister is so ignorant of the Bill that he has given the wrong information. I do not know whether he is tired. Perhaps he ought to report progress and ask leave to sit again. In the light of what has transpired it is obvious that the amendment should be moved, and the House should adjourn in order to give the hon. Minister a chance to recover from his tiredness.

*Mr. P. J. H. LUTTIG: The hon. the Minister has explained this clause very clearly. He has explained that a copy is made of the list kept in the magistrate's office, and that there will only be five items of information which the public may require, namely, the name and address, and the classification according to Clause 5. As the hon. the Minister has pointed out, that is really their objection. The hon. member who has just spoken, and also previous speakers, have asked why it is necessary to determine whether a person is correctly classified or not. They know very well that the European woman in South Africa can come on to the voters' roll while the non-European woman may not. In my constituency I have had cases where non-Europeans have been registered as Europeans, and it is very difficult to get them off the roll. What will the position be now? When this list is put on the notice board people will be able to see what the position is. I can report a case of wrong classification, but then I must have very good and sound reasons for doing so; I cannot do so for trivial reasons, and the political agents will not lodge frivolous and irresponsible objection against people, because they will have to bear the costs and the matter can be taken to the Supreme Court. But any person can go and see the list to find out whether the classification is correct. Anybody can go and look to find out whether the man whom they know as Abraham Gouws, for example, is registered as a European or not.

*Mr. CULL: Why should the age be given?

*Mr. P. J. H. LUTTIG: There are only five items, nothing more, and the age is not one of them, as the hon. the Minister has explained. There are only these five items of information, namely, the name, the classification, the citizenship or nationality, and then in the case of a registered voter, the electoral division. The age is not mentioned.

*Mr. CULL: The memorandum says so.

*Mr. P. J. H. LUTTIG: The hon. member has been in Parliament long enough to know that a memorandum is not an Act. The hon. member should look at the contents of the Bill. If the Opposition want to be honest and if they say that they are afraid that Coloureds who are registered as Europeans, will be removed from the voters' list by the Nationalist Party or anyone who wants to see that the names of Europeans only appear on the list, then I could understand it. They want to keep the Coloureds on the roll, while we do not want a mixed roll.

*Mr. TIGHY: May I congratulate the hon. member for Calvinia (Mr. P. J. H. Luttig) heartily on his promotion to the Treasury benches, where he is now sitting.

*Mr. P. J. H. LUTTIG: You cannot even see properly any more.

*Mr. TIGHY: The hon. member has let the cat out of the bag. The whole idea is to remove the Coloureds from the voters' roll. That is the purpose of the classification. In other words this Government is prepared to saddle this country with an expenditure of more than £500,000 in order to see whether they cannot find a few Coloured persons who are entitled to vote.

*The CHAIRMAN: The hon. member must confine himself to the clause.

*Mr. TIGHY: Mr. Chairman, the cat is out of the bag. The hon. the Minister and also the hon. member for Calvinia (Mr. P. J. H. Luttig) have admitted that this whole question of classification is designed to determine whether Coloured persons may vote or not, whether they are Europeans or non-Europeans. We accept that. In other words this present Government is prepared to spend £500,000 of the country's money just for the sake of determining whether there are not a few isolated cases where Coloured persons are not entitled to vote.

*The CHAIRMAN: Order! The hon. member is making a second reading speech. He must confine himself to Clause 8.

*Mr. TIGHY: May I just point out, with all due respect, that I am replying to the hon. the Minister, and I am speaking in connection with paragraph (b) of sub-clause (2), in which the hon. the Minister wants the classification to be filed also in the local office. I just want to emphasise the point that the cat is out of the bag, and that the hon. the Minister, supported by a front-bencher, is now admitting that they are prepared to spend more than £500,000 of the country's money just for the sake of ensuring that Coloureds do not appear on the voters' lists. I want to thank him very much for that admission. The hon. the Minister has already made quite a few admissions today, which we and the country also appreciate very much. This is a very important admission. The main reason why I got up was to thank him very much for it. Judging by the hon. the Minister's reply, we must also assume that he does not intend accepting that very reasonable amendment which we proposed here this evening. We must, therefore, assume that sub-clause (3) will come into force. I now want to ask the hon. the Minister this evening, of what use it will be to publish that information in every country town where there is just a handful of people, and where there may not even be a post office or a magistrate's office. In that case, it may be an office chosen by the director. What is the value of it if it is not intended solely for starting slanderous talk?

*The MINISTER OF THE INTERIOR: You have an entirely wrong conception of sub-clause (3).

*Mr. TIGHY: Let the hon. the Minister now candidly admit it. I shall tell the Committee what the trouble is with this Bill, and if the hon. the Minister admits it, he will perhaps go out of his way to amend the Bill. The hon. the Minister would like to see whether this national register cannot replace the voters' list. And it cannot; all it can do is to supplement the voters' list. In other words, Mr. Chairman, if a man's name appears on the voters' list and it does not appear in the national register, then the hon. the Minister's Department can investigate the position in order to find out why the man concerned appears on the one list and not on the other list, and vice versa. Let us get clarity on that point. With the best assistance in the world the hon. the Minister will never succeed in achieving that object for the simple reason that he will have thousands of names in the national register, names which, in the nature of things, cannot appear on the voters' list.

*Dr. LOOCK: Because you deleted the names.

*Mr. TIGHY: I feel sorry for that hon. member. In any case, in terms of their own Bill which they piloted through this House, it should be evident that there are hundreds and even thousands of people whose names can appear in the national register but not on the voters' list. This national register can never take the place of the voters' list. I say, therefore, why then all these unnecessary particulars in connection with people in every small town and every small place? Just imagine all the gossiping and slandering that will go on there. Why should we expose peace-loving people to those poisonous tongues of the slanderers? This side of the House proposed no less than five amendments in order to protect the people, and we get no assistance or co-operation from the Government side on these important points. If we do want the national population register, then let us have it, but why should these people, after having experienced all these difficulties in having themselves registered, be further exposed to the attacks of Tom, Dick and Harry? Our requests were reasonable. It is the easiest thing in the world to launch a slandering campaign against anybody. He may perhaps be an elder or a deacon in a small congregation. [Laughter.] That shows what respect they have for the Church in South Africa. I say that time and again we on this side have come forward with amendments at least to protect those people, and we get no support from that side. The hon. member's amendment amounts to this, that we have no objection to a list being compiled if it has to be done. There is the ordinary voters' roll and that is also made available to the public. We do not object to an extract of the information in the national register concerning the people of a town, division or district being published together with the information contained in the voters' roll. But why should all kinds of information be added just to set the slanderous tongues going? I want to ask hon. members opposite whether they have no respect for their fellow-Afrikaner or whether they have no self-respect? The wording of sub-clause (3) shows a reprehensible lack

of self-respect and respect for their fellow-beings.

*The MINISTER OF THE INTERIOR: Are you ashamed of your classification or of your citizenship?

*Mr. TIGHY: The hon. the Minister asks whether I am ashamed of it. I am not ashamed of my descent. I am not ashamed of it. I am proud of it. Personally I am proud of it. It is, however, the easiest thing in the world to start a campaign and to say that somebody amongst us pretends to be a European but that he is Coloured or a half-caste. It is the easiest thing in the world.

*Mr. A. STEYN: But they say it now, too.

*The CHAIRMAN: Order!

*Mr. TIGHY: Who is going to undo the damage once that story has been spread, once that campaign of slandering has been launched and the victim may be an innocent young woman or young man?

Mr. FRIELINGHAUS: Mr. Chairman, I find myself in a very difficult position. We, on this side of the House, want to help the Government to try to make a decent Bill of something which has been forced upon us. The hon. the Minister over the weekend made an appeal for co-operation and one of the other Ministers also particularly asked the United Party for co-operation.

The CHAIRMAN: The hon. member must confine himself to the clause.

Mr. FRIELINGHAUS: I am talking about the clause.

The CHAIRMAN: What part of the clause?

Mr. FRIELINGHAUS: The clause I am talking about is the clause under review. I only say that for five solid hours, from a quarter past two up to this very moment we have been trying our best to co-operate with the hon. the Minister.

The CHAIRMAN: Which part of the clause is the hon. member referring to?

HON. MEMBERS: Sit down.

The CHAIRMAN: Order!

Mr. FRIELINGHAUS: There are so many chairmen in the House and although I want to bow to your ruling I cannot do anything about it with all the talking which is going on.

HON. MEMBERS: Order.

The CHAIRMAN: Hon. members must now refrain from making these interruptions.

Mr. FRIELINGHAUS: Now I also do not want to repeat anything that has been said although I think you will forgive us if we do because we, on this side of the House, feel that so far as hon. members on the other side of the House are concerned, whether we repeat a thing 70 times or not, we will still not be able to get it over to them. That is why we have to repeat it over and over again. Coming back now to this clause, you will appreciate that it costs money to obtain all the information which is required by the various items in the clause. I hope that I am wrong, but I think that the hon. the Minister said that he, in co-operation with the Minister of Social Welfare, was going to get the help of associations which obtain subsidies from the Social Welfare Department to pay for the photographs.

An HON. MEMBER: That was the previous clause.

Mr. FRIELINGHAUS: I do hope that that is wrong and that we are not going to sacrifice the social welfare of this country to pay for photographs which should never have been included in the Bill at all.

The CHAIRMAN: Order! There is no mention of photographs in this clause.

Mr. FRIELINGHAUS: Right, but the hon. the Minister . . .

The CHAIRMAN: The hon. member must talk about Clause 8.

Mr. FRIELINGHAUS: But are photographs not still in the picture?

The CHAIRMAN: No.

Mr. FRIELINGHAUS: I find myself then quite unable to understand how we can go on with this clause because I understood that photographs were still under review and that they still come under this clause in one or other of the items dealt with in this clause.

The CHAIRMAN: It does not arise here.

Mr. FRIELINGHAUS: I bow to your ruling and I will therefore sit down.

Mr. CULL: The hon. the Minister's explanation was very plausible in regard to the words "included" and "recorded", but I would like to refer to Clause 4, where certain information has to be included. In Clause 4 you will see . . .

An HON. MEMBER: Clause 4 is not under discussion.

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The CHAIRMAN: The hon. member must discuss Clause 8 and not Clause 4.

Mr. CULL: With due respect, I pointed out to the hon. the Minister that the particulars required under Clause 8 all had to be in the magistrate's office including that of the photograph. Then the hon. the Minister told me . . .

The CHAIRMAN: The clause about photographs is a previous clause. The hon. member must discuss clause 8.

Col. JORDAN: Mr. Chairman, on a point of order. I submit that the hon. member is perfectly entitled to refer to Clause 4 if reference to Clause 4 will establish his interpretation of Clause 8.

The CHAIRMAN: It does not do that. The hon. member is going beyond the terms of Clause 8 and he cannot do that. He may only refer to Clause 4 in illumination of Clause 8 which is under discussion.

Col. JORDAN: That is the whole point.

Mr. CULL: Mr. Chairman, in illumination of Clause 8, the word "recorded" is used and the hon. the Minister has stated that the word "recorded" was used in Clause 8 for the simple reason that it was meant to the word "included" is used. The hon. the Minister there said that the word "included" exclude photographs, whereas in Clause 7 was used particularly for the purpose of excluding photographs. Now, if the hon. the Minister will refer to Clause 4, he will see that the word "included" is used there and all the particulars make no reference whatever to photographs.

The CHAIRMAN: The hon. member must now come back to Clause 8; the hon. member must either come back to Clause 8 or sit down.

Mr. CULL: I now come back to Clause 8. The hon. the Minister has stated that all these particulars are required in connection with the voters' roll.

The CHAIRMAN: There is no voters' roll mentioned in this clause.

Mr. CULL: I wish to reply to the explanation given to me by the hon. the Minister. The hon. the Minister used the words "voters' roll". He said that in compiling the voters' roll he was going to take information contained in the lists kept in the magistrate's office.

The CHAIRMAN: In what way is this relevant to Clause 8?

Col. JORDAN: Paragraph (d) of subsection (2) of this clause.

Mr. CULL: Mr. Chairman, you allowed the hon. the Minister to make his point in regard to the voters' roll.

The CHAIRMAN: What is the hon. member's point?

Mr. CULL: My point is this. The hon. Minister says that the information in Clause 8 is necessary in connection with the particulars contained in the voters' roll so as to see whether a person is a White person or not a White person. If any person wishes to object to the name of any person appearing on the voters' roll, he can get that information from the list appearing in the magistrate's office. I want to point out to the hon. the Minister that in the ordinary course objection can be taken to any name on the voters' roll and the magistrate, as the Electoral Officer, has access to the register; therefore why must all that information as regards a person's age and nationality and all the rest of it be available to the public under Clause 8 (2).

The MINISTER OF THE INTERIOR: If it is available, he will not make an application which may fail.

Mr. CULL: But why must it be made available?

The MINISTER OF THE INTERIOR: Because it will avoid unnecessary applications to the magistrate if he knows the facts.

Mr. CULL: The object of this Population Registration Bill, according to what has been told us, is to keep a register of persons in the Union and not for the purpose of compiling a voters' roll. It seems to me now that this country is being put to this terrible expense merely because this Government is not capable of compiling a good and accurate voters' roll and now they have to take these steps in order to compile the voters' roll.

Mr. WARING: Mr. Chairman, I state that the hon. the Minister has misled this Committee. I state it most seriously. The hon. the Minister said in Clause 8 (1), when it was put to him that this meant a third photograph, that it did not because under Clause 8 (1) the word "recorded" only referred to the other particulars required in terms of Clause 7, but excluded the photograph. Now I want to draw the attention of the hon. the Minister to the evidence which was given to the Select Committee on this very point, and this is part of the evidence which appears in Question 166. It reads—

> And what applies to the photograph on the register also applies to the fingerprint on the register? To that you also have technical objections, but not so far as

the identity card is concerned? — I will have to dilate on the register a little to explain that.

This is the Director of Census and Statistics replying to the question. He went on to say—

In the first place the register consists of two documents. There is firstly the Hollerith card which is our index card and then there will be a separate record on which the photograph will be, and the two together constitute the register.

The MINISTER OF THE INTERIOR: So what?

Mr. WARING: That means that there is a register containing two items of record. The one, the card, contains the items referred to. And the other refers to the record of the photograph. Now the hon. the Minister said that by the application of the word "record" he excludes the photograph.

An HON. MEMBER: That is not so.

Mr. WARING: The hon. Minister said that it excluded the photograph. I say that the hon. the Minister is very conveniently . . .

The MINISTER OF THE INTERIOR: The local register excludes the photograph.

Mr. WARING: Definitely not. The register here consists of two cards.

The MINISTER OF THE INTERIOR: It is a separate register.

Mr. WARING: I am quoting from the evidence given before the Select Committee. The register consists of two cards and the records are on each card.

The MINISTER OF THE INTERIOR: Which register? The central register or the local register?

Mr. WARING: The register itself consists of two cards.

The MINISTER OF THE INTERIOR: Which register?

Mr. WARING: The central register.

The MINISTER OF THE INTERIOR: Clause 8 (1) does not deal with the central register.

Mr. WARING: Clause 8 (1) does not deal with the central register.

The MINISTER OF THE INTERIOR: But what are you talking about then?

Mr. WARING: But it refers to the record that is on the central register and part of the record on the central register, not only the facts, but the photograph as well and I put it that this merely meant that there is to be a third photograph.

The MINISTER OF THE INTERIOR: You are quite wrong.

Mr. WARING: No, quite definitely.

The MINISTER OF THE INTERIOR: Oh, yes, you are.

Mr. WARING: The hon. the Minister saw the trouble that would arise by having the third photograph and he tried to escape from it. But that is not according to the information which was given to the Select Committee. I myself immediately regarded it as something which even the Select Committee had overlooked, but there is no doubt in my mind that Clause 8 (1) was intended to be a full register, including all the information . . .

The MINISTER OF THE INTERIOR: No, except the photograph.

An HON. MEMBER: But it does not say that.

The MINISTER OF THE INTERIOR: It does not say that, but you can read it there if you want to.

Mr. WARING: The point is that the hon. the Minister says that the photograph is not a record.

The MINISTER OF THE INTERIOR: No, I say that a photograph cannot be recorded in the register. I do not say that a photograph is not recorded.

Mr. WARING: But why, then, is it stated in evidence by the director that there will be a separate record on which the photograph will be? And that the two together will constitute the register? It does not say that one constitutes the register.

The MINISTER OF THE INTERIOR: You cannot record the photograph on the register. That is why the Select Committee amended Clause 7. The Committee omitted the word "recorded" and substituted the word "included" for that very reason.

Mr. WARING: I do not agree with the hon. the Minister. You ruled an hon. member out of order because he referred to other items in the register.

Mr. CULL: In Clause 6 the word "recorded" is not used.

Mr. WARING: In Clause 6, why was that changed to "included"?

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The MINISTER OF THE INTERIOR: No, it was changed in Clause 7.

Mr. WARING: Clause 4 reads—

> There shall (subject to the provisions of sub-section (2)) be included in the register.

Mr. CULL: And also in Clause 6.

The MINISTER OF THE INTERIOR: It was not supposed to come in Clause 4 at all. There is no reference there to a photograph.

Mr. WARING: Then why use the word "included"?

The MINISTER OF THE INTERIOR: Because you will have three separate classes which will be included — not recorded.

Mr. WARING: There has undoubtedly been an omission on the part of the Select Committee and on the part of the hon. the Minister in regard to Clause 8 (1). With regard to sub-section (2)(b) it is obvious that the whole basis of this list that is going to be available for inspection by the public is to create information in regard to which mischief can be made throughout the whole district. There is no doubt about it that the misery which this sort of list can create —a list which is available for inspection by the public and available all over the country—is going to be very great indeed and it is going to play with the people's feelings to an extent that no other provision in this Bill can do.

Mr. MAREE: Can you make a list of the photographs?

Mr. WARING: The hon. member is trying to be facetious. From sub-section (2) he will see that the photograph is not one of the items listed there. The point is this. If you will look at the definitions which are covered by Clause 5, you will see the sort of thing we are going to have in this country. The definition of a Coloured person reads as follows—

> "Coloured person" means a person who is not a white person or a Native.

And the definition of a white person reads—

> "White person" means a person who in appearance obviously is, or who by general acceptance and repute is, a white person, but does not include a person who, although in appearance obviously a white person, is by general acceptance and repute a Coloured person.

I ask the Committee, with a definition of this nature, what is going to happen? What is going to happen? If a person has an enemy, he will look up the list. If the person is classified as a European, a white person, he is going to say this person associates with Coloured people. He is going to raise . . .

The MINISTER OF THE INTERIOR: How can he?

Mr. WARING: Quite easily.

The MINISTER OF THE INTERIOR: Not if the person is classified already. If he did, it would be libel.

Mr. WARING: Can he not object to the classification?

The MINISTER OF THE INTERIOR: Let him then do it, but not publish it, as you say. You cannot let him publish it as you suggest he will do. That will be libel.

Mr. WARING: I want to know from the hon. the Minister if he puts on this list that a person is classified as a Coloured person and he is in fact a white person, does he know the misery that he is going to cause to that person's family and to that man himself?

The MINISTER OF THE INTERIOR: He has his remedy. He can show that he is a white person.

Mr. WARING: That is all right. He has his remedy, but does he know what is going to happen in the meantime? He may correct it, but do you think the stigma is ever going to leave him.

The MINISTER OF THE INTERIOR: No, you are confused.

[Time limit.]

Capt. HENWOOD: Mr. Chairman, to give point and support to the point just made by the hon. member for Orange Grove (Mr. Waring) and to show you how difficult this question of classification and registration will be, I want to refer to a letter I received from the hon. the Minister himself in relation to classification under the Mixed Marriages Act.

The MINISTER OF THE INTERIOR: We are not dealing with the classification definition now.

Capt. HENWOOD: Oh yes, in regard to the classification here you pointed out to the hon. member for Orange Grove that under that clause how difficult it is . . .

The MINISTER OF THE INTERIOR: The definition is in Clause 1, and that is standing over.

Capt. HENWOOD: Here it definitely has reference to Clause 1 on that point.

The CHAIRMAN: The definition cannot be discussed now. You can discuss classifications, but not definitions.

Capt. HENWOOD: The question of classification, whether he is Coloured or European, is really the point that I am getting at and that was the point made by the hon. member for Orange Grove. The hon. the Minister wrote to me in relation to a mixed marriage case classification and he stated the following —

> In reply to your letter of the 21st ultimo, regarding the marriage ceremony between So-and-so and So-and-so, solemnised by the Rev. T. A. Lewis, in good faith, of Pietermaritzburg, on the 9th July, 1949 . . .

The day after the Mixed Marriages Act was promulgated in the "Gazette" —

> . . . I am unable to express an opinion whether such marriage will be deemed to be valid unless I am informed:
>
> (a) whether So-and-so is in apperance obviously a European, or
>
> (b) whether he habitually consorts with non-Europeans as a non-European.

Now to show you the difficulty with regard to classification, I immediately wrote because I had a satisfactory reply from the hon. Minister and his department that this man lived all his life amongst Coloureds, he went to a church with Coloured people and he had twice previously married Coloured women, his children were obviously Coloured and registered as such and attended Coloured schools. He had become a widower and marries again in his old age, just for companionship, and he married a Coloured woman and now, after having lived together for six months, the Registrar of Marriages has told this particular minister to withdraw the marriage certificate and it has been withdrawn this last week and he was informed that he is classified as a European according to the Registrar of Pietermaritzburg and that the marriage cannot be allowed to stand.

The CHAIRMAN: Order! I must point out to the hon. member that under Clause 5 the Committee discussed this question of classification. In this clause now under discussion classification is only mentioned as one of the items to be included in the local register. Hon. members cannot go back into the details of classification. That was disposed of under Clause 5.

Capt. HENWOOD: I am objecting to the local register, because here is the case of a local register where a man is declared to be a European when he is obviously a non-European.

The CHAIRMAN: The hon. member is now repeating the argument used on Clause 5.

Capt. HENWOOD: I am not making the classification . . .

HON. MEMBERS: Order, order.

Mr. TIGHY: You are not the chairman.

Capt. HENWOOD: If the pseudo-chairmen over there will keep quiet we might be able to get on with the debate. I am objecting to local registers for this very fact. It is the local register which said that this man was a European and not Coloured. But in Pretoria the Pretoria office is prepared to accept him as Coloured person and the marriage is in order.

The MINISTER OF THE INTERIOR: That is a different Act.

Capt. HENWOOD: I know it is a different Act. But when these various Acts become enmeshed we see the position in which the country is thrown. That is why we are suspicious of these various clauses where they are not clear in regard to this matter of classification, with the result that a different ruling is given in the Head Office which controls the particular department. I think I have made my point. There is a difference of opinion between the local classification and the classification at Head Office. We are becoming very concerned about this, because we feel that the ordinary citizen is not getting a square deal in regard to classification.

Mr. GAY: Mr. Chairman, I want to come back to the general classification under Section 8, and the amendments moved by this side in connection with it. We consider that Section 8, as drafted and if carried into effect, will place at the disposal of anyone, information which should be confidential between the individual concerned and the director. It will be open to anyone who is sufficiently curious, to go to a magistrate's court and find out information in regard to what has happened in connection with any particular individual, and use the information as he wishes.

Then I come to Section (b) of this particular clause, in regard to the electrical information that has to be compiled and recorded. We all know the difficulties of maintaining information of that nature in a sufficiently up-to-date and accurate form, to be of value to all. Can the hon. Minister tell us what the additional cost will be under the Bill to compile that record and keep it

up to date? We on this side of the Committee feel that clause is impracticable. It is too costly and we feel we are not justified in supporting it. That is the basis on which we object to it. The hon. the Minister, in his reply to the hon. member for Port Elizabeth (Central) (Col. Oosthuizen), stated in regard to the question he raised about the effect upon the cost of living, that it was so insignificant that he almost did not know how to deal with it. But may I suggest to the hon. Minister that whatever its effect on individual cost of living, its effect on the cost of administration of the country will by no means be insignificant. It is those costs that we are trying to avoid on this side of the House.

May I also ask the hon. the Minister whether he has thought about the effect this particular section of the Bill will have on the earning capacity and livelihood of people brought up and who have grown up to the European standard, and who under the pressure of the snooper, working under this particular section of the Bill, will be degraded to the non-European class, not in their living but in their earning capacity, another feature which makes it imperative that this particular section of the Bill should be revised. That aspect calls for very serious thought.

The hon. the Minister has also asked, and I think rightly, that this side should co-operate in passing legislation for the good of the country. This particular section of the Act we are passing now is a portion of that legislation. We on this side are refusing to accept it as it is printed and placed before us, because we consider it unworkable, and we do not want to be a party to placing unworkable legislation on the Statute Book. But all the amendments we have put forward up to now, including the amendment now before the Committee, are simply met with the reply: No, no, no.

The CHAIRMAN: The hon. member must come back to the clause.

Mr. GAY: I am speaking to the clause, Mr. Chairman.

The CHAIRMAN: The hon. member is not referring to the clause.

Mr. GAY: May I put it this way, Mr. Chairman. I ask the Minister seriously to consider accepting the amendments we have now put forward, in order to make these particular Sections, (a), (b), (c), (d) and (e) of this particular clause workable. Some of us on this side of the House, in making these suggestions, are beginning to feel that it is time we reminded the hon. Minister that although we may be in the Opposition we are speaking on behalf of the largest section of the electorate of this country, and we feel it is very near time that the voice of that large section, which can only be voiced in Parliament by this side of the House should be given heed to.

Mr. CHAIRMAN: Order, order! The hon. member is not speaking to the clause.

*Dr. VAN NIEROP: I move—

That the Question be now put.

The Committee divided:

AYES — 61.

Abraham, J. H.	Louw, E. H.
Botha, P. W.	Luttig, H. G.
Brink, W. D.	Luttig, P. J. H.
Brits, G. P.	Malan, A. I.
Conradie, J. H.	Malan, D. F.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan.
Loubser, S. M.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 56.

Abbott, C. B. M.	Eaton, N. G.
Allen, F. B.	Friedman, B.
Ballinger, V. M. L.	Frielinghaus, H. O.
Barlow, A. G.	Gale, D. J.
Bekker, P. B.	Gay, L. C.
Bell, R. E.	Gluckman, H.
Bloomberg, A.	Graaff, de Villiers
Bowker, T. B.	Hayward, G. N.
Brooke, R. S.	Henwood, B. H.
Butters, W. R.	Hepple, A.
Christie, J.	Higgerty, J. W.
Cull, J. A.	Hopewell, A.
Davidoff, H.	Hughes, T. G.
Davis, A.	Jonker, A. H.
Delport, G. S. P.	Jordan, R. D. P.
Du Toit, R. J.	Kahn, S.
Eaton, A. H. J.	Kentridge, M.

Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to

The words proposed to be inserted at the end of sub-section (1) were put and the Committee divided:

AYES — 56.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Christie, J.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de Villiers
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES — 61.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Malan, D. F.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

Question put: That the words "a list" in line 27, proposed to be omitted, stand part of the clause,

Upon which the Committee divided:

AYES — 61.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Malan, D. F.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 56.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.

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Brooke, R. S.	Kahn, S.
Butters, W. R.	Kentridge, M.
Christie, J.	Lewis, J.
Cull, J. A.	Lovell, L.
Davidoff, H.	McMillan, N. D.
Davis, A.	Mortifee, A. W. S.
Delport, G. S. P.	Mushet, J. W.
Du Toit, R. J.	Oosthuizen, O. J.
Eaton, A. H. J.	Oppenheimer, H. F.
Eaton, N. G.	Pocock, P. V.
Friedman, B.	Russell, J. H.
Frielinghaus, H. O.	Shearer, V. L.
Gale, D. J.	Smit, D. L.
Gay, L. C.	Solomon, B.
Gluckman, H.	Steyn, S. J. M.
Graaff, de Villiers	Strauss, J. G. N.
Hayward, G. N.	Stuart, W. H.
Henwood, B. H.	Sturrock, F. C.
Hepple, A.	Sullivan, J. R.
Hopewell, A.	Tighy, S. J.
Hughes, T. G.	Van der Byl, P. V. G.
Jonker, A. H.	Waring, F. W.
Jordan, R. D. P.	Waterson, S. F.

Tellers: J. W. Higgerty and C. M. Warren.

Question accordingly affirmed and the amendment dropped.

Question put: That the words in lines 29 and 30, proposed to be omitted, stand part of the clause,

Upon which the Committee divided:

AYES — 61.

Abraham, J. H.	Louw, E. H.
Botha, P. W.	Luttig, H. G.
Brink, W. D.	Luttig, P. J. H.
Brits, G. P.	Malan, A. I.
Conradie, J. H.	Malan, D. F.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mortifee, A. W. S.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Steyn, S. J. M.
Friedman, B.	Strauss, J. G. N.
Frielinghaus, H. O.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Gluckman, H.	Tighy, S. J.
Graaff, de Villiers	Van der Byl, P. V. G.
Hayward, G. N.	Waring, F. W.
Henwood, B. H.	Waterson, S. F.
Hepple, A.	

Tellers: J. W. Higgerty and C. M. Warren.

Question accordingly affirmed and the amendment dropped.

The remaining amendments proposed by Mr. Gale dropped.

Clause, as amended, put and the Committee divided:

AYES — 60.

Abraham, J. H.	Labuschagne, J. S.
Botha, P. W.	Liebenberg, J. L. V.
Brink, W. D.	Loock, J. H.
Brits, G. P.	Loubser, J. A.
Conradie, J. H.	Loubser, S. M.
Deysel, A. J. B.	Louw, E. H.
Döhne, J. L. B.	Luttig, H. G.
Dönges, T. E.	Luttig, P. J. H.
Du Pisanie, J.	Malan, A. I.
Du Plessis, P. J. C.	Malan, D. F.
Du Plessis, W. C.	Maree, W. A.
Erasmus, F. C.	Mentz, F. E.
Erasmus, H. S.	Olivier, P. J.
Erlank, A. E.	Papenfus, S. F.
Eyssen, S. H.	Sauer, P. O.
Faurie, W. H.	Schoeman, B. J.
Fouché, J. H.	Scholtz, D. J.
Fouché, J. J.	Stals, A. J.
Frates, T. J.	Steyn, A.
Grobler, D. C. S.	Steyn, G. P.
Havenga, N. C.	Steyn, J. H.
Hertzog, A.	Strydom, G. H. F.
Hugo, P. J.	Strydom, J. G.
Jansen, E. G.	Swart, C. R.
Klopper, H. J.	Uys, D. C. H.

Van den Berg, M. J.	Van Rhyn, A. J. R.
V. d. Heever, D. J. G.	Viljoen, J. H.
Van Heerden, D. P.	Visser, de V.
Van Niekerk, J. G. W.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 56.

Abbott, C. B. M.	Higgerty, J. W.
Allen, F. B.	Hopewell, A.
Ballinger, V. M. L.	Hughes, T. G.
Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Bloomberg, A.	Kentridge, M.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as amended, accordingly agreed to.

On Clause 9,

Capt. HENWOOD: I feel very unhappy about this clause because I feel sure that we are going to fill our prisons once again with people who will be made criminals by this clause. To expect an illiterate Native under this clause to travel, in some cases, hundreds of miles just to see whether his name is on the local register, or whether the name of his ward is on the register, is, I think, asking far too much of the raw, uneducated Native. When once the enumerators have gone through the locations, through the Native reserves and through the platteland, the Natives will feel that their duty has been done in giving all the necessary information to the enumerators. You cannot expect a raw, uneducated Native to accept the responsibility of seeing that his name is registered, and this clause makes it obligatory upon him not only to see that his own name is on the register, but also the name of any ward for whom he is responsible.

The MINISTER OF THE INTERIOR: There is no reference in this clause to a penalty.

The DEPUTY CHAIRMAN: Order, order! The hon. member must confine himself to the clause. The hon. member is now discussing the question of a penalty and there is no reference here to a penalty.

Capt. HENWOOD: I will leave out the question of a penalty then. At any rate, the Native who does not see that his name is on the register, and that the name of his ward is on the register, is not carrying out the requirements of this Bill when it becomes an Act. That is definitely required by this clause. I would like to point out with all due respect that that is the purpose of this clause, The vast bulk of these Natives are raw, illiterate Natives, and they live miles from any magisterial centre or post office. The bulk of these Natives have never received post in their lifetime. I ask the Minister how he can expect these Natives to see that their names are recorded on the register, if their names had been omitted. Does he expect this to be a true record? The Minister says that there is going to be no penalty attached to failure to comply with the provisions of this clause, but if there is going to be no penalty, that means that the register is never going to be of any use, because no Native is going to worry to see that his name or the name of his ward is on the register. In terms of this clause that is his responsibility and if he does not carry out that responsibility, you will have to punish him, otherwise he will simply not worry. If, as the Minister says, with that benign smile of his, there is no penalty, then I can only say that the Minister does not know the people with whom he is dealing. I say that, having dealt with the Natives in the farming areas for years and years, the Minister is barking up the wrong tree. But supposing these Natives begin to think that they ought to see that they are registered, what will happen then? These Natives, in the vast majority of cases, cannot read themselves. They come into the local area where they think the register will be. I say "think" advisedly because in very large Native reserves there are a few odd spots in which the Natives do their business, where they collect their post, where they sell their crops and where they pick up the news of the day. The Native may not go to the right spot where the local register is kept. He has not been told under which area he falls, but even if he overcomes that difficulty what is his problem then? Hundreds of Natives arrive at some small magistracy where there is one interpreter on duty. In addition to performing his duties in court he has many other duties outside the court; he has to issue passes and fill in the backs of poll tax forms. I have repeatedly said in this House when we have discussed the

matter of interpreters and qualified people to handle the Native problem at small magistracies, that not only are these people already overworked, they are so, shall we say, half-trained in the Native language that when it comes to getting all the particulars that are required to be filled in on poll tax receipts, that you will find that many of these poll tax receipts are completely blank. I can produce some of these to the Committee. I have been to the Native Commissioner in Maritzburg, and I have seen many poll tax receipts which are completely blank on the back. We have been told that there is no man at that post who knows sufficient of the Native language to deal efficiently with an absolutely raw Native from that area. A Native comes perhaps from some little tribe that does not speak a kitchen Kaffir that can be understood by a Bantu who is not a fully qualified interpreter and you will find many hundreds of poll tax receipts not filled in in relation to the particulars appearing on the back of that receipt. If that is the position, I ask how that clause is to be administered. In the first place, you have not got the qualified staff. Secondly, these small magistracies are already overworked; the staff of the magistracies are overloaded with soil erosion problems, soil conservation problems, forms in regard to Land Bank loans and other things generally that apply to the farmers, and if you try to get an interview with a magistrate, especially when he is there by himself, but even where he has an assistant, you find that you have the greatest difficulty to find time to have a discussion with him. I ask the hon. the Minister to tell us who is going to deal with these tens of thousands or hundreds of thousands of Natives in Native reserves to see that the provisions of this clause are fulfilled, because you are making it obligatory upon the Native to inspect the register, not only in relation to himself, but in relation to all his wards, and I say that that is unfair because these Natives will feel that they are pushed from pillar to post. When they go to one centre they will be told: "No, this is not your area," and they will have to go to another post fifty miles in another direction. The Native is perhaps in the middle of a large location and goes to a post on East side and he is told that he has to go to another post on the western side. We know in relation to poll tax that Natives will sometimes wait for a whole day at the magistrate's court without being attended to, and the result is that they go away without having paid their poll tax. That happens today when you have none of this huge amount of work that is going to be thrown on these officials. I think it is very unfair that this clause should be introduced to add to their difficulties, because the Natives are going to feel once again that the European is applying harsh measures to them. He is told to do this, that or the other; he comes in and finds that he cannot get attention, that he has to stay over, and the result is that he has to lose his wages for a day or two, and if he is not prosecuted he is frightened that at some future date he may be prosecuted. But let it become known among the Native population that there is no penalty attached to failure to comply with the provisions of this clause, then they will not trouble to register, then I say that the whole clause is a waste of time and a waste of print because if there is no penalty you will have nobody fulfilling the conditions of the clause, so this clause does not do any good at all. On the one hand, if there is a penalty to enable you to enforce it you are going to make criminals of the Natives, and on the other hand, if there is no penalty, it is not going to be carried out throughout the length and breadth of the country. This makes one wonder whether the whole of this Bill was not designed to be used by the Minister in relation to certain areas, where it suits the hon. the Minister, to enable him to apply this Bill to fit in with other legislation in this network of a police camp into which we are being driven.

Mr. DU TOIT: I was about to discuss Clause 8 in relation to keeping the local register. Unfortunately, I cannot refer to the remarks I would have made had I been allowed to speak at that time. But arising from that and the fact that that clause has now been passed, I would like to ask whether it is the intention of the Minister to instruct the officials administering this Act to see that these local registers are made conveniently available . . .

The DEPUTY CHAIRMAN: Order, order! To what is the hon. member referring now?

Mr. DU TOIT: I am referring to Clause 9.

The DEPUTY CHAIRMAN: There is nothing in Clause 9 about that.

Mr. DU TOIT: If you will just wait a moment, Mr. Chairman, you will hear what I have to say.

The DEPUTY CHAIRMAN: Order, order! The hon. member must not trifle with the Chair.

Mr. DU TOIT: I am not trifling with the Chair.

The DEPUTY CHAIRMAN: The hon. member must confine himself to Clause 9.

Mr. DU TOIT: That is what I propose to do. If you will allow me to continue with my speech you will see that I am doing exactly what you ask. Clause 9 lays down that everyone must see that he is on the register. I am just pointing out that

surely it is desirable in the interests of the administration of this Act, that registers should be made readily available for inspection by every one concerned. My point is that if that is not done it will simply lead to great injustices and penalties that are provided for in this Bill. In spite of what the Minister says, penalties are provided for in Clause 18. Clause 18, subclause (f) reads that any person who—

> . . . without lawful cause fails or refuses to comply with any of the provisions . . .

The DEPUTY CHAIRMAN: Order, order! The hon. member must confine himself to Clause 9.

Mr. DU TOIT: It does apply; if you read Clause 18 you will see that paragraph (f) refers to it. It says that any person who—

> . . . without lawful cause fails or refuses to comply with any of the provisions of sub-section (1) of Section 10 . . .

The DEPUTY CHAIRMAN: Order, order! The Committee is dealing now with Clause 9.

Mr. DU TOIT: I know, but Clause 10 follows on Clause 9.

The DEPUTY CHAIRMAN: Order, order! The hon. member must confine himself to Clause 9. If he does not want to do so he must resume his seat.

Mr. DU TOIT: May I then put a question to the Minister? I want to point out to him that under Clause 8 . . .

The DEPUTY CHAIRMAN: Order, order! Will the hon. member resume his seat and discontinue his speech.

Mr. TIGHY: On a point of order . . .

The DEPUTY CHAIRMAN: What is the point of order?

Mr. TIGHY: I am rising on a point of order.

The DEPUTY CHAIRMAN: What is the point of order?

Mr. TIGHY: My point of order is this that surely under the Rules of this House members are allowed to refer in argument to clauses of the Bill . . .

The DEPUTY CHAIRMAN: Order, order! I have given my ruling and the hon. member cannot question it.

Mr. DU TOIT: On a point of order, I was about to explain to you that if you carry out Clause 9 . . .

The DEPUTY CHAIRMAN: What is the point of order?

Mr. DU TOIT: The point is that you ruled me out of order without giving me a hearing.

The DEPUTY CHAIRMAN: Order, order! Will the hon. member resume his seat?

Mrs. BALLINGER: The difficulties of the administration of this Clause 9 to which the hon. member for Pietermaritzburg (District) (Capt. Henwood) referred, are difficulties which have struck everyone who has read this clause. It is in fact in our opinion practically impossible to administer Clause 9 in respect of the Native population.

Mr. TIGHY: They have no intention of doing so.

Mrs. BALLINGER: We are well aware of the point that the hon. the Minister has made in reply to the hon. member for Pietermaritzburg (District) that there are no penalties attached to this clause, but the fact remains that the clause lays down that certain things shall be done, and the assumption is that it is the intention of the framers of this Bill that they shall be done, but it is a fact — and it was omitted in the Select Committee — that it is not reasonable to expect that the Native population will be able to comply with these provisions. The clause lays down, as you will see, that if the name of any person whose name is by this Act required to be included in the register, does not appear on the register, that person shall have to give to the director particulars in regard to himself or his ward, if it is his ward who is involved. The issue was plainly stated in the Select Committee, and accepted by all members of that Committee, as far as I know, that since the great proportion of your Native population is illiterate, it is unreasonable to expect that they can first of all discover that their names are not on the register, and then fulfil the obligation which is placed upon them to provide this information.

An HON. MEMBER: The register is not published in their language.

Mrs. BALLINGER: In any case the register, as I am reminded, is not published in their language, but I am not concerned with that particular point at the moment. I am concerned merely with the issue of literacy or illiteracy. It was decided in the Committee that no penalty should attach to this clause but that the machinery whereby the register would be kept up to date would be the issuing of an identity card; that the check would be through the identity card and that in some way or another, not defined, somebody would be

made responsible for seeing that the Native's name was on the register.

Mr. TIGHY: Exactly, that is the point; and they have no intention to do so.

Mrs. BALLINGER: That is the position, and having considered the whole thing again very carefully, I am going to suggest to the hon. the Minister that he accept a simple amendment to this clause which will be to insert after the word "person" in line 55, the words "other than a Native". I recommend this proposition to the hon. the Minister, because he himself, I think, is persuaded that he cannot keep this register up to date by imposing the obligation on the individual Native. In a subsequent clause which I am not going to discuss, Mr. Chairman, he has put in that sort of amendment in regard to the notification of changes of address. He realised that it is going to be too difficult to impose on Natives the obligation of notifying changes of address and therefore that has been dealt with in another way; but this issue of seeing that his name is on the register was left in this form in the Bill in the hope, no not quite in the hope, that it would be covered by the fact that no penalty is involved; the Government's advisers wanted to leave it in the air. They said that because there was no penalty involved there was no need to worry about it at all. But I quite agree with the hon. member for Pietermaritzburg (District) (Capt. Henwood) that it is no use having a clause in a Bill if you can't apply it and simply take out the penalty because you cannot apply it. I am quite satisfied that the real intention is to maintain a register of Europeans and Coloureds and the Minister has the power under this Bill to do that, but a register of Native persons cannot be maintained in this way. In the circumstances I am going to move, and I hope the hon. the Minister will accept this proposition that we exclude Natives from the operation of this clause altogether and not impose upon them, even without a penalty, an obligation which is entirely impossible for them to fulfil. Therefore I move—

In line 55, after "persons" to insert "other than a Native".

Mr. CULL: Clause 9 says this—

If the name of any person whose name is by this Act required to be included in the register, does not appear on the register . . .

I would like to know from the hon. the Minister how that person must know that his name is not in the register. The hon. the Minister has said that that register is not available to the public and an hon. member moved under Clause 8 that the list in the magistrate's office should be available to the person, so that he could inspect the copy of the register in order to see whether his name appears there. The hon. the Minister may say that he can ascertain that through the list, but the Act does not talk about a list, the Act specifically says that if the name and address does not appear in the register, he must furnish the particulars. His name may appear on the list, though it is hardly likely that it will, but it may appear on the list and not on the register and yet that person is contravening this particular section.

The MINISTER OF THE INTERIOR: The local register is available to him.

Mr. CULL: The hon. the Minister refused to accept an amendment to make the local register available to that individual—he refused to accept an amendment to that effect proposed by the hon. member for East London (North) (Mr. Gale) and all that is available to him is the list.

The MINISTER OF THE INTERIOR: All the information is there for him, except on the four points which are peculiar to his own knowledge.

Mr. CULL: But this clause makes no mention of a list. It refers to the register and it is most unfair to say that a man must ascertain whether his name is in the register and then give him a list in order to ascertain whether his name is in the register. His name may appear on the list and not in the register.

The MINISTER OF THE INTERIOR: The list is compiled from the register.

Mr. KAHN: I move the following amendment—

In lines 58 and 60 respectively, to omit "sixteen" and to substitute "eighteen".

Mr. BARLOW: How is the Minister going to deal with a child under the age of sixteen who has no guardian? There are quite a number of these boys knocking about the territories who have no guardians and are under the age of sixteen. Does the Minister know the Transkei at all, or any of these places? If you go there, you will find a lot of boys who go from the one location to the other and who are under the age of sixteen. They have no guardian. Will the Minister tell us what he is going to do about them? Is the Minister thinking it out, or what is he doing? I do not want to go on with my speech if the Minister will give me his answer. What is going to happen to a boy who has no guardian? The Bill says quite clearly—

> If the name of any person whose name is by this Act required to be included in the register, does not appear on the register, that person or, if that person has not attained the age of sixteen years, his guardian, shall furnish . . .

Say he has not got a guardian. Can the Minister tell us what he is going to do in that case? This is not the sort of legislation we want. That boy is left in a vacuum. Who is his guardian. There is the hon. member for Krugersdorp (Mr. van den Berg), who has a farm on the Modder River. Say he has got 15 or 16 boys there. If they are not sixteen years of age and have no guardian, what is going to happen to them?

Mr. VAN DEN BERG: That is not correct what you are saying.

Mr. BARLOW: I read it again—

> . . . if that person has not attained the age of sixteen years, his guardian . . .

If there is no guardian, who is going to furnish the information? I do not know whether the Minister is tired. We know he had had a hard day. Our young men here have knocked spots off him and our front-benchers have left him in peace, because we are sorry for him. Will the Minister tell us?

The MINISTER OF THE INTERIOR: I will reply at the right time.

Mr. BARLOW: I do not want to teach the hon. the Minister. I have been in Parliament much longer than the hon. the Minister. If he replies to a question like the one I have put to him and he says, "Sit down, and I will tell you," he will save ten minutes. Perhaps he does not want to save time. Very well, I am a night-worker myself. I have worked on morning newspapers for many years, sitting up at night to work. It suits me.

The DEPUTY CHAIRMAN: The hon. member must return to the clause.

Mr. BARLOW: I am trying to get back to the clause, but the hon. the Minister does not want to get back to the clause. I say this is a stupid thing. This is the sort of thing that is going to cost a lot of money, a clause like this. The Minister of Finance has been sitting there with his head on his hands all day and all night. I want to ask the hon. the Minister of Finance where he is going to get the money. That Minister had to go all the way to America to get money and the other Ministers are wasting it. This clause will mean that the Government will have to search the country for guardians. It is a bad clause. There sits our old friend, the hon. member for Vasco (Mr. Mushet). He never put forward such a clause. It is a half-baked clause from a half-baked Minister. I have to read it again . . .

The DEPUTY CHAIRMAN: The hon. member is now repeating this for the third time.

Mr. BARLOW: You are not giving me a chance, I am not going to read what I read before. I am now going to read the end of the clause about the director.

The DEPUTY CHAIRMAN: The hon. member cannot read again what he hais read before.

Mr. BARLOW: I am not going to read what I read before.

The DEPUTY CHAIRMAN: The hon. member cannot read that again.

Mr. BARLOW: I want to read the end of the clause which is quite different. The part I read was . . .

The DEPUTY CHAIRMAN: Will the hon. member resume his seat and discontinue his speech.

Mr. HUGHES: I must admit that this is a peculiar clause which the hon. the Minister has introduced. He has told us that there is no penal consequence. Then I can't understand why he has it in his Bill. If there is no penalty attached to an omission to comply with the provision of this clause, why is it in the Bill? The hon. member for Pietermaritzburg (District) (Capt. Henwood) has already pointed out how difficult it is going to be to get the Natives to comply with this clause, but I feel we are absolutely wasting time in discussing this clause, unless the hon. the Minister tells us why it is here. If he is eventually going to make this clause operative, I would like to know why he does not include lunatics and other persons under disabilities. This has to do with guardians of minors, but what about the others, such as lunatics and prisoners, who cannot act for themeslves. There is no provision in this Bill for the protection of such people. I think it is time that the hon. the Minister should get up and tell us why this clause appears in the Bill.

The MINISTER OF THE INTERIOR: The hon. member for Pietermaritzburg (District) (Capt. Henwood) started by saying that the effect of this clause would be to fill the gaols of this country. I think it must be obvious to him at this stage that there is no penalty attached, no sanction attached to the clause, so that his contention falls away. Now it is asked if there

is no sanction, why put it in, how are you going to get the people whom you want to give that information? My reply is very simple, that there is more than one way in which these people can be got and the way is under Section 14 if you read that with Clause 19 (2). If those two clauses are read together, then you will see that one arrives at this stage when you can, if a man is negligent and has not obtained his identity card, then at that stage by reason of the fact that he has not got on to the register he can be found guilty of an offence.

Capt. HENWOOD: Then there is a penalty clause.

The MINISTER OF THE INTERIOR: There is no penalty clause in Clause 9. That was deliberately excluded by the Select Committee, and now may I say, in answer to the hon. member for Cape Eastern (Mrs. Ballinger), the position as far as the Select Committee was concerned was that this clause was passed without any amendment at all, and it was left in this position, that it is a matter which could be dealt with by regulation or administratively. The only thing that we did in regard to Clause 9 was to take out the penalty provision in Clause 18 relating to Clause 9 and it was left in that position and therefore I don't think that there is any reason for the hon. member for Cape Eastern's amendment to make it "other than a Native", because the same effect can be had and I think that was the feeling of the Select Committee, by leaving it to the department itself to devise other means of obtaining this information.

Capt. HENWOOD: There is an indirect penalty clause.

The MINISTER OF THE INTERIOR: There is no penalty under this clause. The hon. member for Port Elizabeth (North) (Mr. Cull) asks: "How is a man to find out whether his name is on the register or not?" I have already pointed out that a list under Clause 8 is available to him and I have already pointed out that that list in terms of Clause 8 (2) is a list compiled from the local register.

Mr. DU TOIT: On a point of order, may the hon. the Minister refer to a clause we have already dealt with? When I did so, you ruled me out of order, Sir.

The MINISTER OF THE INTERIOR: I am putting the argument of the hon. member. I want to show him that he is entirely wrong in the view he has taken, because all the information that is in the list, is information which is obtained from the register and there are four points which are not in the list, which are on the register but not on the list, but those are points in respect of which it is unnecessary for the person concerned to have any information, because they are facts which are peculiar to his own knowledge, the date and place of his birth — that is in the local register but not in the list. Why should it appear in the list? The hon. member surely knows the date and place of his birth. Then his marital position, that is not on the list.

Capt. HENWOOD: It may be incorrect on the register.

The MINISTER OF THE INTERIOR: Well, he knows what it is. Then there is the date of his arrival in the Union, if he is not born in the Union, and a recent photograph of himself. So he knows all the facts that are relevant to him, he can get that from the list. He can say: Well, I would like, if it is necessary, if he wants to pursue the matter further, he can always apply to the central office to see what are the particulars in respect of his position. There is nothing to prevent him from doing that if he has reason to think that there is something wrong. And in any case if there is something wrong and it is not due to his negligence, he has not committed any offence, even if as a result of that he is not in the possession of an identity card, because Section 19 (2) only puts the onus on him if there has been negligence.

The other point was raised by the hon. member for Hospital (Mr. Barlow). Now it is quite correct that a person under the age of sixteen years, who has no guardian, cannot be compelled under Section 9 to register. That is quite true. But if he hasn't registered, no harm will happen to him, he has committed no offence and it is only when he comes under Section 14 — that is in regard to an identity card — that applies when he has attained the age of sixteen years, and when he has reached that age he no longer falls under Clause 9 because he has no longer a guardian and in his own right he then has to give that information or take the penalty if as a result of not having given that information, if he has attained the age of sixteen years, he is without an identity card. So the hon. member is quite right, that is the position, but it does not affect the position of that boy. It may be unfortunate that he is not on the register, but he is not going to be hauled before a court of law, and once he is sixteen years, he must give that information in his own right and even if he does not give that information there is no penalty under Clause 9, and then he can be got at under Clause 14 if he fails to be in possession of an identity card. That is the reason why I cannot accept the amendment of the hon. member for Cape Eastern, neither can I accept the amendment of the hon. member for Cape Western (Mr. Kahn) to increase the age of sixteen years to eighteen years. That matter was discussed in the Select

Committee, but it was the very strong opinion of the Department of Native Affairs that the age should be sixteen. That is the age at which most of them, particularly Natives, do start work. That is why the Select Committee agreed that that was the correct age. I regret that I cannot accept that amendment either.

Mr. BOWKER: I rise to support the amendment moved by the hon. member for Cape Eastern (Mrs. Ballinger) and I want again to appeal to the hon. the Minister to accept this amendment. The hon. the Minister as a lawyer will realise that if it is impossible to administer a law, it is better not to introduce it. The Minister in his reply to the debate admitted that this register would not be a complete one and that those without guardians would not be registered for a certain time and that Natives who cannot read would also create a difficulty in that regard. I do not want to read the evidence before the Select Committee, although I know that many members have not read the evidence, but the evidence before the Select Committee indicated, and the Minister has borne this out, that by regulation some other means may be found to enforce the keeping of a proper register and in this Select Committee they have suggested that regulations may be passed to force employers of labour to see that their employees are registered. Now we have quite a lot of misgiving in regard to the administration of this Act. The whole country is upset, not so much about the Act, but as a result of the misgivings that have arisen, misgivings that surround the Act. If employers are now placed under this threat that at any time the Minister may force them to see that their employees are on the register, then untold difficulties may arise.

The DEPUTY CHAIRMAN: The hon. member must confine himself to the clause.

Mr. BOWKER: Yes, Mr. Chairman, I am confining myself to the keeping of this register.

The DEPUTY CHAIRMAN: There is nothing about a register in this clause.

Mr. BOWKER: I am speaking now to the clause. I will refrain from reading the evidence that was given on this clause, because you may rule me out of order, but this clause lays down that a register has to be kept and that is all I am talking about, and how this register is to be kept.

The DEPUTY CHAIRMAN: That has already been decided; how the register will be kept.

Mr. BOWKER: We have had evidence to the effect that it is almost impossible for the Natives who cannot read to find out whether they are on the register or not, and before the Select Committee Dr. Eiselen said that there would be considerable difficulties, and he said that if the onus had to rest on the Natives, there would be two possibilities: Either the Native Commissioner or the employer would have to see to it. He said that the Native Commissioner had to deal with a great number of Natives and, on the other hand, there would be the employers, and Dr. Eiselen said that means could be sought by the introduction of regulations to enforce the registration of Natives. I ask the Minister to give the assurance to this House that employers of labour will not be called upon to carry out this duty, because it will militate against the employment of Natives. I, as an employer of Natives, if a Native cannot give the assurance and prove that he is on the register, would not take him into my service, because I would not want to have the trouble of ascertaining whether a Native is registered. It will be quite easy for the hon. the Minister to give us that assurance. But I go further. As the Minister says, this register will never be a complete one and why then does he not accept the amendment of the hon. member for Cape Eastern and eliminate Natives from this responsibility?

The MINISTER OF THE INTERIOR: Now you want to exclude the Natives.

Mr. BOWKER: Yes, eliminate them from this register. That is what I am asking and the amendment wants the Natives to be eliminated from the operation of Clause 9. Mr. Chairman, I would be quite in order to move the elimination of this clause altogether. I cannot see any necessity in this Bill for the retention of this clause, but I did not want to be as drastic as all that and as the hon. the Minister himself is convinced that this clause can never be applied to the Natives and that they can never comply with the provision, why not accept the amendment of the hon. member for Cape Eastern and not make it necessary for the Natives to comply with the requirements in Clause 9?

Midnight Sitting.

Col. JORDAN: I am speaking to the amendment moved by the hon. member for Cape Eastern (Mrs. Ballinger), and I want to put it a little more realistically. The question is whether a Native in any event can discharge the onus which this clause will cast upon him. Naturally, I want to avoid repetition of any argument already addressed to the Committee, but the question of illiteracy is a very important question.

The DEPUTY CHAIRMAN: That has been put to the Committee already.

Col. JORDAN: And that is why I am not developing it any further.

The DEPUTY CHAIRMAN: But the hon. member should not refer to it.

Col. JORDAN: It may be as well just to refresh the recollection of the Committee and not develop the argument any further.

The DEPUTY CHAIRMAN: I hope the hon. member will not repeat arguments.

Col. JORDAN: Mr. Chairman, I hope I will succeed in avoiding that. But it is necessary to indulge in sufficient repetition to ensure the refreshment of the recollection of the Committee, without going to the length of developing the argument any further. I do not propose to redevelop any argument. I wish to deal with another point, and I hope you will not feel that I am indulging in repetition again. I want to raise a point that has been raised before, but to which no answer has been given. The point has been raised under Clause 9, as to the position of lunatics and other persons under legal disabilities other than the disability of minority itself. Surely, some sort of provision, if the population registration is to be complete, must be made to cover the cases of those people. It has been put to the hon. the Minister by the hon. member for the Transkei (Mr. Hughes), but it has not been dealt with by him.

Now, I am coming to one other point, and that is the question as to whether the age of sixteen should be raised to eighteen. I want to examine the argument the hon. the Minister has just addressed to the Committee in relation to that matter. The Minister has argued this, and I hope the repetition of the argument for the purpose of answering it, will not be regarded as any improper repetition. The Minister has argued for the retention of the age of sixteen on this basis. He says sixteen is the age at which the ordinary Native goes out to work. Assuming for a moment that that is correct, and I am quite prepared to accept that it is correct, is that sufficient reason for placing all Europeans under the disability of having to comply with the provisions of this legislation upon attaining the age of sixteen years? In other words, because the Native goes out to work at the age of sixteen, should it be necessary for European girls of that age to register under this Bill and by virtue of that registration to carry these passes, because Natives go out to work at the age of sixteen years? It seems to me a wholly fallacious argument, an argument entirely divorced from the realities of the whole situation; so that I hope the hon. the Minister will find himself able to approach this matter a little differently, and, if he will allow me to say so, a little more reasonably. [Quorum.] I was on the point of concluding when attention was directed to the absence of a quorum, and I wish to conclude on this note, that the hon. the Minister, if he continues to deal with all the amendments moved from this side of the House, including those before the Committee at present, in the rather carping spirit he displays, it will not ease the reception of this measure by the general public of the country.

Mr. DU TOIT: Mr. Chairman . . .

The DEPUTY CHAIRMAN: The hon. member cannot speak to this clause.

Col. JORDAN: Why not?

The DEPUTY CHAIRMAN: The hon. member has been ordered to resume his seat.

Mr. KENTRIDGE: May I speak to this clause . . .

HON. MEMBERS: Order, order.

Mr. KENTRIDGE: I have not yet opened my mouth. I want to refer to the reply given by the hon. the Minister. The clause, as it stands here, is divided into two portions. The first portion deals with persons over the age of sixteen, and the second portion with those under the age of sixteen who require a guardian. The clause reads—

> If the name of any person whose name is by this Act required to be included in the register, does not appear on the register, that person or, if that person has not attained the age of sixteen years, his guardian, shall furnish the director in the prescribed form with such particulars in regard to himself or, as the case may be, his ward under the age of sixteen years, as may be necessary for the inclusion in the register of his or his ward's name.

The point I want to put to the Minister is this. In connection with the first portion which deals with those over the age of sixteen years, we were told by the Minister that no penalty was provided for, and then the Minister came along and admitted that in a subsequent clause there was a penalty, in case these persons failed to register. I may say that that was a quibble on his part worthy of a pettifogging attorney, and I am surprised that the Minister first of all comes along and tells the House no provision is made for penalties, and then has to admit that there are penalties in a subsequent clause, and that what was stated on this side of the House was quite correct, namely, that the gaols may be filled by people who do not comply with this clause, because there are penalties in a subsequent clause.

In regard to the second portion, the position of the Minister was even worse. He did not reply to the point about Natives under 16 years who have no guardian. It is fatuous for any Minister and for this House to pass legislation of such a foolish

nature. They must have guardians, and if they have no guardians, why deal with them in this way? It will make this Committee and this House look foolish. I want to move an amendment—

To omit all the words after "or" in line 57 to the end of the clause.

The DEPUTY CHAIRMAN: I want to point out to the hon. member for Cape Flats (Mr. du Toit) that he cannot speak to the clause, but if he confines himself to the amendment, he is allowed to speak to the amendment. To the hon. member for Troyeville (Mr. Kentridge) I wish to say that I cannot accept the amendment because it is in an incomplete form.

Mr. KENTRIDGE: It makes as much sense as the Minister's clause. It may make a lot of difference to the Minister's clause.

Capt. HENWOOD: When the Minister replied to this debate he made no reference at all to the point raised about the great number of Natives who may go to a local magistrate, or to the point where the list will be kept, to see whether they are on the register. I asked the Minister a very pertinent question in regard to our overworked magistracies . . .

The DEPUTY CHAIRMAN: The hon. member has said that already, and he should not repeat it.

Capt. HENWOOD: But the Minister did not reply, and surely I am entitled to point out that the Minister did not reply to my question. [Interruptions.]

The DEPUTY CHAIRMAN: I must ask hon. members not to make all these interjections.

Capt. HENWOOD: Surely, Mr. Chairman, I am entitled to ask the Minister to reply to a pertinent question which I put to him on a former occasion and to which he did not reply.

The MINISTER OF THE INTERIOR: I have replied.

Capt. HENWOOD: The Minister did not reply to my question in regard to the magistrates. He simply slid over the question.

Mr. GALE: I hope I shall not be found guilty of any tedious repetition, and I hope that if I should, I hope the Chairman will inform me with his usual courtesy. I would like to ask some information from the hon. the Minister. I want to help the Minister, as usual, because it is clear that the Minister is making fairly heavy weather, and I am sure he will appreciate my help. [Interruptions.]

The DEPUTY CHAIRMAN: I hope hon. members will assist me to maintain order in the Committee, or otherwise I shall have to take steps.

Mr. GALE: I appreciate your protection, Mr. Chairman. I would like to refer the hon. the Minister to the register mentioned in Clause 9. It is necessary to read the first three lines —

If the name of any person whose name is by this Act required to be included in the register, does not appear on the register . . .

Then certain things follow. What does the hon. Minister mean by the register? If we look for guidance to the definition clause, we see there that the register means the register which is referred to in Clause 2.

The DEPUTY CHAIRMAN: That argument has been used already; the hon. member must not repeat.

Mr. GALE: I am not submitting any argument, I am asking the hon. Minister for information. I am suggesting to the hon. the Minister that the word "register" in this clause requires some clarification. For instance, if the register which is referred to in this clause is the register which the director must maintain and compile by virtue of Clause 2, then it specifically means the register which is in Pretoria, in other words, the central register. Mr. Chairman, I am trying to be helpful to the hon. Minister, because, as I say, it is quite impossible for anybody to find out whether their name is on the central register in Pretoria. The local register is only a copy of the register and it only contains certain information from the main central register.

The MINISTER OF THE INTERIOR: Everything except the photograph.

Mr. GALE: But that is the local register, or what the Minister calls the local register, but, in fact, in terms of Clause 8 it is not a local register, it is a copy of the register, or in terms of Clause 8 (2), a list which is compiled from that register. So that if the hon. the Minister wants to be absolutely correct in his legal phraseology he must say in Clause 9 that if the person's name does not appear on the copy of the register, or the local register, or however he wants to put it. So I ask the hon. the Minister whether he realises that in this clause he is referring to the central register and he is casting a duty on people whose names do not appear on that central register to give information to the director.

I wonder if the hon. the Minister will be kind enough to give that matter his consideration and to clear it up for me.

Dr. VAN NIEROP: I move —

That the question be now put.

The Committee divided:

AYES—61.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, D. G.	Malan, A. I.
Conradie, J. H.	Malan, D. F.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56.

Abbott, C. B. M.	Hayward, G. N.
Allen, F. B.	Henwood, B. H.
Ballinger, V. M. L.	Hepple, A.
Barlow, A. G.	Higgerty, J. W.
Bekker, P. B.	Hopewell, A.
Bell, R. E.	Hughes, T. G.
Bloomberg, A.	Jonker, A. H.
Bowker, T. B.	Jordan, R. D. P.
Brooke, R. S.	Kahn, S.
Butters, W. R.	Kentridge, M.
Christie, J.	Lewis, J.
Cull, J. A.	Lovell, L.
Davidoff, H.	McMillan, N. D.
Davis, A.	Mushet, J. W.
Delport, G. S. P.	Oosthuizen, O. J.
Du Toit, R. J.	Oppenheimer, H. F.
Eaton, A. H. J.	Pocock, P. V.
Eaton, N. G.	Russell, J. H.
Friedman, B.	Shearer, V. L.
Frielinghaus, H. O.	Smit, D. L.
Gale, D. J.	Solomon, B.
Gay, L. C.	Steyn, S. J. M.
Gluckman, H.	Strauss, J. G. N.
Graaff, de Villiers	Stuart, W. H.
Sturrock, F. C.	Van der Byl, P. V. G.
Sullivan, J. R.	Waring, F. W.
Tighy, S. J.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Amendment proposed by Mrs. Ballinger in line 55 put and the Committee divided:

AYES—55.

Abbott, C. B. M.	Higgerty, J. W.
Allen, F. B.	Hopewell, A.
Ballinger, V. M. L.	Hughes, T. G.
Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Bloomberg, A.	Kentridge, M.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oppenheimer, H. F.
Davidoff, H.	Pocock, P. V.
Davis, A.	Russell, J. H.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steyn, S. J. M.
Friedman, B.	Strauss, J. G. N.
Frielinghaus, H. O.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Gluckman, H.	Tighy, S. J.
Graaff, de Villiers	Van der Byl, P. V. G.
Hayward, G. N.	Waring, F. W.
Henwood, B. H.	Waterson, S. F.
Hepple, A.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—61.

Abraham, J. H.	Grobler, D. C. S.
Botha, P. W.	Havenga, N. C.
Brink, W. D.	Hertzog, A.
Brits, G. P.	Hugo, P. J.
Conradie, D. G.	Jansen, E. G.
Conradie, J. H.	Klopper, H. J.
Deysel, A. J. B.	Labuschagne, J. S.
Döhne, J. L. B.	Liebenberg, J. L. V.
Dönges, T. E.	Loock, J. H.
Du Pisanie, J.	Loubser, J. A.
Du Plessis, P. J. C.	Loubser, S. M.
Du Plessis, W. C.	Louw, E. H.
Erasmus, F. C.	Luttig, H. G.
Erasmus, H. S.	Luttig, P. J. H.
Erlank, A. E.	Malan, A. I.
Eyssen, S. H.	Malan, D. F.
Faurie, W. H.	Maree, W. A.
Fouché, J. H.	Mentz, F. E.
Fouché, J. J.	Olivier, P. J.
Frates, T. J.	Papenfus, S. F.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Sauer, P. O.	Van den Berg, M. J.
Schoeman, B. J.	V. d. Heever, D. J. G.
Scholtz, D. J.	Van Heerden, D. P.
Stals, A. J.	Van Niekerk, J. G. W.
Steyn, A.	Van Rhyn, A. J. R.
Steyn, J. H.	Viljoen, J. H.
Strydom, G. H. F.	Visser, de V.
Strydom, J. G.	Warren, S. E.
Swart, C. R.	Wilkens, Jan
Uys, D. C. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

Question put —

That the word "sixteen" in lines 58 and 60 respectively, proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—61.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, D. G.	Malan, A. I.
Conradie, J. H.	Malan, D. F.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan.
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56.

Abbott, C. B. M.	Bloomberg, A.
Allen, F. B.	Bowker, T. B.
Ballinger, V. M. L.	Brooke, R. S.
Barlow, A. G.	Butters, W. R.
Bekker, P. B.	Christie, J.
Bell, R. E.	Cull, J. A.
Davidoff, H.	Kentridge, M.
Davis, A.	Lewis, J.
Delport, G. S. P.	Lovell, L.
Du Toit, R. J.	McMillan, N. D.
Eaton, A. H. J.	Mushet, J. W.
Eaton, N. G.	Oosthuizen, O. J.
Friedman, B.	Oppenheimer, H. F.
Frielinghaus, H. O.	Pocock, P. V.
Gale, D. J.	Russell, J. H.
Gay, L. C.	Shearer, V. L.
Gluckman, H.	Smit, D. L.
Graaff, de Villiers.	Solomon, B.
Hayward, G. N.	Steyn, S. J. M.
Henwood, B. H.	Strauss, J. G. N.
Hepple, A.	Stuart, W. H.
Higgerty, J. W.	Sturrock, F. C.
Hopewell, A.	Sullivan, J. R.
Hughes, T. G.	Tighy, S. J.
Jonker, A. H.	Van der Byl, P. V. G.
Jordan, R. D. P.	Waring, F. W.
Kahn, S.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Kahn dropped.

Clause, as printed, put and the Committee divided:

AYES—61.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, D. G.	Malan, A. I.
Conradie, J. H.	Malan, D. F.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

NOES—56.

Abbott, C. B. M.	Higgerty, J. W.
Allen, F. B.	Hopewell, A.
Ballinger, V. M. L.	Hughes, T. G.
Barlow, A. G.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kahn, S.
Bloomberg, A.	Kentridge, M.
Bowker, T. B.	Lewis, J.
Brooke, R. S.	Lovell, L.
Butters, W. R.	McMillan, N. D.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as printed, accordingly agreed to.

On Clause 10,

On the motion of Col. Jordan, the Chairman put the amendment proposed by the Select Committee in line 70.

Col. JORDAN: Mr. Chairman, I wish to move an amendment to this Clause and it is in the following terms—

> In line 70, after "director" to insert "verbally or".

It seems to me that this is such a simple issue that there is no need to leave the matter as one to be prescribed by regulation and where it is possible to prescribe it in perfectly clear terms in the statute itself, resort should not be had to delegation. The provision here in Clause 10 refers to persons other than Natives, and it provides this—

> That every person (other than a Native) whose name is included in the register and the guardian of any such person who has not attained the age of 16 years, shall, within . . .

And now comes the Select Committee's amendment—

> . . . fourteen days or, in a particular case, such longer period as the director may allow, after any permanent change in the ordinary place of residence of that person or of his ward under the age of sixteen years, as the case may be, notify the director . . .

And now comes my amendment—

> . . . verbally or in writing of that change of residence.

That will be the effect of my amendment. Now sub-section (1), which I seek to amend, deals with Europeans and, in the case of the Native, provision is made for the notification of the change of address in sub-section (2) of this clause. There, admittedly, one does have to allow a certain measure of elasticity. It would be difficult to prescribe in the Statute in the case of Natives any particular method for the notification of changes of address. That would be placing something in the nature of a handicap on the hon. the Minister's Department, and no amendment has been moved from this side of the House designed to impose any burden either upon the hon. the Minister or upon his Department. Why on earth in addition to having things prescribed by regulation in the case of changes of address for Natives, should one have to do it for Europeans, however much one admits the necessity of that course in the case of Natives? Why should they not be able to go to the office of the magistrate and there make a verbal notification of a change of address? How can you argue, as the hon. the Minister has done, that you must have administrative decentralisation by the establishment of copies of registers at magistrates' offices if they are going to serve no public purpose? Why, if you have the register there, should not the person whose name figures in the copy of the register maintained at a magistrate's office, be afforded the facility of notifying his change of address verbally at the magistrate's office? I do not want to enter into the administrative machinery, which will have to be created to give effect to the provisions of this clause, if the amendment that I propose is accepted, but it must be perfectly obvious that, if the director wishes to have changes of address furnished to his central office in stereotyped form, all that he has to do administratively is to design whatever change in the form of notification he may desire and for that notification to incorporate the information furnished verbally by the person who wishes to intimate a change of address. Now that is why my amendment seeks, on the one hand, to provide facilities for verbal notifications of changes of address. The other leg of my amendment, if I may so describe it, is the provision for notifications of changes of address to be made in writing. In that event, admittedly, it would not, perhaps, be in the

stereotyped form in which the director, who if he happens to be a little pernickety, as well he may be, however nice he is, wished it. But then a little more administrative work, having regard to the vast quantity of administrative hay that he is taking, willingly or unwillingly, upon his fork, will make no difference to the burden he carries, and he can then transcribe the information contained in the written notification on to the stereotyped form for transmission to his central register if he felt so inclined. It seems to me that this is a very simple procedure, which avoids all necessity for the design, the framing and the promulgation of regulations. It could have the additional advantage of proving infinitely more simple and infinitely more convenient to the public than going through the laborious process of prescribing by regulation what has to be done. The amendment appeals to me all the more because I feel that it does subscribe to the hon. the Minister's well-known dislike of delegated legislation. That, of course, is one of the objects which I had in mind in the design of this particular amendment and I move accordingly.

On the motion of Mr. Stuart, Mr. Chairman put the new sub-section (2) proposed by the Select Committee.

Mr. STUART: I have a rather fascinating sort of trouble to put before the hon. the Minister — not my trouble, but his. The position now with regard to the habitation enforced upon the African has become completely tangled. Let me draw the Minister's attention to page 9 of the Bill, sub-section (2) of Clause 10 as it is now proposed to be amended by the Select Committee. Before I read that sub-section, let me give him the context. That has already been passed. It is only in view of the background of what has already been passed that we can realise the quaintness, the curiosity, that exists in this proposed new sub-section (2). According to Clause 5 (2) (a), the Native has to enter himself in the district in which he is ordinarily resident. In other words, he has no address. He has no home address at all. He has a district. In the district he lives and in the district he moves and has his being. If he goes out of the district, it is the district he goes out of and he does not do anything unless he goes over the edge. It is like a series of American States. There is no ordinary place of residence laid down in the Bill and this is the priceless thing about it that according to the second part of Clause 7, the particulars there set out and no other particulars whatsoever are allowed to be entered anywhere. So we successfully arrive at Clause 10 without having the particulars of the permanent address entered anywhere except in the exceedingly vague way that he is in a district. Having got him in a district, we read for the first time that any permanent change in the ordinary place of residence of the Native shall be notified. But the position is that he has not got an ordinary place of residence according to the Bill. In fact he cannot have one because the ordinary place of residence, if any, has been excluded specifically because the amendment of the hon. member for East London (City) (Dr. Smit) was refused earlier this evening and only the particulars that were down in the earlier clauses and no other particulars whatsoever are allowed to be put in the register about any African at all. [Quorum.] Mr. Chairman, I was drawing the attention of the hon. the Minister to the fact that the entirely novel permanent change in the ordinary place of residence of the Native is entirely novel to the Bill. It arises for the first time. It is prohibited by the previous prohibition, so that it is floating in the air. How he will nip it in the bud, I do not know, under those delightful circumstances. Anyway, he has it that the ordinary place of residence, if he moves from one district to another, shall be notified. This shows the most lamentable knowledge of anything approaching Native affairs. The hon. the Minister should have gone into consultation with the hon. the Minister of Native Affairs before he allowed that part to be drafted. He thinks a district is something like District Six.

An HON. MEMBER: What is wrong with District Six?

Mr. STUART: I do not know. The hon. member wants to know what is wrong with District Six. I did not know that there was a member for District Six. Apparently there is. A district is not a town district. A district referred to in this section, means, so far as the Transkei is concerned — I take a small one, Idutywa — an affair with a township with 30 separate rural locations, the headman of each location having, with luck, a knowledge of the five or six thousand people in his location, but having no knowledge whatever of the other 29. As this Bill now stands a man can shimmy-shake all over the district. He can go to 30 different locations, 31 including the town, and he is under no obligation to notify any change of address at all, because he has only got to give notification of any change of address when he leaves the district. There is nothing in this Bill as it stands at present to prevent anybody chasing all over the Cape Peninsula as long as he is in the district of the Cape. He can move every second day if he likes and he can shift about to further orders and the whole of that could be avoided to a very considerable extent if the hon. the Minister had just done a little listening at an earlier stage. I gave him two suggestions and he sneered at them, I have a few more, but why should I put them up. Now he has got himself into the most superb tangle. If the

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object of the Bill is to control the African, you have not. Any African can do anything he likes so long as he does not step over the boundary which he has probably never been over in his life because he cannot afford to go over it. The African who gets down to Cape Town and who is registered in Cape Town can wander from Cape Town to Simon's Town and go all over the place. He is not bound by walls. These districts, if they mean anything, must mean the ordinary districts which controls an African. Under those circumstances I feel that I am really doing the Minister a profound kindness in helping him out of his difficulty. In those circumstances I propose the following amendment—

> In lines 5 and 6 to omit "place of residence of a Native from one district to another" and to substitute "district of residence of a Native thus registered".

That is what is referred to in Clause 5 and Clause 7. You cannot suddenly find a place of residence. This amendment gives you a hope of something coherent, of something formative, of something faintly resembling control. I do not know whether the hon. the Minister should accept it. On the other hand I do not know why he should be suspicious of me. He only has to read the clause to see in what a mess it is.

Mr. S. J. M. STEYN: We on this side of the House shall be compelled to vote against this clause, because this clause, more than anything else in the Bill, reveals the complete futility and uselessness of the measure before us. Here is an attempt to compel between five and six million people living in South Africa to notify the Director of Statistics and Census of every change of their permanent address.

Mr. MUSHET: Seven million or eight million.

Mr. S. J. M. STEYN: It may be more; but similar attempts have been made in the case of limited categories of South Africans. We have, for example — and I say this to prove how futile this particular clause is — the provisions under the Electoral Act that people also have to notify their change of address but it is a well-known fact that in spite of a heavy penalty this provision in the Electoral Act is not observed by the majority of people. It is interesting that since the provincial elections of March, 1949, the United Party has on the Witwatersrand alone, traced more than 30,000 voters who have not complied with a provision under the Electoral Act similar to this provision.

Mr. VAN DEN HEEVER: How many did you strike off the roll?

Mr. S. J. M. STEYN: In the constituency of Alberton alone we have in the last year discovered that more than 3,000 voters have changed their addresses permanently, and have not bothered to notify the electoral officer, and these changes of address are genuine. We have had the experience in the constituency of Parow where the United Party objected to 1,600 people who had moved away and who had not notified their change of address, that more than 1,500 of those were upheld by the electoral officer. However, I do not want to go into that but I think it is my duty to point out . . .

An HON. MEMBER: The people to whom you objected were all Europeans.

Dr. VAN NIEROP: Yes, they do not object to Coloureds.

Mr. S. J. M. STEYN: I think it is my duty to point out to the Minister that if he thinks he can keep this register up to date by merely putting the onus on Europeans and non-Europeans of this country to notify him of their change of address a fortnight after the change is effected, he is wasting his own time and he is wasting the time of his Department. The register will be hopelessly out of date after six months. Every political organisation in South Africa has to maintain a large staff in an attempt to enforce the Electoral Act. The Minister will not get the co-operation of political organisations to do the same in the case of non-Europeans who are not eligible to be registered on the roll, and those people are affected by this clause. Then I wish to point out that the very amendment suggested by the Select Committee in respect of sub-section 2 of this clause shows that the Minister and his Department appreciate the difficulties they will have to face in trying to implement this clause. Originally they wished to place the onus on the Native himself to notify changes of his address. Now they come with a suggestion by way of amendment to the original draft, which is so vague, so embarrassing and so meaningless, that I feel it should not have been included in any draft submitted to this House. The suggested amendment reads—

> Any permanent change in the ordinary place of residence of a Native from one district to another shall be notified to the director in the manner and by the person prescribed.

It is giving a blank cheque to the director to impose new impositions and to demand additional work from some unspecified unfortunate persons whose duty it will be to keep a check on the changes in the permanent addresses of millions of Natives in this country, and I should like the Minister to

tell us who these persons will be. He cannot expect us to accept a clause as meaningless as this one. Who will these persons be? Will it be the Native Commissioners, or will the Minister perhaps agree that the Native Commissioners have much more important matters to attend to, especially in the reserves than worrying about changes of address of the Native population of South Africa? In the case of urban Natives will it be the employers? Employers in South Africa have a legitimate complaint today that they are being drowned in a multitude of forms which they have to fill in to satisfy an insatiable bureaucracy. Is it now going to be their duty to do the work of the Director of Statistics and Census and to keep the register up to date in respect of their Native employees? [Quorum.] I was making the point that employers in South Africa are already overburdened by a large number of bureaucratic measures which entail the completion of forms. Many large employers of labour in South Africa have to maintain special staffs to satisfy the Department of Labour and the Department of Economic Affairs and the other Departments which evince such a strange curiosity in the private business of South African citizens. I was asking whether it is the Minister's intention to ask the employers to act as tracing agents for the Native population of S.A. The Minister cannot expect us blindly to give these powers to the Director, no matter how well meaning that gentleman may be. We should like to know exactly what the responsibilities will be that will be placed on the unspecified persons mentioned in this clause. We should like to know the extent to which they will have to do the donkey work for that Department and we should like to know what penalties will be imposed upon them by regulation if they fail to do what the Minister and his Department admit in this amendment that comes from the Select Committee, they themselves find quite impossible to do.

Mr. KAHN: I would like to move an amendment to Clause 10, sub-section 1—

In lines 65 and 69, respectively, to omit "sixteen" and to substitute "eighteen".

When we dealt earlier in the last clause with a similar proposal, the hon. the Minister explained to the House that it was on the advice of the Department of Native Affairs that 16 years was taken as the age at which African youths went out to work, and therefore it was desirable to have that as the starting age at which the duty to furnish information should devolve upon the youngster himself, but in Clause 10, sub-section 1, we are dealing with persons other than Natives, in other words, we are dealing with the European and Coloured sections of our population, and I do not think the Minister can similarly argue here that he had been advised by his Coloured Affairs Department or his European Affairs Department that 16 is the age at which European and Coloured youths generally proceed to seek employment. If that is correct, there is no justification for placing an obligation on a young girl of sixteen or a youth of 16 to advise the director of a permanent change in their residence. I think it is grossly unreasonable that these people who are virtually children of tender years should have to furnish information with regard to their changes of address to the director. Is it not correct to say that only in most abnormal circumstances is a child of 16 or 17 the head of a household? It may well be that they have achieved majority by marriage even where they are under the age of 21, but in respect of the vast bulk of children of 16 who change their address, they do so in company with the father or the mother or other head of the household who changes his or her place of residence, and the obligation is placed upon the head of that household in respect of himself to notify the director of any change of permanent residence, and it is right and fitting that such a person should at the same time notify and be obliged to notify the director of the change of address not only of the one aged 15 in the household, but also of the youngster aged 16 and 17, and I think that the hon. the Minister is not playing the game by the European youth of this country, because if I understand the position correctly from the Minister there is a penal provision in this draft Bill whereby, if the youngster of 17 does not notify his change of address, he is guilty of a criminal offence.

Mr. S. E. WARREN: He has to do that under the Defence Act.

Mr. KAHN: Certainly the girls do not have to do so under the Defence Act, if that argument is correct and, after all, girls are sometimes also worth worrying about.

Mr. S. E. WARREN: They have generally got more sense than boys when they reach that age.

Mr. KAHN: That is too soon. The position is that even if it is provided for under the Defence Act, why should we add to the list of people who may be convicted, quite unnecessarily, of a statutory crime of this kind? Anybody who is concerned with the European and Coloured youth of this country would assist in persuading the Minister that the age should be lifted to at least 18 years. What harm would there be in doing so? Why must sixteen be made the starting age and not eighteen?

An HON. MEMBER: Why sixteen?

Mr. KAHN: Well, at least you can say when you are eighteen that you are two years older than you were at sixteen. I am prepared to take bids if there is any advance on 18; I am prepared to knock it down or, shall I say, to knock it up and therefore let us not take the most tender age that is possible, namely, 16 years. Many of our children today are still at school at 16, and I think it is monstrous to expect a young child to know the technical provisions of a statute of this character, because the law assumes absolutely that everybody knows the contents of this particular Bill. Why should we ask these youngsters at school to have this obligation placed on them at the age of 17 to register themselves, and to make themselves guilty of a criminal offence if they do not do so? Are we going to make criminals of the youth of this country? Is that the Minister's intention? If it is his intention he certainly will succeed, because I maintain that 90 per cent. of children at the age of 17 will be happily ignorant of the provisions of this Bill and therefore they will stand in danger of being prosecuted, of coming into contact with the police, with the courts of law, of being subjected to fines when they are still at school and not in a position to pay those fines, at a time when they have no earnings whatsoever, and therefore I would like to ask the Minister to explain to this Committee why in contradistinction to the Africans who he maintains go out to work at the age of 16, he should impose this disability upon youngsters and require them to register at the age of 16? I move accordingly.

The MINISTER OF THE INTERIOR: The hon. member for Rondebosch (Col. Jordan) has moved an amendment to alter the amendment proposed by the Select Committee. He wants the words "prescribed manner" to be "verbally or in writing". I think it will be very difficult for the hon. member for Rondebosch and for hon. members on that side to consider it unfair if the conclusion is drawn, particularly from their attitude to this clause, that they are out to obstruct the passage of this Bill.

Mr. TIGHY: No, we are not obstructing it.

The MINISTER OF THE INTERIOR: I think they would find it very difficult to resist that logical inference, because the facts are that this particular amendment was suggested in the Select Committee by members on the other side, but it was never actually moved, and the amendment that was adopted by the Select Committee was adopted by the Select Committee without any division at all.

Mr. TIGHY: That does not preclude us from opposing it now.

The MINISTER OF THE INTERIOR: No, it does not, but it does seem extraordinarily funny that the hon. member who was a member of the Select Committee and who indicated his readiness to accept the amendment in this particular form in which it is before the Committee now, should now come and resuscitate an amendment which he did not even move in the Select Committee.

Mr. TIGHY: But he could reserve his right.

The MINISTER OF THE INTERIOR: I think it is very difficult to avoid the necessary inference which I have already suggested, and more point is lent to that inference when one bears in mind that there has been ample opportunity to put this amendment on the Order Paper, so I do not think one can take this amendment of the hon. member for Rondebosch very seriously.

In regard to the amendment moved by the hon. member for Cape Western (Mr. Kahn), I can only say that it has already been pointed out that in the case of males of 17 years and older, they are already required to notify changes of address under the Defence Act. We are not extending that to all children over 16, because 16 is the age at which they have to be in possession of an identity card. Let me say at once that if there is a case where there is a child of 17 years living with its family and the family changes its place of residence, the head of the family gives the director notice of the change of address, and he will indicate in the same notification that that applies to his wife and so many of the children as are still under his family roof.

An HON. MEMBER: And if he does not do it?

The MINISTER OF THE INTERIOR: There are many children of 17 who are earning their own livelihood, and they may not be living under the parental roof any more. Well, in those circumstances they should notify the director of the change of address. They are already earning their own livelihood and there is no reason why they should not be asked to notify the director of any change of address.

As far as Natives are concerned, the hon. member for Alberton (Mr. S. J. M. Steyn), who is not here at the moment, has asked how this is to be applied. I can only say that there are various ways in which it can be applied. But again the Select Committee was unanimously of the opinion that it would be unwise for this House to tie down the discretion of the Department, particularly the Department of Native Affairs, in this matter, and that the wisest course would be to allow the director, in conjunction with the Department of Native Affairs, to work out the best way of having it applied. It may be through the labour bureaux; they may be of some assistance; it may be through

the various Native Commissioners; they may help in certain areas. It may be, as is the case in Kenya, that the employer of labour will automatically, when any employee leaves his service, notify the central office. In any case the Select Committee felt unanimously, I think, that it would not be wise to tie the discretion of the director and the Department of Native Affairs to any particular method at this stage, and for that reason this proposal which is now before the Committee, was passed at the Select Committee without any division at all.

Col. JORDAN: I think that the hon. the Minister, if he will cast his mind back to what happened at the Select Committee, will probably be prepared to admit quite frankly that he has been a little less than fair. The position was this — I have mentioned it on another clause, and I must reiterate it — that the Select Committee had to report by a fixed date.

The MINISTER OF THE INTERIOR: They had two extra days still.

Col. JORDAN: It is perfectly correct that we completed the task within the allotted time.

The MINISTER OF THE INTERIOR: And for two days we did not sit.

Col. JORDAN: It may be that for two days we did not sit but what the hon. the Minister has completely overlooked is the reservation I made generally in relation to anything that was adopted in the Select Committee as not to be regarded as binding in any way upon the members of the Opposition who were members of that Select Committee.

Mr. A. STEYN: You could not think in two days.

Mr. TIGHY: He is not eating mealie meal.

Col. JORDAN: Even though it may be that for two days we could not think, I think it is still preferable that we should have suffered under that handicap for two days rather than for a lifetime, as in the case of the hon. member who has just interjected. I have said before that we members of the Select Committee, who came from this side of the House, felt that we were taking part in the deliberations of the Select Committee under considerable handicaps, and I never disguised my attitude in regard to the imposition of those handicaps from the commencement of the proceedings of the Select Committee to the end. I admit that the hon. the Minister, when we came to deal with Clause 10, was entitled to some credit. We reached Clause 10 on the eighth day of the Select Committee's sittings, and it was not a question of little drops of water wearing away the stone; it was a question of being deluged with large volumes of water which the hon. the Minister thought would dampen our ardour and which to some extent might have had that effect.

Mr. TIGHY: His ardour has been dampened tonight.

Col. JORDAN: I say that the fact that we did not push an amendment to Clause 10 does not mean that we were not free to bring forward any proposals in relation to the amendment of this Clause in Committee of the whole House, in this Committee, if we felt that we should make suggestions preferable, in our view, to those that were put forward by the Select Committee. I feel that the amendment that I have moved to sub-section 1 is an amendment which designs machinery which will operate at least as efficiently, and may be more efficient than that laid down in the proposed section, and personally I have a marked preference for creating obligations in the Statute itself rather than leaving those obligations to be created by statutory regulation. We do not know at the present time what safeguards the Committee will accept to ensure that regulations are properly supervised before promulgation. The hon. the Minister put certain proposals before the Select Committee on that aspect of the matter, and those proposals meant that there was something in the nature of negative control of any proposed regulations. Admittedly, at a later stage, an amendment will be moved designed to secure positive control by Parliament and, in that event, it may well be that it would not matter if these matters were prescribed by regulation, but such has been the fate of every amendment moved from this side of the House that one can no longer assume that any amendment which emanates from the Opposition benches during the course of this Committee is likely to receive any consideration at the hands of the Minister.

The MINISTER OF THE INTERIOR: I have already accepted two amendments.

Col. JORDAN: Yes, the Minister has done what he did in the debate on the Citizenship Bill. To enable him to say that he did accept amendments from the Opposition, he has accepted two very minor amendments indeed, minor at any rate in comparison with the amendments dealing with large questions of principle, as the majority of the substantive amendments put forward from this side of the House have been. It would not have mattered to me to have this question of a change of address notified in the prescribed manner had I felt certain of Parliamentary control of regulations to be promulgated under this Bill. But I have no confidence

now that when we come to the amendment it will receive any consideration whatever from the Minister. In those circumstances, unless my fear should prove to be unfounded, I have no option but to move an amendment which will ensure that Parliament itself will lay down how the notification of change of address in the case of a European should be made and that it is not left, therefore, a statutory regulation. Now one word in regard to this proposed change in age in the case of a European. There is an amendment before the Committee to raise that age from sixteen to eighteen. It seems to me that that is absolutely sound and in another clause, even though I may then have the temerity to move another amendment which was not moved in the Select Committee, because I feel completely free both morally and legally, I feel this on the subject of the raising of the age, that sixteen is too young an age, at which to subject persons to the rigours and the unpleasantness of bureaucratic control. So that this side of the House will support that amendment, too.

Mr. S. E. WARREN: I am surprised at the hon. member for Rondebosch (Col. Jordan) who is supposed to be a lawyer. One would expect an amount of reason from him. I have listened the whole day to this debate and there is no doubt that they are trying to obstruct the progress of this Bill.

Col. JORDAN: On a point of order, may I inquire what clause the hon. member is discussing?

The CHAIRMAN: The hon. member must confine himself to the clause.

Mr. S. E. WARREN: For a man who thinks he is enlightened, to stand up here and to say that in the Select Committee he did not vote against the clause, but that he said at a certain stage that he would not be bound by the report of the Select Committee . . .

Col. JORDAN: At the beginning.

Mr. S. E. WARREN: Just think, this hon. gentleman sitting on the Select Committee, when this Bill is sent to that Committee with the idea of getting wisdom from the members . . .

Mr. GALE: On a point of order, will the hon. member say what clause he is discussing.

Mr. S. E. WARREN: There you have an hon. member who is a member of the Select Committee and who says that even if he voted there for certain things, he is going to vote against them in the House. He shouldn't be here, but in Valkenberg.

Mr. C. M. WARREN: May I ask that that remark be withdrawn, on a point of order.

The DEPUTY CHAIRMAN: The hon. member should moderate his language.

Mr. C. M. WARREN: Mr. Chairman, I asked that the hon. member should withdraw his remark.

The DEPUTY CHAIRMAN: The hon. member should moderate his language and come back to the clause.

Mr. S. E. WARREN: The position is that there is this obstruction. There is no argument, just an attempt to delay the Bill. I don't think hon. people would take up such an attitude.

Col. JORDAN: On a point of order, is the hon. member entitled to say that other honourable people would not take up my attitude?

Mr. S. E. WARREN: I beg to move—

That the Question be now put.

Mr. POCOCK: On a point of order, is the hon. member in order to make a speech and at the end of the speech to move that the Question be now put? I like to be clear on that point.

The DEPUTY CHAIRMAN: Yes, it is in order.

The Committee divided:

AYES — 60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Schoeman, B. J.
Du Plessis, W. C.	Scholtz, D. J.
Erasums, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Erlank, A. E.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Swart, C. R.
Fouché J. J.	Uys, D. C. H.
Frates, T. J.	Van den Berg, M. J.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W
Hugo, P. J.	Van Nierop, P. J.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan.

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Tellers: P. J. Olivier and J. J. Serfontein.

NOES — 55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That the word "sixteen" in lines 65 and 69, respectively, proposed to be omitted stand part of the clause,

Upon which the Committee divided:

AYES — 60.

Abraham, J. H.	Jansen, E. G.
Botha, P. W.	Klopper, H. J.
Brink, W. D.	Labuschagne, J. S.
Brits, G. P.	Liebenberg, J. L. V.
Conradie, D. G.	Loock, J. H.
Conradie, J. H.	Loubser, J. A.
Deysel, A. J. B.	Loubser, S. M.
Döhne, J. L. B.	Louw, E. H.
Dönges, T. E.	Luttig, H. G.
Du Pisanie, J.	Luttig, P. J. H.
Du Plessis, P. J. C.	Malan, A. I.
Du Plessis, W. C.	Maree, W. A.
Erasmus, F. C.	Mentz, F. E.
Erasmus, H. S.	Olivier, P. J.
Erlank, A. E.	Papenfus, S. F.
Eyssen, S. H.	Sauer, P. O.
Faurie, W. H.	Schoeman, B. J.
Fouché, J. H.	Scholtz, D. J.
Fouché J. J.	Stals, A. J.
Frates, T. J.	Steyn, A.
Grobler, D. C. S.	Steyn, J. H.
Havenga, N. C.	Strydom, G. H. F.
Hertzog, A.	Strydom, J. G.
Hugo, P. J.	Swart, C. R.
Uys, D. C. H.	Van Rhyn, A. J. R.
Van den Berg, M. J.	Viljoen, J. H.
V. d. Heever, D. J. G.	Visser, de V.
Van Heerden, D. P.	Warren, S. E.
Van Niekerk, J. G. W.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Kahn dropped.

Amendment proposed by Col. Jordan in line 70 put and the Committee divided:

AYES — 55.

Abbott, C. B. M.	Gale, D. J.
Allen, F. B.	Gay, L. C.
Ballinger, V. M. L.	Gluckman, H.
Barlow, A. G.	Graaff, de Villiers.
Bekker, P. B.	Hayward, G. N.
Bell, R. E.	Henwood, B. H.
Bloomberg, A.	Hepple, A.
Bowker, T. B.	Higgerty, J. W.
Brooke, R. S.	Hopewell, A.
Butters, W. R.	Hughes, T. G.
Cull, J. A.	Jonker, A. H.
Davidoff, H.	Jordan, R. D. P.
Davis, A.	Kahn, S.
Delport, G. S. P.	Kentridge, M.
Du Toit, R. J.	Lewis, J.
Eaton, A. H. J.	Lovell, L.
Eaton, N. G.	McMillan, N. D.
Friedman, B.	Mushet, J. W.
Frielinghaus, H. O.	Oosthuizen, O. J.

Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES — 59.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché J. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

Amendment proposed by the Select Committee in line 70 put and agreed to.

Question put: That the words "place of residence of a Native from one district to another" proposed to be omitted in lines 5 and 6 stand part of the new sub-section (2) proposed by the Select Committee.

Upon which the Committee divided:

AYES — 60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 54.

Abbott, C. B. M.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de Villiers.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Stuart dropped.

New sub-section (2) proposed by the Select Committee put and agreed to.

Clause, as amended, put and the Committee divided:

AYES — 60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Mentz, F. E.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as amended, accordingly agreed to.

On Clause 11,

*Mr. P. B. BEKKER: I wish to move all the amendments standing in my name on page 549 of the Order Paper. They read as follows:

> To omit all the words after "five" in line 9 down to and including "section" in line 11; to omit all the words after "made" in line 15 to the end of sub-section (2); to omit all the words after "Africa" in line 25 to the end of sub-section (3); to omit sub-section (4); in line 41, to omit "every" and to substitute "the"; in lines 42 and 43, to omit "and every person in regard to whose classification the objection has been made"; to omit sub-section (6); in lines 58 and 59, to omit "all persons including"; after "Director" in line 59, to insert "and objector"; in the same line to omit "person" and to substitute "objector"; in line 61, to omit "own"; in line 65, to omit "person" and to substitute "objector"; and to omit the proviso to sub-section (9), page 11.

I should like to draw your attention to the fact that in this series of amendments there is one which forms the basis of all the others. This important amendment reads: "To omit all the words after 'five' in line 9 down to and including 'section' in line 11." If this amendment is agreed to, Clause 11 will read as follows—

> (1) Any person who considers himself aggrieved by his classification by the director in terms of Section 5 may at any time object in writing to the director against that classification.

In other words, the words which are deleted are the following—

> And any person who has any objection to the classification of any other person in terms of the said section.

The object of the clause, therefore, is to cut out the third party, if one may call him that. This side of the House feels that the whole question is something between the State and the individual concerned, and that the third party, the public as a whole, who may appear in the role of complainant, should be eliminated. It is remarkable that this Clause 11 happens to be the longest clause in the Bill. From that one can deduce that what we have before us is a ticklish problem which really amounts to this: Whether we are dealing here with a population register or with a concealed motive, which is very carefully defined. I mention this because, at this stage, one likes, as far as possible, to save some of the time of the House. I know we cannot discuss questions of principle now, and I do not intend to hold up the Committee with second-reading

argument in any way; but I do want to say this, that I would be quite willing to withdraw my amendments if the Minister would frankly admit that in this Bill and particularly in Clause 11, we are concerned not so much with a population register as with the fact that the Minister wants to separate the Coloureds and the Europeans from each other with the object of eventually disfranchising the Coloured people, in the way the hon. the Leader of the Opposition has explained. If that is the object then I shall sit down at once.

*The MINISTER OF THE INTERIOR: How can that be the object?

*Mr. P. B. BEKKER: If that is not the object then I want to ask the Minister to consider my amendments very seriously. I have mentioned a concealed motive. If hon. members will look at this Clause 11, they will find that, in the first paragraph, there is a reference to the appeal against the classification of a person under the provisions of Clause 5, which was discussed earlier on, and then we come to the further steps which have to be taken. It is laid down that every objection must be lodged in duplicate. In paragraph 3 it is provided that three members of the board must be present; in paragraph 4 there is provision that £10 must be deposited by the third-party complainant and that this deposit, in certain circumstances, will be confiscated. In paragraph 5 there is a provision for representation by an advocate, etc., but everything will have to be dealt with behind closed doors. In paragraph 6 it is provided that the whole matter may end in a fine in so far that any reasonable costs must be paid if the objector is considered to have lodged a frivolous objection. In paragraph 7 we come to the appeal, etc., etc.

This to all intents and purposes appears to be inviting third parties to come and give evidence whether an individual is actually White, yea or nay. I am prepared to admit at once that there is an attempt here to set up responsible machinery to guard against anything frivolous being done. But in spite of that it is perfectly clear that the door is left wide open for the third party to interfere. We would like to be told by the Minister on what the argument is based that a third party must be allowed to complain and to interfere in a matter which, to my mind, lies between the State and the individual concerned. If the object is to put the Coloured vote on one side and to abolish it, when I can understand it. I know, however, that I won't be allowed to discuss that aspect at this stage. But if that is the express purpose then we know where we stand.

But let us go a little further. I have said that there is an attempt made in this clause to set up machinery to scare off frivolous complainants. But if we take our conditions into account, our history and the multiracial composition of the population, then I believe that the door is opened wide here for the pen of venom and for the individual who wants to spread the poison germ of suspicion. Let me ask the Minister this — and I hope he will answer — does he really believe that the £10 which a complainant may lose is going to scare off the man with a grievance? Does he really believe that a man with a grievance will be scared off if he knows that his £10 may be confiscated, plus reasonable costs if his complaint is considered frivolous?

*Mr. LUDICK: Of course, because that is why he has made the complaint.

*Mr. P. B. BEKKER: Does he really believe that a man with a grudge is going to be put off by that? We want to go further and we want to draw the Minister's attention to the definition of "white person". It says here that a white person means a person who, in appearance, obviously is, or who by general acceptance and repute, is a white person, etc. Now let me ask this question in regard to a person who, by general acceptance, is a white person. Surely it must be obvious that it is quite easy for a third person to lodge a complaint or an objection. Where is the line going to be drawn in the light of this definition? We feel that if we are really dealing with a national register and the object why a national register is set up, this should be an administrative question and procedure will have to be laid down in the law as something between the State and the person concerned; and we feel that it should be administratively possible to provide that if a neighbour has complaints against an individual, the person handling and filling up the census forms should be given the necessary authority to go fully into all the facts whether an individual is a white person, according to the definition, yes or no. But it appears really unsound to me as it stands here and it appears to us that this clause contains the essence of this Bill and that this also is the essential difference between two sides of the House. If I am right—I may be wrong . . .

*Mr. LUDICK: I think you must be wrong.

*Mr. P. B. BEKKER: Listen first. Do not interrupt and then go out to come back again when the discussion is over. This is the time when the cocks crow in the Transvaal, and the hon. member knows that they crow very early there. I want to say, therefore, that if my contention is correct, this practically appears to amount to an invitation to the public: "Come and tell us what you know; come and confirm whether in your opinion if an individual is Coloured or white." I say again that it is most important that this clause should be carefully discussed, and that the Minister should

tell us clearly what he has in mind with this involved and rather responsible machinery, but machinery which amounts to a third person being allowed to come in and give information. [Time limit.]

Col. OOSTHUIZEN: I rise to move the amendment standing in my name on page 501 of the Order Paper. The amendment is as follows—

In line 49, to omit "it is satisfied that" and in line 51 to omit "frivolous" and to substitute "dismissed".

I hope, although this is rather an awkward hour to discuss a somewhat intricate measure, the hon. the Minister will listen to the argument I am going to put to him. Under Section 5, referred to in this particular section, the director can remove the name of a person from one classification to another, but that persan has the right of appeal to a board under section 11; and under section 11 the objection by a third person, which the director has upheld, can be appealed against by the person concerned. This appeal goes to the board. We must take it that the director will be a responsible official, and even though the director has the power of delegating his authority, I take it we have the assurance of the Minister that the delegation itself will also be to a responsible official. We are, therefore, faced with this position. Under section 11, as it now stands, when the appeal is taken to this board, the board can only grant costs against the third party who has lodged the objection, if the board finds that the objection has been frivolous. I cannot conceive of a single case in which the board can ever hold that the objection is frivolous, because the objection in the one case is against the decision to remove a name from one classification to another, under section 5, and this is done by a responsible official who will no doubt act on information which is reliable; and under section 11 if the director upholds the objection made by a third person against anybody, then again it will be impossible for any appeal board to hold that the objection was frivolous without passing what would virtually amount to a vote of censure on the director or the person to whom he had delegated his authority, because the director in each case would have made the decision on some reliable evidence. And therefore when it comes before the appeal board the responsible officer has already made a decision in this matter and if the appeal board were to hold that the objection is frivolous it would be equivalent to saying that the officer who made this decision is not a responsible officer. Now I do say to the hon. the Minister that he should leave the matter to the discretion of the board of awarding costs if they feel it necessary. It is a discretion that they should have and I want to point out that the majority of people against whom objectoin will be made will be people of the poorer classes and moreover they will be people who hold political views represented by both sides in this House. They will not be people who hold political views of the one side or the other and to prevent objectors from raising objections in regard to classifications on grounds that are not sound I would say that the objectors should be faced with this possibility of having costs granted against them if the appeal board feels that that should be done. I think that is only a fair proposition because a poor man might want to appeal against a decision given by the director and he might be put to expense. He will invariably be put to some form of expense in the legal line or otherwise and he will have no opportunity of recovering any of the expenses which he has been put to. I think that it is a very unfair proposition because under the Clause as it stands now it will be quite impossible for the board to hold that any objection is frivolous and that is literally passing a vote of censure on the director. I think, therefore, that if the hon. the Minister will consider the matter carefully he will see that it would be only just and fair to allow costs to follow the result if the objection is dismissed. He should leave that discretion to the board and I do make an appeal to the hon. the Minister in this regard. This is not a matter which need enter into the consideration of either party, because the supporters of both parties of the poorer classes will be faced with this position. I say that as the clause stands at the moment, never in any case would it be possible for the board to grant costs agains an unsuccessful objector.

Mr. DAVIS: Mr. Chairman, before moving the amendment which stands in my name on page 492 of the Votes and Proceedings I should like to say that with the consent of the hon. member for Hospital (Mr. Barlow), I wish to take over his amendment and move it—

In line 25, to omit "or a magistrate".

The position is that where the director receives an objection to his classification he can send the objection to a board of three members, presided over by a judge, a retired judge or a magistrate, for decision. And then there is an appeal from that decision again by the person affected to the Supreme Court. Now the first point I want to make is that it is curious that this board should be constituted either of a judge or retired judge or a magistrate as president. It seems to me that the Minister ought to choose. He ought to say either that the chairman of the board should in all cases either be a magistrate, a judge or a retired judge, other-

wise this anomolous position arises. A man, for example, in Cape Town who objects to the classification of the director may have his appeal sent to a board presided over by a judge, but a person living in Worcester, for example, his objections may be sent to a board presided over by a magistrate. In both cases the issue is very serious and equally onerous. It seems to me therefore that a difference of that nature ought not to exist. Now in the ordinary course I do not mind whether the magistrate is the officer appointed by the hon. the Minister. I know, as a matter of fact, that the hon. the Minister is probably looking up a similar type of board in the case of the water courts. In know that in the case of the water courts the president of the water court is either a magistrate or a judge or an advocate of not less than ten years' standing, but in this case the issue is a very much greater one than in the case of a water court, because the issue fixes permanently the status of the individual in the community concerned. Therefore, as it is a question of status which permanently affects the position of the individual and his children and his grandchildren, it seems to me that the correct person who ought to preside over a board of that nature is a judge of the Supreme Court or a retired judge of the Supreme Court and not a magistrate. I therefore ask the hon. the Minister to decide in view of the very serious character of the decisions which the board has to make that it should always be presided over by a judge or a retired judge. But it may be that for administrative reasons it is not possible to get a judge or a retired judge always and under those circumstances he may find that it is essential from an administrative point of view that he should have a magistrate. In that case I say let him have a magistrate for all cases so that a person who happens to be living in a big centre should not have his case decided by a person of greater experience and greater legal knowledge than the person who happens to be residing in a small centre. That is the reason why I suggest the deletion of the words "or a magistrate". It is because of the permanent character of a decision of this board and the fact that those decisions affect the status of the person and his children and his family to the ultimate generation. That is why I say that it should always be presided over by a judge.

Mr. HAYWARD: Mr. Chairman, one of the main objects of this clause is to make provision for objections and the right of the individual to lodge his objections. Fortunately there are no privileged objections and for that reason I wish to move—

In line 31 to omit "ten" and to substitute "twenty-five".

The CHAIRMAN: This amendment proposes to increase an amount to be deposited by the objector with the Director of Census and, as it may be forfeited to the State, I regret that I am unable to put it without a recommendation from the Governor-General.

Mr. HAYWARD: Then we have no alternative but to vote against this whole clause.

Col. OOSTHUIZEN: Mr. Chairman, I just want to follow up my appeal to the hon. the Minister in connection with the amendment I have moved and I want to say this, that at least in so far as any objection by a third party is concerned, he should accept my amendment so that objections will not be lightly lodged if there is a risk of costs following the result at the discretion of the board. Even if he does not want to amend the clause so that costs might follow against the director for removing the name of a person from one classification to another, I would be quite prepared to accept an amendment to the effect at least that if the director made a mistake that the costs would not be ordered against him. I do say, however, that where there is objection by a third party the question of awarding costs, if that objection is dismissed by the appeal board, should be left to the discretion of that appeal board and it should not be possible only to grant costs if the objection is frivolous. As I pointed out, objection will come from the decision of a responsible director and I cannot conceive that any appeal board will hold that that officer had acted irresponsibly by upholding a frivolous objection in the first instance. With regard to the amendment moved by my hon. friend the member for Pretoria (City) (Mr. Davis) I myself think that the hon. the Minister would be well advised to accept that amendment and to amend this clause of the Bill so that a judge should preside over this board. I will give the hon. the Minister my reasons for saying that. The decisions that may have to be made under this particular clause in connection with the classification will be a very delicate matter and may place the magistrate of the district, if he has to decide that particular question affecting a person resident in his district, in a very difficult position, if that decision is not popular in so far as that person and his relations and friends are concerned. I do not think that that onus should be placed upon the magistrate and, as serious consequences may follow from the decision given by the board, I think that this is a case where the board should be presided over by a judge. In the circumstances I support the amendment moved by the hon. member for Pretoria (City).

Mrs. BERTHA SOLOMON: Mr. Chairman, I would also like to support the amend-

ment moved by the hon. member for Pretoria (City) (Mr. Davis). As the hon. the Minister is aware, it is the custom of our courts, indeed the tradition of our courts, that all questions affecting the status of persons should be tried not by a magistrate but by the Supreme Court. In the circumstances, it seems to me to be particularly unfortunate in a Bill such as this which is new for South Africa and which may definitely affect the status of a person not only in his own lifetime but, as the hon. member for Pretoria (City) has said, it will inevitably affect also his descendants for generations, that that decision should possibly be subject to a magistrate. It does seem to me to be a pity to insert this provision at this stage and I would urge the hon. the Minister to accept the amendment moved by the hon. member for Pretoria (City)

Dr. JONKER: Mr. Chairman, I should like to draw the Minister's attention to what appears to me a clear contradiction of certain other provisions in this Bill. I am thinking of sub-section (5) for instance, where the provision occurs that such hearing is to be held in camera before a board. I would like the Minister to explain why it must be in camera. Why, if a man feels that he is treated unjustly, must the hearing be in camera?

*Mr. LIEBENBERG: Why advertise him?

*Dr. JONKER: Why advertise him? But in the next sub-section, sub-section (7) the man is given the right to appeal to the High Court. Yet in the High Court there is no question of a hearing in camera. Why must it in the one case be in camera and in the other case in public? If it is a question of not advertising it, then a further provision ought to be inserted to the effect that before the High Court, too, the case must be heard in camera. I feel, though, that the hon. the Minister will give us the same reply as before, that libels may be broadcast and all the rest of it. I also want to draw the Minister's attention to the fact that under previous clauses he has already placed he director in such a position that he may definitely be responsible for the spreading of libels. We are actually creating this position that where a man feels aggrieved on account of his classification — and his classification may possibly be wrong — the director has the right to change it if he has proof of its being wrong. But it is always possible for mistakes in the classification to occur; a European may be possibly classified as a Coloured man, and this according to our courts is a libellous insinuation.

*An HON. MEMBER: If it is done bona fide?

*Dr. JONKER: Bona fide has nothing to do with it; if you libel a man you libel him.

*The MINISTER OF THE INTERIOR: What about privilege?

*Dr. JONKER: I shall come to the question of privilege. Take the case of a man who has been wrongly classified as a Coloured man. The Minister has not made provision for preventing the director from spreading such libel. Let me tell him why. The director in terms of Clause 8 sends copies of the register with its mistakes to all the magistrates in all the different parts of the country. That register which is thus sent to all the magistrates can be inspected by anyone. Anyone has the right to see it. Here the director has made a wrong classification, a mistaken classification, by which in terms of our law an individual is libelled, and any member of the public can go and look at it. The Minister now claims privilege. Mr. Chairman, why is the director to enjoy a privilege which I and other citizens of this country do not enjoy? What right has the director to libel a man if others have not got similar rights? Why has the Minister inserted this in the Bill? Under this clause we may have a man feeling that he has been wronged, that because of a wrong classification by the director he has been libelled and slandered in that part of the country where he comes from. Now he has to appeal to the board. His name has been dragged through the mud in public but when he appeals to the board his appeal has to be held in camera. Why? The Minister has given the director the right publicly to libel the man and he now wants the further proceedings to be heard in camera if the man tries to get matters put right. Why? Because he wants to protect the director. He does not want to protect the public. He wants to protect he director because, at the hearing, the man who has been libelled by the director's wrong classification will have an opportunity of showing the world that he has been libelled and slandered by the director's wrong classification. I do feel, Mr. Chairman, that the Minister, either in this or the next clause which is still to come before us, should make proper provision so that no privilege will be extended to the director who has made a wrong classification. And secondly, where a person has actually been libelled by such a wrong classification, he should be entitled to have his name cleared publicly and to have the mistake rectified. A further point is that this whole thing is of no use, and has no value, because if the man appeals from the board to a court of law the hearing in court is a public one. There are three anomalies here which the hon. the Minister should rectify. I do not know whether he is prepared to revert to Clause 8. He will possibly have to do so before we have finished with his Bill, because it does appear to me that this is a matter which he will have to put right. I want to bring these

three anomalies pertinently to his notice, and I want to ask him whether he cannot improve this Bill a little; otherwise I want him to explain how he can give the director a right which no official should have after he has brought the name and the honour of a citizen of this country publicly into disrepute.

*The MINISTER OF THE INTERIOR: The hon. member for Johannesburg (North) (Mr. P. B. Bekker) quite rightly said that the essence of his amendments is the elimination of the third party objector. I think that is putting his case very fairly. His amendments only concern the elimination of the third party objector. Let us pause there for a moment. Has a third party any right, any claim, to lodge an objection? The reply to that question is very definitely "Yes". He is affected in many ways by the classification of his neighbour. There may be a servitude on his land or on the land adjoining his, so that no person who is not white can own it or live on it. And now somebody comes there and occupies that land and his neighbour has certain doubts whether the man is white or not. Is he to have no right to ascertain what the position is? And if that person should pretend to be something he is not, and the man has proof, must he not be given the right then to lodge an objection against that man's classification, and must he not have the right to drive such an undesirable neighbour off that land? That is only one instance. Further, in legislation on the subject of separate residential areas, there may be a clause of a similar kind; there may be a general clause, instead of a servitude in the Deed of Transfer for a specific case. Under this Bill, that position will apply generally. Say a man comes to live in a particular area, a man who has no right to be there, and his neighbours know that he has been wrongly classified; does the hon. member contend that the other people, living in that area, are not interested in the rectification of his classification? The third party, therefore, is very definitely interested and must have a right to show, if his facts are correct, that that man has been wrongly classified, because that man's classification now affects his rights. I could go further still. In the voters' rolls today, any third party is at liberty to object to a person appearing on the voters' roll as White.

Mr. P. B. BEKKER: Can you compare the two?

*The MINISTER OF THE INTERIOR: Of course you can compare the two. Both affect his status. In both cases the man is sailing under false colours, and other people are interested. In the voters' roll we recognise that interest of the third party objector. We practically tell him that he can assist the State by watching that the franchise laws are properly carried out. The law provides for certain people to have the franchise; now someone comes along who has not got the franchise and he pretends that he has it, he misleads the officials and he is allowed to get his name placed on a voters' roll where it should not be. There are other voters, too, people who have a sense of their obligations — one has people like that — and the law says that we must give those people the right to lodge their objections. We have gone further here. In this Bill it is laid down that the objector shall pay a deposit of £10. But under the Electoral Act you can lodge your objections against a classification on the ground of the race or colour of any voter without first paying a deposit. The hon. member pertinently asked me whether I thought that this provision would have the effect of stopping a man with a grudge from lodging an objection? My reply is that we have had experience of the Electoral Act. Has there been any abuse of the right to lodge objections on the score of colour? No, that kind of thing has not occurred. What has been abused is this — that objections have been lodged on the ground of changes of address. But in this Bill certain precautionary provisions are inserted. Here, before you can make use of your right to lodge an objection, and before the objection can go to the board, you have to deposit £10. There is no such provision in regard to the voters' roll.

The hon. member admits that this right of the third party objector, is the essence of the difference between the two parties. It is the essence of the difference between the parties on this Bill. One can judge from that how important this difference is. This Bill does not introduce any fresh discrimination on the score of race, but it creates the machinery, wherever possible, to have the existing discrimination in our legislation, in our Statutes, in our social practices and in our traditions, maintained. It is provided in our laws that no Coloured person can attend a European school. How is that carried out? What are the parents of White children to do if the child of a person whom they know to be non-European attends that school? If that person, whom they know not to be white, is nontheless classified as white, must they not be entitled to raise objections? For that reason I say that because we have such laws (even without any of the provisions of this Bill), it is necessary, definitely necessary, for these rights to be given in order to give effect to the provisions of our law. It would be different (and for that reason it is so interesting to hear that this is the essential difference) if the position were as the hon. member for Bloemfontein (City) (Dr. Colin Steyn) said the other day, namely, that what he found wrong with this Bill was that it was now trying to enshrine racial discrimination. In other words, the existing racial discrimination must not be perpetuated. That can only mean that it

must be removed, it must be eliminated. When people argue like that, I can understand that they do not want any provision made for a third party objector. But as regards those who feel that the racial discrimination which exists today must continue, who feel that we cannot eliminate it, and that we cannot have racial equality today, and who in spite of all this, say that we must cut out this third party objector — their position and their logic I completely fail to understand.

I now want to reply to the hon. member for Port Elizabeth (Central) (Col. Oosthuizen). I may say that I would very much have liked to have accepted his amendment, but his argument is totally wrong. If a case is brought to the board under Clause 11, then the parties before the board are not the director on the one side and on the other side the person whose classification is in doubt. No, it is the objector on the one side and the person whose classification is doubted on the other side, and at that stage there is no judicial finding yet. There may be a classification, an administrative finding, based on certain data, a finding which the director must have made, but there is no question of the director being insulted or being slapped in the face if the court finds that the objection raised by a third party is frivolous. It has nothing to do with the director. He may never even have dealt with that objection. Under Clause 11 it is his duty, if an objection comes to him and the £10 is deposited, to send the objection to the board at once. He does not associate himself with it either one way or the other, and it cannot therefore be an insult to him or a slap in his face if the board finds that the objection lodged by the third party is frivolous. The director has not associated himself with it. But the hon. member also knows that, in the past, when an ordinary criminal appeal to the court of appeal did not exist one had to prove before any appeal could succeed, that the finding of the lower court was of such a character that no reasonable person could have given it. He knows, of course, that the appeal court has often granted an appeal on the score that the lower court's finding was such that no reasonable person could have given it. That was not regarded as an insult of the lower court, nor did the lower court look upon it in that light. Therefore, however much I would have liked to have accepted the hon. member's amendment, it is not reasonable. As far as possible I have accepted every reasonable amendment, but I cannot accept this amendment as it is not reasonable and I think if hon. members consider the point a little further they will agree that it is not reasonable. The position today is, in terms of sub-clause 4, that if a third party objector's objection is turned down, he loses his deposit. That is his punishment. If it is further found that his objection is frivolous, he can also be mulcted in costs. I think that that is a reasonable provision. If the objection is not frivolous, the objector is rendering a public service; he is on the look-out to see that the law is carried out. The law says that the white man must be in this place, the Native must be there, and the Coloured man there. If he acts bona fide, why should he be punished? It is bad enough if we say in order to scare him off: "If your objection is not upheld you will lose your deposit." For these reasons I cannot accept the hon. member's amendment.

Then I come to the hon. member for Pretoria (City) (Mr. Davis). He wants to delete the words "or magistrate". Let me say at once that the one reason why I cannot accept it is the possible administrative difficulty in which I will land the Department if I were to accept it. The number of judges is limited and even the number of ex-judges is limited.

Col. JORDAN: Cut them out, then.

The MINISTER OF THE INTERIOR: Firstly, then, there are the administrative difficulties, but the argument which the hon. member has addressed to me, supported by other speakers, has been based on the assumption that the finding of this board is a final one; but it is not. There lies an appeal from this board even if it is presided over by a magistrate. There lies an appeal to a judge, so a judge can be brought into the picture if you are aggrieved by the decision of the board.

An HON. MEMBER: That costs money.

The MINISTER OF THE INTERIOR: Of course, it costs money, but so does any application in regard to your voters' roll. You have the same thing there. But what reason is there to think that your magistrate will not see to it that there is a fair hearing and a fair deal to the person concerned?

Mr. DAVIS: My point was this: Why have a magistrate in one town and a judge in another? Why not have all judges or all magistrates?

The MINISTER OF THE INTERIOR: The hon. member himself has given an example where you have the choice between a magistrate or a judge. I would personally prefer a judge if he is available, but I cannot say that I will take a judge in every case, if my colleague, the Minister of Justice, tells me that he cannot make a judge available. I have to deal with the practical side, too, and therefore I have to leave myself the latitude that I am doing in this Bill.

*I now come to the hon. member for Gardens (Dr. Jonker). His argument here seems a strange one if one reads it together with the argument which he used here the other day in regard to the "venom pen". On that occasion he was concerned that everything should be kept quiet, except that the man himself should be given a photostatic copy of the letter. The man himself must be supplied with a photostatic copy, but beyond that it should be kept quiet because it was a dangerous thing. But what does he want now? If a man writes a malicious letter but signs his name to it, then the proceedings must be held in public. Why does he not propose then that these words should be deleted? If that is his starting point, he should move the deletion of these words—

> Provided further that all sittings of a board shall be held in camera.

Those words were inserted by the Select Committee for the very purpose of protecting a person against whom an invalid objection was made. If the objection was so invalid, it would probably be thrown out at once by the board. It would not even have to go to court. If it is so invalid and so unreasonable there will be no need for it to go to court. It is only if the board finds that an objection is valid that the classification will have to be changed. It is only at that stage that there will be any publicity. If the objector really has no case, he will not get even over the first hurdle; he will not get past the board, and for that reason we protect the man who is affected. But if the hon. member does not want to protect him, let him then propose the deletion of these words.

*Dr. JONKER: I talked about a person who, under Section 1, objected to his own classification by the director.

*The MINISTER OF THE INTERIOR: Well, even more so. The man who himself feels aggrieved, and wants his case to be heard, why should he, if he succeeds in getting the classification changed, have all this publicity about being wrongly classified in the first instance.

*Dr. JONKER: In the public interest.

*The MINISTER OF THE INTERIOR: Very well, but now you are going to publish in the newspapers that Mr. X has been classified as a non-European. Mr. X has lodged an objection. Now you are going to publish it in the papers. Now there is to be a public hearing; Mr. X objects to his own classification and that is now to be published in the Press. It is true that it has appeared in the register, and anyone who wants to go and look at the register can see it there. But now the hon. member wants it to be handed to the newspapers and he wants it to have the widest possible publicity. I say that that is not consistent with the attitude which he pretended to adopt, viz. that he was doing this for the protection of the man who was libelled. Is there such a terrible danger? Take the voters' rolls. The voters' rolls are also displayed so that the public can see them. There, too, an individual may be wrongly classified. Has there been so much abuse there that anyone can say: "Look at the abuse that has taken place in the past in connection with voters' rolls." The argument that it is spreading the libel if the director sends the list to a particular district, to the local register, does not hold water. I can only say that the hon. member does not know the law of libel; if he did, he would not have made that remark. It seems to me that the hon. member's arguments do not fit in with the attitude which he pretended to take up before; they do not hold water and I am sorry, therefore, that I am unable to accept the proposed amendments.

Mr. P. B. BEKKER: The hon. the Minister, in replying to my amendments, relied upon three points for his argument to include the third-party objector. In the first place, he referred to the question of a servitude in a deed of transfer. I want to put this to the hon. the Minister. I do not pretend to be a lawyer, but that person would have recourse under the common law of the land to set that question right. The second point he mentioned was the fact of your neighbour being a Coloured man. In this regard may I refer the Minister to his definition of a White person. Quite obviously if the man was patently Coloured, the situation would never arise. But that is part of the difficulty that we see—

> A White person is a person who in appearance obviously is or who by general acceptance and repute is a White person.

If the person, whoever he is, moves into a White area, it is a moot point as to whether he then becomes a White person.

The MINISTER OF THE INTERIOR: That is why you want to give his neighbours an opportunity to say that that fact is not conclusive.

Mr. P. B. BEKKER: Agreed, Sir, but then why not be logical and stick to the administrative decision which was argued here much earlier and invest your censor officials with the necessary power to inquire thoroughly into what the situation is? It is stated in Clause 3 that the compilation of the register will be done in that fashion. The point is that with the doubt that exists as to the definition, and the shadowing out of what constitutes a White man or a person who purports by his customs and his manners and his condition and the area in which he lives to be a White man — that doubt is

now going to be exploited in Clause 11, with quite complicated machinery provided for a third-party objector to come in, in a responsible way but nonetheless to come in as if by invitation, and to give the necessary information as to who is Coloured and who is White. But, Sir, I must say that it is the third point that interests me. This is the second time that the Minister has used the analogy of the voters' roll. I put it to the Minister in the first place that of late, he has had to tighten up the machinery for objections by a third party in regard to the voters' roll.

The MINISTER OF THE INTERIOR: In regard to the change of address.

Mr. P. B. BEKKER: The fact is that objections poured in and it was found that the third party objector was very active politically in South Africa. He was a Mr. Snooper of the first order. And if the Minister wants to be consistent on his own premises, he will remember what the situation was in regard to the third party objector in the case of the electoral roll. This is an important point. In both Clause 8 and Clause 11 the analogy was used that the point in issue here was something comparable with the voters' roll. Are we in fact busy with the voters' roll or are we dealing with national registration for statistical purposes? That is where the element of doubt as far as we are concerned arises. I know that we cannot argue the principles of the Bill in the Committee Stage, but in passing I say again that it is a patent fact that sooner or later the Coloured vote is going to be done away with by that side of the House. Is the object of this to provide the third party objector with the necessary machinery — a complicated machinery and in many instances an anomalous machinery — in order to sort out as far as practicable, the Coloureds from the Whites and thereafter remove the Coloureds from the voters' roll? Why does the Minister consistently and pertinently use the analogy of the voters' roll? I say that the three points he has mentioned certainly do not argue away the fact that you cannot control the third party objector; and you cannot provide adequate deterrents in Clause 11, whatever you do, and the reason is that you cannot define a White man adequately or strictly in this country as the Minister would like to do. Even if the Minister took the jurisprudence idea that every citizen of the country is there to protect and uphold the law, it is still not incumbent upon a citizen to come and report to the director as to who is White and who is Coloured. Even if that were true generally, in a country like South Africa, one would have to think twice, having regard to its multi-racial constitution, having regard to the history of this country, before one invited this degree of inquiry into the history of very many unfortunate people in this country. I hope the Minister will seriously consider this or that he will at any rate have regard to his definition of what is a White person, before he pushes through Clause 11.

Mr. DAVIDOFF: I would like to refer to the remarks the hon. Minister made relative to costs being awarded in a case where an objector is rejected. He has rightly pointed out that in terms of sub-clause 4 of Clause 11, the objector would forfeit the £10 deposit that was paid. That would be forfeited in favour of the State, but that cannot and would not satisfy the party against whom the objection has been made, and who has entailed himself in certain expenses. It may be necessary — and the party against whom such an objection has been made, may find it convenient to have legal representation before the director. I feel that it will only be fair for the Minister to permit the sub-clause to be amended so that if an objection is rejected, costs can be awarded against the objector. At the present moment the only ground on which such costs can be awarded is on the ground that the objection was of a frivolous nature. I feel that that does not go far enough. That section must be made more embracing; it must include instances where the objection is unfounded or vexatious. I would like to quote this instance to the Minister, if he can listen to me in between his gulps. Let me quote the possible case of an objection being made to one of the members of the Minister's own party. Let us assume that the objection is made that he is not a White person. That might not necessarily be frivolous, nevertheless it can be assumed that that objection may be vexatious or unfounded, and I think even the Minister himself will agree with me that in such an instance costs should be awarded against the objector. It is for that reason that I propose to move this further amendment—

> In line 51, after "is" to insert "unfounded or", and after "frivolous" in the same line to insert "or vexatious".

I think the Minister will agree with me that from a purely legal point of view this will meet the case far better than the present wording and I hope he will accept this amendment.

On the motion of Mr. Davis the Chairman put the amendment proposed by the Select Committee in lines 47 and 48.

Mr. DAVIS: There is an amendment standing in my name on page 492 of the Order Paper. It is an amendment to the amendment suggested by the Select Committee to Clause 5. I do not know whether you ought to put that amendment first, Mr.

Chairman, or may I now move my amendment?

The CHAIRMAN: Yes, the hon. member may move it.

Mr. DAVIS: The clause as it stands provides that all sittings of the board shall be held in camera and my amendment reads—

> In line 47, after "held" to insert "in public or"; and to add at the end of the proviso, "as the person whose classification is in issue may elect".

There may be circumstances in which a person whose classification is affected may particularly desire, especially in a small town, that the hearing should not be in camera. There may be a good deal of chatter in a village and the circumstances may be such that the person against whose classification there is an objection may wish to have the publicity of the inquiry which would take place before the board. I would also like to point out to the Minister that there is no merit in the matter being inquired into in camera, because under the provision of section 7, as the Minister has already emphasised, the register is open to the public and all the particulars can be investigated by any member of the public. In those circumstances it seems to me fair that if the person who is particularly affected wishes that the inquiry should be held in public he should have that advantage let his blood be on his own head in connection with the matter. After all, he is the only person who is affected and if; he wishes it to be held in public for whatever reason the circumstances may be, let him have it in public. [Quorum.] If the hon. the Minister has my point, I shall not deal with it at greater length.

Mr. HEPPLE: Under this clause there is a certain amount of protection for a person who has an objection lodged against his classification, but there is no provision here to protect the man who himself objects to his classification. In practice this will mean that if a person who finds that his classification is wrong, wishes to object to it, he is put to the trouble of sending in a letter in duplicate, and also an affidavit complaining against that classification. The result of that will be that he will be involved in loss of time and expense and, as I mentioned on a previous occasion, this will particularly affect the poorer man who has to take time off work. There are several things that can happen under this Bill. People can quite easily be wrongly classified, but it is obvious to all of us that it will affect mainly the poorer people and particularly it may affect the Coloured people who are not affluent at all, and in their case they are going to find a great deal of difficulty in complying with this; but more particularly in so far as the non-European population is concerned, we know that the majority of them are illiterate and therefore will not be able to avail themselves of the provisions of this Bill. It is quite possible that a person may be classified as a Native when he is a Coloured, and it may also happen that a person who is a European may be classified as a Coloured, and that particularly applies to the depressed people of the country, the very oor people who, in the conditions under which they are compelled to live, might by the interpretation of the clause easily be confused and might easily be wrongly classified. That will not happen to the more affluent people who live under conditions and circumstances which do not make them vulnerable under this Bill. I would like the Minister to accept an additional sub-section to this clause in order to protect those people and I wish to move the addition of a new sub-clause 12 as follows—

> (12) Every person who, having invoked the provisions of this section, appears before a board or any other tribunal in order to contest any classification in respect of himself shall be entitled to be paid by the State fees for his travelling and subsistence on the same scale as is allowable to witnesses appearing before a division of the Supreme Court of South Africa.

This is the only possible way I can see to reimburse people who have to invoke the provisions of this clause and who have not the financial means whereby they can get legal representation; in other words, when these people have to take time off work, when they are involved in expense in order to get justice under this Bill they should not be out of pocket. I hope the Minister himself might find some better formula than the one I have found to protect these poor people. They will be the majority of people who will be affected under the provisions of this Bill. I move accordingly.

The CHAIRMAN: I regret I cannot accept the amendment moved by the hon. member as it will involve additional expenditure and I shall not be able to put it without a recommendation of the Governor-General.

The MINISTER OF THE INTERIOR: I am quite prepared to accept the amendment moved by the hon. member for Edenvale (Mr. Davidoff) to add the words "unfounded or vexatious", in addition to "frivolous". I think that is an improvement and I willingly accept it as such. I am also prepared to accept the amendment of the hon. member for Pretoria (City) (Mr. Davis).

Mr. STRAUSS: Your sleep must have done you good.

The MINISTER OF THE INTERIOR: I think the hon. member is quite right. I have said that this clause is for the protection of the person whose classification is objected to, or who questions his own classification. If he wants the hearing in public, I am not going to gainsay him. He must be the judge of what is the best for himself. I only want to make it quite clear that he can have the protection of having the case heard by the board in camera, but if he prefers to have it in public, that is his concern. Therefore, I am prepared to accept it in the form he has moved.

Mr. DAVIDOFF: May I suggest to the hon. Minister to eat a little more, then he may be prepared to accept more of our amendments?

The MINISTER OF THE INTERIOR: I have said that I am quite prepared to accept any reasonable amendment and I am sure the hon. member for Edenvale (Mr. Davidoff) will agree that his amendment is reasonable and when we are at one, it must be reasonable. The same applies to the hon. member for Pretoria (City). If both of us agree that this amendment is reasonable, then it must be so. For that reason I accept it.

Mr. RUSSELL: A few moments ago in replying to the hon. member for Pretoria (City) (Mr. Davis), the hon. Minister said something like this in connection with the idea of eliminating the magistrates: "What reason is there to think that the magistrate will not give a fair deal and act with justice?" This side has never suggested at any time that a magistrate would not so act. In fact, the reasons advanced by the hon. member for Pretoria (City) were objective in the extreme and I think it was quite clear that he never suggested in any way that a magistrate would act in any other than a strictly impartial way. But if the hon. the Minister would like to find out who thinks that magistrates might not be impartial, he must ask the hon. the Minister of Economic Affairs, because he made a statement on Saturday night at Beaufort West that shocked me. This is what he said: "The present Government has tried to take such action (against the Communists) as is possible under existing legislation which, however, proved to be ineffective, particularly when the law is administered by a magistrate who happens to be a liberal in outlook." Sir, it is a most appalling statement, to suggest that certain magistrates, being liberal in outlook, would not be impartial. I think the House's attention should be drawn to this. And the hon. Minister of the Interior, when he sanctimoniously says: "What reason have we to think that any magistrate would not give a fair deal and act in justice," should inquire from his colleague why he thinks that they may be unreasonable or unfair; his colleague, the Minister of Economic Affairs, who is going through the country casting reflections of that nature on magistrates. No reflection of that kind has come from this side. Indeed, we only have had praise. We even suggested that all chairmen of Appeal Boards should be magistrates. The Minister might well ask his colleague about the scandalous statement he has made in public regarding "liberal" magistrates.

Dr. VAN NIEROP: I move—

That the Question be now put.

The Committee divided:

AYES—60.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jacob

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Delport, G. S. P.
Allen, F. B.	Du Toit, R. J.
Ballinger, V. M. L.	Eaton, A. H. J.
Barlow, A. G.	Eaton, N. G.
Bekker, P. B.	Friedman, B.
Bell, R. E.	Frielinghaus, H. O.
Bloomberg, A.	Gale, D. J.
Bowker, T. B.	Gay, L. C.
Brooke, R. S.	Gluckman, H.
Butters, W. R.	Graaff, de V.
Cull, J. A.	Hayward, G. N.
Davidoff, H.	Henwood, B. H.
Davis, A.	Hepple, A.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That all the words after "five" in line 9 down to and including "section" in line 11 proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—59.

Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the first amendment proposed by Mr. P. B. Bekker negatived.

With leave of the Committee the remaining amendments proposed by Mr. P. B. Bekker were withdrawn.

Question put: That the words "or a magistrate" in line 25 proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, G. P.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Van Niekerk, J. G. W.	Visser, De V.
Van Rhyn, A. J. R.	Warren, S. E.
Viljoen, J. H.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Davis negatived.

The amendments proposed by Mr. Davis to the new proviso proposed to be inserted by the Select Committee were put and agreed to.

The new proviso proposed to be inserted by the Select Committee, as amended, put and agreed.

Question put: That the words "it is satisfied that" proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—60.

Abraham, J. H.	Du Plessis, P. J. C.
Botha, P. W.	Du Plessis, W. C.
Brink, W. D.	Erasmus, F. C.
Brits, G. P.	Erasmus, H. S.
Conradie, J. H.	Erlank, A. E.
Deysel, A. J. B.	Eyssen, S. H.
Döhne, J. L. B.	Faurie, W. H.
Dönges, T. E.	Fouché, J. H.
Du Pisanie, J.	Fouché, J. J.
Frates, T. J.	Sauer, P. O.
Grobler, D. C. S.	Schoeman, B. J.
Havenga, N. C.	Scholtz, D. J.
Hertzog, A.	Stals, A. J.
Hugo, P. J.	Steyn, A.
Jansen, E. G.	Steyn, G. P.
Klopper, H. J.	Steyn, J. H.
Labuschagne, J. S.	Strydom, G. H. F.
Liebenberg, J. L. V.	Strydom, J. G.
Loock, J. H.	Swart, C. R.
Loubser, J. A.	Uys, D. C. H.
Loubser, S. M.	Van den Berg, M. J.
Louw, E. H.	V. d. Heever, D. J. G.
Luttig, H. G.	Van Heerden, D. P.
Luttig, P. J. H.	Van Niekerk, J. G. W.
Malan, A. I.	Van Rhyn, A. J. R.
Maree, W. A.	Viljoen, J. H.
Mentz, F. E.	Visser, De V.
Olivier, P. J.	Warren, S. E.
Papenfus, S. F.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Werren.

Question accordingly affirmed and the first amendment proposed by Col. Oosthuizen negatived.

The first amendment proposed by Mr. Davidoff was put and agreed to and the second amendment proposed by Col. Oosthuizen dropped.

The last amendment proposed by Mr. Davidoff was put and agreed to. Clause, as amended, put and the Committee divided:

AYES—60.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, De V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as amended, accordingly agreed to.

On Clause 12,

Col. JORDAN: On this clause I wish to move the following amendment—

> In lines 18 and 19, to omit "to him documentary or other".

Those words set out in this amendment in that way may sound more like Greek than English, but nevertheless it will be found that they result in the improvement of the language of the clause, by eliminating from it a certain amount of tautological language The clause provides—

> The director may require any person to furnish to him documentary or other evidence as to the correctness . . .

I have always understood that "evidence" is more or less a generic term which covers oral evidence, documentary evidence, or real evidence; and if I am correct in the view I take of the ordinary English meaning of an ordinary English word, which has again and again been defined by ordinary English judges, it seems to me quite clear that the words I propose should be omitted from the clause would serve the object we have had in mind throughout the long course of this debate in Committee, namely, even in small particulars, where opportunity presents itself, to come to the assistance of the hon. the Minister in attempting to make a bad Bill a slightly better Bill.

We may find it necessary to improve this clause by the movement at a later stage of the debate of other amendments. For example, the word "recording" is used, and, on the basis of prior precedents established by ministerial amendment both here and in the Select Committee, it may of course be necessary to find a more appropriate word for the word "recording", to indicate exactly what is the intention of the hon. the Minister. It may, in all probability, in the context in which the word "recording" appears, be necessary to move the omission of that word and the substitution of a word like "including". At the moment, however, I feel we should deal with this matter rather on the basis of little by little and bit by bit, and I therefore propose to limit myself to moving the amendment in lines 18 and 19, which I suggest will result in a very marked improvement of a very bad Bill.

Mr. DU TOIT: It is quite a remarkable thing that without even discussing the matter with the hon. member for Rondebosch (Col. Jordan), I have written out here the exact amendment proposed by the hon. member for Rondebosch.

Mr. KLOPPER: Great minds.

Mr. DU TOIT: I am merely pointing to the remarkable coincidence that we picked on the same lines without consultation. That shows how important it is that this amendment should be accepted by the Minister. My reasons are, however, somewhat different to those given by my colleague. He has dealt with the matter from the legal aspect, and I want to deal with it from the human aspect. I think the whole intention of this Bill in arriving at the definition of who is a Coloured person and who is a European, is not to delve too deeply into the past; in other words, not to produce documentary evidence. That is why the definitions have been framed in this manner. That also was the case in the Mixed Marriages Bill.

The DEPUTY CHAIRMAN: The hon. member must confine himself to the clause.

Mr. DU TOIT: That is what I am doing. It seems difficult for the Chairman to understand English tonight. I am speaking to this amendment in regard to the deletion of the word "documentary". When we speak about documentary evidence in this context, then we mean a birth certificate or a document of that kind. If you delve into a person's past and you want documentary evidence, then in the first instance you would demand a birth certificate. That is a most unreliable document. We know for a fact that many people have been registered as Europeans by Coloured people, because there was no penalty attaching to such a registration. If a person is registered as a European he must be accepted as such by the registering officer. Now, Sir, in the army and under the Electoral Act we have found that the birth certificate is one of the most unreliable official documents there is. I think, Sir, the Minister is conscious of that fact, and that is why the definition has been made a fairly wide one, so as not to go too deeply into the past history of people. We know that if that were done, it would bring misery to many respectable families in South Africa. As I said once before, it might even apply to certain members of this House, if they were asked to produce documentary evidence as proof of their particular colour.

Mr. KLOPPER: What do you mean?

Mr. DU TOIT: I mean what I say. I am quite sure if every member of this House were asked to produce documentary records of his parentage for two or three generations, there would be some members who could not do so.

An HON. MEMBER: That is nonsense.

Mr. DU TOIT: I am not talking nonsense. I defy the Minister's own office to tell us that that is not correct. But, Sir, rather let the past bury its dead. We are concerned with the future of our country and our race. For that reason I support this amendment which seeks to remove the necessity for producing documentary evidence.

Dr. VAN NIEROP: I move—

That the Question be now put.

The Committee divided:

AYES — 60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.	Gay, L. C.
Allen, F. B.	Gluckman, H.
Ballinger, V. M. L.	Graaff, de V.
Barlow, A. G.	Hayward, G. N.
Bekker, P. B.	Henwood, B. H.
Bell, R. E.	Hepple, A.
Bloomberg, A.	Higgerty, J. W.
Bowker, T. B.	Hopewell, A.
Brooke, R. S.	Hughes, T. G.
Butters, W. R.	Jonker, A. H.
Cull, J. A.	Jordan, R. D. P.
Davidoff, H.	Kahn, S.
Davis, A.	Kentridge, M.
Delport, G. S. P.	Lewis, J.
Du Toit, R. J.	Lovell, L.
Eaton, A. H. J.	McMillan, N. D.
Eaton, N. G.	Mushet, J. W.
Friedman, B.	Oosthuizen, O. J.
Frielinghaus, H. O.	Oppenheimer, H. F.
Gale, D. J.	Pocock, P. V.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That the words "to him documentary or other", in lines 18 and 19, proposed to be omitted, stand part of the clause.

Upon which the Committee divided:

AYES — 60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de Villiers.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Col. Jordan negatived.

Clause, as printed, put and the Committee divided:

AYES—59.

Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Ludick, A. I.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.

Davis, A.	Lewis, J.
Delport, G. S. P.	Lovell, L.
Du Toit, R. J.	McMillan, N. D.
Eaton, A. H. J.	Mushet, J. W.
Eaton, N. G.	Oosthuizen, O. J.
Friedman, B.	Oppenheimer, H. F.
Frielinghaus, H. O.	Pocock, P. V.
Gale, D. J.	Russell, J. H.
Gay, L. C.	Shearer, V. L.
Gluckman, H.	Smit, D. L.
Graaff, de V.	Solomon, B.
Hayward, G. N.	Steyn, S. J. M.
Henwood, B. H.	Strauss, J. G. N.
Hepple, A.	Stuart, W. H.
Higgerty, J. W.	Sturrock, F. C.
Hopewell, A.	Sullivan, J. R.
Hughes, T. G.	Tighy, S. J.
Jonker, A. H.	Van der Byl, P. V. G.
Jordan, R. D. P.	Waring, F. W.
Kahn, S.	Waterson, S. F.
Kentridge, M.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as printed, accordingly agreed to.

On Clause 13,

Col. JORDAN: Mr. Chairman, I want to move at this stage—

That the Chairman report progress and ask leave to sit again.

The DEPUTY CHAIRMAN: I cannot accept it.

Mr. STRAUSS: But you must hear the reason before you refuse to accept it.

Col. JORDAN: With submission, Sir, you must hear my reasons before you decline to accept the motion. Let me say at once that on this side of the House we have no complaints against the manner in which minority rights have been protected by the Chair. In fact, I think we feel some sense of admiration for the dispassionate impartiality with which protection has been extended to us, but we do feel, too, that you have been placed in a singularly unfortunate position by the continuous stream of closures which have been moved during the course of debate in Committee on a Bill which the country regards as a Bill of paramount importance, and it is a Bill . . .

The DEPUTY CHAIRMAN: Order, order! The hon. member should not reflect on the Chair.

Mr. STRAUSS: He has not reflected on the Chair.

The DEPUTY CHAIRMAN: It is in the discretion of the Chair whether or not to accept the motion for the closure.

Col. JORDAN: I am not reflecting on the Chair. I am merely saying that the Government side of the House has put you, as Chairman, in an invidious position in calling upon you to exercise a discretion on each occasion when the closure has been moved.

HON. MEMBERS: That is a reflction on the Chair.

The DEPUTY CHAIRMAN: Order, order!

Col. JORDAN: I am not suggesting that on any single occasion you, in the exercise of your personal discretion, have violated the duty which you owe to the House. I am not suggesting that. But what I am suggesting is that the Government side is subjecting you to unfair treatment with the result that we, too, suffer under some reflection of that unfair treatment.

Mr. MENTZ: What is your insinuation?

The DEPUTY CHAIRMAN: Order, order! I am afraid the hon. member is reflecting on the Chair. It is left for the Chair to either accept or refuse the closure.

Mr. HAYWARD: It has never been refused yet.

Col. JORDAN: It is very difficult indeed at this late hour to choose our languge. We may not be able—I certainly may not be able after a sitting of this length and at this hour of the morning—to choose the language I would wish to use with the care which the gravity of the present situation demands. All I can say is that I have done my best and, without any reflection being intended upon you as Chairman, all I can say is this, that we have been gagged right through the course of this Committee and have been treated in a way that will not command the respect of the country.

HON. MEMBERS: Hear, hear.

Col. JORDAN: I wish to report progress and ask leave to sit again.

The DEPUTY CHAIRMAN: Does the hon. member move that?

Col. JORDAN: Yes.

The DEPUTY CHAIRMAN: I am sorry, I am not prepared to accept the motion at this stage in terms of Standing Order No. 36 (2).

Mr. BARLOW: On a point of order, Sir, if you are not prepared to accept it, I move—

That you ask Mr. Speaker to take the Chair.

The DEPUTY CHAIRMAN: There is no appeal to the Speaker.

Mr. BARLOW: You refuse to bring the Speaker in, too?

The DEPUTY CHAIRMAN: Yes.

Mr. BARLOW: Well, Mr. Chairman, what are we to do?

The DEPUTY CHAIRMAN: Order, order! I put Clause 13.

Mr. SULLIVAN: Mr. Chairman, I want to move the amendment standing in my name on Clause 13—

In line 58, to omit "except a photograph of that person".

The amendment concerns the type of identity card which can be issued to a person who is not a South African citizen and who is only here on a temporary permit. We have certain objections to the type of identity card to be issued to such a person. According to the Bill the card resembles in most respects the type of card which will be issued to an alien. On the card of an alien is to appear a fairly long list of particulars: The name and sex, classification, his citizenship, his identity number, a recent photograph, date of issue of the card, date of his arrival in the Union, an indication of the fact that he is an alien, his signature or his fingerprints. That is a very comprehensive list. I have here a photograph of a card issued in Spain by Franco, and I find that the particulars required on this card — this for an alien, a foreigner travelling in Spain — compared with the type of card required here, is not nearly so stringent as the one that is required in this Bill of ours. Now this clause — sub-clause (4) of Clause 13 — leaves out, in our view, a very important particular which should be applied to a person who is not a South African and has been admitted to the Union for a temporary purpose. We are moving that the words "except a photograph of that person" be omitted from this clause, which means that the type of identity card to be issued to a person genuinely in the Union will be exactly the same as that prescribed in the Bill for an alien. It is not the same at the moment. That is to say that the alien must have a recent photograph of himself on his card and we insist that a similar photograph should be — now that photographs have been accepted and passed by the House — a similar photograph should be on the card for a person temporarily resident in the Union. The reason for that is simple, not merely because there is a similarity between the two, but we see no reason, while the average good South African citizen is now being forced to have an identity card with a photograph on it, why, therefore, a person who is temporarily resident in the Union should not also have at least a similar card. There is reason for surveillance over all people who come to the Union temporarily; and we feel that the bringing of the two cards into line would tighten up that surveillance and make this part of the Bill more realistic.

*Mr. TIGHY: I beg to move the amendment standing in my name on the Order Paper—

In lines 29, 32, 41, 44, 55, 59 and 4, page 13, respectively, to omit "identity" and to substitute "registration".

I hope that it is quite clear, now, that we are dealing here with an identification card or pass and nothing more or less than a pass.

*The MINISTER OF THE INTERIOR: You are still on the wrong track.

*Mr. SCHOLTZ: You are talking nonsense.

*Mr. TIGHY: I may perhaps be on the wrong track, but the Minister has been on the wrong track ever since he has had this Bill in his head. He has never yet taken this country into his confidence and even less has he taken the House into his confidence. I hope it is clear now to the Committee. and to hon. members on that side of the House, that what we are dealing with here is a pass.

*The MINISTER OF THE INTERIOR: You are still barking up the wrong tree.

*Mr. TIGHY: I say that the issue of passes to Europeans in South Africa is contrary to the democratic sentiments of White South Africa. We cannot get away from the fact that the Minister has not, at any stage of this debate, been able to make a definite and undoubtable statement to the country that he would not compel the Europeans only to carry a pass, but also the Natives.

*The MINISTER OF THE INTERIOR: Read Clause 2.

*Mr. TIGHY: In other words, that the White people of South Africa will be expected to carry a pass, and that the non-Europeans will go about without a pass under this Bill when it gets on to the Statute Book. On a previous occasion I described this Government as a "Pass Government", and they are still a "Pass Government". The Minister cannot deny it. He again has that cat-like grin on his face.

*The DEPUTY CHAIRMAN: Order, order! The hon. member must not be so personal.

*HON. MEMBERS: Withdraw.

*Mr. TIGHY: No, I do not have to withdraw it. I say that the Minister cannot deny the fact that when one considers the practical difficulties he is going to have in

carrying out this clause, it will mean that the white woman of South Africa will have to carry a pass and the non-European woman will not have to carry a pass.

*Mr. SCHOLTZ: What do you say about Clause 2?

*Mr. TIGHY: That is the attitude which we adopt, and however much hon. members opposite may try to obscure the fact, they cannot get away from it. It is this Government and the Nationalist Party which is humiliating the white people of South Africa to the status of the non-Europeans. It is this Government which is turning the Europeans into pass carriers.

*Mr. SCHOLTZ: That is a misrepresentation.

*Mr. TIGHY: My second contention is that you are going to introduce this national register and you are going to maintain it without an identity card and without a pass. I hope that my hon. friends opposite realise that. If a man has registered his name in terms of this Act, he will be registered, and then he becomes part of this national registration, and there is no need to humiliate him by expecting him to carry a pass.

*Prof. MALAN: How are you going to know then that he is registered?

*Mr. TIGHY: That is a very reasonable question. The hon. member asks how people will know that the man has been registered. If John Voter has registered himself, the director will give him a certificate (bewyskaart).

*Mr. SCHOLTZ: A pass.

*Mr. TIGHY: No, a receipt. I have tried to be reasonable with the hon. member for Gezina (Prof. A. I. Malan). The director gives such a person a registration card just as a young fellow who has to register for the Citizen Forces gets a certificate to show that he has registered.

*Mr. SCHOLTZ: A pass.

*Mr. TIGHY: Let us assume for the sake or argument that we compare the voters' roll, or any other roll, with the National Register; we find that X or John Voter's name appears on the voters' roll and not on the National Register. One would then be entitled to call on him to produce proof that he has registered. If he has done so he simply shows his card.

*Mr. SCHOLTZ: His receipt.

*Prof. A. I. MALAN: His identity card.

*Mr. TIGHY: No, not an identity card. My hon. friend confuses a "persoonsbewys" with an identity card, and it was clearly proved this afternoon that there is a great difference. Very well, that person can then show that certificate ("bewys"). It seems to me that hon. members opposite are quite honest about this matter, but that they have been completely misled by their Minister. I am not a bit surprised because he is capable of misleading anyone. Very well, I have answered the hon. member for Gezina. I contend that for the purposes of this National Register, this pass is not necessary. But the Nationalist Party and the Minister are so keen on introducing a pass system for the white man that they have to go far beyond the ambit of this Bill in order to introduce this pass. The Minister of Justice says that it is I who want to introduce the pass.

*The MINISTER OF JUSTICE: I did not say so, I said nothing.

*Mr. TIGHY: Very well, if the Minister has said nothing he should rather keep out of the debate. I say that the law can be administratively carried out without a pass, but this Government is determined to humiliate the white man of South Africa to the standard of the non-European. That is the position. I want to remind my hon. friends that the Minister of Native Affairs recently tried to introduce the pass system for the Native women of South Africa.

*An HON. MEMBER: That is not true.

*Mr. TIGHY: They refused, they protested against it, and what did the Minister of Native Affairs do then? He gave it up as impracticable, as impossible, and now the Minister of the Interior — who is in dreamland just now and we better leave him there — comes along and he wants to compel the white woman of South Africa to carry a pass. Imagine the kaffir of this country . . .

*Dr. LOOCK: You must not call them "kaffirs".

*Mr. TIGHY: . . . has been fighting for years to get rid of the pass. The non-European has been fighting for years to get away from the pass and instead of getting rid of the pass as far as the non-European is concerned, the Minister comes along and humiliates the European by bringing him down to the standard of the non-European. And how do hon. members opposite react? They sit here and joke. Here the white man of South Africa is being insulted and they are enjoying it. They try to ridicule, they try to joke about things, but they must remember that the white voters will call them to account.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

*Dr. LOOCK: I am very sorry, but what is too bad, is too bad, and I feel that I am really compelled now to say a few words in reply to what the hon. member over there has said here so repeatedly. The fact is that the S.A. Party now has to fall back on that type of member to keep their agitation going here this evening about this identification card.

*An HON. MEMBER: This morning, not this evening.

*Dr. LOOCK: The hon. member for Alberton (Mr. S. J. M. Steyn) last year drafted this fraudulent, so-called pass, to bring the public under the impression that this Government wanted them to carry a pass and now, in order to gain a few votes, they pretend that this Government is aiming at humiliating the White man in the eyes of the Natives and in the eyes of the Coloured man. It is absolute nonsense. This document is just as little a pass as this envelope which I have in front of me.

*Mr. TIGHY: What is it then?

*Dr. LOOCK: It is an identification card. I have challenged the hon. member repeatedly to prove to me by this Bill that it is a pass, and to show where the Bill says that people must carry this certificate ("bewys"). My hon. friend is misleading the people outside and hon. members over there are deliberately trying to mislead the public, because nowhere in this Bill is there any provision to the effect that this is a pass. It is not a pass.

Mr. BARLOW: I move—

That the Question be now put.

*The MINISTER OF JUSTICE: Accept it.

Dr. FRIEDMAN: Who is the Chairman? You cannot order him as Chairman what to do.

*The DEPUTY CHAIRMAN: I am prepared to accept the motion and I put it to the Committee.

Mr. TIGHY: On a point of order. I think it must be obvious that there was a misunderstanding on the part of the hon. member for Hospital (Mr. Barlow). You will observe that the hon. member for Hospital has left the House. I question therefore myself whether his motion should be put. I would like a ruling on that.

The Committee divided:

AYES—60.

Abraham, J. H.	Brits, G. P.
Botha, P. W.	Conradie, D. G.
Brink, W. D.	Conradie, J. H.
Deysel, A. J. B.	Luttig, H. G.
Döhne, J. L. B.	Luttig, P. J. H.
Dönges, T. E.	Malan, A. I.
Du Pisanie, J.	Maree, W. A.
Du Plessis, P. J. C.	Mentz, F. E.
Du Plessis, W. C.	Olivier, P. J.
Erasmus, F. C.	Papenfus, S. F.
Erasmus, H. S.	Sauer, P. O.
Erlank, A. E.	Schoeman, B. J.
Eyssen, S. H.	Scholtz, D. J.
Faurie, W. H.	Stals, A. J.
Fouché, J. H.	Steyn, A.
Fouché, J. J.	Steyn, J. H.
Frates, T. J.	Strydom, G. H. F.
Grobler, D. C. S.	Strydom, J. G.
Havenga, N. C.	Swart, C. R.
Hertzog, A.	Uys, D. C. H.
Hugo, P. J.	Van den Berg, M. J.
Jansen, E. G.	V. d. Heever, D. J. G.
Klopper, H. J.	Van Heerden, D. P.
Labuschagne, J. S.	Van Niekerk, J. G. W.
Liebenberg, J. L. V.	Van Rhyn, A. J. R.
Loock, J. H.	Viljoen, J. H.
Loubser, J. A.	Visser, de V.
Loubser, S. M.	Warren, S. E.
Louw, E. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—52.

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jonker, A. H.
Ballinger, V. M. L.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Frielinghaus, H. O.	Steyn, S. J. M.
Gale, D. J.	Strauss, J. G. N.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sturrock, F. C.
Graaff, de Villiers.	Sullivan, J. R.
Hayward, G. N.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Higgerty, J. W.	Waring, F. W.
Hopewell, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That the word "identity" in lines 29, 32, 41, 44 and 55, respectively, proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

AYES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Tighy in lines 29, 32, 41, 44 and 55, respectively, dropped.

Question put: That the words "except a photograph of that person" in line 58, proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—59.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan
Loubser, J. A.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Henwood, B. H.
Allen, F. B.	Hepple, A.
Ballinger, V. M. L.	Higgerty, J. W.
Barlow, A. G.	Hopewell, A.
Bekker P. B.	Hughes, T. G.
Bell, R. E.	Jonker, A. H.
Bloomberg, A.	Jordan, R. D. P.
Bowker, T. B.	Kahn, S.
Brooke, R. S.	Kentridge, M.
Butters, W. R.	Lewis, J.
Cull, J. A.	Lovell, L.
Davidoff, H.	McMillan, N. D.
Davis, A.	Mushet, J. W.
Delport, G. S. P.	Oosthuizen, O. J.
Du Toit, R. J.	Oppenheimer, H. F.
Eaton, A. H. J.	Pocock, P. V.
Eaton, N. G.	Russell, J. H.
Friedman, B.	Shearer, V. L.
Frielinghaus, H. O.	Smit, D. L.
Gale, D. J.	Solomon, B.
Gay, L. C.	Steyn, S. J. M.
Gluckman, H.	Strauss, J. G. N.
Graaff, de V.	Stuart, W. H.
Hayward, G. N.	Sturrock, F. C.

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Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Sullivan negatived.

Amendment proposed by Mr. Tighy in line 59 and in line 4, page 13, put and negatived.

Clause, as amended, put and the Committee divided:

AYES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause as amended, accordingly agreed to.

On New Clause 14, proposed by the Select Committee,

On the motion of Mr. Waring, the Deputy Chairman put the New Clause 14 proposed by the Select Committee.

Mr. WARING: Mr. Chairman, we have heard a great deal from hon. members on the other side of the House that this is not a pass. I want to ask them what do they define a pass as? In this clause regulations are laid down whereby this identity card has to be produced. It has to be produced to a peace officer and it has to be produced to any person authorised thereto in writing by the director.

Dr. LOOCK: Must it be carried?

Mr. WARING: The hon. member for Vereeniging (Dr. Loock) says must it be carried? It must not be carried, but if it is not produced at the request of the two gentlemen within seven days . . .

An HON. MEMBER: Fourteen days.

Mr. WARING: Within fourteen days, it must be produced at a police station.

Dr. LOOCK: It need not be carried, which is what the hon. member for Johannesburg (West) (Mr. Tighy) said.

Mr. WARING: Surely the fact that even if you have not got it on your person and you have got to produce it at a police station shows you exactly on what lines this identity card is based.

Mr. S. E. WARREN: And what about the driver's licence? You have to produce that when you are asked.

Mr. WARING: This is nothing more and nothing less than a pass because when it has to be produced at a police station . . .

Mr. S. E. WARREN: What does a pass mean?

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Mr. WARING: When it has to be produced at a police station it gives it the smack of a pass or something which a person has to produce to identify himself at the police station. We have heard all this talk from hon. members on the other side. It only has one object, however, and that is to force and regiment the people into carrying this identity card on their person or, if they have not got it on their person, and they are accosted, they have to produce it at a later date. There is one other point of which hon. members have made a great feature. They have said that no European woman would carry the pass where a Native woman does not carry the pass. Now, I have an amendment which I want to move and I want to test hon. members on that side of the House.

An HON. MEMBER: Let us see what they do.

Mr. WARING: The amendment I want to move is—

> In line 32, after "proclamation" to insert "and after a copy of the register has been lodged at the office of the magistrate of every district".

The object of the amendment is this. Under Clause 21, the hon. the Minister can exclude certain classes of people and he can exclude certain areas. Now, on the exclusion of certain classes of people, the Minister will then be empowered to exclude them from the register, issue identity passes to European women, make it compulsory for them to be registered and issue them with an identity card. Make it the same, exclude the non-Europeans and then under this clause, as it reads now, he can enforce the production of that identity card by the European whereas the non-European has not got a card to produce, and therefore he has not got to produce it. The feature of this amendment is to say this. Although you can issue identity cards in piecemeal, although from an administrative point of view we accept the position that they cannot all be issued at once, but that they can be issued in certain areas, you cannot call for the production of these identity cards by the peace officer or the person authorised by the director — you cannot call for them unless a copy of the register has been lodged at the office of the magistrate of every district. That means that the whole registration must be completed first. You must then issue your identity cards to every section and then only can you say that you can bring in the powers of production and enforce the production of these passes. Hon. members on the other side have talked so big. The hon. member for Smithfield (Mr. J. J. Fouché) said by way of interjection that he was not prepared to see a situation being permitted whereby a European woman had to carry a pass and a non-European woman had not to carry a pass. I take him at his word and I ask him to support this amendment.

Mr. TIGHY: Where is he? He has run away.

Mr. WARING: And I ask hon. members on that side of the House who talked so big that when it comes to a positive line on this Bill, they have not got the gumption to stand up for themselves. It is amazing. Now you, Mr. Chairman, have seen this side of the House in Government. I want to ask you candidly if you do not remember in your time that members of the Government benches used to get up and criticise clauses of Bills before the House? But you do not hear one line of criticism from that side of the House. Not one line of criticism.

An HON. MEMBER: Those were bad clauses.

Mr. WARING: Let me take it even further. I remember . . .

The MINISTER OF THE INTERIOR: Or a bad Government.

Mr. WARING: I remember members on this side of the House, when the closure was moved by our whips, voting with the Opposition.

Mr. MENTZ: Only Frank Waring.

An HON. MEMBER: And Sarel Tighy.

Mr. WARING: We voted with the Opposition because we considered that it was unreasonable at that stage to apply the closure. Now what do we get? They talk broadly about not allowing such a situation to develop in regard to European women and will just take it as they have taken every other amendment moved by this side of the House. They will just take this one too and then they will go out and tell you that they stand for the rights of the Europeans in this country. I ask the hon. member for Aliwal (Capt. G. H. F. Strydom), all that I ask him to do is to support this amendment which says that no demand can be made for the production of an identity card unless the whole system of registration is complete and the system is complete all over the Union. But it cannot be done in piece-meal. The non-Europeans cannot be excluded as we say will happen in practice. Hon. members opposite said that it will not and I ask them to give us this safeguard. Let us test them and see if they have any courage or guts at all. It is a very poor state of affairs when you find not one effort made on that side of the House to criticise any clause of this Bill. It is not a great recommendation for a

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Government to consist just of a bunch of yes-men, „stemvee" and "ja-broers". That is all the hon. members over there are. Take an hon. member like the hon. member for Aliwal. He knows that we opposed the Government when we considered the Government was doing something which in our opinion was not right. But why is there no fight in the Government benches today? Have they been regimented to such an extent by the Whips that there is no courage left in them?

The MINISTER OF THE INTERIOR: No, because it is a good Government.

Mr. WARING: The hon. the Minister cannot make out that this present Government has not made any mistakes.

Mr. MENTZ: It is a good Government but a bad Opposition.

Mr. WARING: Let us leave that and come to this clause. I ask the hon. members over there not to listen to the smooth words of the hon. the Minister and instead to put their action to the test . . .

Dr. FRIEDMAN: The Minister says that he is good Government.

Mr. WARING: . . . and to support this amendment and not to allow us in the cities . . .

Mr. MENTZ: Why do you not get your father-in-law to move the closure.

Mr. TIGHY: I dare you to move the closure.

Mr. WARING: To force us in the cities into carrying identity cards and by Clause 21 excluding rural areas.

*Capt. G. H. F. STRYDOM: The hon. member for Orange Grove (Mr. Waring) has asked whether I agree with the clause. I only want to say that there is a great difference between a pass and an identification card. A pass you have to carry and you have to show, but an identification card you can be asked to show later, but you need not carry it. We have witnessed a scene of division on the other side of the House which is deplorable in any democratic country.

*The DEPUTY CHAIRMAN: Order! The hon. member must confine himself to the clause.

*Capt. G. H. F. STRYDOM: I am coming to that. The hon. member for Orange Grove has pointed out that we say that it is not a pass. We do not want European women and Coloured and Native women to carry a pass on an equal basis. We have now had this scene that the hon. member for Hospital . . .

*The DEPUTY CHAIRMAN: That has nothing to do with the clause.

*Capt. G. H. F. STRYDOM: What has to do with the clause? You have allowed them to speak and you will not permit me to say anything about it. I say that we have witnessed a most amazing scene. It is pure waste of time and hon. members opposite are not in earnest. They are only causing trouble. They know that this Bill is necessary for South Africa — they are well aware of it, but in spite of that they are opposing every little part.

*Mr. STRAUSS: You are now making a second-reading speech.

*Capt. G. H. F. STRYDOM: I am not a barrister; you are, but here you are an ordinary member. I just want to say that this clause, which is now under discussion, is the right thing and the only thing for the people of South Africa, the only thing to save this country for the White people and to keep the White people here. That is all I want to say; they are only wasting time. We have witnessed this scene where the hon. member for Hospital (Mr. Barlow) moved the closure of the debate on an amendment moved by his own party. That shows the "fiasco" on the other side of the House. But they are carrying on with it. I think they should have said: "We are walking out, we have made such a mess of the whole thing that we cannot carry on any further." Their own front-bencher has moved the closure on his own members. It is a tragedy.

Mr. KAHN: I move the following amendments—

In line 32, to omit "three" and to substitute "six"; in lines 39 and 43, respectively, after "request" to insert "in writing in both official languages"; in line 45, to omit "sixteen" and to substitute "eighteen"; in line 49, after "person" to insert "of or over the age of twenty-one years"; in line 50, to omit "seven" and to substitute "twenty-one"; in line 55, after "person" to insert "of or over the age of twenty-one years"; to add at the end of sub-section (3) "or the police station nearest to the place of work of the said person"; and to add the following new sub-section to follow sub-section (3):

(4) The provisions of this section shall not apply to any female White, Coloured or Native person.

I want to deal with my last amendment. This is a very sorry day for the population of this country that our womenfolk, let alone our men, are reduced to the humiliation of being required to carry a pass.

Dr. LOOCK: Nobody has to carry a pass.

Mr. KAHN: The hon. member for Vereeniging (Dr. Loock) says that it is not compulsory to carry a pass, but the effect of not carrying a pass is that within seven days or whatever the period may be, the individual concerned is put to the inconvenience, the trouble and the expense of having to go to a police station and produce a pass there.

The MINISTER OF THE INTERIOR: If this is a pass, then your driver's licence is also a pass.

Mr. KAHN: The driver's licence has only to be produced in case of an accident.

The MINISTER OF THE INTERIOR: No.

Mr. KAHN: There is no general system of calling upon people to produce drivers' licences. The fact remains, we do not want our people in South Africa, particularly the womenfolk, to have to go unnecessarily to the police station. Police stations where criminals should go, not our womenfolk. We should not introduce at the tender age of sixteen our young people to police stations unnecessarily. Those are places for criminals and for the police who are on duty there. Another and disgraceful and shameful and scandalous feature of this particular clause is the gross duplicity and chicanery on the part of the Government, who through the Minister of Native Affairs a few weeks ago announced that the Government was not going to oblige African women to carry passes and now through the back door of this population registration measure they require African women to carry passes. I move this amendment that women of all races and all colours should be excluded from the operation of this section, of the necessity to have to produce to anybody at all an identity card and I want to make this comment: Even though under the amendment proposed by the Select Committee to the original provision of the Bill, it will uniformly be applied to White women, to Coloured women and to Native women, in respect of the administration of the law it will be operated far more harshly and unfairly against the non-European than against the European. No one who is not blind cannot see the facts of the situation in South Africa. There are police in our Civil Service, if not generally then in an ever-increasing minority, where, if they have powers of this kind, abuse them and exercise them harshly against the non-Europeans. They do not show the same concern and consideration to the non-Europeans which they show to the Europeans and every single Government commission which has investigated the question of the application of any form of pass law or identification certificate to women has condemned unequivocably and in round and certain terms the application of such laws to women, particularly as the enforcement of such laws devolves in the main upon male officials; it creates opportunities and temptation on the part of officials to abuse them. On an earlier occasion, in the course of the Budget debate, when I dealt with the question of passes for African women, I quoted chapter and verse to this House of occasions referred to repeatedly in different Government reports whereby a pass became a passport to seduction and to rape, under the most unpleasant scenes. I repeat to this House, as I said on an earlier occasion, that whether you call it a pass or whether you call it an identification card, the African men and the African women have that sense of dignity and pride for their womenfolk, so as not to subject them to such a humiliation and to the dangers that are caused by the pass system and I want to abide by that in the interests of this country. To stir up a hornet's nest of the character that we can well be saved from, should make the Government pause. I am certain that if those sentiments and respect and consideration to the feelings of their womenfolk emanate among non-European men, that the same can be said of the Europeans as well and we strenuously resist any proposals that men and particularly women should be required of having this identification card. They have no value whatsoever, except to give the Government an opportunity to harass, to persecute, to embarras, to inconvenience people. Of what value can they be to anybody? It is sometimes being said that they are useful as a means of identifying a person, but if that person has an identity card, the actual physical person is far better than an identification card. You don't need the photographs when you have the real living subject-matter before you and therefore there is no advantage whatsoever to be gained by the people of this country in the production of an identification certificate. Commissions appointed by the Minister of Justice have reported to the effect that it is against the interests of the people of this country to manufacture artificially criminals, to make the people who are normally law-abiding and innocent, who go about their work in the ordinary way, subject to statutory crime of the character which is manufacteured in this particular measure. We do not want additional criminals in South Africa. This Government is packing our gaols unnecessarily with criminals and our prisons have become schools of crime for innocent people who come there because of a breach or a contravention of a technical provision and then come into contact with criminals of the worst type, and that is how crime develops in South Africa. Therefore, as this Government has not been able to adduce a single sensible reason as to what advantage the country will derive from this Bill, the sole purpose behind it is to lay the foundation for a police state which other measures, that will come later before the House, will further implement. [Time limit.]

Mr. LOVELL: I would like to withdraw the amendment appearing in my name on the Order Paper and had to substitute the following amendment—

> In line 43, after "Act" to insert "and upon production of his written authority".

The new section as it has come from the Select Committee now reads—

> Any peace officer may, whenever he is in terms of sub-section (3) of Section 27 of the said Act entitled to call upon any person to furnish such peace officer with his full name and address, request that person; and (b) any person authorised thereto in writing by the director may, whenever it is necessary for him to do so for the purpose of carrying out his duties under this Act, request any person . . .

Now I would like the last paragraph to read—

> That any person authorised thereto in writing by the director may, whenever it is necessary for him to do so for the purpose of carrying out his duties under this Act, and upon production of his written authority, request any person . . .

The reason for this amendment should be obvious to anyone. It is because I do not wish an unauthorised person to take advantage of this clause, as it now stands. The director would authorise persons I take it who would be in private clothes, and that could lead to the molestation of other people on the pretext that they have the authority of the director to demand the identity card. I think it is necessary, therefore, that this amendment should be put in so that no one, in plain clothes anyhow, can ask anybody for his identity card, unless he produces at the same time his written authority from the Director of Census. That, I think, would safeguard to some extent unauthorised private persons from attempting to abuse the provisions of this clause, and I move accordingly.

The MINISTER OF THE INTERIOR: The amendment proposed by the hon. member for Orange Grove (Mr. Waring) is unacceptable.

Mr. TIGHY: Everything is unacceptable.

The MINISTER OF THE INTERIOR: That is not correct. The amendment proposed by the hon. member for Benoni (Mr. Lovell) is reasonable and I was prepared to accept it. I have said repeatedly that any reasonable amendment which is designed to improve the Act, is acceptable, and this amendment moved by the hon. member is acceptable. The Select Committee has already recast Clause 14 in order to meet most of the points that have been raised against the original Clause 14, but I think we can go a step further and incorporate the amendment moved by the hon. member for Benoni and the new clause, as amended, will then meet all reasonable difficulties. I may just say that as far as the hon. member for Cape Western's (Mr. Kahn) amendments are concerned, I am not prepared to accept them. The hon. member is labouring under a delusion in regarding this identity card as a pass. He has indicated that it is vastly different from the driver's licence. I am afraid that he has not brushed up his knowledge of the motor ordinance, because then he would have found that a driver's licence may be demanded at any time by a policeman, not only if there has been an accident, and it must then be produced with a certain period of time. Yet by no stretch of imagination has a person's driver's licence ever been called a pass, and I think that is the delusion under which the hon. member labours, and that delusion is shared by other hon. members.

Mr. BOWKER: I move the following amendment to Claus 14—

> In lines 47 and 51, respectively, to omit "identity" and to substitute "registration"; and in line 50, to omit "seven" and to substitute "fourteen".

The word "identity" conveys a stigma in the English language.

The DEPUTY CHAIRMAN: That has been rejected in Clause 13.

Mr. BOWKER: Mr. Chairman, I move it in this clause.

The DEPUTY CHAIRMAN: I cannot put the first amendment of the hon. member to the Committee as it has been decided on a previous clause.

Mr. BOWKER: I ask the Minister to accept this amendment, that 'seven" in line 50 be changed to "fourteen", for the following reasons. I would like to tell the hon. the Minister of an experience I had. During one of my elections I was approached by an officer and asked for my driver's licence. It was on one of those days when all cars are stopped for this purpose. I told the officer that I was booked up for a whole week. I was 70 miles from my home and that I could not produce the licence within the week specified, because it was at my home. He told me that I would break the law if I did not produce it. So I rang up my manager and told him to do so. I rang up the following Saturday afternoon and asked him whether he had produced the licence. My manager told me that he had been to the station and that there was no

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policeman there at all, but that he would take it in the following day and that he had told the policeman's wife that he had come with the licence, but that the two policemen were out on patrol. On the Sunday it was presented, a day late, and within a week I was served with a summons.

The DEPUTY CHAIRMAN: I am afraid that has nothing to do with the Clause.

Mr. BOWKER: Well, Mr. Chairman, the same condition is in this Act, but I will not pursue it, but I think a condition may appertain in which it is most difficult for a person to obtain this identity card and present it at the police station within a week as specified in this Act. The police station may be closed, there may be an epidemic, or something of that nature, and the person would be guilty of an offence, and it might be advertised in the press and would be a stigma on such a person. The hon. the Minister argues that this identity card is not a pass. Now this identity card is exactly the same as a passport. I think the hon. the Minister will agree. Its appearance is the same as a passport, and in the English dictionary and in the Afrikaans dictionary a passport is known as a pass and this identity card in this country will be known for all time as a pass.

The MINISTER OF THE INTERIOR: Then you are carrying one already.

Mr. BOWKER: It is no good trying to get away from this. I have no doubt that it will go down in history as the pass introduced by the hon. the Minister and the party on the other side will never live it down. We as a people in this country have a repulsion against the carrying of a pass.

The MINISTER OF THE INTERIOR: Don't you carry a passport?

Mr. BOWKER: A passport is a pass, and any document that a police officer can demand from a person to show on demand is exactly the same as what we call a pass and hon. members on the other side will never get away from it. I regret that a measure of this nature has been introduced. We could have had numbers for people, people could have identity numbers, which would not have conveyed any stigma. The hon. the Minister has said that he is prepared to accept reasonable amendments and I hope that he will accept this amendment to extend the period in which the identity card has to be presented at the police station from 7 days to 14 days.

The MINISTER OF THE INTERIOR: In Great Britain it is only two days.

Mr. BOWKER: But we are a country of very great distances.

The MINISTER OF THE INTERIOR: That is why we have made it three and a half times as long.

Mr BOWKER: Take the northern part of Natal where natives, to whom this Bill will also be applied one day, live a hundred miles from the nearest magistrate. On the border of Portuguese East Africa natives live a hundred miles and more from the nearest police station. These natives have no communication, they have no other way but to walk, and I think it is only reasonable that the Minister should give way to this particular request. If the Minister does not do so he will pay the price, that I can assure him.

Col. OOSHUIZEN: I want to move the following amendment to this clause—

In lines 37 and 43, respectively, after "any" to insert "male."

I think it is quite obvious that the Government is going to force the people of South Africa to carry this emblem of humiliation which is quite foreign to the spirit of the people of South Africa. But we can at least strike a blow for our womenfolk, and I hope hon. members opposite will help me to strike a blow for our womenfolk, although, if we look at them now, it does not seem that they are able to do so. But under this clause any policeman can stop any woman anywhere, your wife or your daughter, and demand a pass. That is a humiliation I would resent extremely if it were to happen to my wife. Surely, you cannot allow your Government to force that humiliation on your womenfolk. Although that right is given, if we must accept it, we must resent it. I think that every man worth his salt in this House should resent it that a right should be given to any policeman to stop his womenfolk and demand a pass from them. And any man in this House who is worth his salt, should vote for the amendment. If this clause is passed as it is here, it is going to inflict a brand of humiliation on all of us against the will of every White man in the country, and that merely for political purposes. But do let us show that we will not have this humiliation inflicted on our womenfolk by giving this right to a policeman to stop them anywhere and to demand a pass, and to subject them to a penalty. I appeal very strongly to members opposite and to my colleagues on this side to support the amendment.

Mr. C. M. WARREN: We on this side support it; what is the matter with you?

Col. OOSTHUIZEN: I move the amendment.

Dr. VAN NIEROP: I move—

That the Question be now put.

The DEPUTY CHAIRMAN: I put the question.

*Mr. TIGHY: On a point of order, Mr. Chairman, may I respectfully direct your attention to the fact that an amendment has been moved and that the Minister has not yet had an opportunity of replying to that amendment?

The DEPUTY CHAIRMAN: The acceptance of a motion that the question be now put is in the discretion of the Chairman.

The Committee divided:

AYES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—54.

Abbott, C. B. M.	Eaton, A. H. J.
Allen, F. B.	Eaton, N. G.
Ballinger, V. M. L.	Friedman, B.
Barlow, A. G.	Frielinghaus, H. O.
Bekker, P. B.	Gale, D. J.
Bell, R. E.	Gay, L. C.
Bloomberg, A.	Gluckman, H.
Bowker, T. B.	Graaff, de V.
Brooke, R. S.	Hayward, G. N.
Butters, W. R.	Henwood, B. H.
Cull, J. A.	Hepple, A.
Davidoff, H.	Higgerty, J. W.
Davis, A.	Hopewell, A.
Delport, G. S. P.	Hughes, T. G.
Du Toit, R. J.	Jonker, A. H.
Jordan, R. D. P.	Shearer, V. L.
Kahn, S.	Smit, D. L.
Kentridge, M.	Solomon, B.
Lewis, J.	Steyn, S. J. M.
Lovell, L.	Stuart, W. H.
McMillan, N. D.	Sturrock, F. C.
Mushet, J. W.	Sullivan, J. R.
Oosthuizen, O. J.	Tighy, S. J.
Oppenheimer, H. F.	Van der Byl, P. V. G.
Pocock, P. V.	Waring, F. W.
Russell, J. H.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That the word "three" in line 32, proposed to be omitted stand part of the clause.

Upon which the Committee divided:

AYES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. A.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Brooke, R. S.
Allen, F. B.	Butters, W. R.
Ballinger, V. M. L.	Cull, J. A.
Barlow, A. G.	Davidoff, H.
Bekker, P. B.	Davis, A.
Bell, R. E.	Delport, G. S. P.
Bloomberg, A.	Du Toit, R. J.
Bowker, T. B.	Eaton, A. H. J.

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Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Kahn dropped.

The amendment proposed by Mr. Waring in line 32 was put and the Committee divided:

AYES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

The amendment proposed by Col. Oosthuizen in line 37, after "any" to insert 'male" was put and the Committee divided:

AYES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

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NOES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

The amendment proposed by Mr. Kahn in line 39, after "request" to insert "in writing in both official languages" was put and the Committee divided:

AYES—55.

Abbott, C. B. M.	Henwood, B. H.
Allen, F. B.	Hepple, A.
Ballinger, V. M. L.	Higgerty, J. W.
Barlow, A. G.	Hopewell, A.
Bekker, P. B.	Hughes, T. G.
Bell, R. E.	Jonker, A. H.
Bloomberg, A.	Jordan, R. D. P.
Bowker, T. B.	Kahn, S.
Brooke, R. S.	Kentridge, M.
Butters, W. R.	Lewis, J.
Cull, J. A.	Lovell, L.
Davidoff, H.	McMillan, N. D.
Davis, A.	Mushet, J. W.
Delport, G. S. P.	Oosthuizen, O. J.
Du Toit, R. J.	Oppenheimer, H. F.
Eaton, A. H. J.	Pocock, P. V.
Eaton, N. G.	Russell, J. H.
Friedman, B.	Shearer, V. L.
Frielinghaus, H. O.	Smit, D. L.
Gale, D. J.	Solomon, B.
Gay, L. C.	Steyn, S. J. M.
Gluckman, H.	Strauss, J. G. N.
Graaff, de V.	Stuart, W. H.
Hayward, G. N.	Sturrock, F. C.
Sullivan, J. R.	Waring, F. W.
Tighy, S. J.	Waterson, S. F.
Van der Byl, P. V. G.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—58.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Conradie, D. G.	Luttig, H. G.
Conradie, J. H.	Luttig, P. J. H.
Deysel, A. J. B.	Malan, A. I.
Döhne, J. L. B.	Maree, W. A.
Dönges, T. E.	Mentz, F. E.
Du Pisanie, J.	Olivier, P. J.
Du Plessis, P. J. C.	Papenfus, S. F.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Stals, A. J.
Eyssen, S. H.	Steyn, A.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

The amendment proposed by Mr. Lovell in line 43 was put and agreed to.

The amendments proposed by Mr. Kahn and Col. Oosthuizen in line 43 were put and negatived.

Question put: That the word "sixteen" in line 45, proposed to be omitted, stand part of the clause and the Committee divided:

AYES—60.

Abraham, J. H.	Erasmus, F. C.
Botha, P. W.	Erasmus, H. S.
Brink, W. D.	Erlank, A. E.
Brits, G. P.	Eyssen, S. H.
Conradie, D. G.	Faurie, W. H.
Conradie, J. H.	Fouché, J. H.
Deysel, A. J. B.	Fouché, J. J.
Döhne, J. L. B.	Frates, T. J.
Dönges, T. E.	Grobler, D. C. S.
Du Pisanie, J.	Havenga, N. C.
Du Plessis, P. J. C.	Hertzog, A.
Du Plessis, W. C.	Hugo, P. J.

Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Kahn dropped.

The amendment proposed by Mr. Kahn in line 49, after "person" to insert "of or over the age of twenty-one years", was put and the Committee divided:

AYES—55.

Abbott, C. B. M.
Allen, F. B.
Ballinger, V. M. L.
Barlow, A. G.
Bekker, P. B.
Bell, R. E.
Bloomberg, A.
Bowker, T. B.
Brooke, R. S.
Butters, W. R.
Cull, J. A.
Davidoff, H.
Davis, A.
Delport, G. S. P.
Du Toit, R. J.
Eaton, A. H. J.
Eaton, N. G.
Friedman, B.
Frielinghaus, H. O.
Gale, D. J.
Gay, L. C.
Gluckman, H.
Graaff, de V.
Hayward, G. N.
Henwood, B. H.
Hepple, A.
Higgerty, J. W.
Hopewell, A.
Hughes, T. G.
Jonker, A. H.
Jordan, R. D. P.
Kahn, S.
Kentridge, M.
Lewis, J.
Lovell, L.
McMillan, N. D.
Mushet, J. W.
Oosthuizen, O. J.
Oppenheimer, H. F.
Pocock, P. V.
Russell, J. H.
Shearer, V. L.
Smit, D. L.
Solomon, B.
Steyn, S. J. M.
Strauss, J. G. N.
Stuart, W. H.
Sturrock, F. C.
Sullivan, J. R.
Tighy, S. J.
Van der Byl, P. V. G.
Waring, F. W.
Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—60.

Abraham, J. H.
Botha, P. W.
Brink, W. D.
Brits, G. P.
Conradie, D. G.
Conradie, J. H.
Deysel, A. J. B.
Döhne, J. L. B.
Dönges, T. E.
Du Pisanie, J.
Du Plessis, P. J. C.
Du Plessis, W. C.
Erasmus, F. C.
Erasmus, H. S.
Erlank, A. E.
Eyssen, S. H.
Faurie, W. H.
Fouché, J. H.
Fouché, J. J.
Frates, T. J.
Grobler, D. C. S.
Havenga, N. C.
Hertzog, A.
Hugo, P. J.
Jansen, E. G.
Klopper, H. J.
Labuschagne, J. S.
Liebenberg, J. L. V.
Loock, J. H.
Loubser, J. A.
Loubser, S. M.
Louw, E. H.
Luttig, H. G.
Luttig, P. J. H.
Malan, A. I.
Maree, W. A.
Mentz, F. E.
Olivier, P. J.
Papenfus, S. F.
Sauer, P. O.
Schoeman, B. J.
Scholtz, D. J.
Stals, A. J.
Steyn, A.
Steyn, J. H.
Strydom, G. H. F.
Strydom, J. G.
Swart, C. R.
Uys, D. C. H.
Van den Berg, M. J.
V. d. Heever, D. J. G.
Van Heerden, D. P.
Van Niekerk, J. G. W.
Van Rhyn, A. J. R.
Viljoen, J. H.
Visser, de V.
Warren, S. E.
Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

The amendment proposed by Mr. Kahn in line 55 was put and negatived.

Question put: That the word "seven" in line 50, proposed to be omitted stand part of the clause and the Committee divided:

AYES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendments proposed by Mr. Kahn and Mr. Bowker dropped.

The amendment proposed by Mr. Kahn at the end of sub-section (3) was put and the Committee divided:

AYES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—59

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

PARLIAMENT OF THE UNION OF SOUTH AFRICA

The new sub-section (4) proposed by Mr. Kahn was put and the Committee divided:

AYES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

New sub-section (4) accordingly negatived.

New Clause 14, as amended, put and the Committee divided:

AYES—60.

Abraham, J. H.	Loubser, J. A.
Botha, P. W.	Loubser, S. M.
Brink, W. D.	Louw, E. H.
Brits, G. P.	Luttig, H. G.
Conradie, D. G.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	Van den Berg, M. J.
Havenga, N. C.	V. d. Heever, D. J. G.
Hertzog, A.	Van Heerden, D. P.
Hugo, P. J.	Van Niekerk, J. G. W.
Jansen, E. G.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—55.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Hayward, G. N.	Van der Byl, P. V. G.
Henwood, B. H.	Waring, F. W.
Hepple, A.	Waterson, S. F.
Higgerty, J. W.	

Tellers: A. W. S. Mortifee and C. M. Warren.

New Clause 14, as amended, accordingly agreed to.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

On Clause 15.

*Mr. OLIVIER: After the attitude adopted by the Opposition, when the previous clause had been disposed of, and when they allowed the only Communistic member in this House, the hon. member for Cape Western (Mr. Kahn), to move eight amendments, and to call for divisions on those amendments, when they voted on his side every time, the Opposition have proved that on this clause now under discussion they do not want any information and that they do not want to argue on the merits and do not want any explanation from the Minister, and I therefore move—

That the Question be now put.

*Mr. HAYWARD: An absolute scandal.

*The DEPUTY CHAIRMAN: I must ask the hon. member to withdraw from the House for the remainder of the day's sitting, as he is casting a reflection upon the Chair.

[Mr. Hayward thereupon withdrew.]

*HON. MEMBERS: Shame!

*Mr. TIGHY: On a point of explanation, will the Whips on the other side tell us whether that is the procedure which they are going to follow in respect of subsequent clauses?

*Mr. OLIVIER: Yes.

*Mr. TIGHY: I move—

That Mr. Speaker be called in.

*The DEPUTY CHAIRMAN: I must ask the hon. member to keep quiet and to resume his seat.

The Committee divided:

AYES—60.

Abraham, J. H.	Fouché, J. H.
Botha, P. W.	Fouché, J. J.
Brink, W. D.	Frates, T. J.
Brits, G. P.	Grobler, D. C. S.
Conradie, D. G.	Havenga, N. C.
Conradie, J. H.	Hertzog, A.
Deysel, A. J. B.	Hugo, P. J.
Döhne, J. L. B.	Jansen, E. G.
Dönges, T. E.	Klopper, H. J.
Du Pisanie, J.	Labuschagne, J. S.
Du Plessis, P. J. C.	Liebenberg, J. L. V.
Du Plessis, W. C.	Loock, J. H.
Erasmus, F. C.	Loubser, J. A.
Erasmus, H. S.	Loubser, S. M.
Erlank, A. E.	Louw, E. H.
Eyssen, S. H.	Luttig, H. G.
Faurie, W. H.	Luttig, P. J. H.
Malan, A. I.	Strydom, J. G.
Maree, W. A.	Swart, C. R.
Mentz, F. E.	Uys, D. C. H.
Olivier, P. J.	Van den Berg, M. J.
Papenfus, S. F.	V. d. Heever, D. J. G.
Sauer, P. O.	Van Heerden, D. P.
Schoeman, B. J.	Van Niekerk, J. G. W.
Scholtz, D. J.	Van Rhyn, A. J. R.
Stals, A. J.	Viljoen, J. H.
Steyn, A.	Visser, de V.
Steyn, J. H.	Warren, S. E.
Strydom, G. H. F.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—48.

Abbott, C. B. M.	Jonker, A. H.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kahn, S.
Barlow, A. G.	Kentridge, M.
Bekker, P. B.	Lovell, L.
Bell, R. E.	McMillan, N. D.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Cull, J. A.	Oppenheimer, H. F.
Davidoff, H.	Pocock, P. V.
Davis, A.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Gay, L. C.	Strauss, J. G. N.
Gluckman, H.	Stuart, W. H.
Graaff, de V.	Sturrock, F. C.
Henwood, B. H.	Sullivan, J. R.
Hepple, A.	Tighy, S. J.
Higgerty, J. W.	Van der Byl, P. V. G.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

*Mr. WARING: On a point of order, I should like to have some information under clause 81 of the Standing Rules and Orders which reads as follows—

> (1) After a question (except a question already barred from debate under the Standing Orders) has been proposed from the Chair either in the House or in a Committee of the whole House, a member may claim to move "that the question be now put," and, unless it shall appear to the Chair that such a motion is an abuse of the Standing Orders of this House or an infringement of the rights of the minority, the question "that the question be now put" shall be put forthwith and decided without amendment or debate.

*The DEPUTY CHAIRMAN: I cannot allow any discussion, the motion has been adopted.

Mr. WARING: I would like to have some information. I would like to know from you if it is considered not an infringement of the rights of a minority not to allow them even to discuss the question before a Committee, and I submit that under the Standing Rules and Orders the ruling that was given was quite incorrect.

Hon. MEMBERS: Hear, hear!

Mr. STRAUSS: We want Mr. Speaker's ruling on that point. We also have some rights in this House.

The DEPUTY-CHAIRMAN: Does the hon. member desire Mr. Speaker to be called in?

Mr. STAUSS: We want Mr. Speaker's ruling on your decision to accept the closure under those circumstances. I move—

> That the Deputy-Chairman report progress in order to obtain Mr. Speaker's ruling in regard to the acceptance by the Deputy-Chairman of a motion for the closure, and ask leave to sit again.

Agreed to.

House Resumed:

Mr. SPEAKER in the Chair.

*Mr. G. P. STEYN: On the motion of the hon. member for Germiston (District) (Mr. Strauss) I have been asked to call you in, Mr. Speaker. I gave a decision here in the Chair and I accepted the closure of the debate when the hon. member for Kuruman (Mr. Olivier) moved it. That hon. member said that on a previous clause of the Bill no fewer than 8 or 9 amendments had been moved by the hon. member for Cape Western (Mr. Kahn) and a few other amendments also by other hon. members, and on each of those amendments they voted and called for a division. This debate in Committee on this Bill has, as you know, been going on since yesterday, and I thereupon felt when the hon. member made these remarks that obstruction was being indulged in, that hon. members were, for instance, doing everything in their power to prevent this Bill from being passed; on each clause, even on clauses adopted unanimously in Select Committee, amendments were proposed here, and when the hon. member for Kuruman moved "that the question be now put" I accepted it.

*Mr. S. J. M. STEYN: Before there had been any discussion of the clause.

*Mr. G. P. STEYN: Yes, on clause 15.

Mr. STRAUSS: Mr. Speaker, may I address you on this point. The point before you at present is really a very simple point.

An HON. MEMBER: Big man Strauss.

Mr. SPEAKER: Order, order!

Mr. STRAUSS: I hope we have some decorum in this House.

Mr. S. E. WARREN: Squealing like a pig.

Mr. S. J. M. STEYN: On a point of order, is the hon. member for Swellendam (Mr. S. E. Warren) entitled to say that an hon. member is squealing like a pig.

Mr. SPEAKER: That is not parliamentary.

Mr. S. E. WARREN: Then I withdraw that and say that he is squealing like a savage.

Mr. SPEAKER: Order. The hon. member must not use language like that.

Mr. S. E. WARREN; If you had seen how he had conducted himself, Mr. Speaker . . .

Mr. SPEAKER: Order, order!

Mr. STRAUSS: We ask for your ruling upon the facts that have taken place here and on standing order 81, which says—

> After a question (except a question already barred from debate under the Standing Orders) has been proposed from the Chair either in the House or in a committee of the whole House, a member may claim to move "that the question be now put", and, unless it shall appear to the Chair that such a motion is an abuse of the Standing Orders of this House, or an infringement of the rights of the minority, the question "that the question be now put" shall be put forthwith and decided without any amendment or debate.

Now, Sir, you know the facts as they emerged on this Clause. The Clause was put from the Chair and before any discussion could take place one of the Whips on the other side moved that the question be now put. The reasons advanced in support of the motion that the question be now put were because certain events took place on a previous Clause, viz., that certain divisions took place on amendments that were perfectly legitimate—divisions that we were quite entitled to call. Because these events took place the Chairman says that he was entitled to accept the motion for the closure. Our submission is that the divisions which took place on Clause 14 were perfectly legitimate divisions and in any case we say that those divisions had nothing at all to do with this Clause. This is an entirely different Clause and the least that the Chairman should have done was to allow us, as a minority, our democratic right to discuss that Clause.

Mrs. BERTHA SOLOMON: Our parliamentary right.

Mr. STRAUSS: We are entitled to give our views on the Clause and to move amendments to it, but that right has been denied us, and to you, Sir, as the champion of the rights of all members of this House, and particularly as the champion of the rights of the minority, we appeal, and we leave the matter in your hands to say that the ruling was incorrect and that we were entitled to discuss the Clause before the closure was accepted by the Chairman.

*The MINISTER OF FINANCE: I think there is no dispute about the fact that the closure of the debate on this clause was proposed by the hon. member for Kuruman (Mr. Olivier) and that it was accepted by the Chairman But I do not think that we can decide this issue without taking into consideration what happened in connection with the previous clause. Mr. Speaker, I do not want to go back still further becaue it is unnecessary, but I maintain that the Opposition abused their privilege on the previous clause by proposing a number of amendments. All those amendments were proposed by the other side. They were meaningless.

*Mr. STRAUSS: As for example?

The MINISTER OF FINANCE: Quite a number; not by the Acting Leader of the Opposition, but by another hon. member.

*Mr. STRAUSS: Did he not have the right to do so?

*The MINISTER OF FINANCE: He had the right to do so but we do expect the Acting Leader of the Opposition to display some sense of responsibility. We do expect some sense of responsibility from a responsible Opposition and we do not expect them to be led by an element such as the element that we had to deal with on the previous clause. I do not know whether the rules of this House allow me to say that there was obstruction. If it is permitted to say so then I want to say it here.

*The SPEAKER: I see no objection to it.

*The MINISTER OF FINANCE: There was obstruction in connection with the previous clause and the Chairman or the House should have some sort of remedy to deal with a situation such as the situation we had here in connection with the previous clause. I maintain that there must be a remedy if we want Parliament to do its work. In the circumstances the only thing the Chairman could do was to accept the proposal for the closure of the debate.

I hope it will be a lesson to all of us in that we should endeavour to display a little more sense of responsibility and that we shall be able to try to do the work of the people in respect of legislation; we shall then be able to avoid the sort of spectacle that we have been witnessing here.

Mr. DAVIS: Mr. Speaker, I hope in deciding this matter that you will not forget that this is a Committee of the whole House and that every particular Clause of the Bill under discussion has got to be discussed. It may not be discussed at length, but it should be discussed. I want to draw your attention to the latest edition of Kilpin's "Parliamentary Procedure in South Africa" at page 108 of which he says —

> "The wording of the Standing Order (No. 81) is complicated, but it is simple in intention and operation. When any member considers that the debate on the question under consideration is being unduly protracted, he may move at any time 'That the question be now put' and Mr. Speaker (or in Committee of the whole House the Chairman) is left to decide whether the motion is justified on the grounds that the question has been adequately discussed. If he thinks the closure motion is justified he obtains a seconder and immediately puts the motion without amendment or debate."

So it is quite clear from that passage, Mr. Speaker, that the intention was that there should be a debate and that there should be discussion. Only after debate and discussion has taken place, has it ever been customary to move the closure and it is an abuse of that rule to move the closure without either debate or discussion.

Mrs. BALLINGER: Mr. Speaker, as a member of one of the minority groups I should be glad to have an opportunity of saying a few words on this issue. The hon. the Minister of Finance has carried the discussion on the issue which has been put to you beyond the case which the hon. the Deputy Leader of the Opposition has done. I think he is quite right in doing so. If he had not done it, I should have done it. The position is this that we who represent minority groups in this House feel that we have a very legitimate grievance about the conduct of the Committee Stage of this Bill, whatever the hon. the Minister of Finance may feel about it. Those of us who feel that this measure is a measure of first class importance consider that we must register our firm conviction that we have been given signally less than our rights in regard to this Bill. I trust that you will allow me to say what I feel about this, since we have got to a point which is practically an impasse. On this particular Clause we have been refused

any discussion whatsoever. It happened to be a Clause on which I personally would have raised an issue on which in the earlier stages of the debate I could not get in at all.

The MINISTER OF THE INTERIOR: Where is your amendment?

Mrs. BALLINGER: I have not got an amendment. I am prepared to discuss the matter with the Minister but I am not called upon to have an amendment. At an earlier stage during the consideration of this Bill on an issue which was of first class importance to me, I got ten minutes and when I wished to put my point in reply to the hon. the Minister I could not get into the debate at all. I stood up and stood up, but was not seen and before there was time for all the others who apparently had a prior claim to speak before me could be seen, the debate was closured. In fact every Clause if this Bill has been closured and I want to say in reply to the argument advanced by the hon. the Member for Kuruman (Mr. Olivier) which have been endorsed by the hon. the Minister of Finance, that the Opposition did not make clear their reasons for supporting the amendments which were put forward by the hon. member for Cape Western (Mr. Kahn) that nobody had the opportunity of doing so. The hon. member may have moved some amendments which the Government regarded as frivolous. He moved a certain number of amendments anyway which were of first class importance. One for instance was that women should be excluded from the operations of this Bill which raised a fundamental issue in regard to the Bill, but there was not time to discuss that. The claim that the Opposition were not entitled to discuss the next Clause because they had not discussed the previous one is one which I think is setting a most pernicious precedent in this House and on which I am perfectly certain you will not support.

*Dr. VAN NIEROP: Mr. Speaker, I do not want to take part in the debate, but the hon. member opposite quoted from Mr. Ralph Kilpin's book, "Parliamentary Procedure"; he read out what appears on page 108 of that book. I just want to draw your attention to where the paragraph starts, and I just want to read out what the hon. member has left out. It says on page 107—

> **Closure.**—The form of procedure known as the "Closure" was adopted by the House of Commons in 1882 to prevent deliberate obstruction and was adopted by the Union House of Assembly in 1914. The wording of the Standing Order is complicated but it is simple in intention and operation. When any member considers that a debate on the question under consideration is being unduly protracted he may move . . .

Mr. Speaker, the word "protracted" there means obstruction which has been taking place earlier. I am just reading what it says here, in order to show that the way in which the hon. member opposite read it, gives a wrong impression of the whole matter.

Mr. DAVIDOFF: Mr. Speaker, I want to associate myself with the remarks made by the hon. members for Germiston (District) and Cape Eastern (Mrs. Ballinger), and in particular I want to draw your attention to Standing Order No. 81 which deals with this matter. It reads—

> And unless it shall appear to the Chair that such a motion is an abuse of the Standing Orders of this House or an infringement of the rights of the minority . . .

Now in this particular case the Chairman accepted the closure and he must have felt unquestionably that in accepting the closure without allowing any discussion that it must have been an infringement of the rights of the minority. When the Chairman put his case before you he stated that he gave his ruling and that he based his ruling on the fact that in his opinion there had been obstruction in regard to the previous clause. That is no argument in regard to any future conduct of the Chair nor should he be prejudiced in regard to what would follow. And secondly I want to emphasise the point made by the hon. member here that it could not have been obstruction on the part of the Opposition because we did not have the opportunity of discussing the various amendments put forward fully in view of the fact that the closure was moved in regard to the previous clause. That being the case, we had no option but to call for divisions and vote for the amendments which we were not allowed to discuss.

*The MINISTER OF JUSTICE: I also want to say a few words in this connection, Mr. Speaker, and I want to draw attention to what has happened here tonight. I want to draw your attention to the fact that it was so bad at one stage that an Opposition front-bencher got up and moved the closure of the debate. The hon. member for Hospital (Mr. Barlow) got up when Clause 13, probably the most important clause in the Bill, was being discussed and he moved the closure. But I now want to draw your attention to the following. It is said that the acceptance of this closure is something new, but I want to point out that it happened before in this House when it became obvious that there was obstruction. On that occasion the Chairman of Committees several times in succession agreed to the closure without any discussion. I want to refer you to Hansard of the 21st of March, 1929, when

the Pretoria Water Bill was being discussed in this House. I was immediately reminded of that occasion when this incident happened. At that time there was obstruction against that Bill and I might just briefly tell you what happened then. When it became very clear that there was obstruction, the Minister of Finance, who is also the present Minister of Finance, got up and said the following after Clause 21 had been put: "I think the hon. member for Pretoria (West) (Mr. Hay) is trifling with the House and I move that the motion now be put to the vote". That was agreed to. The next clause was then put, Clause 22, and I well remember that when Mr. Hay got up to speak, Mr. Swart got up and moved: "That the motion now be put to the vote". That was agreed to. When the next clause was put, Mr. Hay again got up to speak when Mr. Moll moved: "That the motion now be put to the vote". When the next clause, 24, was put, Mr. Hay started by saying: "May I say . . ." when Mr. Conroy said: "I move that the motion now be put to the vote". It was agreed to. I just want to point out that there are precedents for this action and that a whole series of closures was accepted by the Chairman, the late Mr. J. H. H. de Waal, who later became Speaker, because it was very obvious that there was obstruction; he allowed every clause to be passed without any discussion, and whenever an hon. member got up to speak the clauses were passed through the acceptance of the closure. The Opposition of that time, the South African Party, voted with the Government for the closure of the debate. I merely wanted to refer to this precedent.

Maj. VAN DER BYL: Mr. Speaker, the hon. the Minister of Justice has stated here that a front bencher on this side of the House moved the closure to a previous clause.

Mr. BARLOW: Let the front bencher speak for himself.

Maj. VAN DER BYL: The point is this. We, on this side of the House, felt that the Chairman should never have accepted the closure and we voted against it. It was the most important clause in the whole Bill and it had not been discussed for more than about a quarter of an hour. There were other clauses in the Bill which were of much less importance which were discussed for longer periods and we felt that the closure should never have been accepted. But the point I want to make is this. The hon. the Minister of Finance went into the background to give you a picture of what led up to the trouble when you were not in the House. But he only indicated what happened in regard to a previous clause. May I go back a little further. What finally did happen is due to what had been happening throughout the whole of this day's sitting. We feel that we have been having the closure applied to us when there had been no reason for it, or repetition of previous arguments.

An HON. MEMBER: Nonsense.

Maj. VAN DER BYL: The matter is so serious that I will not take notice of interruptions. I am trying to deal very seriously with regard to this matter. It is of such grave importance that we must choose our words carefully and with a full sense of responsibility. I was one of the members who asked for Mr. Speaker's ruling earlier on, but I am now trying to put this matter to you on its merits and objectively as I can. To show you what happened: On one occasion, the hon. member for Swellendam (Mr. S. E. Warren) got up and made a most virulent attack on one of our members and at the end of his speech moved the closure, which was accepted by the Chairman before anybody on this side of the House could reply to him, a thing I have never seen happen during 20 years I have been a member. If the hon. the Minister of Finance is going to give you part of the background, I think it is my duty to give you the whole of the background to indicate what led up to all this and which made our side of the House feel that we were not getting the protection that we, as a minority, should get right throughout the whole debate. It is this accumulative disregard of what we consider the rights of the minority that throughout the sitting has built up an ever increasing tension which was brought to a head by the Chairman accepting the closure with regard to a clause that had not been discussed at all.

Mr. BARLOW: Mr. Speaker, I want to enter into this debate as an ex-Deputy-Chairman of the House. It is quite true that during the debate the hon. member for Vereeniging (Dr. Loock) was making what I considered to be rather a vicious attack on a member on this side who had just sat down, and I, to test the Chairman, moved the closure. To my surprise he accepted it. He was not going to accept it but he was asked to accept it by the hon. the Minister of Justice.

Dr. FRIEDMAN: The hon. the Minister of Justice instructed him to accept it.

The MINISTER OF JUSTICE: That is not so. The hon. member alleges that I instructed the Chairman to accept the closure. I say that is not so.

Dr. FRIEDMAN: I stand by it. I distinctly heard the hon. Minister say . . .

Mr. SPEAKER: Order. The hon. member is not allowed to make such an insinuation. What has just been said by the hon. member

for Hillbrow (Dr. Friedman) is a reflection on the Chair.

Dr. FRIEDMAN: Mr. Speaker, I do not want to reflect on the Chair and I withdraw.

Mr. BARLOW: My own party was definitely against me moving the closure. It was done quite on my own and they voted against it, but what I want to say is this. As far as this party is concerned they have made quiet speeches. They may have voted against every clause of the Bill but it has been a rule in this House as you know very well, Sir, that the closure is not taken unless two speakers of this side and speakers from the other side have spoken. I have never in my life during the whole of my time in this House seen two closures taken one after the other without any discussion.

The MINISTER OF JUSTICE: I just quoted you a precedent and you were a member of the House at the time.

Mr. BARLOW: The hon. the Minister of Justice has put up his case, I think this is an honourable House and we must try and conduct its proceedings in a charitable way. I want to point out that the Chairman is a young Chairman and it is a very difficult thing to be Chairman of this House. He has not been in the Chair very long, but he will learn by experience. I think he is a little bit hasty . . .

Mr. SPEAKER: Order. I cannot allow reflections on the Chair.

Mr. BARLOW: That is the last thing I want to do, but I do think that the Whips on the other side are rather prone to rush in and move the closure.

Dr. FRIEDMAN: On instructions.

Mr. BARLOW: They could have got exactly what they wanted if they had not moved the closure, the closure, the closure all the time. Even the hon. the Minister who was leading the debate never on one occasion asked for the closure. He never went to a Whip and asked him to move the closure. They did it on their own.

Mr. OLIVIER: What do you know about it.

Mr. BARLOW: The Whips were too clever and they upset the applecart. Now as you know, Mr. Speaker, when things like that happen tempers flare up and the Speaker is asked for. What I have got against members of the Committee such as this is that time after time we have asked for you to be called in for your judicious views, but every time they have turned us down. I said to the Chairman, please call in Mr. Speaker, and I know our Mr. Speaker and I knew that he would at once bring about peace and quietness into the House. But they would not listen to it and they are to blame for a good deal of the trouble that takes place. They do not call you in so that you can give the House the benefit of your great wisdom and your long experience.

Col. JORDAN: Mr. Speaker, assuming for the moment, although it is not admitted, that there was obstruction on Clause 14, it is my submission that the application of the closure on that Clause was the penalty properly imposed, if there was obstruction, for what had happened on that Clause. Now in Committee of the whole House it must be realised that the Bill is not before the Commitee. It is each individual clause as it is called which comes before the Committee. And if there has been the imposition of a penalty for what has been judged by the Chairman to be improper conduct upon a Clause, it is the feeling of this side of the House that the imposition of the penalty then made in respect of the Clause in connection with which the offence was committed terminated the matter and that the punishment is not properly carried on to a suceeding clause. Mr. Speaker, I want to say, with great respect to the hon. the Minister of Finance, that I am astonished that he should have put himself in the position where it was possible for members of the standing of the hon. member for Cape Eastern (Mrs. Ballinger) to come into conflict with him on a question of fact. The hon. member for Cape Eastern has indicated that the amendments to the clause upon which it was alleged obstruction was incurred were amendments of substance.

Mr. DAVIS: Mr. Speaker, on a point of order, is it proper for the Whip to be talking to the Press Gallery while the hon. member is addressing the House.

Mr. SPEAKER: The hon. member may proceed.

Col. JORDAN: I was submitting to you that the hon. member for Cape Eastern had indicated that the amendments to Clause 14, when that Clause was before the Committee, were amendments of some substance and I should like to say that I concur entirely in that view. Let me give one other amendment. The hon. member for Cape Eastern instanced an amendment designed to take women out of a clause in terms of which they could be called upon in certain circumstances to produce indentity cards to the police and to certain other specified persons. There was another amendment which aimed at raising the level of the age at which a person could be subjected to that type of attention. Now there may be room, and I am prepared to admit that there is room, for two views on

the question as to whether women should be placed in a position where they may be called upon by the Police to produce their identity cards. I am prepared to concede that there may be room for two views on the question as to whether the Police should be able to approach young women at the age of sixteen and demand their identity cards, and whether it might not be preferable to raise that age, as was done in the case of one of the amendments to clause 14 to twenty-one. But because there is a difference in the views, a fundamental difference in the views, between that side of the House and this side of the House, that constitutes no warrant, in the submission of this side of the House for the hon. the Minister of Finance to stigmatise those amendments as of no substance.

The MINISTER OF FINANCE: Are you prepared to defend the majority of those amendments?

Col. JORDAN: Yes, I am prepared to defend the majority of those amendments with absolute and complete sincerity. May I remind the hon. the Minister of Finance that I have been in the practice of the law a little more recently than he has and that my honour compares with his and in fact I prefer my own.

Mr. SPEAKER: Order! Is there any necessity to bring the debate down to this low level of personalities? Why must the hon. member do that?

Col. JORDAN: There was a considerable amount of reflection upon the honour of this side of the House.

Mr. SPEAKER: No, not from the hon. the Minister of Finance because I was here when he spoke.

Col. JORDAN: Very well, I accept that.

Mr. SPEAKER: He did not reflect on the honour of any other hon. member because then I would have called him to order, and by saying that he would have reflected on the Chair in that I was not doing my duty.

Col. JORDAN: Mr. Speaker, you know that I would not reflect on the Chair.

Mr. SPEAKER: I know that and that is why I said it. But I want to remind hon. members that when I am in the Chair I shall definitely put my foot down to prevent that happening. The hon. member may now proceed.

Col. JORDAN: And I shall always defer to your authority and I go even further and if you think that I was unjustifiably reflecting upon the honour of the hon. the Minister of Finance, then even without your direction, I unhesitatingly withdraw it. What we feel on this side of the House is that as Clause by Clause came up, the closure was applied. Sometimes that closure was applied so soon that other amendments of substance we were not able to move. It may well be that as the Committee proceeded along these lines tempers became frayed, but it is our submission that the Chairman, in the acceptance not only of the closure which led to the ultimate fracas, which developed in this House, but his acceptance of earlier closures constituted, in the view of this side of the House an error on his part and an infringement of the rights of the minority which this side of the House felt it was his duty to protect.

Mr. SPEAKER: Order. I think I have now allowed sufficient discussion in regard to this matter. It is a matter of order, and I may say immediately that I allowed a very full and very ample discussion which was not necessary. I could have given my ruling after the report by the Chairman, but I wanted members to realise the attitude that I am taking up, and I think that after I have allowed this full discussion—both sides of the case have been put to me amply—members will realise how utterly impossible it is for the Speaker who was not present when this particular matter was being discussed to come to any decision on the merits of the case. And that is, I take it, why the rule was drafted as it is. It states very definitely—I will come back to the ruling presently—

> After a question has been proposed from the Chair either in the House or in a committee of the whole House, a member may claim to move "That the question be now put", and, unless it shall appear to the Chair that such a motion is an abuse of the Standing Orders of this House . . .

It is very clearly left to the discretion of the Chair, whether it is the Chairman in the Committee or whether it is the Speaker when he is in the Chair. It must be left to his discretion because nobody else is really in a position to judge and that is why we have had these very definite rulings, and may I say in reply to the hon. member for Hospital (Mr. Barlow) that is why the Speaker has never, lately at all events, been called in because in terms of these rulings, it is not necessary and it is never permitted. This is the ruling given in 1946 by Mr. Speaker van Coller. He stated—

> An appeal has been made to me against a ruling given by the Chairman of Committees. I am aware that such appeals have frequently been allowed in the past, but I have given careful consideration to the question as to whether such appeals ought to be made and would like to draw

attention to two decisions which were given by Mr. Speaker Jansen in declining to interfere with the authority of the Chairman.

In the first decision Mr. Speaker Jansen said:

> The rule is that the Chairman decides questions of order when the House is in Committee and from his decision no appeal should be made to the Speaker. (V. & P. 1924 (2), p. 270).

In the second decision he said:—

> The maintenance of order when the House is in Committee is in the hands of the Chairman. If that were not the case the conduct of the business would be a moral impossibility. (V. & P. 1925, p. 894).

These decisions were in accordance with S.O. 88 and May, 11th ed. pp. 385 and 621, and I entirely agree with them. There may be occasions on which the Chairman and the Committee may wish for the guidance of Mr. Speaker but ultimately the Chairman is responsible to the House itself and there should be no appeal to Mr. Speaker against decisions that have been given in Committee. And consequently I rule that I cannot interfere with the decision of the Chairman.

Mr. SPEAKER left the Chair.

House in Committee:

The DEPUTY-CHAIRMAN stated Mr. Speaker's ruling to the Committee.

Clause 15, as printed, put and the Committee divided:

AYES—60.

Abraham, J. H.	Havenga, N. C.
Botha, P. W.	Hertzog, A.
Brink, W. D.	Hugo, P. J.
Brits, G. P.	Jansen, E. G.
Conradie, D. G.	Klopper, H. J.
Conradie, J. H.	Labuschagne, J. S.
Deysel, A. J. B.	Liebenberg, J. L. V.
Döhne, J. L. B.	Loock, J. H.
Dönges, T. E.	Loubser, J. A.
Du Pisanie, J.	Loubser, S. M.
Du Plessis, P. J. C.	Louw, E. H.
Du Plessis, W. C.	Luttig, H. G.
Erasmus, F. C.	Luttig, P. J. H.
Erasmus, H. S.	Malan, A. I.
Erlank, A. E.	Maree, W. A.
Eyssen, S. H.	Mentz, F. E.
Faurie, W. H.	Olivier, P. J.
Fouché, J. H.	Papenfus, S. F.
Fouché, J. J.	Sauer, P. O.
Frates, T. J.	Schoeman, B. J.
Grobler, D. C. S.	Scholtz, D. J.
Stals, A. J.	V. d. Heever, D. J. G.
Steyn, A.	Van Heerden, D. P.
Steyn, J. H.	Van Niekerk, J. G. W.
Strydom, G. H. F.	Van Rhyn, A. J. R.
Strydom, J. G.	Viljoen, J. H.
Swart, C. R.	Visser, de V.
Uys, D. C. H.	Warren, S. E.
Van den Berg, M. J.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—54.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Higgerty, J. W.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause 15, as printed, accordingly agreed to.

On Clause 16,

On the motion of Dr. Smit, the Chairman put the omission of the proviso to sub-section (1) proposed by the Select Committee.

Dr. SMIT: I move:

That the following be a new proviso:

> Provided that in the case of persons who fall within a prescribed class or category, and who comply with prescribed conditions photographs and copies may be taken and supplied at the expense of the State.

This amendment must be read with the amendment I have placed on the Order Paper to Clause 20. We on this side feel very concerned at the deletion by the Select Committee of the proviso to the original clause 16 (1). That proviso gave the Director the discretion to authorise the taking of photos

at the expense of the State. The present amendment, Sir, is intended to attain the same object and to give a discretion to the Minister's department, to authorise the supply of photos at the cost of the State, to certain classes of persons. The requirement that photos must be provided at the expense of the individual will as has been stated, in dealing with a previous clause, create a burden that will make this Bill repugnant to the minds of every poor person of whatever race or colour. The object of the amendment is to help the lower income groups generally, and not only the Natives. There are many thousands of Europeans who draw poor relief, thousands of blind and crippled people, and old age pensioners, who cannot pay for a photograph, even though the cost may be small. The difficulty in going to the village to have the work done would be a burden which many people cannot afford. Then I want to take an extreme case—evidently the Minister has not thought about it—of the hard labour prisoners. No provision is made for taking their photographs or for paying for their photographs. I merely mention this to show how the real position has not been taken into account by the Minister and his advisers.

I would like to point out once again that in a great many of the Native areas it will be impracticable to require the Natives to provide these photographs, unless the State organises some machinery for that purpose, such as travelling vans with the necessary equipment. In many cases, as the hon. member for Albany (Mr. Bowker) has pointed out, the Natives live from 50 to 100 miles from the nearest magistracy. How, in Heaven's name, are these people to provide photographs for themselves? Many will be exploited by itinerant photographers and many will just not have the money to pay. I hope the Minister will soften his heart and accept this amendment.

Mrs. BALLINGER: As a second-best, I am prepared to support the amendment moved by the hon. member for East London (City) (Dr. Smit). But actually my own preference is for the clause as it stood originally. I want to make it quite clear that when this amendment to the clause was put to the Select Committee, I voted against it, and it was clearly understood in the Select Committee that if amendments were not acceptable to us it was open to us, without our loyalty to the Select Committee being questioned, to oppose them in this House. I am absolutely opposed to the change in this clause. The clause, as it originally stood, was a small concessioon to the difficulties in applying the registration system, plus photo, in a multi-racial country where the bulk of the people are extremely poor, and as such I think it would have been a reasonable thing to expect from the Government that it would have rather stood by its first intention, instead of yielding to a miserable political pressure to impose this burden on the people.

In what I am going to say I am taking the point which the Minister made on an earlier occasion when he replied to representations I made in this regard, and when I did not have an opportunity to reply to him. I consider that the Minister's reaction to the point I raised was frivolous, if I may say so. In fact, I want to compliment the Minister on his capacity for sidetracking every argument so that it is practically impossible to meet his propositions squarely on. On the earlier occasion I argued what I am prepared to argue again now, and what I think is quite in order on this clause, that to impose on the native population the obligation to provide photographs for registration purposes, is practically an administrative impossibility. I say what the hon. member for East London (City) has just said now: You are going to undertake a job which is beyond the capacity of our administrative machine. The hon, Minister in replying, sidetracked the whole argument. He said the Natives would appreciate a card which he carried about with his photograph on it. He said the natives were proud to have a photograph and that they liked to carry that card round with them, and that they particularly appreciated their photographs on their identity cards. He later raised the issue that the application of the photograph and the imposition of this on our administrative machinery was not impossible, because he said various commissions had recommended it and that therefore it must be practicable. When that issue was queried from this side and it was stated that those commissions had supported the idea of having a photograph on the pass, on the assumption that a new pass would be a substitute for all other passes, the Minister then said: Oh, I was not arguing that at all; I was simply arguing whether the thing was practicable. But when we argued the practicability of it, he said those were technicalities and would be dealt with by the department. He said he was not concerned about that. Now, that just twists the argument. The point I wish to make is this, that if he interprets "practical" as a question as to whether the native population would agree to it, that is quite another matter. On that point, the argument on this side is that both the Mould-Young Commission and the Native Affairs Commission saw the issue as practical since when they proposed the photographs, or alternatively by choice a thumbprint on the photograph, they were considering a pass which was to substitute a whole group of other passes. Now, Sir, the issue that was put to the Minister in the Select Committee and which has been put to him again now, is apart altogether from the mechanics of the thing which we think are impossible. We argue that this thing is

not practicable because the native population will not consent to acquire a paid-for photograph in order to adorn what is another pass. Now the Secretary for Native Affairs agreed to that himself in the Select Committee. It was put quite squarely to him, on this issue as to whether the native appreciates the carrying of a photograph to such an extent that he will be prepared to pay for it. The Secretary said he agreed that if this was going to be another pass, people would resent very much having to buy photographs to put on it. That is our contention. Our contention raises the practical issue from two angles. We think the mechanics of the situation are impossible. That was the point which the hon. member for East London (City) made a few moments ago. But we also say that psychologically or emotionally this thing is going to be impossible, because, while the natives will be perfectly willing to go and buy themselves photographs, if it would provide them with an identity document the same as anybody else, and which would involve the abolition of all the other passes, they will not be prepared to go and get themselves photographs to put on additional passes. That Sir, is the simple square issue. We claim that if the Minister insists on applying this clause, as he himself has amended it in the Select Committee, it will not only be extremely difficult to provide machinery to photograph the native population, but you will have to provide an enormous police force to search out the native people to get them photographed for a photograph for which they themselves will have to pay, and which they will now have to carry about as an additional pass.

These are serious arguments we are putting before the Minister, because in effect he knows quite well that if the native population does not do this, if they do not meet the obligations which the Bill is going to place on them, they are going to feel the edge of the law. They must accept this burden or else pay the price. We say it is not right that this burden should be imposed on the people. It is practically impossible for the Government to administer it and we know the people will bitterly resent it.

In the circumstances I hope the hon. the Minister will put aside all this frivolous talk about natives liking photographs and being so proud to carry them about, and let him see the justice of the case put to him by his own public servants, that they will carry a photograph proudly if they can carry it in exactly the same way as the European does. They will not carry it proudly and they will certainly not be willing to pay for it if it is simply another pass. We hope he will face that issue and go back to that measure of wisdom, which is not very much, which he showed in the initial drafting of the Bill.

*Prof. A. I. MALAN: I do not think it is really very fair on the part of the hon. member, to put what happened in Select Committee in the way she has done. She may remember that the motive given for the identity certificate for Natives, when this was discussed in Select Committee was that in the course of time a position would develop so that this identity certificate (persoonskaart) which the Natives carry, would take the place of the other documents which they have to carry. That being so the Natives would show their appreciation of the position and would be willing to pay for the photograph. In support of this I want to refer the hon. member to the Select Comittee's report. I refer to paragraph 202 where the following question was put to Dr. Eiselen —

> Would not the Native resent having to carry this card with his other documents unless it would give him special privileges or would do away with some of the other documents?

To this Dr. Eiselen replied —

> I think that has been the point of view of everybody in the past. They have so strongly advocated this identity card on the assumption that, of course, not under this law, but in the administration of the pass laws, it will be possible, through this identity card, to do away with quite a number of other documents and that therefore it will come as a boon to the Native people. That is the view of the Department.

And then I may also refer to paragraph 203—

> If it does take the place of other passes, then the Native would probably be prepared to pay, but if it does not give him any benefit, he will resent having to pay for the photograph.

To which the reply was —

> Yes, if it comes as something additional there would be a measure of resentment to pay for it, but if it comes in the same way as the present exemption certificate, if it has more or less th eforce of that, then I believe that they would value the document.

From what I have quoted it will be noticed that the hon. member was not justified in representing it as a burden which would be placed on the Native people for which they would get no compensation. That is why I have referred to the spirit in which this specific point was discussed in Select Commitee. That is to say that the Native would get so much for it and that he then, as evidence of his appreciation, would be willing to pay for the photograph.

Mr. HEPPLE: I want to appeal to the hon. the Minister to reinstate the clause as it

originally stood in the Bill, and not to accept the deletion by the Select Committe. I think the original draft was in itself a much better clause, because it recognised that there would be a hardship upon the poorer people. I have not seen any real evidence in support of the Select Committee's decision to delete portion of this clause. I am quite sure the Minister himself, when he dealt with the original draft of the Bill, recognised the fact that there weer large numbers of people in the country who would be put to considerable hardship to obtain these photographs. I am thinking of the road workers in the rural areas, the workers in the rural factories; I have in mind people drawing invalidity pensions; I am thinking of aged people and poor people drawing a very small measure of poor relief — for all these people it would mean considerable hardship if they have to go some distance in order to obtain a photograph. I can foresee, Mr. Chairman, that what will happen here is that people will break the law and not fulfill the requirements of this clause; not because they are opposed to it, but because it entails considerable hardship and difficutly for them to reach a place where they are able to obtain the required photograph. I know from personal experience that many poor people will be absolutely unable to afford even a sixpence or a shilling to obtain these photographs. It is a very real and a very serious hardship which is facing them. I do appeal to the Minister to recognise that and to reinstate the clause as it originally stood, and not to accept the amendment suggested by the Select Committee.

Mrs. BALLINGER: Mr. Chairman, I only want to add one further matter in regard to a point I had forgotten and which the hon. member opposite reminded me of. I appreciate the simple faith of the hon. member who spoke after me. It is one that I unfortunately do not share. It is perfectly true that the hon. Minister himself told the House at the second reading of the Bill, and he repeated it tonight, of his own hope that one day this identity card will take the place of the other passes for the Africans. It is quite true that in the Select Committee, Dr. Eiselen, in the same vague, general, happy, warm, comfortable terms, expressed the hope that one day this identity card would take the place of the multitude of other passes which the Africans are now forced to carry. Well, Sir, if the hon. member had been interested in this matter as long as I have, he would not have had much faith in that sort of warm, pleasant, comfortable hope. The African, like so many other people, would like to see something in the hand rather than watch the birds in the bush. If the hon. the Minister wants to get the confidence of the African people for the registration card, and if he wants to get their confidence and assistance in applying these conditions, he must begin by abolishing the other passes and not now hold out the vague hope that one day it will happen. The hon. Minister himself has shown the ground of our lack of confidence in this hope, by quoting in the House this afternoon all the commissions that had reported on the same subject, at large intervals of years, encouraging Governments to take the right way in this matter and to abolish the pass system. Well, Sir, it is quite true that the present Government has shown a remarkable capacity for legislation in quite strange fields that other governments have not been prepared to tread. It is a pity, however, that this has not been one of the fields they have been prepared to tread. How useful, how encouraging it would have been, if instead of introducing this Bill, the hon. the Minister had begun with a plan to abolish the pass laws, and so laid the foundation . . .

The MINISTER OF THE INTERIOR: This is the foundation.

Mrs. BALLINGER: Oh! Our trouble is, Mr. Chairman, that there are so many things we do not see with the same eyes.

The MINISTER OF THE INTERIOR: None so blind as those who will not see.

Mrs. BALLINGER: No, I know that. But we have had our eyes strained for a long time, and now they have become cloudy and misty with the sort of veil drawn across them now. I find it very difficult, even with all the Minister's assurances, to see in this the foundation for the abolition of the pass laws. Let me again urge on the hon. Minister, if he does not want to extend the troubles which the hon. the Minister of Native Affairs has on his hands and which the hon. Prime Minister has on his hands, that he should not introduce this new pass, this new pass with a paid photograph attached to it, on the native population of this country, at the present time. Of course, it is quite true that he thinks it will not be put into operation for a number of years. This is some slight consolation. But I would still suggest to him that (a) he adopts the old form of this clause, or (b) that he does not put anything into force under this clause before he abolishes the pass laws.

The MINISTER OF THE INTERIOR: In regard to the amendment moved by the hon. member for East London (City) (Dr. amendment. The cost, after all, on the Smit) I do not propose to accept that figures that I gave here this afternoon is almost infinitesimal and to say that by regulation classes or categories of persons can be specified on whose behalf the State will furnish the photographs, that seems to me to invite an unnecessary call for assistance. If there are really individual

cases of hardship, I have already indicated that some administrative means will be found of meeting such cases, but I can scarcely imagine that there will be many cases where the person cannot afford 1s. or 2s.

Mr. BOWKER: There will be many cases.

The MINISTER OF THE INTERIOR: If you go to the Parade here and see the number of Natives coming there to have their photographs taken at prices much in excess of the figure that I have mentioned . . .

Dr. SMIT: But what about all your poor whites?

The MINISTER OF THE INTERIOR: There are very few poor whites who cannot afford 1s. or 2s. Surely hon. members are losing their sense of perspective. Listening to the hon. member anybody who was not acquainted with the figure would have imagined that the figure involved was a couple of pounds at the very least.

Mr. STRAUSS: A few shillings is very hard to find if you are already in debt, with the rising cost of living since you came into power.

The MINISTER OF THE INTERIOR: The hon. member has already lost his sense of perspective this morning, do not let him do it again.

Mr. STRAUSS: It has had a very good effect on you.

The MINISTER OF THE INTERIOR: It is not a hardship on anybody—at least not on many people—to pay 1s. or 2s. for a photograph. If there are individual cases where this will be a hardship, then it is not sufficient to justify the insertion of a clause of this kind in the Bill. I think that is a matter that could be dealt with administratively and therefore I do not propose to accept the amendment of the hon. member for East London (City).

The hon. member for Rosettenville (Mr. Hepple) has, I think, also rather lost his sense of proportion. He wants us to go back to the old clause. In other words, he wants the photograph to be supplied free of charge, even to a Native who may be paying income tax. As the clause stood, photographs would have been supplied free of charge to all Natives. That is what the hon. member has asked for now, and I have told him that as far as the persons who cannot afford it are concerned—those few individuals who cannot afford to pay 1s. or 2s., some administrative means will be found of meeting their difficulty, if it is a real difficulty, but we are not justified in putting a clause of that nature in the Bill.

Mr. HEPPLE: But you put it in yourself originally.

The MINISTER OF THE INTERIOR: Yes, I put it in myself, and I will explain why it was taken out. I am now coming to the hon. member for Cape Eastern (Mrs. Ballinger), because this links up with what she said. She has very fairly referred to what the Secretary for Native Affairs said on this matter, and she has referred to his remarks as words of wisdom. Why does she not refer to the other words of wisdom expressed by the same Secretary for Native Affairs in question 185 of the evidence? This is what he said in reply to a question by Mr. Boltman—

> When we investigated the question some time ago it appeared that the Natives are desirous of having an identity card, and the reason for it is that as the result of it they expect to be less subject to all kinds of inconveniences at the hands of officials in future, just as in the case of the exemption pass.

That is more or less the tenor of what he said as quoted by the hon. member for Gezina (Prof. A. I. Malan). He went on to say—

> I believe that the Native will value the identity card more if he has to pay for it, and I also consider it the correct psychological approach to make him pay something for it.

Why does the hon. member for Cape Eastern not laud that approach of the Secretary for Native Affairs?

Mrs. BALLINGER: Because the Secretary went on to modify that on the strength of my questions to him.

The MINISTER OF THE INTERIOR: No, there is no modification of it. That is a very clear statement which was not referred to by the hon. member. It is quite true that when he says the Native is in favour of the identity card, he expects that it will mean less inconvenience for him. The hon. member will remember that the Secretary for Native Affairs expressed to the Committee what his ideas were, that there will be some kind of wallet and that most of the information now required on various passes will be printed on that wallet, and in that wallet will be the identity card. That is what the Secretary for Native Affairs envisaged as the possible result of the introduction of this system and he made the position very clear in answer to her own question.

Dr. SMIT: Read paragraph 203.

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The MINISTER OF THE INTERIOR: In paragraph 202 he made it clear that it could not be done under this law.

Mr. RUSSELL: Read the next paragraph.

The MINISTER OF THE INTERIOR: He says—

> They have so strongly advocated this identity card on the assumption that, of course not under this law, but under the administration of the pass laws . . .

Now I want to put this to the hon. member. If she is genuinely desirous of reducing the number of documents which a Native has to carry, then should she not be desirous that the first step should be taken in that direction?

Mrs. BALLINGER: It is not the first step in my submission.

The MINISTER OF THE INTERIOR: The hon. member spoke about the simple faith of the hon. member for Gezina. I am inclined to speak about the simple suspicion of the hon. member for Cape Eastern. Her mind is sodden with suspicion. She won't listen to what the Secretary for Native Affairs has said.

Mrs. BALLINGER: Read Paragraph 203.

The MINISTER OF THE INTERIOR: And commonsense should also tell her that that is the first step. She was also very suspicious when I said something about the registration of the births and deaths of Natives in rural areas. She will see that I have already given notice of my intention to introduce a Bill to amend the Registration of Births and Deaths Act.

Mrs. BALLINGER: No, I was not suspicious of that.

The MINISTER OF THE INTERIOR: Well, the hon. member seemed very surprised. I remember that when this statement was made in Committee Stage the hon. member said that this makes a profound difference?

Mrs. BALLINGER: What?

The MINISTER OF THE INTERIOR: The statement of the Secretary for Native Affairs, and then I reminded her that that was the very same statement that I had made in my Second Reading speech, that it held a possibility of a reduction of documents, but that it was not a thing that could be done in this Bill. This Bill provides machinery for the establishment of a registration system for Natives. Once that system has been launched, once it is under way, then administratively it is a question of seeing how far other documents that the Native has to carry may be eliminated. So I think the hon. member is very unfair in the attitude that she takes up.

There is just one other point which I think I must touch upon and that is the question of the practicability of applying this to Natives. I took "practicability" in the sense of what the hon. member has now called the mechanics of the system. There are these two meanings: The first meaning is this: Is it practicable; can it be applied, as some hon. members have argued here, as a matter of mechanics? The other is the psychological side. Is it psychologically practicable. When I referred to the reports of those two Commissions I was referring to the mechanical side. That is what the argument was about, and I was saying in reply to those people who say that it cannot be applied, — that it is impracticable and impossible to apply that system, — that there were other people who apparently had other ideas as to its practicability. I admit that the practicability in that sense is not the psychological approach as the hon. member has said now, but my reply to that point is what the Secretary for Native Affairs has said here.

Mrs. BALLINGER: And you will read paragraph 203?

The MINISTER OF THE INTERIOR: I will read 203. I think it has been read by the hon. member for Gezina. The reply of the Secretary for Native Affairs was—

> Yes, if it comes as something additional, then there would be a measure of recentment to pay for it.

That is exactly what he said in reply to question 185. The reason why they like it is because they think it will take the place of something else, and that is the hope that has been held out by the Secretary for Native Affairs—

> . . . if it comes as something additional there would be a measure of resentment to pay for it. But if it comes in the same way as the present exemption certificate, if it has more or less the force of that certificate, then I believe that they would value this document.

That is to say, if it could do away, as he said in paragraph 202, with a number of other documents. It would therefore come as a boon to the Native people. I do not know what the hon. members wants more than that. She wants this to be served to her on a platter; she wants bread and butter and cheese all in one, instead of taking it in its logical course, and being thankful that there is a Government which is now prepared to take the first step which

is necessary before there can be any question of a reduction in the number of documents which the Native has to carry. This naturally must take the place of some of those documents. How many of them, which of them, is a matter which can only be decided administratively, but it can only be decided once this scheme is in full swing, and the hon. member must be realistic about this matter.

Mr. LOVELL: I think the point was best put in the answer to question No. 225 which Dr. Eiselen gave to me in the course of the sitting of the Select Committee. This was the question I put to him—

> My point is that until the Native knows that this pass will relieve him of carrying some of the documents which he has to carry today, he might resent having to pay for the photograph when he is forced to take out his card.

Dr. Eiselen replied—

> As long as he regards it merely as an additional pass, he will obviously, I think, resent it.

I put that question specially to put the position as it exists today. The hon. the Minister says that this is the first step the Government is taking to relieve the non-Europeans of the necessity of carrying a number of onerous documents. I have never heard of a first step to reduce the number of documents to be carried by a Native, by adding a further document to be carried by him. It seems to me to be entirely illogical. I cannot be persuaded by that argument. The hon. the Minister and the Government are continually taking things away from the Native, and offer them a pie in the sky which they say will replace those things which they are now taking away. It reminds me of the story of the teacher who was having difficulty with a backward pupil in arithmetic. He came to the pupil and said: "You have six sheep; I will take three away, how many will you have left?" The pupil was backward and answered: "You won't take any of my sheep away, I will fight you." He couldn't teach the child that way, and when the headmaster heard of the difficulty the teacher was having he said: "Just give the child to me; I will show you how to teach him arithmetic." The headmaster then took the child and said: "Listen, my boy, you have six sheep. I will give you one head of cattle and you give me three sheep. How many sheep will you then have left?" The child answered quite simply "Three." There is a lesson to be learned from that story Sir. Why should you take something away and promise, in return for it something in the sweet-bye-and-bye? Why not, when you take something away, simultaneously give something in its place? Then you will have the confidence of the people from whom you are trying to take something away. The same argument applies to some extent to people who are poor. The Minister associates with people who are not poor and he does not know the circumstances of a large number of people . . .

The MINISTER OF THE INTERIOR: Who cannot afford one shilling?

Mr. LOVELL: . . . who cannot afford 1s. for the identity card that the Minister wants to give them. They get nothing out of it; the Minister gets something out of it.

Dr. VAN NIEROP: Not the Minister, the country.

Mr. LOVELL: Why should they take 1s. out of their old-age pension of £6 per month, on which they can hardly make ends meet, in order to pay for an identity card which the Minister wants to give them? It is a question of psychology and I cannot understand the Minister being so adamant about a clause like this which in his better moments he wanted to put into the Bill and in his worse moments he refuses to put into the Bill. I ask the Minister in all seriousness on behalf of the party that I represent, to reconsider this matter. Here is something that he could easily do for the poor people. He should be glad to do it. The party to which he belongs keeps on telling the Labour Party that the U.P. are the capitalist party, but that they (the H.N.P.) take into account the position of the poorer people, and they ask us why we vote with the United Party? Sir, I have watched them since I have been in this House. They do not take the poor people into account; they do not know how the poor people feel.

The MINISTER OF THE INTERIOR: That won't go down.

Mr. LOVELL: I have spoken somewhat strongly to the Minister, but I have done so because I want him to change his mind. One must speak sweetly sometimes, and sometimes forcefully. On this occasion I must speak forcefully and I ask the Minister to consider the position of these poor people who will be called upon to pay 1s. or 2s. for an identity card which they cannot afford and which they do not want.

Dr. SMIT: I must say I was very surprised at the heat which the hon. the Minister displayed in replying to our questions, particularly the questions put to him by the hon. member for Cape Eastern (Mrs. Ballinger). I want to read to the hon.

the Minister another passage of the evidence given by Dr. Eiselen before the Select Committee. This is what he said in reply to a question put to him by Mr. Lovell. I am reading paragraph 225.

The MINISTER OF THE INTERIOR: He has read that.

Dr. SMIT: The question of the hon. member for Benoni (Mr. Lovell) was this—

> My point is that until the Native knows that this card will relieve him of carrying some of the documents . . .

Dr. VAN NIEROP: He has read it already.

Dr. SMIT: I thought he read paragraph 203.

The MINISTER OF THE INTERIOR: No, he read 225. But you can read 224 if you like.

Dr. SMIT: Dr. Eiselen replied—

> As long as the Native regards it merely as an additional pass he will obviously, I think, resent it.

The impression given to us throughout the debate has been that the Native would be delighted to have this photograph, but that is really not the case. The Native will only have this photograph willingly if he is given something in exchange, if he is given some quid pro quo, and I want to say this, Sir, that the Minister's statement that the provisions of this Bill have to be applied to the Native first before he gets these benefits seems to me to be in keeping with the whole policy of this Government — the whole of their Native policy—namely, to add burdens to the Native people before they have given them anything in exchange. That seems to be the attitude of this Government and it has been exemplified by the statement which the Minister has made just now.

Mr. KAHN: Mr. Chairman . . .

*Dr. VAN NIEROP: I move—

> That the question be now put.

After discussion, Dr. van Nierop moved: That the question be now put, which was put and the Committee divided:

AYES—60.

Abraham, J. H.	Dönges, T. E.
Botha, P. W.	Du Pisanie, J.
Brink, W. D.	Du Plessis, P. J. C.
Brits, G. P.	Du Plessis, W. C.
Conradie, J. H.	Erasmus, F. C.
Deysel, A. J. B.	Erasmus, H. S.
Döhne, J. L. B.	Erlank, A. E.
Eyssen, S. H.	Olivier, P. J.
Faurie, W. H.	Papenfus, S. F.
Fouché, J. H.	Sauer, P. O.
Fouché, J. J.	Schoeman, B. J.
Frates, T. J.	Scholtz, D. J.
Grobler, D. C. S.	Stals, A. J.
Havenga, N. C.	Steyn, A.
Hertzog, A.	Steyn, G. P.
Hugo, P. J.	Steyn, J. H.
Jansen, E. G.	Strydom, G. H. F.
Klopper, H. J.	Strydom, J. G.
Labuschagne, J. S.	Swart, C. R.
Liebenberg, J. L. V.	Uys, D. C. H.
Loock, J. H.	Van den Berg, M. J.
Loubser, J. A.	V. d. Heever, D. J. G.
Loubser, S. M.	Van Heerden, D. P.
Louw, E. H.	Van Niekerk, J. G. W.
Luttig, H. G.	Van Rhyn, A. J. R.
Luttig, P. J. H.	Viljoen, J. H.
Malan, A. I.	Visser, de V.
Maree, W. A.	Warren, S. E.
Mentz, F. E.	Wilkens, Jan

Tellers: J. J. Serfontein, P. J. van Nierop.

NOES—53.

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jonker, A. H.
Ballinger, V. M. L.	Jordan, R. D. P.
Barlow, A. G.	Kahn, S.
Bekker, P. B.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Higgerty, J. W.	Waterson, S. F.
Hopewell, A.	

Tellers: A. W. S. Mortifee, C. M. Warren.

Motion accordingly agreed to.

The omission of the proviso in sub-section (1) proposed by the Select Committee was put and agreed to.

New proviso proposed by Dr. Smit put.

Upon which the Committee divided:

AYES—54.

Abbott, C. B. M.	Barlow, A. G.
Allen, F. B.	Bekker, P. B.
Ballinger, V. M. L.	Bell, R. E.

Bloomberg, A.	Jordan, R. D. P.
Bowker, T. B.	Kahn, S.
Brooke, R. S.	Kentridge, M.
Butters, W. R.	Lewis, J.
Cull, J. A.	Lovell, L.
Davidoff, H.	McMillan, N. D.
Davis, A.	Mushet, J. W.
Delport, G. S. P.	Oosthuizen, O. J.
Du Toit, R. J.	Oppenheimer, H. F.
Eaton, A. H. J.	Pocock, P. V.
Eaton, N. G.	Russell, J. H.
Friedman. B.	Shearer, V. L.
Frielinghaus, H. O.	Smit, D. L.
Gale, D. J.	Solomon, B.
Gay, L. C.	Steyn, S. J. M.
Gluckman, H.	Strauss, J. G. N.
Graaff, de V.	Stuart, W. H.
Henwood, B. H.	Sturrock, F. C.
Hepple, A.	Sullivan, J. R.
Higgerty, J. W.	Tighy, S. J.
Hopewell, A.	Van der Byl, P. V. G.
Hughes, T. G.	Waring, F. W.
Jonker, A. H.	Waterson, S. F.

Tellers: A. W. S. Mortifee, C. M. Warren.

NOES—60.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan

Tellers: J. J. Serfontein, P. J. van Nierop.

New proviso accordingly negatived.

Clause, as amended, put and the Committee divided:

AYES—60.

Abraham, J. H.	Conradie, J. H.
Botha, P. W.	Deysel, A. J. B.
Brink, W. D.	Döhne, J. L. B.
Brits, G. P.	Dönges, T. E.
Du Pisanie, J.	Malan, A. I.
Du Plessis, P. J. C.	Maree, W. A.
Du Plessis, W. C.	Mentz, F. E.
Erasmus, F. C.	Olivier, P. J.
Erasmus, H. S.	Papenfus, S. F.
Erlank, A. E.	Sauer, P. O.
Eyssen, S. H.	Schoeman, B. J.
Faurie, W. H.	Scholtz, D. J.
Fouché, J. H.	Stals, A. J.
Fouché, J. J.	Steyn, A.
Frates, T. J.	Steyn, G. P.
Grobler, D. C. S.	Steyn, J. H.
Havenga, N. C.	Strydom, G. H. F.
Hertzog, A.	Strydom, J. G.
Hugo, P. J.	Swart, C. R.
Jansen, E. G.	Uys, D. C. H.
Klopper, H. J.	Van den Berg, M. J.
Labuschagne, J. S.	V. d. Heever, D. J. G.
Liebenberg, J. L. V.	Van Heerden, D. P.
Loock, J. H.	Van Niekerk, J. G. W.
Loubser, J. A.	Van Rhyn, A. J. R.
Loubser, S. M.	Viljoen, J. H.
Louw, E. H.	Visser, de V.
Luttig, H. G.	Warren, S. E.
Luttig, P. J. H.	Wilkens, Jan

Tellers: J. J. Serfontein, P. J. van Nierop.

NOES—54.

Abbott, C. B. M.	Hopewell, A.
Allen, F. B.	Hughes, T. G.
Ballinger, V. M. L.	Jonker, A. H.
Barlow, A. G.	Jordan, R. D. P.
Bekker, P. B.	Kahn, S.
Bell, R. E.	Kentridge, M.
Bloomberg, A.	Lewis, J.
Bowker, T. B.	Lovell, L.
Brooke, R. S.	McMillan, N. D.
Butters, W. R.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Higgerty, J. W.	Waterson, S. F.

Tellers: A. W. S. Mortifee, C. M. Warren.

Clause, as amended, accordingly agreed to.

On Clause 17,

Mr. HOPEWELL: I desire to move the amendment standing in the name of the hon. member for Hospital (Mr. Barlow)—

To omit paragraph (b) of sub-section (2); and to omit sub-section (3).

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I want to refer the Committee to sub-section (b) which provides that—

> The director may, notwithstanding the provisions of sub-section (1)—
>
> (b) on payment of the prescribed fee, furnish to any person upon the written application of that person—
>
> (i) the last recorded address of any person whose name is included in the register;
>
> (ii) any other particulars recorded in the register in relation to any person whose name is included therein.

Then sub-section (3) is a consequential Section. I submit that this information which is contained in the register is primarily information in the interest of the State and this information should not be available for the general public. We have a very good precedent, Mr. Chairman. It is well-known that the pension Department will not give information as to who are pensioners and of an attempt is made to find out who are pensioners, the pensions department will not disclose that. And the information that is referred to in the sections which I asked to be omitted, is essential personal information and I submit that while the State may have an interest in this information—the Department of Social Welfare, the Department of Labour and the various departments of State who are desirous to have such information for administrative purposes, such information should not be handed to the general public, particularly under such wide terms as are given to the Director in this section. The Director could provide information on the application of any person who might wish to get certain information, without very good reasons. The Director would have very great difficulty in discriminating between what are genuine reasons and what are frivolous reasons, particularly if the person concerned had a bit of imagination and conducted such an enquiry with what would seem prima facie genuine reasons, but on subsequent investigation be shown as frivolous reasons. For the reasons submitted, the Select Committee did not strongly support this sub-section and as the information is of a private nature, I think these portions of Clause should be deleted.

*Mr. TIGHY: I do not want to keep the Committee long over this matter, but I just want to deal with one aspect of it, which was not touched by the hon. member for Pinetown (Mr. Hopewell), and that is that if we leave sub-clause (b) as it is, the Department may become a correspondence bureau for creditors and all sorts of people who want to trace persons, and I do not think that is the object of the hon. the Minister. Much will depend on what the prescribed fee will be which the hon. the Minister will, I assume, determine administratively, and unless that fee is relatively high, there will undoubtedly be many opportunities for abuse, as the clause reads now, particularly the sub-clause which I have mentioned. I want to associate myself with the hon. member for Pinetown when he says that we naturally do not object to the interchange of information between the Departments, when it is required, but I see no reason why a State Department should be used to supply information to private individuals. Take for instance the Police Department. If one were for instance to enter a Police station after an accident has occurred and ask what evidence they have obtained, they would refuse to supply that information, if they think it necessary to withhold that information. But in this case all this work has to be done on the payment of a fee of perhaps 1s., and I am afraid that the hon. the Minister's Department will have to spend all their time on correspondence. If he does not want to accept this amendment, then I must say I am very glad about the proviso in clause 3, where the hon. the Minister specifically says that the person asking for information must say why he requires it. That will assist the Department to a certain extent and it will act as a guide as to when they should withhold such information. Nevertheless, as it stands here, there is every possibility that it might be abused.

Mr. WARING: I do submit to the hon. the Minister that you cannot associate good government and the proper administration of this Bill if you commit a breach of faith by passing on information to private people for private use. I do think that it goes even further, that the only information that should be made available to the State is in a case where there are actually offences committed under this Act against the state, and I do feel that that would have been a reasonable approach as far as this Clause is concerned, but here we have this provision that—

> On payment of the prescribed fee, the Director may furnish to any person the last recorded address of any person whose name is included in the register.

That takes the matter right outside the bounds of what is regarded as departmental secrets and I do not consider that this measure in any way should be used as a debt-collecting machine. Once the Minister allows it to be used for that purpose, he will break down a great deal of the co-operation towards making his own Bill work. You want, that is the idea, to get the co-operation of the people who you are going to register

and you use this register for that purpose, I say you are breaking down full co-operation and you will just have a shambles. You will never get the real changes there are. It is far better to divorce this measure from any idea of giving information to people on payment of the described fee, and I do submit that on the basis of the amendment moved by the hon. member for Pinetown, you have reasonable and sensible approach to this measure and one which the hon. the Minister should readily agree to.

*The MINISTER OF THE INTERIOR: The clause under discussion here is a permissive clause. It only gives the Director the right to supply the information mentioned here at his discretion. Except in exceptional cases, the information which he may supply in terms of paragraph (b) (1) is only the last recorded address of any person whose name is recorded in the register. It is virtually limited to that. He may not supply other information which is recorded, unless he is assured that it is in the interests of the person, whose name is in the register, that the information be supplied. But when it is not in the interests of that person the Director's right to supply information is limited to the last recorded address of such a person. That right is absolutely permissive. I just want to say that in other countries it is a matter which is closely connected with the registration system. In certain countries they do not do it, but there are countries where they do make us of this right, and according to the evidence of the officials it did not promote social evils. But I want to go further. I have a leter here from a company, registered, I think, under Section 21 of the Companies Act; in any case it is a non-profit-making company. This company deals with social problems, and they wrote to me especially to ask me to make provision for this right to assist them in their work in trying to combat wrong social tendencies. They are asking for this right on social grounds. They think it will be of great assistance in checking the increasing indifference in connection with debts incurred by people, and that it will cause people to realise that debts incurred, must be paid. They asked me for social reasons—not for the sake of making any profit out of it, because they have no profits to distribute and this company is registered as a non-profit-making company—to make provision for something of this nature, which, as I have said, is in force in other countries. Well, this is a permissive clause, and the Director will have to see whether there will be any abuse of that right and whether it will give rise to malpractices; if any abuse can be detected, then it will be a different matter. That right did not make the registration system less acceptable in those countries where they do apply this principle. I am, therefore, not prepared to accept the amendment of the hon. member for Pinetown (Mr. Hopewell); as a matter of fact, that amendment was also proposed by the Party opposite in the Select Committee.

*Dr. JONKER: I would like to propose the following amendment to Clause 17 (1)—

> To omit all the words after "information" in line 24, down to and including "section" in line 26.

The words which I propose should be omitted are those in connection with a person who has acquired certain information. That is followed by the words "which to his knowledge has been communicated to him in contravention of the provisions of this section". I move that those words be omitted, because in the first place it appears to me that it would be practically impossible to prove that any such person has acquired the information, well knowing that it was communicated to him in contravention of the provisions of this Bill. The only person which can furnish such proof would be the official who furnished him with the forbidden information, and that official, knowing that he acted in contravention of the provisions of the Act, would normally be the last person to give that evidence against the person who acquired it in an illegal way. I say in the first place that it is practically impossible to prove that such a person did know that he was furnished with that information in contravention of the provisions of the Act. In the second place one can well imagine that such a person could acquire the information by stealing documents, for example, or something of that nature, but that apparently is also not what is meant here, because reference is made here only to information communicated to such a person. The clause as it reads here does not apply at all therefore to information acquired by means of theft or something similar. My last argument in support of it is that the real person who should be punished in this case is not the person who acquired the information from the official but that official who communicated the information to him; that is the first person who acted illegally in contravention of the Act in communicating that information to the other person. I therefore think that we can well do without those words which I propose we should omit.

Mr. GALE: In view of the distinction which the hon. Minister made in the earlier hours of this morning in regard to the word "recorded" as against the word "included" where he was referring to the particulars which were recorded in the register as against those which were included in the register, I want to draw the hon. the Minister's attention to the fact that in Clause 17

he also uses the word "recorded", and I wonder whether the Minister would not like to add also "and included" in order to cover the distinction that the Minister made earlier this morning. In Sub-clause (2) (a) the Director is given the power to provide any State department for the purposes of that department or for any criminal proceedings, any particulars recorded in the register. That would not, I take it, on the Minister's own statement this morning, include the photographs and as the Minister well knows in many criminal proceedings the photograph of the persons concerned is often of very great use. I do not intend to move an amendment to this particular clause, but I throw out the suggestion for the Minister's consideration that if he added after the word "recorded" the words "and included" then it would not only cover the particulars but also the photographs.

Mr. N. G. EATON: I wonder whether the hon. the Minister would give some information in connection with 17 (2) (a) and (b). The point I am interested in is the procedure to be adopted at the time of a general election particularly when information is sought by an agent or by a candidate in the election relating to the last known address of a voter shown on the roll. Would the agent be entitled to approach the department responsible for compiling the voters' lists for that information, or would the agent have to pay for it as set out in 17 (2) (b). There is some doubt in my mind as to what is intended there, as to whether the agent is entitled to go to the State department and ask them to get the knowledge, or is it the intention that the agent should approach this department responsible for the administration of this Act and pay for the information which would be supplied?

The MINISTER OF THE INTERIOR: The latter.

Mr. N. G. EATON: If the latter is the position, then I must say with the experience we have had during the past election, it will mean that the candidate might be liable for quite a lot of expense, depending upon what the prescribed fee is going to be. My own experience where we had to do with 2,000 or 3,000 untraced persons, although I do not know what the fee would be for each individual set of information, I can see it is running into a considerable sum of money, and I feel here that it is necessary now that the Minister has indicated which way this thing goes, that an amendment should be put forward that in a case of that nature the information should be supplied through the department responsible for the compilation of the electoral voters' list. I think that is only fair. Otherwise I can see considerable expense being incurred by a candidate or his agents and considerable revenue coming to the State as a result of the fee laid down by the Minister.

*The MINISTER OF THE INTERIOR: I cannot accept the amendment of the hon. member for Gardens (Dr. Jonker). There is no great difficulty for anyone to know that he has contravened a provision of the law. My advisers assure me that there will be no difficulty either in proving that anyone has contravened a provision and I think it is a good thing to have this provision here. In regard to the hon. member for Umlazi (Mr. N. G. Eaton) I have already replied to his question across the floor of the House and I have said that the application must be made to the director and that the payment must be made to the director. The hon. member said that this might cause a candidate a lot of expense. Well, if he does not want to incur such expense, then he must try to get the information in a different way, just as is done now. My colleague, the Minister of Finance, will not mind if a large amount of money is paid to the director in this way. If the information is of such importance to the candidates, then they must be prepared to pay for it. I therefore do not think that the hon. member can say that the fact that the candidate has to pay these expenses constitutes a serious objection to the provision of the clause.

Mr. GALE: What about recording and including?

The MINISTER OF THE INTERIOR: What is you point?

Mr. GALE: Recording, and including.

The MINISTER OF THE INTERIOR: I am sorry, that is the point I forgot. The hon. member for East London (North) has drawn my attention to the fact that the word "recorded" is used here. That word is used consistently with its use in the other parts of the Bill. It is not the idea to make the one photograph in the central register available for anybody in terms of sub-clause (2), and that is why it is the correct word.

Amendment proposed by Dr. Jonker put and negatived.

Question put: That paragraph (b) of subsection (2), proposed to be omitted, stand part of the clause,

Upon which the Committee divided:

AYES—58.

Abraham, J. H.	Conradie, J. H.
Botha, P. W.	Deysel, A. J. B.
Brink, W. D.	Döhne, J. L. B.
Brits, G. P.	Dönges, T. E.

Du Plessis, P. J. C.	Malan, A. I.
Du Plessis, W. C.	Maree, W. A.
Erasmus, F. C.	Mentz, F. E.
Erasmus, H. S.	Olivier, P. J.
Erlank, A. E.	Papenfus, S. F.
Eyssen, S. H.	Sauer, P. O.
Faurie, W. H.	Schoeman, B. J.
Fouché, J. H.	Scholtz, D. J.
Fouché, J. J.	Stals, A. J.
Frates, T. J.	Steyn, A.
Grobler, D. C. S.	Steyn, G. P.
Havenga, N. C.	Steyn, J. H.
Hertzog, A.	Strydom, G. H. F.
Hugo, P. J.	Strydom, J. G.
Jansen, E. G.	Uys, D. C. H.
Klopper, H. J.	Van den Berg, M. J.
Labuschagne, J. S.	V. d. Heever, D. J. G.
Liebenberg, J. L. V.	Van Heerden, D. P.
Loock, J. H.	Van Niekerk, J. G. W.
Loubser, J. A.	Van Rhyn, A. J. R.
Loubser, S. M.	Viljoen, J. H.
Louw, E. H.	Visser, de V.
Luttig, H. G.	Warren, S. E.
Luttig, P. J. H.	Wilkens, Jan

Tellers: J. J. Serfontein, P. J. van Nierop.

NOES—51.

Abbott, C. B. M.	Jonker, A. H.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lewis, J.
Bekker, P. B.	Lovell, L.
Bell, R. E.	McMillan, N. D.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Cull, J. A.	Pocock, P. V.
Davis, A.	Robinson, A. E. P.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Hopewell, A.	Waterson, S. F.
Hughes, T. G.	

Tellers: J. W. Higgerty, C. M. Warren.

Question accordingly affirmed and the first part of the amendment proposed by Mr. Hopewell negatived.

The second part of the amendment proposed by Mr. Hopewell was put and negatived.

Clause, as printed, put, and the Committee divided:

AYES—56.

Abraham, J. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Luttig, P. J. H.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Maree, W. A.
Döhne, J. L. B.	Mentz, F. E.
Dönges, T. E.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan

Tellers: J. J. Serfontein, P. J. van Nierop.

NOES—51.

Abbott, C. B. M.	Jonker, A. H.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lewis, J.
Bekker, P. B.	Lovell, L.
Bell, R. E.	McMillan, N. D.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Cull, J. A.	Pocock, P. V.
Davis, A.	Robinson, A. E. P.
Delport, G. S. P.	Russell, J. H.
Du Toit, R. J.	Shearer, V. L.
Eaton, A. H. J.	Smit, D. L.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de V.	Tighy, S. J.
Henwood, B. H.	Van der Byl, P. V. G.
Hepple, A.	Waring, F. W.
Hopewell, A.	Waterson, S. F.
Hughes, T. G.	

Tellers: J. W. Higgerty, C. M. Warren.

Clause, as printed, accordingly agreed to.

On Clause 18,

Mr. DAVIS: Mr. Chairman, I wish to move the amendment standing in my name on page 457, as follows—

In line 70, to omit "one hundred" and to substitute "fifty"; in line 71, to omit "six" and to substitute "three"; in line 72, to omit "or to both such fine and imprisonment"; in line 74, to omit "fifty" and to substitute "twenty-five"; and to omit all the words after "exceeding" in line 1, page 17, to the end of the clause, and to substitute "six weeks".

In doing so I wish to except the first part of it, which is to omit paragraphs (b), (c) and (d). That part of it was consequential on certain amendments being accepted; but they were not accepted, they were rejected, and the consequence is that that portion of my amendment falls away; (b), (c) and (d) falls away. The remainder of the amendment is simply to halve the penalties. For example, in the case of an offence in line 70 where the fine does not exceed the sum of £100, or imprisonment for a period not exceeding six months, my amendment is that the amount should be £50 and similar amendments in respect of the other penalties, which should be reduced to £50 and £25, and the period of imprisonment reduced from three months to six weeks. The point I want to urge upon the hon. Minister is that the type of person who will be liable to these penalties, generally speaking, will be drawn from among the poorer section of the South African population, mainly Coloureds. That is the probability, and it is not likely that there will be trouble as far as the European section is concerned. There may also be cases of Natives, and under those circumstances I suggest that the hon. the Minister should agree to the reduction in the penalties of the amount contained in my amendment.

Mr. ALLEN: Mr. Chairman, I would like to pursue a stage further the discussion that has already taken place. The hon. the Minister has divided the serious offences from the minor offences. I want to suggest to him and to the Committee that in cases of statutory or technical offences the alternative of imprisonment should as far as practicable be eliminated. Imprisonment is generally associated with crime or grave offences. Let us consider the terms of Clause 10 (1)—

> Every person (other than a Native) whose name is included in the register and the guardian of any such person who has not attained the age of sixteen years, shall within fourteen days, or in a particular case, such longer period as the Director may allow, after any permanent change in the ordinary place of residence of that person or of his ward under the age of sixteen years, as the case may be, notify the Director in the prescribed manner of that change of residence.

I put it to the hon. the Minister that the failure to notify a change of residence is a statutory offence and that there should not be any question of the alternative of imprisonment in such an event. I do not wish to weaken the provisions of the Bill, but it seems to me that, as the hon. member for Pretoria (City) (Mr. Davis) pointed out, we have to bear in mind the case of the poorer people as well as the size of the fine stipulated specially in the second section which deals with the kind of offences which I put to the Committee, are minor or statutory offences. Inability to pay the fine should not in such cases be the reason for imprisonment, and whatever action a magistrate may take, I think we should not put in our law an alternative of imprisonment in cases of statutory or technical offences.

Mr. S. E. WARREN: How will you collect a fine if he cannot pay?

Mr. ALLEN: That I will indicate, Mr. Chairman, as far as I am able to. When we passed the Registration for Employment Act, Act No. 34 of 1945, we made the provision in cases of offences that were of a minor character that such offenders were—

> Liable on conviction to a fine not exceeding ten pounds but not to imprisonment, and such fine shall be recoverable only in accordance with the law relating to the execution of a judgment given in a magistrate's court in respect of a civil debt.

I want just briefly to put to the hon. Minister that he should give his consideration to the point of view that I have expressed and to the principle that has been embodied in Act No. 34 of 1945, and endeavour to place such people — especially bearing in mind that a good many of them will be people who are unable to pay a heavy fine — to place them in no worse position than a debtor under our civil law. I would like the hon. the Minister to consider the matter, to review the clauses affected in relation to minor offences, and with a view to making the position clear I would move—

> To omit all the words after "pounds" in line 74, to the end of sub-paragraph (ii) and to substitute "but not to imprisonment, and such fine shall be recoverable only in accordance with the law relating to the execution of a judgment given in a magistrate's court in respect of a civil debt".

Mr. KENTRIDGE: Mr. Chairman, I would like in just a few moments to associate myself with the amendment moved by the hon. member for Roodepoort (Mr. Allen), and I hope now that the Committee has sailed into very calm waters, for which we are all thankful, that the hon. the Minister

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will give the recommendations of the hon. member for Roodepoort calm and ready consideration, and if he cannot find his way clear at the moment to accept the amendment, that he will consider making the amendment either at the next stage of this Bill, or in Another Place. Sir, we have had before this country for years now criticisms of penalties as far as the present system is concerned, and especially as far as statutory offences are concerned. The Penal Reform Commission with Judge Lansdown and other very able and impartial men, has shown in its report that this system of statutory offences being punished by imprisonment or by fines which have the alternative of imprisonment have led to the overcrowding of our gaols and to a great deal of unfairness to those who are guilty of what are after all minor offences. They have recommended very strongly that the line suggested by the hon. member for Roodepoort should be adopted in connection with these statutory offences, and not only should imprisonment as such be done away with but as far as fines are concerned instead of making imprisonment an alternative some arrangement should be made whereby the fines could be paid in instalments. Mr. Hoal, a former Secretary for Justice, reported—that is quite apart from the Prisons report — that his department strongly urged the adoption of the same proposals now put forward by the hon. member for Roodepoort, and I remember, Sir, — and that is the last point I want to put to the hon. Minister — I remember on the Public Accounts Committee several years ago when the officials of the Prisons Department were being examined, Mr. Hoal on behalf of the Department of Justice (he was then Secretary for Justice) showed the number of cases of people, especially Natives, who could not possibly pay the fines to which they were subjected, and they were imprisoned and helped to swell the already overcrowded gaols. Mr. Hoal said there was only one method by which these cases should be dealt with, and that was doing away with imprisonment as an alternative to fines. They should be subject to fines, and should be allowed to pay the fines in instalments.

I hope that the hon. the Minister will see his way clear to consider this matter, and put it right if not at this stage then at the next stage.

The MINISTER OF THE INTERIOR: Mr. Chairman, the offences for which penalties are provided fall into two classes, the more serious ones and the less serious ones. I do not propose to make any amendment in respect of the penalties for the more serious offences. I think they are very serious offences. You have, for instance, a person who having come into possession of an identity card belonging to another person, presents it as his own; or any person who with intent to deceive, imitates, alters, defaces, destroys or mutilates any identity card. Those are very serious cases, and I do not propose to alter the penalty provided in those cases.

But, Mr. Chairman, a case has been made out in respect of the less serious offences. The formula suggested by the hon. member for Roodepoort (Mr. Allen) has proved very unsatisfactory, I understand, and I do not propose to repeat that in this Act. What I am prepared to do is to omit all the words after £50, at the bottom of page 15. That, I think, will meet to a large extent the case of the hon. member for Roodepoort. It will then simply mean a fine not exceeding £50, and naturally that is a maximum sentence. If it is not paid, there may be an alternative term of imprisonment, but there won't be a substantive term of imprisonment, as it now reads, or both a fine and imprisonment for three months, so I think it goes a long way towards meeting the point raised by the hon. member.

The DEPUTY CHAIRMAN: Is the hon. member for Pretoria (City) (Mr. Davis) withdrawing his amendment?

Mr. DAVIS: Yes, with the leave of the Committee I withdraw it.

With leave of the Committee the amendments proposed by Mr. Davis and Mr. Allen were withdrawn.

Col. JORDAN: May I ask whether the Minister intends to move an amendment to meet his own proposal, because in that event I think the hon. member for Roodepoort (Mr. Allen) will probably withdraw his amendment.

The MINISTER OF THE INTERIOR: I move—

> To omit all the words after "pounds" in line 74, to the end of sub-paragraph (ii).

Mr. KENTRIDGE: May I ask the Minister while he is on his feet whether he will make some provision for the courts to arrange for these fines to be paid in instalments?

The MINISTER OF THE INTERIOR: That is a matter which is within the discretion of the courts.

Amendment put and agreed to.

Clause, as amended, put and agreed to.

On Clause 20,

Mr. RUSSELL: I intend to move an amendment to this clause, but before doing so may I express the hope that we will have ample time to discuss this most impor-

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tant matter. I feel that this is a most important clause; that it is the kernel of the whole Bill, because in terms of this clause the Minister can legislate. The Minister can actually make new clauses, and I am sure that the importance of this clause will be realised by our friends, the Whips, on the other side. I am convinced that if they move the closure of the debate on a clause of this kind they will be striking at the very roots of democracy. The Minister himself has gone on record as stating the paramount importance of discussing the "enabling clause" in any legislation; the enabling clause which eventually leads to a spate of regulation-making. I hope that he will understand our desire to discuss this clause very thoroughly indeed. The basic principle is to decide whether we are going to legislate from Cape Town in Parliament or whether the House is going to connive at allowing legislation from Pretoria by Ministerial decree. I have many and very important points to make, and in so far as one can do so after a weary night I will guard against any unnecessary words. My amendment reads—

To omit all the words after "prescribed" in line 60 to the end of sub-section (1).

This sentence in this sub-clause is the "blank cheque" clause that has become, unfortunately, all too common a custom in the past, for Parliaments to give to Ministers. If we allow this clause to go un-amended, it means that the Minister can legislate freely, perhaps too freely, without proper reference to Parliament, without subjecting himself to the due correction of this House. Sir, we could only allow this clause to stand if the Minister will agree to subjecting himself to sterner safeguards than those existing in the Bill at present — safeguards against unusual or despotic abuse of the power which he possesses under the Bill. He knows — and I think I might refer to it now — that my next amendment to this Bill asks for a positive, affirmative resolution of both Houses for any regulations made by virtue of this clause. I notice that the Minister is busy with his secretary. I had intended to say this to him personally: If he indicates by a nod, that he is prepared to accept my later and more seriously confining amendment which is on the Order Paper, the matter in relation to this deletion will vanish. To describe my viewpoint shortly, we are prepared to give him a blank cheque if we can limit the funds he holds in his name at the bank. If he would indicate that he is prepared to accept, at a later stage, a positive affirmative resolution of both Houses as being necessary before regulations made by him become law, we will drop our objection to this particular sentence in this clause. The Minister shakes his head. The Minister obviously feels that he cannot accept it. I am afraid then that I must pursue my argument. My first point is this. Why is it necessary to have a detailed setting-out of all the sub-sections (a) to (h)? We are asked solemnly to examine; to mark, read, learn and inwardly digest and then to approve of these sub-sections. If, however in actual fact this sentence to which I object, remains, these sub-sections become mere tautology; these sub-sections become redundant. I do not know why the Minister has found it necessary to set them out, because we have a later clause which says that he can do anything which he considers it "necessary or expedient to prescribe in order that the purpose of this Act may be achieved". Why then should we examine the various items in close and minute futility — various items of administrative action, and sometimes powers of more serious consequence, that he proposes to take, when he can introduce regulations to do anything, not inconsistent with this Act; when he can draft regulations on any of the matters dealt with here or in connection with any matters which require more serious regulation-making consequences? I have never been one who has looked upon delegated legislation as anything but a necessary evil. I know that the executive needs these powers. I know also that they should not go unchecked, and I know that in exercising his powers in this way the Minister is combining two functions that we usually keep separate in our constitutional system. He is combining the function of an Administrator in his capacity as a Cabinet Minister, and a legislator in terms of the power that we give him to make regulations. I know that it is necessary to give him these powers but there must be some check. At the moment those checks are not present. I am sure that many members reading casually or perhaps even carefully, Clause 20 (1) (a) to (h), imagine that those are the "only" items about which the Minister can make regulations. All too frequently in the past the general clause at the end, the general blank cheque clause at the end, passed unnoticed by members; particularly after an ordeal by night such as we have just passed through. We are grateful to the Minister to some extent for lifting the veil. He has given us a hint that, in terms of the enabling powers of this clause, he intends, for example, to appoint Justices of the Peace to authenticate photographs. He is also going to attend privately to other administrative details that occur to him from time to time. But even though some of these administrative details concern minor matters, matters on which he should rightly have the power to legislate by way of regulation, and matters on which the safeguarding clause which the Select Committee has inserted would be quite sufficient to deal with mere administrative matters, yet there are other and more serious matters

here about which he has the right to legislate and those are the ones in particular concerning which we feel the need for the stronger, positive affirmative resolution which I will move at a latter stage. Take paragraph (h), for example. In Clause 20 (1) (h) the Minister has the right to make regulations regarding—

> The compilation, in relation to any class of persons whose names are included in the register of family registers, the maintenance of such family registers, and the particulars to be recorded therein.

I would like to refer him back to Clause 7 (1). In Clause 7 (1) with which we have already dealt, but to which I must refer here because it has a definite reference to this clause. Regulations can be made in 20 (1) (h) in relation to certain specific items which are laid down relating to particulars to be included in the register. I do not want to go into details. Clause 7 (1) says—

> . . . the following particulars and no other particulars whatsoever.

Yet, in terms of this sub-section that I am discussing now, the Minister can actually by legislative regulation go beyond that clause. [Time limit.]

Sir DE VILLIERS GRAAFF: I cannot allow the discussion on this clause to go by without recording my protest at the extremely wide powers taken by the Minister in the concluding portion of sub-clause 1 of Clause 20. There apears to be virtually no limit to the powers there taken. The phrase used there is—

> Such powers which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

In sub-clause 2 he is entitled to impose penalties which, provided they do not exceed a fine of £50 or imprisonment for six months, are perfectly valid. The only control over this power appears to be that the regulations will be Tabled at the ensuing Session of Parliament or, if Parliament is in session, then on the Table of the House, and provided they are not disapproved, they will remain of full force and effect. Sub-clause (4) says this even though they are disapproved, such disapproval will be without prejudice to the validity of anything done in terms of such regulations or of such provision thereof up to the date upon which they so ceased to be of force and effect. In other words, it is perfectly possible for regulations to be made under the power given in Clause 20 (1) as a result of which an individual citizen may commit an offence created by these regulations, and may be sentenced to six months imprisonment which he may serve before these regulations even come before this House, to be approved or disapproved. This House, for some considerable time, had a Select Committee which went into the question of delegated legislation. The hon. the Minister himself at one stage served on that Select Committee and he is on record as having very clearly indicated that while he did not feel that much could be done to improve the position with regard to existing laws, he was nevertheless against these extraordinarily wide powers being taken under legislation. Here surely is a case where the widest possible powers have been taken which, in my submission, are entirely unnecessary in a Bill of this kind. The hon. the Minister has gone into this matter very thoroughly. There has been a Select Committee on this Bill and it has been discussed almost ad nauseam in this House. Surely by this time he knows powers he wishes to have, and what powers he wishes to prescribe by regulation. Why is it necessary for him to take this completely blank cheque, as it has been called, and perhaps rightly called, which gives him powers subject only to control by Parliament after, in some cases, a considerable period? For those reasons I wish to record my protest and ask the Minister to consider very seriously the acceptance either of the amendments proposed by the hon. member for Woodstock (Mr. Russell) or some suitable amendment which would circumscribe those powers, and not trespass to such an extent upon the findings of the Select Committee of this House which dealt with this very important matter of delegated legislation.

Mr. KENTRIDGE: I would like briefly to support the amendment moved by the hon. member for Woodstock (Mr. Russell) because this is an issue which has been before the House, and for that matter, before most Parliaments for very many years. In Great Britain the agitation was started by the Chief Justice of Great Britain who wrote a book on the new despotism dealing with delegated powers, and fighting for the principle that Parliament should have some control over these delegated powers. The hon. the Minister, when he was speaking on these benches, was a very ardent supporter of the principle of Parliamentary control over regulations, and it is perfectly true that at that time he was in Opposition, and there is always a considerable difference between the period of courtship and the period of possession, but at the same time I hope that now that the Minister is in possession of power, he will not forget the principles which he supported in those days and that he will endeavour to give some indication of that support by accepting the amendment moved by the hon. member for Woodstock, or at any rate, some alternative amendment to

provide for Parliamentary control over regulations that he issues under this Bill. In order to save time, while I am on my feet, I would like to suggest to the Minister to consider the amendment which stands in my name on the Order Paper—

> In line 65, to omit "fifty" and to substitute "fifteen", and in line 66, to omit "months" and to substitute "weeks".

Although it does not go as far as we would like to go, at the same time I hope the Minister will consider this amendment of mine and possibly himself amend it in the direction which he has already done in reference to another clause.

On the motion of Mr. Russell the chairman put the new sub-sections (3) and (4) proposed by the Select Committee.

Mr. RUSSELL: I think I have indicated that there is a possibility of a backdoor to clause 7 (1) existing in 20 (1) (h). There is that possibility, Sir. The Minister has obligingly told us that he possesses another backdoor in the Bill through another clause. Clause 3 has a backdoor in clause 21. I feel that we should not give the executive power to legislate, during the recess, by way of regulation in connection with something in respect of which they have not been given a clear mandate from this House. Mr. Speaker, the hon. member for Troyeville (Mr. Kentridge) has suggested an amendment to sub-section 2, and the hon. member for Hottentots-Holland (Sir de Villiers Graaff) has spoken about the penalties that could be inflicted on people in terms of this clause. In terms of sub-section 2 —

> Any regulations made under sub-section (1) may prescribe penalties for any contravention thereof, or failure to comply therewith, not exceeding a fine of fifty pounds or imprisonment for a period of six months.

I ask the Minister whether this does not substantially amount to taxation? It is a form by which the Minister can tax and he had some very clear things to say about regulations that amount to taxation in 1945. I will quote shortly what the minister said on that occasion. He said (Hansard Vol. 52 col. 3798) —

> There should be some prohibitions. certain matters which, except in exceptional circumstances, should never be made subject to delegated legislation, unless there is the very clearest mandate from this House.

The things which he dealt with when he considered the "Henry VIII" clause we can omit here. He went on to say —

> And the other is all regulations on matters of principle or "regulations which impose taxation."

Then he made this point —

> I think those prohibitions should be there as landmarks, as warning signals, that we should not allow this type of thing unless there is a mandate from Parliament expressed in the very clearest terms.

I maintain that these words of the Minister can be used not only to illustrate that he is taking quite vast powers to legislate by regulation, but that he is, as it were, acting against the principle enunciated by himself such a short time ago. We are surprised and disappointed that this Minister who, when in Opposition, we regarded as one of the mainstays of the sovereignty of Parliament, should not only in this Bill, but in other Acts in the past, be seeking to take wider and wider powers, be seeking actually to do things which he set his face against so sternly such a short time ago. I would like to remind the Minister that his view and my view on these matters have coincided in the past. We have both felt that the executive needs legislative powers, but also that the executive needs adequate checks. His cure for it was the same as my cure namely, that there should be a scrutinising committee of some sort to control these regulations. I agree that one can invest the executive with greater powers than we do now, provided we have this check and control that would not clog the wheels of administration. It was on the 3rd March 1948 that we agreed in all-party Select Committee that we should have such a scrutinising committee. More recently, since the new Government has come into power, another Select Committee has sat and has made the same recommendation. But nothing has been done yet. I questioned the hon. the Prime Minister on this matter. I asked him when he was going to set up this scrutinising committee, and his reply to me was "as soon as possible." He said on that occasion "We are a very efficient Government, and you will find that we will give attention to this matter." No attention has been given to this matter as far as I am aware. Certainly nothing has been done; no safeguard has been afforded to this Parliament of a nature and kind that will induce us to entrust to the Minister the powers that we are asked to give him in this measure. I would like again to quote the Minister against himself. It is a case of the ex-member for Fauresmith v. the member for Worcester, or Dönges the Opposition member of 1945 v. the Minister of the Interior of 1950. These are some of the things that he himself said on a previous occasion in connection with the delegation of legislative powers. I quote

his words from the debate on the 20th March, 1945. He said (Hansard, Vol. 52. col. 3797)—

> I think it is very important not only that a committee of that kind should investigate the product which has emanated from the Ministerial or departmental brain in the form of regulations, but that their attention should also be dirceted to the enabling clause . . .

I have dealt with that —

> . . . . under which the Minister or the Department was authorised to pass that delegated legislation. Therefore I think that this does not go far enough.

What I was asking for then, in this Minister's opinion, did not go far enough, and he asked us to adopt sterner measures. He said (Column 3796) —

> It is quite easy to tred the path of righteousness in peace-time.

Well, Sir, this is peace-time and I ask him now to tred the path of righteousness. He went on to say —

> It is the concern of Parliament and Parliament will be failing in its duty if it were not able to devise a measure to remedy that fault without reference to the Government.

There, Sir, he was speaking as a Parliamentarian and he was asking us not even to refer it to our own Government, but to ask Parliament to devise immediate measures to cure this sinister tendency.

The MINISTER OF THE INTERIOR: A Parliamentary committee.

Mr. RUSSELL: Yes, a parliamentary committee, but a parliamentary committee of necessity carries Government majority, so that I do not quite take his point. I do feel that this particular Minister should be the one, more than any other Minister, who should be keen and eager to provide the very safeguards which he urged himself such a short time ago. He was always a strong advocate that the powers of Ministers to make laws, which function properly belongs to this House, should be adequately controlled. Here we have pleas from the hon. the Minister that we should include every possible safeguard against any abuse of delegated legislation. He went on to say this—

> The irony of the position today is that we have a Government which is supposed to be the protagonist of a system of democracy, of parliamentary government and personal freedom and liberty, yet if one must judge them by their actions, they are just the very reverse. No body of persons in this country is doing more to make democracy a hissing in ears of the people of this country than the Government which now does not grace the benches on the opposite side.

Those sort of remarks were made by the hon. the Minister when he was in the Opposition. I now ask the Minister, in conjunction with the Prime Minister's statement that his is a most efficient Government, have they not proved themselves efficient only in curtailing rights, in controlling passports, in deciding arbitrarily where people shall live and own property, in limiting white immigration, in deciding who shall be a citizen and on what terms, and in killing democracy and the freedoms we value? [Time limit.]

The MINISTER OF THE INTERIOR: There are a number of observations I want to make on the speeches that have been delivered here. The first point I want to make is that the general clause towards the end of sub-clause (1) is not so wide and unlimited as hon. members would pretend.

Mr. TIGHY: Is that sub-section (3)?

The MINISTER OF THE INTERIOR: No, it is sub-section (1). It is limited in this instance. It is limited by two considerations. The first is that it must be for the purposes of this Act.

Mr. RUSSELL: What line?

The MINISTER OF THE INTERIOR: Line 61. It says here "which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved." Therefore under the terms set out, there is not the danger. There is a limitation, it is not a blank cheque but a cheque which is limited by the purposes of this Act. But in the second place the hon. member has asked me why these specific powers are enumerated in (e) to (f) if we want to have a general power. The answer is that the mere existence of these specific powers limits the general power on the ejusdem generis rule. If you have just a general clause without an enumeration of these specific powers, the power will be wider than it is now. A further point to be remembered is that in this Bill in sub-clauses (3) and (4) certain safeguards are given, and may I just ask the hon. member whether under the Government which preceded this Government, we had a concession of this nature?

Mr. RUSSELL: I think it appears in the Asiatic Land Tenure Bill. I think it is identical there.

The MINISTER OF THE INTERIOR: That would be one example, and I am glad there is such an example.

Mr. RUSSELL: I thought you had taken it from that Bill.

The MINISTER OF THE INTERIOR: I am informed that this is actually a formula adopted by this Government under an Act passed in the course of the last two years. It may be that the hon. member is correct, but I think he will find very few examples where the previous Government had a provision of this nature. I think I was quite correct when I accused the previous Government of not having a provision of this nature in any of their Acts, with the possible exception to which the hon. member referred. I therefore think that I was quite justified in saying this. Hon. members must remember that I am putting in these subclauses (3) and (4) and that is a tremendous advance on what the position was under the old Government. The hon. member must be fair enough to admit that.

Mr. RUSSELL: I think I said that it was an advance.

The MINISTER OF THE INTERIOR: It is an advance and I think it justifies what I said previously. I go further and I say that in my remarks which the hon. member has quoted here, he has overlooked the main point on which I had laid emphasis and that is Parliamentary sovereignty. Parliament can assign whatever power it likes to governments or to departments, provided it is aware, when giving those powers, that it is giving those powers. The hon. member was perfectly correct in drawing the attention of Parliament to it, but if Parliament in its wisdom, having its attention drawn to it, decides to give these powers, then Parliament is exercising its sovereignty, and what I have always said is that we must not have these things passed in a manner in which Parliament in most cases is not even aware that it is giving these tremendous powers to a Government or to a department.

A third very important point which the hon. member has overlooked, is that the things which I have omitted to provide under regulations. One of the main points in this Bill is the contents of the national register and the contents of the identity card. In most of the other countries having legislation similar to this the contents of both the register and the card have been left to be provided by regulation, without the safeguards of sub-clauses (3) and (4). I pursued a different course and said that these important matters would be prescribed in the Act itself. I would not take to myself the right to prescribe them by regulation. I have been perfectly fair and open with the House in this respect and hon. members must remember that this is a Bill which in its administration will be difficult. They have themselves repeated that argument. Where the main things where the abuse can take place, viz., what use you make of the register and of the identity card, where that has been provided for, in the Bill, I think that I am entitled to take the ordinary steps which, from an administrative point, one must be able to take when you are dealing with a new Act which covers new terrain and that is what I have asked for in those provisions, the general provisions to which the hon. members have already referred. I do not think I can take the matter further. I think I have carried out what I have said in the speeches which the hon. member has quoted. I submit that I put this matter before Parliament I have taken as few powers for regulation as possible, I have put the main things in the Bill itself. I welcome this discussion here. The House now knows what are the powers that I want and which I think are necessary. I have given a safeguard which the previous Government, if ever only gave in exceptional cases, and that is that the regulations will not just be promulgated in the ordinary way, but that they can be attacked by a substantive motion within the first Session after they have been promulgated and if this House and the other House decide that the regulations should be repealed, they can be repealed. Naturally until they have been repudiated by Parliament, they must have effect, because otherwise we would have an impossible position where you have an administrative Act of this kind and a lot of expense. For these reasons I think hon. members should be satisfied with the extent to which I have respected the sovereignty of Parliament and with the measures which I have provided for proper safeguards against abuse of power. It also makes it impossible for me to accept the amendment of the hon. member in regard to a new sub-clause (3) that he has got on the Order Paper. I hoped that he would have moved that, but in view of the arguments I have given, the hon. member will understand that I cannot accept the amendment.

Sir DE VILLIERS GRAAFF: Before the hon. the Minister sits down, may I put one question to him: When these regulations are tabled can they be discussed on a motion of a private member?

The MINISTER OF THE INTERIOR: I think there will be provision for that. I do not know exactly the rules of the House in regard to that, but I take it that this is a precedent that has been taken from other Acts and that there is some provision for the debating of the regulations on a motion of a member.

Mr. RUSSELL: I would like to deal with that very point right away. When these

regulations which lie on the Table for a certain period actually come before this House, there is no regular and automatic way in which a member can bring them up. The only ways a member has to bring them to the attention of the House are most unsatisfactory. We have available to us, in addition to the examination of an enabling clause such as we are dealing with today, the way of Questions to Ministers. We all know how unsatisfactory that course is. Then in Committee of Supply we can raise the matter on the Minister's Vote and possibly criticise him. That also is quite often unsatisfactory. We have to wait sometimes for months to get to the particular vote and, Sir, even the period in which regulations lie before they become law may elapse before that happens. Then the only real way we have of doing it is by way of a special motion or "as a matter of urgent public importance." The latter was once done is respect of police regulations. But one knows also the slight chances that one has in that direction. The only real way that we have to bring these regulations up before the House is by way of a private member's motion. Now that is fine, Sir, at the beginning of a session. But the Minister has clearly indicated, and that is one of the troubles I have, that he intends to legislate by regulation during parliamentary sessions. He makes special allowances for legislation which occurs in the recess and legislation by regulation that occurs while Parliament is sitting. The method of procedure is most unsatisfactory. Supposing now, today, a regulation was suddenly promulgated in terms of this Act. Now just how—perhaps the hon. the Minister of Native Affairs, as a former Speaker, can tell us—just how could a correction be made by a private member, or by one of the Opposition in this House? It would of necessity depend on the goodwill of the Government in giving us official time. The only other way would be to try and raise the matter by way of a motion of urgent public importance because the effects of the regulation may be of real importance to the country. That is not very likely to succeed. The hon. the Minister will see that we are circumscribed and curtailed and I would like to move the omission of sub-sections (3) and (4), proposed by the Select Committee, and the substitution of a new sub-section. The only way in which we would have some automatic correction of the regulations issued by any Government is to have some machinery in this House for the automatic and easy correction or modification or change or abrogation of regulations that are made in this way. The Minister knows that we have not got this power, the hon. the Minister knows the disadvantages of his present Bill and his present clause. He knows himself that this clause as outlined by him, he should know it better than anyone else in this House, is no real safeguard at all. The cure, as far as it exists, depends on the individual initiative of a private member, and then there is only a limited chance of his bringing it to the attention of this House. I ask you, Sir, what chance is there even of one of the Government's side trying to correct a regulation? Naturally it would be presumed to be an attack on his Government.

Capt. G. H. F. STRYDOM: No.

Mr. RUSSELL: Knowing the Government side, I know they would never query any regulation issued by a Minister, but if they were prepared to do so, they would not have adequate means of raising the matter, and the Minister knows that. The Minister knows that this clause is meaningless because we have not got a scrutinising committee. Nor have we got the automatic machinery of procedure in this House to put forward motions; procedure whereby these regulations stand automatically referred. In this connection I quote the hon. the Minister again. Just before the election in March, the Minister handed in a Select Committee minority report; to the Select Committee which had studied the subject, and in his minority report he said that we must make haste. He said—

> Whilst admitting the usefulness and necessity of such an attempt to purify the existing reservoir of legislation and regulations, I feel that that would be a task which would take years to complete.

He wants to do something right away, Sir. He says—

> Whilst the Committee would be engaged on the task of purifying the existing reservoir, more polluted water would be entering that reservoir.

Now the hon. Minister knows that more polluted water is flowing into the reservoir and he knows there is no means of correction.

The MINISTER OF THE INTERIOR: Not if under Parliamentary sovereigny, and if their attention is drawn to it.

Mr. RUSSELL: The hon. the Minister knows very well what I think of Parliamentary sovereignty. When we were in power we had a large majority and the support of the majority of the people of this country and he knows that he is in a minority Government. What did he say then? He said—I remember his words and they were on these lines: He said that he had noticed with alarm the docility with which hon. members of this House had at times allowed encroachments upon the powers of Parliament. This is what he said: "I have been

filled with grave misgivings about the growing apathy among members of Parliament, a docility towars the crack of the Whip".

The MINISTER OF THE INTERIOR: Have you ever had any Bill like this in your legislation?

Mr. RUSSELL: No, we have never had Bills as bad as this before. But the Minister knows that this clause as a safeguard is only an apparent safeguard, is really no safeguard at all.

The MINISTER OF THE INTERIOR: Move its deletion.

Mr. RUSSELL: I have moved the deletion and proposed to put something else in its place.

The MINISTER OF THE INTERIOR: Move its deletion.

Mr. RUSSELL: The Minister again tries to twist with too clever argument. The Minister will admit that in this matter the only real method by which this House is forced to consider the regulations, is if we have the need for a positive affirmative resolution by both Houses of Parliament. He knows it and it is nothing new. You will see it in the Seashore Act . . .

The CHAIRMAN: Will the hon. member please enlighten me how many amendments he has moved?

Mr. RUSSELL: There are two amendments and they are both on the Order Paper. I do beg the Minister not to try and fob this House off with righteous arguments that he is providing every possible safeguard, that the Parliamentary machinery is working very well now because this matter is being thrashed out in Parliament. He knows very well that this whole Bill is being steamrollered through this House. He knows that only four of us have been discussing it today that many of the members don't even see the possibilities of despotic rules in giving uncontrolled regulatory powers to the Minister. He knows that we have no automatic machinery to control the possibility of abuse. He himself urged the establishment of such machinery. He said we cannot wait. We must act before the polluted stream becomes more polluted. As a minority of one on the Select Committee, he said that the Committee should at once find ways and means of controlling ministerial powers. Now he twists round and, after two years in power they have done nothing, although the hon. the Prime Minister said that his was an efficient Government and that they would give their attention to the matter as soon as possible. We want Parliamentary control and when we have it, we will then be prepared to grant the executive powers to make regulations. We will then know that we will have at least a post-mortem examination of what they are doing. We will then know that fore-knowledge in the mind of departmental draftsmen of legislation that, at a later stage, he may be called to account by this House, will have a salutory effect. [Time limit.]

Question put: That the words proposed to be omitted in lines 60 to 62 stand part of the Clause,

Upon which the Committee divided:

AYES—59.

Abraham, J. H.	Louw, E. H.
Bezuidenhout, J. T.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Maree, W. A.
Deysel, A. J. B.	Mentz, F. E.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. J.	Strydom, G. H. F.
Frates, T. J.	Strydom, J. G.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	Van den Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Vosloo, L. J.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan
Loubser, S. M.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—53.

Abbott, C. B. M.	Frielinghaus, H. O.
Allen, F. B.	Gale, D. J.
Barlow, A. G.	Gay, L. C.
Bekker, P. B.	Graaff, de Villiers.
Benson, E. A.	Henwood, B. H.
Bowker, T. B.	Hepple, A.
Brooke, R. S.	Higgerty, J. W.
Butters, W. R.	Hopewell, A.
Christie, J.	Hughes, T. G.
Cull, J. A.	Jonker, A. H.
Davis, A.	Jordan, R. D. P.
Delport, G. S. P.	Kahn, S.
Du Toit, R. J.	Kentridge, M.
Eaton, A. H. J.	Lewis, J.
Eaton, N. G.	Lovell, L.
Friedman, B.	McMillan, N. D.

Oosthuizen, O. J.	Strauss, J. G. N.
Oppenheimer, H. F.	Stuart, W. H.
Pocock, P. V.	Sturrock, F. C.
Robinson, A. E. P.	Sullivan, J. R.
Russell, J. H.	Tighy, S. J.
Shearer, V. L.	Van Coller, C. M.
Smit, D. L.	Van der Byl, P. V. G.
Smuts, J. C.	Waring, F. W.
Solomon, B.	Waterson, S. F.
Steyn, S. J. M.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment negatived.

New sub-sections (3) and (4) proposed by the Select Committee put and agreed to.

Clause, as amended, put and agreed to.

On Clause 21,

Mr. DAVIS: Mr. Chairman, I wish to move the following amendment—

To omit paragraph (d) of sub-clause (1).

The Committee will remember that Clause 2 of the Bill was amended by the Select Committee so as to include Native women and Native males under the age of 18 years. It therefore provided for a universal registration of the population. Now the hon. the Minister admitted that that amendment was made by the Select Comittee for political purposes.

An HON. MEMBER: When did he say that?

Mr. DAVIS: That is what I understood from the hon. the Minister. But the hon. the Minister, while he is requiring Native women to register under Clause 2 of the Bill, is taking unto himself the power to exclude them under Clause 21 (1) (d) which reads—

> The Governor-General may by proclamation in the Gazette exclude, for a specified or unspecified period, from the provisions of this Act or exempt, for a specified or unspecified period and either unconditionally or subject to such conditions as may be prescribed in the Proclamation, from any specified provisions thereof, any other class of person or persons or class of persons ordinarily resident in any specified area, the generality of the provisions of this paragraph not being limited by the provisions of the preceding paragraph.

So that the effect of that clause is that the hon. the Minister is entitled to say, I am not going to register for an unspecified or a specified period, as he feels inclined, Native women or Native youths under any age which he desires. That being the position it seems to me that the hon. the Minister in order to establish his sincerity and as an earnest of his sincerity to the pubic in having included Native women for registration, ought to agree to the deletion of this clause. That particular section gives him a particular power which he has exercised in the provisions of Clause 2, the power now to exclude Native women and I ask him because the country is under the impression that the hon. the Minister has decided to register Native women, to now give an undertaking that that genuine intention on his part by agreeing to the elimination of this part of the clause.

*Mr. TIGHY: I should like to say something about the amendment proposed by the hon. member for Pretoria (City) (Mr. Davis). During the second reading debate the hon. the Minister strongly denied that it was his intention to leave out non-Europeans. He particularly denied that he intended to leave non-European women out. He then said that he would introduce an amendment to that effect in Clause 2. When we discussed the matter we pointed out to him that while, on his own admission, he had proposed that amendment for political purposes, he was still retaining this clause, which I call an escape clause. As the clause now stands there is no doubt that the Minister will have the power to regard it as a political way-out and nothing else and as a means of misleading the public. During the debate on the subject the hon. member challenged the Minister and told the Minister that he was convinced there would never be any registration of non-European women, or of non-Europeans. The hon. the Minister on several occasions admitted that there would be practical difficulties in the introduction of such registration of non-Europeans. Hon. members told us that we were trying to tackle these things wrongly but that they would tackle the registration where it could be practically applied—that is to say that they would tackle the registration as far as Europeans were concerned. Considering all these points, we can come to no conclusion except that we are going to reach a state of affairs where the Europeans will be placed on the registration roll and where European males will be obliged to carry a pass or identification card while the non-European will not have to do so. I do not want to emphasise this too much but I do want to say that there is no doubt that we shall be causing, or encouraging, a feeling of resentment among the European people of South Africa if they find that while they are required to pass through all the formalities provided for in the various clauses of the Bill other sections of the population will not have to do so,

although the Minister tries to tell us that it is a National Register and that it applies to everyone. That is one important aspect, but there are other important aspects too. I do not believe that the hon. the Minister wanted this registration system to be set up only in order to obtain a registration list and to make people carry an identity card. He has other objects in view. Earlier this morning I said to him that what he had in mind was to use this registration list as a voters' roll. He did not deny it. But let us assume for the sake of argument that, a crisis might arise in this country in the near future. War might break out or there may have to be rationing — what will be the use of this list then if he excludes the great majority of the population from the list in terms of this clause? They have had this type of registration in England and in other countries, mostly for the purpose of rationing. And in what, way will it help the census in this country if the Minister leaves some groups out? We cannot get any assurance from the Minister whether he is going to do so or not. He is only asking for powers there. When an important Bill such as this one, is going through the House, Ministers should be very clear what they intend doing, and I do not believe that we can possibly accept what is no more than just a verbal explanation. I think it should be laid down in the law. I think it is essential that it should be included in the law. I do not want to detain the Committee any longer except to say that if the Minister, in this debate both during the Second Reading and in Committee, has given the impression that he intends to have a registration only for Europeans and a pass only for Europeans, then he must not blame us for it. The circumstances and the speeches that have been made, taking them altogether have created that impression in South Africa and I say again what I have said before that we are still justified in calling this Government the "pass Government" of South Africa.

Col. JORDAN: Mr. Chairman, when the hon. the Minister moved in the Select Committee to amend clause 2 of the Bill so as to include in the Register Native males over the age of 18 years and Native females, he amended the clause now under consideration in this Committee by giving himself the power to do that registration in sections and, so long as the object of that was purely administrative, there might well be no objection to it but there is nothing to show that it will be used for administrative purposes only. When we came to clause 14 we moved an amendment which gave effect, if not to the evidence which was given by the Director of Census and Statistics before the Select Committee, then certainly to an opinion which was then expressed by that official. It was put to him that the effect of the proposed amendments, as they then were, to clauses 2 and 21 would be that the population register could be brought into operation, for instance, for urban areas and not for rural areas. That was one point that was specifically put to the Director and his answer was that even though he might wish to do the administrative work sectionally, he was speaking as an official and I understood the hon. the Minister at the time to concur in his view, he had no desire to deal with the issue of Identity cards except on a national basis. It was for that reason that an amendment was moved to clause 14 of the Bill which was designed to ensure that no inspection of identity cards could be undertaken until the lists which had to be displayed at magistrates' courts were actually on display at every magistrate's court throughout the country. In other words that no inspection of identity cards would be undertaken until the register had been completed to the extent that it included administratively the list at every magistrate's office in the Union. Well, he hon. the Minister rejected that amendment, which was the only safeguard which it was reasonable to ask and that we should be given in the circumstances. He has declined to give us that assurance. He has declined to provide that safeguard with the result that we feel, on this side of the House, that to give him the powers which he now seeks to take unto himself under clause 21, is asking, so far as we are concerned, too much of the Committee. As I say it will enable him not only to compile the Register sectionally, but to bring it into aperation sectionally and to enable him to issue identity cards sectionally. I do not know whether the hon. the Minister appreciates that if only he had viewed the amendment which was suggested to him when clause 14 was under consideration, with less suspicion, that we in turn would have viewed this additional amendment made by the Select Committee with no suspicion whatsoever. In those circumstances I hope that the hon the Minister will appreciate that he can hardly, without some provision for safeguards ask us to swallow the amendment inserted in clause 21 by the Select Committee.

*The MINISTER OF THE INTERIOR: I only want to make a few remarks, but I am afraid that I shall have to repeat certain things. It seems to me that certain things which I explained in English have failed to penetrate into the minds of hon. members opposite. I shall try, therefore, to make these points in Afrikaans. The object of the Bill is contained in Clause 2. The object of this piece of legislation is to register the whole of the population, but I must add that it is practically impossible to achieve that object immediately with a population of 12,000,000, and it will therefore have to be done in parts, in sections. I have also said that the question as to which sections would be tackled first had not yet been

decided. The director himself has said that we shall start with a census and that will probably be for the Coloured and European groups. That means more or less 4,000,000 people, whom we shall be in a position to register in that way. But from that point, and simultaneously with it, because it need not necessarily emerge from the census, there are other sections of the 12,000,000 which can gradually be incorporated. He has mentioned various groups, and it is necessary, therefore, as it is practically impossible to apply the registration to the 12,000,000 people at once, it is necessary therefore, to have this Clause 21 (1) in the Bill. I hope hon. members understand that now. As far as the application of the registration is concerned, different methods can be followed. One way would be for the Native males (over 15 years of age, that is, those who pay poll tax, constituting about 1,500,000 people) to be incorporated in the register without using the census. They can be incorporated in a different way. Then, according to the director, there are other groups which he has had in mind. There are, for instance, the Native women in the nine big towns, where there are about 250,000 of them. Or, if you want to tackle a further group, there are the Native women in all the urban areas—constituting a larger group than the former. But these are questions which will still have to be dealt with. In his evidence he said that perhaps even the Europeans might be divided into sectors or sections for the composition of the register. In his evidence he pointed out that that was not an unusual thing. That, for instance, is what is actually happening in Kenya today, where registration is being carried out in sections. Now I just want to say that if hon. members want to make it impossible to have the law carried out, all they have to do is to insist on the immediate registration of the whole of the 12,000,000 people. If they want to wreck the law, let them say so. Then they can move this amendment, but it would only mean another attempt to destroy this whole system. Hon. members should realise that and the country should realise it. We say that we stand by Clause 2, but at the same time we are realistic and we know that it is something which cannot be done at once. I do not want to take up time by dealing with all the allegations of members opposite, unworthy allegations. I think it is better, after all the unpleasantness which we have had so far, for me to ignore them completely. I have now put the position clearly and I want to repeat again what I said in my introduction on the second reading debate, that I felt that the form in which Clauses 2 and 22 had been drafted was a form which would lend itself to political exploitation, and I therefore decided, before any speech had come from the other side of the House, so to amend Clause 2 (now read together with Clauses 21 and 22) that it would minimise the possibility of political exploitation even though such exploitation would not be entirely eliminated. It is not a change in the spirit of the Bill, nor is it a change in the essence of the Bill. It is merely a change in the form of the words used. That form of words, as I said, was changed to prevent its political exploitation by the other side. I hope it will not be necessary for me to give any further explanation on this point.

Col. JORDAN: I just want to ask one question of the Minister. Is he prepared to give the assurance that identity cards will be issued on a national basis no matter how the register is compiled, administratively, by groups?

*The MINISTER OF THE INTERIOR: I have already answered that. I said that I stand by Clause 2. This contains the object of the Bill, and that object will be carried out within the shortest possible time. That will be done.

Mr. ROBINSON: Mr. Chairman, I listened very carefully to the arguments advanced by the hon. the Minister in regard to this matter but what troubles me is that he is seeking powers here which are of a continuing nature. The hon. the Minister makes the point that the reason why this clause is so worded is to enable his Department to carry out the terms of the law and to facilitate the administration of the registration of the population. Now let us assume that that registration has been finally effected. Let us for one moment accept the fact that it is the intention of the hon. the Minister to register all sections of the population which I still say I do not believe is the case, but let us for the sake of argument accept that. Why then should the Minister or any future Minister for that matter have, the power to exempt certain classes thereafter because this sub-section would enable that to take place. One can visualise a future Minister deciding to exempt his political followers from registration. One can visualise a future Minister deciding to exempt the people who support the Government of the day or various other classifications. If what the hon. the Minister requires is merely to facilitate the registration of the population in a sequence of groups, why does he not seek those powers! Why not have a provision in the Bill which will enable the hon. the Minister to register the various sections of the population! First of all the Europeans and then the Coloureds and then the Natives divided into males or females as he pleases or as we would propose, as my hon. friend here reminds me, in that order reversed, and having done that, then let this permissive clause fall away. I would like to refer to the words of my hon. friend, the member for

Smithfield (Mr. J. J. Fouché), when he said that it was undoubtedly impertinent of me to suggest that the Government would not in fact register the Native people. The real intention of this Bill is to classify the Europeans of South Africa as well as the Coloured people. They know it is quite impracticable to carry out the registration of the Native people in South Africa in terms of this Bill and the sooner the hon. the Minister faces up to that and presents us with a measure of the real intentions of the Government, how much better it would be. I say that the hon. member for Rondebosch (Col. Jordan) has put the position quite clearly. This side of the House, if the Bill is proceeded with in its present form, would like to see a complete registration carried out before identity cards are issued and if the hon. the Minister had the courage to accept that proposal, there would never be any identity cards issued because it is not the intention to register the whole population.

Col. JORDAN: Mr. Chairman, I rise to move a small amendment which is on the Order Paper in the name of the hon. member for Orange Grove (Mr. Waring). I am taking that amendment over on his behalf and I do not propose to take up the time of the Committee. The amendment is—

> In lines 36 and 37 to omit "the Union or any other" and substitute "a foreign".

The effect of that amendment briefly is that it would exclude from the Minister's powers of exemption personnel of the Union Defence Force. One can see no reason why they should be exempted from obligation to carry this pass if every other South African has to carry it. The reason for substituting the word "foreign" is to ensure that foreign troops, when visiting South Africa, would not be compelled to carry a South African pass whereas our own troops would have to do so. I may say that in times of war, if it be necessary for troops to carry a particular type of identity card, that could be done naturally by means of emergency legislation when the necessity arises. I move accordingly—

> In lines 36 and 37, to omit "the Union or any other" and to substitute "a foreign".

THE MINISTER OF THE INTERIOR: I am not prepared to accept that amendment. As was explained in the Select Committee there may be circumstances under which for instance it would be unwise to disclose the latest address of persons in the Union Defence Force. That is the reason and I think the hon. member ought to accept that.

Amendment, proposed by Col. Jordan, put and negatived.

Question put: That paragraph (d) of subsection (1), proposed to be omitted, stand part of the Clause.

Upon which the Committee divided:

AYES—64.

Abraham, J. H.	Louw, E. H.
Bezuidenhout, J. T.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Maree, W. A.
Deysel, A. J. B.	Mentz, F. E.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Stuart, W. H.
Grobler, D. C. S.	Swart, C. R.
Havenga, N. C.	Uys, D. C. H.
Hertzog, A.	V. d. Berg, M. J.
Hugo, P. J.	V. d. Heever, D. J. G.
Jansen, E. G.	Van Heerden, D. P.
Kahn, S.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—52.

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kentridge, M.
Benson, E. A.	Lewis, J.
Bloomberg, A.	Lovell, L.
Bowker, T. B.	McMillan, N. D.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Robinson, A. E. P.
Davis, A.	Russell, J. H.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Smuts, J. C.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Henwood, B. H.	Van Coller, C. M.
Hepple, A.	Van der Byl, P. V. G.
Higgerty, J. W.	Waring, F. W.
Hopewell. A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Davis negatived.

Clause, as amended, put and the Committee divided:

AYES—64.

Abraham, J. H.	Louw, E. H.
Bezuidenhout, J. T.	Luttig, H. G.
Botha, P. W.	Luttig, P. J. H.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, J. H.	Maree, W. A.
Deysel, A. J. B.	Mentz, F. E.
Döhne, J. L. B.	Olivier, P. J.
Dönges, T. E.	Papenfus, S. F.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Schoeman, B. J.
Erasmus, F. C.	Scholtz, D. J.
Erasmus, H. S.	Stals, A. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, G. P.
Faurie, W. H.	Steyn, J. H.
Fouché, J. H.	Strydom, G. H. F.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Havenga, N. C.	V. d. Berg, M. J.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Kahn, S.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Liebenberg, J. L. V.	Vosloo, L. J.
Loock, J. H.	Warren, S. E.
Loubser, J. A.	Wilkens, Jan
Loubser, S. M.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—52.

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jonker, A. H.
Bekker, P. B.	Jordan, R. D. P.
Bell, R. E.	Kentridge, M.
Benson, E. A.	Lewis, J.
Bloomberg, A.	Lovell, L.
Bowker, T. B.	McMillan, N. D.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Robinson, A. E. P.
Davis, A.	Russell, J. H.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Smuts, J. C.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steyn, S. J. M.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Henwood, B. H.	Van Coller, C. M.
Hepple, A.	Van der Byl, P. V. G.
Higgerty, J. W.	Waring, F. W.
Hopewell, A.	Waterson, S. F.

Tellers: A. W. S. Mortifee and C. M. Warren.

Clause, as amended, accordingly agreed to.

On Clause 22.

On the motion of Mr. S. J. M. Steyn, the Chairman put the amendment proposed by the Select Committee in lines 66 and 67.

*Mr. S. J. M. STEYN: I move as an amendment to this amendment:

> In lines 66 and 67, to omit "after consultation with the Executive Committee" and to substitute "on the recommendation of the Assembly".

In moving this I must admit at once that the person to whom the credit belongs for the idea underlying this amendment is the hon. Minister of the Interior. It will perhaps be remembered that on a previous occasion, when this Bill was under discussion, he said with great emphasis that after the passage of this Bill and its application to the Union, it would not take long before the people of South-West Africa would spontaneously approach the Government with the request for this Bill also to be applied to South-West Africa. The Minister definitely expected that a few hundred people would run away from the Union and go to South-West Africa, with the result that South-West Africa would ask for the application of this Bill so that they would also be able to share in the remarkable benefits of this Bill in South-West Africa. The idea that the request for the application of the Bill to South-West Africa would come from the people of South-West Africa, I admit, had its origin in the ingenious brain of the Minister of the Interior.

We on this side, feel that it is entirely wrong that, in view of the fact that this House more than a year ago, hurriedly passed the Bill to give representation to the voters of South-West Africa in this House, that Act should be followed up by a measure giving the Minister the power to apply the legislation of this House to South-West Africa, even before South-West Africa has had the opportunity of making its voice heard here. This inevitably must cause me to doubt the sincerity of the Government's intentions towards the public of South-West Africa. It is more than a year ago when the law dealing with South-West Africa was passed. The Prime Minister assured us that it was an urgent measure and he also assured us that, if possible, the elections in South-West Africa would be held before the end of the year. If the Prime Minister had carried out that promise, the amendment which I have proposed would not have been necessary. But for reasons better known to the Government than to us, he has failed to give the public of South-West Africa what they are entitled to. I want to emphasise that it is unfair and in conflict with the spirit of the Act of 1944 for the Minister to

take authority to make this measure applicable to South-West Africa by issuing a proclamation.

Well, it was stated that a request would come from South-West Africa very shortly, but we who know the people of South-West Africa very strongly doubt that assertion of the Minister's. First of all we want to make it clear to the Minister that this Bill, this "corner stone of apartheid", will not find favour with the people of South-West Africa, because they have no problem there with regard to apartheid. Apartheid in South-West Africa, on a constructive and sound basis, is already an accomplished fact there. The coloured races of South-West Africa constitute clearly recognised ethical groups and it is not necessary to force this Bill on them, this Bill, the main object of which is to be able to distinguish between a group of people who are spread among the Europeans and the non-Europeans. Secondly, the application of this unwieldy measure will cause greater problems in South-West Africa. It is a very big and widespread country with a very small population; a farm of less than 5,000 morgen is a small farm there. A farm of 10,000 or 15,000 morgen is just an ordinary farm. Farms lie far apart from each other. The towns are long distances from each other and there is no doubt that in some of the towns in South-West Africa one could not find a photographer.

Now the Minister wants by proclamation to lay the onus on the people of South - West Africa, who have not asked for it, he wants to place the onus on them so that they will have to suffer all the troubles and all the unnecessary waste of time and difficulties just the same as the innocent people of the Union. I do not believe that South-West Africa, whatever arguments the Minister may adduce, will take that step. There is no need for those people to know everything about everyone else. There is no need to introduce identity certificates for that purpose. South-West Africa is still a pioneer country. The people there are, to a very large extent, well known to each other as one would expect in a sparsely populated country. They know whether a man has any record, which his neighbours should know about. They know whether he is white or not white. For that reason too it is quite unnecessary to extend this Bill to the population of South-West Africa. In fact, the more one goes into this question, the more astonished one is that the Minister should, in a totally irresponsible manner and without consultation with the Legislative Council of South-West Africa, or the people of South-West Africa, appropriate unto himself powers such as those which he is asking for in this clause now under discussion. We shall be very grateful if the Minister can tell us of any occasion when any representative body, even of the so-called Nationalist Party of South-West Africa, intimated to him that they would appreciate it if he, the Minister, took power to apply the Bill as soon as possible and with as little prolixity as possible to them in South-West Africa. This is a totally unasked-for and unnecessary attempt, on the part of the Minister to interfere in the affairs of South-West Africa. It is because we want to test the Minister, and I think we shall be glad if he can comply with the test that we urgently request him to discuss this amendment which I have moved and we ask him to leave it to the discretion of the people of South-West Africa and to the sound knowledge of their own needs before he proceeds to apply the Bill to the public of that country by way of administration or executive authority.

*The MINISTER OF THE INTERIOR: We have now been listening to a piece of blatant political propaganda which has been made with a view to the approaching elections in South-West Africa. The hon. member will not take it amiss if, in those circumstances, I also draw the attention of this House to a few pertinent facts. First of all, Mr. Chairman, I want to ask hon. members to compare this concern over the interests of South-West Africa, as displayed in the amendment of the hon. member, with the attitude of the United Party last year when they begrudged South-West Africa something which both Parties there were very anxious to have, namely, a degree of fiscal autonomy and a degree of control over their own mining affairs. Then it was not a question of consulting the Parties. The consultation had already taken place and the Parties in South-West Africa had unequivocally stated what their desires were in this connection. But when the hon. the Prime Minister wanted to give effect to those wishes it was members opposite, who are now so deeply concerned about South-West Africa, who acted against the wishes and the views of South - West Africa in opposing that Bill here and in Another Place. In the Other Place they finally threw up the sponge and then the fight was over. I say that that is one thing we should remember, and if we remember that, then hon. members opposite will not take it amiss from me if I say that I doubt their sincerity in connection with this amendment.

Let me go a little further. The hon. member for Alberton (Mr. S. J. M. Steyn) who has introduced this amendment is the man who has told us here that South-West Africa stands for apartheid and already has apartheid. Yet he is the same man who complained here that, in this House, provision has not been made for the representation of the non-European population of South-West Africa. He is the man who has done that. In an official news letter which he wrote he said that that is one of the faults which he found with the law because it would

possibly get us into trouble with Uno. I think that hon. members will readily admit that I cannot be blamed if I say that in those circumstances we strongly doubt the honesty of the purpose with which this amendment has been introduced.

Let me also say this to the hon. member, the Government has made a reasonable proposal. It is proposed that the Bill is to be made applicable after consultation with the Executive Committee of the South-West Africa territory. Let me also tell the House that before the clause was drafted in its present form, I discussed the matter with the Administrator of South-West Africa. I discussed it with him in spite of the fact that the Union Parliament has the right simply to include South-West Africa under this Act.

*Mr. S. J. M. STEYN: Did you also consult the representatives of the people?

*The MINISTER OF THE INTERIOR: I discussed the matter with the Administrator. He agreed with me that the Executive Committee there and the Legislative Council is an expiring body and that it would be very much better if I consulted the new Legislative Council when it is elected. The attitude of the Administrator was perfectly correct, and so was my attitude in regard to this matter. We are not afraid of what the United Party is doing. But if they think that they are going to catch a few votes in South-West Africa by this flagrant political game, it may, perhaps, have the same effect on them as this night sitting has had on them. Their high expectations have dwindled in the miserable mess which they have made of the whole business. And that will also be their lot if they try, in this way, to play a political game with South-West Africa. The hon. member did not even know how to conceal his little game. Then there would have been something in it, but it was so obvious that it stuck out a mile, and if the hon. member imagines that he is going to catch the intelligent voters of South-West Africa by such a political game, when they know the past history of his party, then he is very much mistaken.

*Mr. S. J. M. STEYN: I have tried to state a case in all fairness on its merits. I did not know that the Minister was so sensitive about the sad prospect of his party in South-West Africa and that he would react to my remarks in such a terrific manner and in such a political spirit.

*The CHAIRMAN: The hon. member must come back to the amendment, and leave those wider aspects alone.

*Mr. S. J. M. STEYN: I did confine myself strictly to this clause. In the absence of a reply, the Minister adduced all kinds of extraneous political arguments, and with all respect and humility I want to put this to you, Mr. Chairman, that having allowed the Minister to put forward that type of political argument, it would be an injustice if this side of the House were not allowed to reply. Take the Minister's peculiar attitude, his statement that our attitude today does not accord with our attitude when the South-West Africa Bill was under discussion. That attitude of ours we shall defend before the public of South-West Africa, if they are interested in it. But what the people of South-West Africa are interested in at the moment is whether the Government is going to adhere to the fiscal independence which has been accorded to South-West Africa. That fiscal independence is entrenched in the South-West Africa Act, in a clause which can be changed only at the request of the Legislative Council of South-West Africa. The United Party is the party which considers itself bound by entrenched clauses in our Constitution or in any constitution. This cannot be said of the purified Nationalist Party. It does not become the Minister to come here with arguments in regard to entrenched clauses. I said that in discussing this clause we should bear in mind that the main motive for this Bill, as stated by hon. members opposite, is that it is the cornerstone of apartheid. Now the Minister comes here and wants to accuse me of having said that the people of South-West Africa stand for apartheid. By saying that, he wants to intimate that I had said that the people of South-West Africa stand for that apartheid which is the policy of the purified Nationalist Party, in so far as they, the Nationalist Party, have defined it. I say that the position is simply this, that in South-West Africa the public already have too much apartheid. Their great problem is to obtain labour from the reserves, and under the policy of the Government they will not get that labour and they will also lose what they have. The Minister has no right whatsoever, in his great fury, to attribute to me words which I never used. I want to ask the Minister courteously to get away from politics. I do not like it. I courteously ask the Minister to get up here and to do what we have asked him to do and that is to confine himself to the amendment I have proposed, to answer that amendment on its merits and to say whether he will accept it and whether he will undertake not to apply the clauses of this Bill to South-West Africa unless a request to that effect should come from the representatives of South-West Africa — not consultation with an official appointed there by the Government.

*The MINISTER OF THE INTERIOR: No, with the Executive Committee.

*Mr. S. J. M. STEYN: Now the Minister is running away again. The Minister told us that as the result of his discussions with the Administrator of South-West Africa he had put in this clause.

*The MINISTER OF THE INTERIOR: What does the clause say?

*Mr. S. J. M. STEYN: When I talked about consulting the representatives of the people of South-West Africa, the Minister came along with a story about an expiring Legislative Council. The proof is there. It is quite possible that one of these days we may again have an expiring Legislative Council there and will the Minister then argue again then that he would prefer to consult an official rather than the representatives of the people?

*The MINISTER OF THE INTERIOR: Read the clause.

*Mr. S. J. M. STEYN: The clause talks about consultation with the Executive Committee of South-West Africa. Does the Minister regard himself as bound by the advice which he will get from the Executive Committee? If the Minister is determined to apply this pass law of the Union to the people of South-West Africa, is he going to consult the representatives of the people and immediately afterwards ignore them? That is why I urge the Minister to leave out politics and to deal with our amendment on its merits.

Question put: That the words proposed to be omitted in lines 66 and 67 stand part of the clause.

Upon which the House divided—

AYES—60:

Abraham, J. H.	Jansen, E. G.
Bezuidenhout, J. T.	Klopper, H. J.
Botha, P. W.	Labuschagne, J. S.
Brink, W. D.	Loock, J. H.
Brits, G. P.	Loubser, J. A.
Conradie, J. H.	Loubser, S. M.
Deysel, A. J. B.	Louw, E. H.
Döhne, J. L. B.	Luttig, H. G.
Dönges, T. E.	Luttig, P. J. H.
Du Plessis, P. J. C.	Malan, A. I.
Du Plessis, W. C.	Malan, D. F.
Erasmus, F. C.	Maree, W. A.
Erasmus, H. S.	Mentz, F. E.
Erlank, A. E.	Olivier, P. J.
Eyssen, S. H.	Papenfus, S. F.
Faurie, W. H.	Sauer, P. O.
Fouché, J. H.	Schoeman, B. J.
Fouché, J. J.	Scholtz, D. J.
Grobler, D. C. S.	Stals, A. J.
Havenga, N. C.	Steyn, A.
Hertzog, A.	Steyn, G. P.
Hugo P. J.	Steyn, J. H.
Strydom, G. H. F.	Van Niekerk, J. G. W.
Strydom, J. G.	Van Rhyn, A. J. R.
Swart, C. R.	Viljoen, J. H.
Uys, D. C. H.	Visser, de V.
V. d. Berg, M. J.	Vosloo, L. J.
V. d. Heever, D. J. G.	Warren, S. E.
Van Heerden, D. P.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—53:

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Bekker, P. B.	Lewis, J.
Bell, R. E.	Lovell, L.
Benson, E. A.	McMillan, N. D.
Bloomberg, A.	Oosthuizen, O. J.
Bowker, T. B.	Oppenheimer, H. F.
Brooke, R. S.	Pocock, P. V.
Butters, W. R.	Robinson, A. E. P.
Christie, J.	Russell, J. H.
Cull, J. A.	Shearer, V. L.
Davis, A.	Smit, D. L.
Delport, G. S. P.	Smuts, J. C.
Du Toit, R. J.	Solomon, B.
Eaton, A. H. J.	Steyn, S. J. M.
Eaton, N. G.	Strauss, J. G. N.
Frielinghaus, H. O.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Henwood, B. H.	Van Coller, C. M.
Hepple, A.	Van der Byl, P. V. G.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. S. J. M. Steyn dropped.

Amendment proposed by the Select Committee put and agreed to.

Clause, as amended, put and agreed to.

On Clause 24,

Mr. KAHN: I would like to move an amendment to Clause 24—

In line 29, to omit "Registration" and to substitute "Regimentation".

The MINISTER OF JUSTICE: That is a frivolous amendment.

The CHAIRMAN: Order, order! I cannot put that. It is a frivolous amendment.

Mr. KAHN: With the greatest respect, Sir . . .

The CHAIRMAN: Order, order! I cannot accept it.

Mr. KAHN: May I argue my submission that it is not a frivolous amendment. The purpose of the Short Title is to describe succinctly . . .

The CHAIRMAN: Order, order! I have given my ruling; I am not going to put that amendment to the Committee.

Clause, as printed, put and agreed to.

The Committee reverted to Clause 1, standing over, which was agreed to.

The Title having been agreed to.

House Resumed:

The CHAIRMAN reported the Bill with amendments.

Amendments to be considered on 10th May.

Mr. SPEAKER thereupon adjourned the House at 12.10 p.m. on Tuesday, 9th May.

TUESDAY, 9th MAY, 1950.

Mr. SPEAKER: took the Chair at 2.20 p.m.

QUESTIONS.

Czechoslovakian Peace Programme.

I. Mr. KAHN asked the Prime Minister:

(1) Whether the Union Government has received a communication from the Czechoslovakian Government concerning a six-point peace programme; if so,

(2) what is the full text of the communication;

(3) which of the points, if any, are subscribed to by the Union Government; and

(4) what action does the Government intend taking in the matter.

The PRIME MINISTER:

(1) Yes.

(2) I do not think I need weary the House with this lengthy communication, the full text of which is available in my Department. It represents a further step in the so-called "peace offensive" which is designed to portray the nations of North America and Western Europe as instigators of another war. Proposals of a similar character were put forward by the Soviet Union at the last session of the United Nations General Assembly and were fully debated on that occasion, when the Union's views were clearly stated by our delegation.

(3) The communication is not considered deserving of detailed consideration.

(4) None.

Pakistan and Group Areas Bill.

II. Mr. KAHN asked the Prime Minister:

(1) Whether the Government has transmitted copies of the Group Areas Bill to the Governments of India and Pakistan; and

(2) whether any communications have been sent to or received from these Governments on the subject matter of the Bill; if so, what is the nature of such communications.

The PRIME MINISTER:

(1) No.

(2) Pending the holding of the projected Round Table Conference, no good purpose would be served by publishing any communication that might be exchanged between this Government and the Governments of India and Pakistan.

Arrangements for Round Table Conference with India.

III. Mr. KAHN asked the Prime Minister:

Whether he will make a statement on the progress made to date and any arrangements arrived at regarding the recent round table talks with the Governments of India and Pakistan.

The PRIME MINISTER:

Hitherto, as the hon. member will know, only preliminary talks directed to the possibility of holding a Round Table Conference have been held. Consultation between the three Governments concerned regarding the time and place for the Round Table Conference is in progress.

Mr. KAHN: Arising out of the Prime Minister's reply, may I ask him whether he realises that the introduction of measures like the Group Areas Bill will torpedo any reconciliation between the countries concerned?

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The PRIME MINISTER: I have nothing to add to my reply.

Use of Firearms in Germiston Location.

IV. Mr. KAHN asked the Minister of Justice:

(1) Whether firearms were discharged by the South African Police in the course of a raid in the Germiston location during the week ended 23rd April;

(2) how many persons were (a) killed and (b) wounded by bullet fire;

(3) how many children were amongst the wounded and what were the injuries suffered by children; and

(4) for what purpose did the police fire and how many rounds of ammunition were fired.

The MINISTER OF JUSTICE:

(1) Yes.

(2) (a) Nil.

(b) Six.

(3) Five children were wounded as follows:

Two — flesh wounds — thigh.
Two — flesh wounds — leg.
One — flesh wound — neck.

(4) To protect property and members of the Force from death or serious bodily injury.

Sixty shots were fired on three different occasions when police were attacked.

Police Action at Witzieshoek.

V. Mr. KAHN asked the Minister of Justice:

(1) Whether additional members of the South African Police have been posted to the vicinity of Witzieshoek Reserve; and

(2) how many have been so moved and for what purpose.

The MINISTER OF JUSTICE:

(1) Yes.

(2) Two officers and 24 men were posted on 21/4/50 as a precautionary measure and withdrawn on 24/4/50. Reliable information was received that tribesmen had secretly discussed an attack with intent to kill the road party employed by the Native Trust in the reserve on 21/4/50, as a protest against the Government's policy of culling cattle.

Non-Europeans Killed as a Result of Police Action.

VI. Mr. KAHN asked the Minister of Justice.

How many non-Europeans were killed as a result of action by members of the South African Police on the Witwatersrand each year from 1947 to 1949 and 1950 to date.

The MINISTER OF JUSTICE:

1947	13
1948	7
1949	14
1950	27

Use of Tear Gas by Police.

VII. Mr. KAHN asked the Minister of Justice:

(1) Whether the South African Police, Witwatersrand Division, has any supply of tear gas bombs; and

(2) whether tear gas was used at any stage by the Police at Benoni or elsewhere before the use of firearms and Sten guns; if so, where and when, during the night of 1st May, 1950.

The MINISTER OF JUSTICE:

(1) Yes.

(2) Tear gas was used in Alexandra Township only. It was not used at other places because climatic and local conditions did not permit.

VIII. Mr. DU TOIT—Reply standing over.

B.B.C. Broadcast Referring to Union Government.

IX. Mr. FRATES asked the Minister of Posts and Telegraphs:

(1) Whether his attention has been drawn to certain remarks concerning the Union Government made in the course of a recent broadcast of the British Broadcasting Corporation by a sports commentator who visited South Africa recently for broadcasting to listeners of the B.B.C.; if so

(2) whether he will furnish details; and

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tribution as proportionate as possible, but I readily admit that in spite of the attempts which are made to make the system proportionate, to make it even, we have not yet succeeded adequately in our attempts. We intend to go further into this question and while, as I have said, a milestone has been reached in connection with this matter, viz., that the two organisations have now been amalgamated, the whole question will be further gone into and I shall give instructions to the Meat Control Board, which will function under the Marketing Act, to give attention to this aspect of the matter and to the requests which have been received from several members such as the hon. member for Kuruman (Mr. Olivier) and others. I shall instruct the Meat Control Board to go into the various aspects to see whether methods cannot be applied to make the scheme more elastic and the distribution more proportionate. This also applies to the suggestions which have been made to make the scheme fit in better with our particular conditions. I feel that considerable changes can be effected and I shall ask the Meat Board to give attention to the suggestions which have been made here, so that we may develop a scheme which will be elastic and which will fit in better with the conditions of our country.

It has been suggested that butchers should be allowed to go themselves to fetch their stock from outside the controlled areas. This has been suggested here and elsewhere. I shall submit it to the Meat Board for their serious consideration. I hope that when the new body is in charge of the scheme, as it will now be put under the Marketing Act, it will be able to give effect properly to the new scheme which will be entrusted to it and I hope that the Board will take all possible steps — as I will instruct them to do — to make the scheme elastic and to make it as adaptable to our conditions as possible.

In view of what I have said here, I do not think there is any need for pessimism about the future. Good rains have fallen and with a more elastic and more adaptable scheme for the future, I feel that we shall be able to cope with the meat position as a whole.

I want to conclude by saying that I know how acute the position has been in Cape Town. The hon. member opposite has been very much concerned about it. I want to say that this position is solving itself completely.

*An HON. MEMBER: How long will it take?

*The MINISTER OF AGRICULTURE: I know that the position has been very acute but it is now solving itself. Hon. members know that last week 800 cattle carcasses were dispatched to Cape Town. This week a great many more will be sent—18,000 carcasses in round figures. But in addition permits have been issued to people in South-West Africa who usually, at this time of the year, market their cattle — permits have been issued for no fewer than 1,900 head of cattle. We do not know how many will come, but a large percentage will come, and if that happens then the difficulties in Cape Town will be solved. The position has arisen mainly as the result of the dislocation of the traffic through the washaways in South-West Africa. As I say, the position is rectifying itself and with the carcasses which we have sent to Cape Town, and the cattle which will come from South-West Africa we can assume, that from now on, the position in Cape Town will improve.

As far as the rest of the country is concerned, the position is that the supplies in Johannesburg are more than the requirements. That also applies to Pretoria and practically to the whole country. It is only in Cape Town that the position has been so bad, but I hope that one of these days it will be entirely normal again. With these prospects, with the rains that have come, and with the efforts we are making to improve the scheme, that is the old scheme which existed, I hope that we shall get the whole meat position in South Africa under control again, and that we shall, as far as possible, have a scheme which will provide us with meat in the most proportionate manner to the various centres in the country.

The MINISTER OF FINANCE: I move—

That the Chairman report progress and ask leave to sit again.

Agreed to.

House Resumed:

The CHAIRMAN reported progress, and asked leave to sit again.

House to resume in Committee on 10th May.

On the motion of the Minister of Finance the House adjourned at 5.25 p.m.

WEDNESDAY, 10th MAY, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

INCREASE IN PRICE OF DAIRY PRODUCTS.

*The MINISTER OF AGRICULTURE: May I be permitted to make a statement on

the subject of an increase in the price of fresh milk, cheese milk, condensing milk and butter fat. I have already announced that the Government has approved of an increase of 2d. per gallon in the producer's price of fresh milk for the Witwatersrand and Pretoria and 4d. per gallon for Durban and Pietermaritzburg; as far as the latter two centres are concerned the 2d. per gallon will be in the form of a winter premium which will become effective as from the 1st of May and will end in October this year.

The Government also considered the prices of factory milk, and after further discussions with the Dairy Industry Control Board when they held their meeting in Cape Town on the 4th instant, the Government decided to agree to the following increases in prices—

> Cheese milk and condensing milk: 1½d. per gallon in respect of the basic price, plus an increase of ¾d. per gallon in respect of winter premiums as from the 1st of June until the end of October. That means an increase of 2¼d. per gallon as from the 1st of June and for the rest of the season, and 2d. per gallon on an average for the whole of the season.

The present difference of 1d. between cheese milk and condensing milk will remain.

> Butter fat: 3d. per lb. in the basic price, plus an increase of 1d. per pound in winter premiums as from the 1st of June until the end of October. That means an increase of 4d. per lb. in respect of butter fat as from the 1st of June for the rest of the season, and an average increase of 3.3d. per lb. for the whole of the season.

The new price will come into force as from Monday, the 15th of May.

These increases in the price of cheese milk and butter fat will result in an increase to the consumer of 2d. per lb. in the price of cheese and of 3d. per lb. in the price of butter. Having regard to these increases which will have to be borne by the consumer, the Government has decided not to increase the price of butter further in order to cover a portion of the existing subsidy, as foreshadowed by the Minister of Finance in his Budget speech. The present subsidy of approximately 5d. per lb. on butter will therefore still be paid as far as the present season is concerned.

POPULATION REGISTRATION BILL.

First Order read: Report Stage, Population Registration Bill.

Amendments considered.

Amendments in Clause 1 (Afrikaans), 2, 3 and 4 put and agreed to.

On amendments in Clause 5,

*Dr. JONKER: I move as an amendment to the amendment—

> In line 39, to omit all the words after "incorrect" to the end of sub-section (3) and to substitute "he shall give notice to that person and, if he is a minor, also to his guardian, that he intends to alter the classification of that person and if that person so consents the Director may alter his classification accordingly and if he does not consent thereto within one month of date of such notice the Director shall refer his proposed classification to a Board, whereupon the provisions of section eleven shall apply mutatis mutandis".

At the outset I would like to ask the hon. the Minister, although amendments are moved here in more or less the same form or in a similar form to those which have already been rejected in the Committee stage, to consider the amendments that we move at this stage with a more open mind in order to see whether he cannot accept them in the form proposed by us or in some other form that will give effect to the spirit underlying them. We put that to the hon. the Minister because we are in earnest in moving these amendments. These are not amendments which can be put aside lightly; they are amendments which we feel will really improve the Bill as it now stands and which amend it in such a way that its provisions which will weigh less heavily on the public than the present provisions. To be brief I want to give a summary of the underlying idea of this amendment in connection with sub-clause (3) of Clause 5. We are here asking the hon. the Minister to amend the clause in such a way that the Director will not rely on his own discretion when he changes the classification of a person. We are asking that when the director receives certain information which he considers to be adequate to alter the first classification of a person who may be classified under one of three groups, European, Coloured or Native, he should inform the person concerned about it and explain that he wants to change his classification and that the change will only take place with the permission of the person concerned. If such a person does not inform the director within one month that he is willing to accept the new classification, the director shall refer his proposed classifiation to the Board which will act mutatis mutandis in the same way as it would have acted under Clause 11. Our objection to the present clause is this—let me just put it very briefly again—that this Bill creates a double procedure. Under Clause 11 there is a way out; that clause makes adequate provision for the royal road of lodging a protest via the front door. This clause creates what I called in the Committee Stage a back

door. We have both the front-door and the back-door procedure by means of which the classification of a person can be altered. We want to ask the hon. Minister to close the back door and to leave open only the royal front door through which an objection can be lodged against any person's classification. There is no need for a double procedure by means of which the classification can be altered. On the contrary, this procedure may give rise to many abuses; it may have serious consequences for the person whose classification is altered in this way. The hon. the Minister will agree that we are here dealing with something very dangerous. People are classified in certain groups. The director receives in formation through certain channels which he regards as sufficient justification to alter the classification of the person concerned, a change in his classification which may affect that person and his status, his wife, his children and even his childrens' children ad infinitum. We cannot countenance the idea that such a serious matter should in any way be treated lightly, and even though it may be stated time and again that the director is or will be a man who is most discreet or who is of the utmost integrity, it makes no difference. This House is opposed to granting arbitrary powers to a Minister and similarly we cannot grant arbitrary powers to a civil servant, and this power which is granted to the director to alter the classification of a person is entirely arbitrary. When he wants to change the classification of a person, that person may appear before him and show him that if the existing classification is correct, but if the director is not satisfied with that, he can simply alter the classification, and what happens then? The person in question then has to incur expense and go to the trouble of appealing under Clause 11.

*The MINISTER OF THE INTERIOR: That is also what you want.

*Dr. JONKER: He has to incur expense and go to trouble.

*The MINISTER OF THE INTERIOR: That is also what you want now.

*Dr. JONKER: No, I would like the hon. the Minister to understand me. What we want is that the director shall not alter the classification unless the person concerned agrees to it, and if that person does not agree and the director wants to alter it, he should take the matter on appeal.

*The MINISTER OF THE INTERIOR: Then he has to incur the costs?

*Dr. JONKER: Yes. He is the State official responsible for the classification and he should face these difficulties together with his responsibility; the person whose classification he has altered arbitrarily should not have to go to that trouble. That is where we differ from the hon. the Minister. Now he wants the person who is wrongly classified by the director to incur costs in appealing under Clause 11. Our attitude is that the cost should be incurred by the director who effects the change, who wants to bring about that far-reaching change in the status of the person concerned. There is nothing in this whole Bill and nothing in this whole clause which provides that the director is subject to a penalty or something of that kind. He has this far-reaching power to classify people into groups, even groups to which they do not belong, and if a person whose classification it is proposed to change, appeals under Clause 11 and the Board upholds his appeal and holds that the director was wrong, the man concerned although he is successful in his appeal still has to pay the costs. The director was absolutely in the wrong and the Board of Appeal decides that the person concerned was right; yet he still has to pay the costs, while the director goes scot-free. There is no provision for a penalty as far as he is concerned. He incurs no costs. He saddles the public with that burden. For these reasons I would like to ask the hon. the Minister seriously to consider this amendment because it would make it easier for members of the public who are saddled with this whole system of registration, of passes, or whatever one likes to call it, to appeal when the director has made a wrong classification. Such a person is compelled to incur a great deal of expense and I think the position should be changed in such a way that the public is relieved of those costs and justice done to them.

Mr. C. M. WARREN: I second.

*The MINISTER OF THE INTERIOR: I have listened carefully to find out whether the hon. member has any new arguments to advance. I have not heard any new arguments and I do not think there are any grounds for departing from the decision to which the House came when this Bill was dealt with in Committee. I therefore regret that I cannot accept the amendment.

Question put: That all the words from "he may" in line 39 down to "after" in line 41, proposed to be omitted, stand part of the Bill.

Upon which the House divided:

AYES — 63. (See below.)

Abraham, J. H.	Botha, P. W.
Bekker, G. F. H.	Brink, W. D.
Bezuidenhout, J. T.	Brits, G. P.
Boltman, F. H.	Conradie, D. G.

Conradie, J. H.	Luttig, H. G.
Deysel, A. J. B.	Malan, A. I.
Döhne, J. L. B.	Malan, D. F.
Dönges, T. E.	Maree, W. A.
Du Pisanie, J.	Mentz, F. E.
Du Plessis, P. J. C.	Olivier, P. J.
Du Plessis, W. C.	*Papenfus, S. F.
Erasmus, F. C.	Pieterse, P. W. A.
Erasmus, H. S.	Sauer, P. O.
Erlank, A. E.	Scholtz, D. J.
Eyssen, S. H.	Steyn, A.
Faurie, W. H.	Steyn, G. P.
Fouché, J. H.	Steyn, J. H.
Fouché, J. J.	Strydom, J. G.
Frates, T. J.	Swart, C. R.
Grobler, D. C. S.	Uys, D. C. H.
Hertzog, A.	V. d. Heever, D. J. G.
Hugo, P. J.	Van Heerden, D. P.
Jansen, E. G.	Van Niekerk, J. G. W.
Klopper, H. J.	Van Rhyn, A. J. R.
Labuschagne, J. S.	Van Schoor, J. J. F.
Le Roux, S. P.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan
Louw, E. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 63.

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Bekker, P. B.	Lewis, J.
Bell, R. E.	McMillan, N. D.
Benson, E. A.	Mitchell, D. E.
Bloomberg, A.	Moore, P. A.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Robinson, A. E. P.
Davidoff, H.	Russell, J. H.
Davis, A.	Shearer, O. L.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Smuts, J. C.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steenkamp, L. S.
Frielinghaus, H. O.	Steyn, C. F.
Gale, D. J.	Steyn, S. J. M.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sturrock, F. C.
Graaff, de Villiers.	Sullivan, J. R.
Hayward, G. N.	Tighy, S. J.
Henderson, E. J. W.	Tothill, H. A.
Henwood, B. H.	Van der Byl, P. V. G.
Higgerty, J. W.	Waring, F. W.
Hopewell, A.	Waterson, S. F.
Hughes, T. G.	Williams, H. J.
Jonker, A. H.	

Tellers: A. W. S. Mortifee and C. M. Warren.

* Vote subsequently disallowed.

Mr. SPEAKER stated that he would give his casting vote in favour of the "Ayes" in order to retain the words contained in the Bill. †

Question accordingly affirmed and the amendment proposed by Dr. Jonker dropped.

Amendment in Clause 5 put and agreed to.

On New Clause to follow Clause 5,

Dr. JONKER: I move—

That the following be a new clause to follow Clause 5:

6. (1) If the director receives a written communication (other than a communication made by a public servant in the course of his official duties) alleging that the classification of a person, in terms of sub-section (1) of Section 5 is incorrect, he shall forward a photostatic copy of the communication to the said person and, unless the communication is anonymous, in which event no further action shall be taken upon it, shall require the objector to proceed in terms of Section 11.

(2) The provisions of sub-section (1) shall not be construed to affect the law of defamation.

The hon. the Minister has just said in connection with the previous case that no new arguments have been advanced. I shall therefore endeavour to advance a new argument in this case. It became evident that the hon. the Minister had completely misunderstood my argument in connection with this new clause which is designed to deal with those people who wield the poison pen. On that occasion he took my views to be exactly opposite to what they are. In that case he alleged that I was advocating secrecy under this clause, and that I wanted everything to be covered up, while he held that publicity should be given to it. The fact is, as the hon. the Minister can see from the Hansard reports, that my attitude was exactly the opposite. My attitude, in fact, was that those people who want to make use of the back door under this clause which has just been passed in order to object to the classification of people, should not be protected; that they should not be permitted to do their mean work of slandering other people under cover, but that they should be compelled to account for their deeds; and they will have to account for their deeds if a photostatic copy of their accusation against a certain individual is sent by the director to the person concerned so that that person

† See Speaker's statement in col. 6275.

can deal with them if they have made improper and slanderous accusations against him. Hence the second part of this clause which I am moving to the effect that notwithstanding anything in this clause the rights of the person concerned under the law of defamation will not be affected, so that he will be able to take steps to refute the defamation. The objection made by the hon. the Minister was that it would compel the director to spread the defamations and that the director would in that way become the medium through which that defamation was published. I said at that time, and I want to repeat it now, that if that is the objection the hon. the Minister can easily change it in such a way that in that particular case the director will not be regarded as the person who spreads the libel. But I want to point out that in this one case the director will still be the party who publishes the libel, for example, when he gives permission for that list, which may be full of mistakes, to be sent out to magistrates where any member of the public may see it. That list may contain classifications which are defamatory, and in that respect the hon. the Minister does allow the director to spread the libel. I cannot see how that argument can be applicable here. The hon. the Minister shakes his head, but he knows that the last time we met in court in connection with libel suits he lost both those suits.

*The MINISTER OF THE INTERIOR: Are you now referring to the hon. member for Germiston (District) (Mr. Strauss)?

*Dr. JONKER: It is of the utmost importance that we set bounds to the activities of those people whom I described in the Committee stage, those people who regard it as fun and to whom it is almost a necessity for their existence to injure and to prejudice along devious ways the good name of decent citizens. If the hon. the Minister does not want to accept this amendment, then I can only say that he will have to bear the responsibility for exposing the people on a larger scale than ever before to the vindictiveness of that class of person, and he might well be called the patron of the wielder of the poison pen in future.

Mr. C. M. WARREN: I second.

*Mr. ABRAHAM: It seems to me that the hon. member who proposed that amendment is continually digging up all sorts of morbid spirits. The party opposite is trying to feed the people on a morbid spirit. They always pretend to be seeing some great danger; they see bogies in the shape of the poison pen writer telling various tales to the director. There is no need at all for a clause such as the clause proposed by the hon. member for Gardens (Dr. Jonker). After all there is no regular group of people engaged in activities of that nature. That hon. member is only making a further attempt to cause obstruction. It will not help him at all. When one sees the people with whom he is sitting on those benches, one can well understand why he is so fond of causing obstruction. I say that they are definitely engaged in an attempt to cause obstruction. Do you blame me for saying that?

*An HON. MEMBER: Shame!

*Mr. SPEAKER: Order, order! The hon. member must address the Chair.

*Mr. ABRAHAM: The hon. member is always interrupting one. He accuses this side of the House of all kinds of things of which they are innocent, and the hon. member should be put in his place.

*Dr. LOOCK: I would just like to tell the hon. Minister that he should not take too much notice of the amendment proposed by the hon. member for Gardens (Dr. Jonker). Let me tell the hon. the Minister why I say that. The position is that the man who is a European knows that he is a European, and the man who is Coloured knows that he is a Coloured person. There are a few borderline cases, and whenever the United Party organisation, as at present constituted, comes across a person who is at all a borderline case, if it is a Coloured woman, for instance, they immediately place her on the European voters' roll because they want her vote. They want to amend this Bill in such a way that it will still be easy in future, once this Bill has been passed, for the Coloured woman who constitutes a borderline case to pass as a European as far as the European roll is concerned. That is the whole motive behind that amendment. They just want to be protected in their efforts to place as many people as possible illegally on the European voters' list in the future. If one looks at the "Cape Times", of the 3rd of April, one sees that it contains an article on this matter in which they complain bitterly about the possibility that Europeans who are at present on the European voters' roll, especially women, may be taken off that list; they say that if those people are really Coloured people, it will be an awful scandal if they were now to be classified as Coloureds. The whole position is simply that those people want to have the opportunity — if we are not able to pass the apartheid legislation — of getting as many Coloureds as possible on the voters' rolls so that those people can vote for their candidates. That is the only hope which they have of getting into power again and that explains their fear. I want to ask the hon. the Minister not to take too much notice of that amendment.

*Prof. A. I. MALAN: Mr. Speaker . . .

HON. MEMBERS: Who is now causing obstruction?

*Prof. A. I. MALAN: It would seem that there is still no clarity about this clause of the Bill. I would like to avail myself of this opportunity to show members opposite how clear the Bill is in connection with Clause 5 (3), and then I want to deal with the amendment in that connection.

*Mr. SPEAKER: May I just point out to the hon. member that Clause 5 has already been passed?

*Prof. A. I. MALAN: Yes, but the following one, the new Clause 6, is linked up with Clause 5 (3).

Mr. STUART: I move —

That the question now be put.

*Mr. SPEAKER: Order, order! The hon. member may proceed.

*Prof. A. I. MALAN: The amendment which has been proposed does not provide for anything new. The Bill itself already makes provision, in a different form, for what is proposed in this amendment of the hon. member for Gardens (Dr. Jonker). In order to put it clearly I just want to read to the House Clause 5 (3), which is connected with that amendment in connection with the lodging of a protest. If any person alleges that some other person has been wrongly classified, the hon. member proposes that that objection be dealt with in a certain way, but the Bill itself has already made provision for the way in which such a complaint should be dealt with, and members will see that when such a complaint is lodged and it is clear that the original classification of the director was wrong, he will have the right to change the classification and correct it. The hon. member for Gardens must admit that this is a good procedure, but he apparently does not want to admit it and he wants the written complaint in that case to be referred immediately to the board in terms of Clause 11. The whole idea is that this Act, as in the case of any other Act, should operate in a very simple way; it should function in such a way that the possibility of a mistake is eliminated, but it should also operate in such a way that no unnecessary delays are caused, unless it is absolutely essential. In the case where documentary evidence has been produced that the classification is wrong the procedure proposed by the hon. member for Gardens in his amendment would be a very lengthy procedure, and if it is a simple case which is brought to the notice of the director, it would naturally be unnecessary to follow such a lengthy procedure. It was for that particular reason that in the original Bill the task was entrusted to the director to correct a mistake originally made if there is no doubt about the fact that a mistake has been made. If he does not see his way clear to correct the mistake and if it is, for example, the kind of case which the hon. member for Gardens has in mind, then that procedure will be followed and it will be referred to the board.

*Dr. JONKER: You are now discussing quite a different matter. That has already been disposed of.

*Prof. A. I. MALAN: No, he will still be able to refer it to the board.

*Dr. JONKER: We are now discussing the poison pen. We are discussing the new clause.

*Prof. A. I. MALAN: The anonymous case will be eliminated. It seems to me that the hon. member does not believe that the Bill, when it becomes an Act, will be administered correctly, and that that actually is the main reason why unnecessary amendments are being proposed. That is why I do not think that it is desirable to effect a change, and I personally cannot support the amendment.

Mr. GAY: I want to urge the hon. the Minister to accept the amendment. It has just been argued that the procedure to be followed if the amendment is adopted, would be a long procedure, but I want to point out to the hon. member that the effect which the amendment is aimed to cure will take longer still. It may follow right through the lifetime of the individual concerned and his children that come after him. The few extra days of dealing with it and dragging the parasite who uses the poison pen and the anonymous letter out into the open, may be time very well spent. It is the inherent right in our justice, as we have understood it up to now, that any accused person has the right to know what the charge against him is. He has the right to face his accuser and to deal with that charge. The idea of this amendment is to retain that right and not to allow somebody to shelter behind the provisions of this Bill and attack from behind, an attack which the person concerned knows nothing about until he is asked to answer a charge, a charge of which he has no knowledge at all. It is true that the Minister may force this down our throat with his parliamentary majority, but again I would ask him that he should use his intelligence as a man well versed in the law and attempt to try and carry into the provisions of this Bill the tenets of law as we have understood it up to now, law with justice and fairplay to all concerned and not to attempt to run the country by the bludgeon of a parliamentary majority.

*Mr. BOLTMAN: The hon. member who has just sat down is a newcover in this House. Now he talks about "informers"; if he had been here during the war years . . .

*Mr. GAY: I was too occupied taking part in the war.

*Mr. BOLTMAN: If he was too occupied then, he is not too occupied now to be a Sap and to talk about "informers". He talks about "informers". They are the last people who should talk about "informers". That is exactly what that side of the House did during the war. All the stories that we hear in this House are merely designed to create the impression that they are genuinely in sympathy with the people who will be incorrectly classified, and that they intend to move less onerous proposals. What the hon. member for Cape Town (Gardens) (Dr. Jonker) has in mind is the fear that we will dispose of some of their voters whose names today unlawfully appear on the voters' roll. That is their objection because the United Party has been engaged for a long time in trying to place non-Europeans unlawfully on the voters' roll, as was evident from court cases in my constituency.

*Dr. JONKER: How many did you register unlawfully?

*Mr. BOLTMAN: There we have an admission. By putting that question the hon. member admits that they have tried to place voters unlawfully on the voters' roll; that their party tried to place non-Europeans unlawfully on the roll.

*Dr. JONKER: On a point of explanation, what the hon. member says is quite untrue.

*Mr. SPEAKER: Order, order! Is the hon. member for De Aar-Colesberg (Mr. Boltman) prepared to give way to the hon. member?

Mr. DU TOIT: On a point of order, is the hon. member entitled to ascribe to members on this side of the House the motive that we are trying to have people placed on the voters' roll unlawfully and to have people who are lawfully registered, removed from it? I object to that.

*Mr. SPEAKER: It is a charge against a political party. The hon. member may proceed.

*Mr. BOLTMAN: The hon. member should give his political conscience a little rest; let him rather read the leading article of his party's paper, a leading article which appeared in the "Cape Times" three weeks ago; then he will see that the "Cape Times" says that we want to pass this Bill merely in an attempt to remove people, who are border-line cases, from the voters' roll and thus to decrease the voting strength of the United Party. If the hon. member wants me to do so I shall read the leading article to him. He should rather tell the "Cape Times" that they must not accuse the Government of such ignoble motives. I will produce evidence to show how they placed non-Europeans unlawfully on the voters' roll. A few weeks ago, by way of regulation, we had to prevent them from removing the names of European people from the voters' roll unlawfully. That is their sole purpose. Lately the standpoint of the United Party has been to try and have non-Europeans unlawfully placed on the voters' roll and to have Europeans unlawfully removed from it.

*Mr. DU TOIT: That is untrue.

*Mr. BOLTMAN: You know that your organisations are doing that throughout the Peninsula and for that reason I trust that the Minister will not pay any attention to the proposal which has been made. As far as I am concerned personally, I am sorry for people who are incorrectly classified. But let us look at the frame of mind of hon. members opposite. They do not want to accept the fact that there are Europeans who are incorrectly classified as non-Europeans. They only accept the reverse position, namely, that non-Europeans only will be unlawfully classified as Europeans. That reveals their mentality. That is the mentality of a political party which is merely seeking votes; it is not the mentality of a political party which wants justice to be done.

Mr. DU TOIT: It is quite clear from the speeches on the other side, that the last division was so close that they want to try to delay a division on this amendment. The arguments adduced in connection with this clause are such that their intention is clear. Hon. members on the other side allege that the United Party is trying to get people on the voters' roll who have no right to be on the roll. I say that that is an untruth and I want to point out to hon. members on the other side that in many cases the United Party have objected to people on the voters' roll who are not entitled to be there, people who have not been put on the voters' roll by the United Party but by the Communist Party. I am now referring to certain Coloured women on the voters' list. During the last election there were three or four of such cases in my constituency and steps were taken immediately to remove them from the European list. The electoral officer was acquainted with these facts and after checking up and finding that they were Coloured they were removed from the voters' list, therefore the charge of the hon. member is absolutely untrue and I throw it back at him. I believe in justice and fairplay for everybody and in the interest of justice and fairplay the new clause proposed by the hon. mem-

ber for Gardens should be included in this Bill. Surely the hon. Minister does not want to see the poison pen levelled against his own people. That may easily happen. I think he is making it very difficult when such mischief is done for any individual to defend himself, mischief which may break up his home, may break up his family. All these things can be prevented by the hon. the Minister if he will accept this amendment which seeks to bring about fairplay and justice for everyone in South Africa. I do not want to play the game of the party opposite of keeping the debate going, otherwise I could quote many examples. On a previous occasion I have given two or three. Let me once again briefly refer to one occasion, the case of a White child being brought up by a Coloured family because it was an illegitimate child and the parents of the child wanted to hide that fact. They handed over the child at birth to a Coloured woman and the child was registered as a Coloured child. It was only years afterwards when that child wanted to marry a European man that after a lot of difficulty she was proved to be a European. Now, it may happen that that person would get an identity card as a European and somebody subsequently may write an anonymous letter informing the director that this woman was brought up by a Coloured family as a Coloured child and that she therefore had no right to be on the voters' list or her children be permitted to go to school with European children. We do not want these things to happen. We want to see that the person who makes such a statement should substantiate his statement and if he cannot substantiate it, he should be punished to the utmost extent. Do not let us go into these things in the past, to dig up skeletons. If this Bill has to become law, let it be fair to all and let it carry out what I would like to call the spirit of fairplay and justice of the people of South Africa.

*Mr. J. J. FOUCHÉ: The amendment we are discussing at the present moment can be divided into three portions; firstly, the written communication which is received by the director containing the allegation that the classification of a person is incorrect. According to the amendment the director must then forward a photostatic copy of the communication to the person concerned. The second portion provides that unless the communication is anonymous (in which case no further steps are to be taken), the objector must act in accordance with Clause 11. It is clear to me that the entire amendment is unnecessary. The second portion provides that action must be taken in accordance with Clause 11. It is perfectly clear that in the first instance the director will deal with obvious cases only. Where it is not clear what the position is, action will in any case be taken under Clause 11. Why, then, this amendment that action should be taken under Clause 11? If an obvious case is reported, the previous clauses provide for the director to take action, but if a certain amount of doubt exists, he must refer the matter to the board and when the board examines it there is provision that the utmost secrecy shall be observed. The person complained against has every opportunity to keep his trial a secret. Now we come to the other portion of the amendment which provides that a photostatic copy is to be forwarded to the person against whom the objection is lodged. For what purpose? We know that that portion, too, is entirely unnecessary, because it will only lead to unnecessary litigation. To come back to my argument which I used earlier on in connection with the other portion of the amendment, if there is any reason for the objection, that objection will be dealt with under Clause 11. It is part of the law and if it is dealt with under Clause 11, the person will know immediately who the objector is, because his identity will be revealed. If there is no ground for the objection, the objection, especially if it is anonymous, goes into the wastepaper basket and nothing further happens. If this amendment is accepted it will only mean that more publicity will be given to the whole matter and it will only lead to more and greater difficulties. I really cannot see the purpose of this whole amendment and I want to associate myself with the remarks made by the hon. member for Groblersdal (Mr. Abraham), namely, that in this case the Opposition are harbouring the most sinister thoughts. They are not prepared to assume that the official will act in a decent manner. They are not prepared to credit the Government with good intentions. They are determined to see evil in everything that is introduced. These are the gentlemen who constantly talk about the poison pen, but if anyone has ever been thankful for an opportunity to spread poison, it is the Opposition. They are continually doubting the good intentions of the officials and of this Government and to spread poison in an attempt to sow suspicion in the minds of the people. I cannot see how this amendment can serve any good purpose.

Mr. KAHN: This Bill deals with the very important question of status. The Minister of the Interior, as a barrister of the Supreme Court, knows that under our law the question of status can only be determined by the Supreme Court. In view of the important consequences which flow from people's status, it has been felt in the past that the strongest possible safeguards must be erected to prevent people having their status changed by inferior courts or administrative bodies. It is therefore most important into what classification a person is put under this Bill. It can affect all his rights for life. His status as a citizen of this country is being irre-

vocably determined and it will govern in future the question as to where he can reside, as to whether he can vote or stand for Parliament. That is something very important, standing for Parliament, because in this country it is being reduced to a very limited class of people very soon. Furthermore the question of schooling is also affected by the classification under this Bill. It can affect what particular school you go to, whether you can engage upon certain forms of employment, whether you can attend universities, all these are consequences which flow from a possibly incorrect classification and therefore I stress to the Minister the importance of seeing that the procedure whereby a person's proper classification or status is governed, should be hemmed round with all possible safeguards against abuse. The hon. member for De Aar-Colesberg (Mr. Boltman) made a point that apparently the United Party spends some time through their organisers in placing on the white voters' roll people who are of colour. If that is so, it is in the first place an offence under our electoral law. But no one can object, if that is the law, to Nationalist Party organisers objecting to such a procedure, but they can do so in the full light of the day. Why do the Nationalist Party organisers who think that a Coloured person is wrongly on the roll, not come out into the open and say so? Why should he resort, in the manner of his kind, to the poison pen, to writing secret letters, to which he has not got the courage to append his signature? Why must we create all these opportunities for blackmail? Because that is the threat which can be held over their heads, the threat over the head of a citizen who is classified in a particular category, by some person who has discovered that he is wrongly there. Such a person can write to the director and can hang over that person's head such a threat and to extort from him blackmail at the price of exposure with all the penal sanctions, affecting his statutory rights and status, which will follow if he is exposed. We do not wish to open the gates wide to the scandalmongers in South Africa. If they have knowledge that a person has been wrongly classified, let them come into the open, let them do so freely and openly. There would be no objection to them taking such a course, but no, it has to be done in a hole-and-corner manner which has been devised by the Minister, who is no doubt used to such an environment, that he does not protect people from unnecessary suffering. Because, Mr. Speaker, if the name is appended to a letter of objection, then there is no question that people will hesitate before they write. People will hesitate because they will have to sign their name. They will first make certain of their facts, they will investigate the question and substantiate the doubt they have in their minds about a person's colour or classification before they dispatch an official communication to the director noting their objection. That can be an important safeguard to prevent frivolous and vexatious objections. The fect that a person is liable to a penalty of £10 if he lodges an objection is indicative of the fact that it is necessary to have some protection against indiscriminate and large-scale lodging of objections. But the poison-pen writer apparently can do what he likes and get away scot-free. He can start arousing suspicion in the minds of officials by writing these anonymous letters and human beings being what they are, even in Government departments they sometimes suffer from human failings, a whisper gets around even in a Government department amongst the officials who are charged with the duty of controlling these registers that such and such is being objected against. It may be that no further official action will follow, but in the meantime that whisper has been started and it may reach, in the course of months of repetition, to the force of a gale of rumour that a particular person is of a different colour than what he is classified, and therefore it is most essential that people who want to raise objections should do so openly. Why should we encourage underground subversive activities on the part of people against the registration system that we have. It is typical of this Government. Everything must be passed underground, it must be made subversive. Then and then only will they be content. We believe in a different system in this country to the foreign ideology which is imported into this kind of measure, the ideology of the poison pen, because we are dealing on the Government benches with people who never had the courage of their own convictions, who never can speak out openly about what they really think on matters and that reflects itself in the measures which come before this House. I again say to the hon. member for De Aar-Colesberg and to those who think with him, if there are people who have been wrongly classified, there are means. Let those who take pleasure in that sort of thing, out of witch-hunting, out of heresy-hunting, out of blood-hunting, to see what the other person's blood is supposed to be, let them put in writing their objections if they wish to indulge in that sort of miserable activity, but let them do so openly by putting their name to the letters of objection they send in. For that reason, in view of the important consequences which are peculiar to this country — in most other countries of the world men have equal citizen rights merely by reason of the fact that they are human beings, but here where we are creating a whole lot of differential political rights, educational rights, economic rights, rights to engage in professions, rights to ownership of property, rights of residency in particular areas, all these things flow and will flow in the future all the more from

your classification on the ground of colour. Therefore we must see that every precaution is taken that these wild allegations which will probably be made wholesale, which will lead to unnecessary administrative expense, because the officials who receive these will never know if there is anything in them unless they investigate, we must see that these allegations are limited as far as possible. If the Minister is going to give us the assurance that the anonymous complaints will not be investigated, and if he is sincere with that, he should accept the amendment of the hon. member for Gardens (Dr. Jonker) that no action will be taken on anonymous allegations. As the moments go by and this chamber becomes more crowded, for the benefit of late-comers I would like to say that it is a far more salutary principle in public affairs that a man's convictions, even if they are bad, should come out in the open and in the light of day, and that he should not be forced to carry on activities in secret, but in the open. If that is our approach, then we should have no objection to this principle in the amendment, and we should accept the amendment moved by the hon. member for Gardens.

*Mr. MENTZ: Judging by the uproar on the opposite side every time a member on this side gets up to speak, it is clear that hitherto we have treated the Opposition too decently. We sat here for hours in order to give the Opposition an opportunity to oppose the different provisions. I want to say that if there is one person who should not talk about the so-called poison pen, it is the hon. member for Cape Western (Mr. Kahn).

*Mr. SPEAKER: I trust that the hon. member will not raise personal matters again.

*Mr. MENTZ: Then I will put it this way, that if there is one party which should not talk about the poison pen, it is the Communist Party with its underground activities. As far as I can remember, only one member has produced in this House during this Session the type of anonymous letter to which reference has been made here, and that is the hon. member belonging to the Communist Party. He is the last person to talk about it.

Hon. members opposite are very worried about the heavy expenditure that will be incurred under these provisions. We are told that the pass should be as simple and cheap as possible. How can that be achieved under this proposed amendment? This amendment provides that where an objection is lodged a photostatic copy must be made of all the documents. Imagine the costs that that will involve; whereas most of these objections will probably be dealt with immediately by the director himself. Members opposite want the objections to be referred, in the first instance, to the board and this will involve heavy expenditure. Surely, in the circumstances, hon. members opposite themselves do not expect their suggestions to be adopted. I think the hon. member for De Aar-Colesberg (Mr. Boltman) hit the nail on the head when he said that the real motive of the United Party in moving this amendment was to prevent Coloured people who have been registered unlawfully from being removed from the voters' roll.

*Mr. DU TOIT: I deny that.

*Mr. MENTZ: Does the hon. member remember the large number of Coloured people in Stellenbosch whose names were unlawfully placed on the voters' roll and against whose registration we objected? If not, he should read the leading articles which appeared in the newspapers at that time. If not, let the United Party say that they will assist this side of the House in removing from the voters' roll the names of Coloured people who have been unlawfully registered.

*Mr. CULL: What is the aim of this Bill?

*Mr. MENTZ: No, they will not do it because they want the votes of those Coloured people. Has the United Party ever tried to remove from the voters' roll the names of Coloured people who have been unlawfully registered? Have they ever objected where European voters have been removed from the voters' roll?

*Mr. S. J. M. STEYN: I can mention thousands of instances.

*Mr. MENTZ: I wonder whether the hon. member got those names from Eva van Rensburg or from his own office. I say that the provisions of this Bill are clear and effective and that the proposed procedure is as cheap and reasonable as possible and it will not lead to any injustice. The way is also open under Clause 11 to lodge an appeal, which is what they want, and therefore I trust that the Minister will not accept this amendment.

*The MINISTER OF THE INTERIOR: It is not necessary for me to say much. All the arguments which have been advanced in support of this amendment have already been replied to by members on this side and it is not necessary for me to go into details. There are a few points, however, to which I want to refer. The first is that reference is made in this amendment to anonymous letters received by the Department. It is suggested that those letters should be consigned to the wastepaper basket. That is an innovation of which I have never heard before, either as far as our own legislation

is concerned or in the legislation of any country in the world. There is such a thing as the responsibility of the head of a Department and it has always proved satisfactory to leave it to him to decide how he should deal with anonymous letters. We would be making a laughing-stock of this House if we inserted a provision of that nature in our legislation. We would also be attaching undue importance to those anonymous letters if we immortalised them by placing a provision of this nature on the Statute Book. That is why it seems to be so far-fetched that I do not want to dwell on this argument, nor do I want to dwell on the rest of the amendments. They have already been replied to by members on this side and I do not want to add anything to what they have said.

New Clause put and the House divided:

AYES—64.

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Bekker, P. B.	Lewis, J.
Bell, R. E.	McMillan, N. D.
Benson, E. A.	Mitchell, D. E.
Bloomberg, A.	Moore, P. A.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Robinson, A. E. P.
Davidoff, H.	Russell, J. H.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Shearer, O. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Smuts, J. C.
Eaton, N. G.	Solomon, B.
Friedman, B.	Steenkamp, L. S.
Frielinghaus, H. O.	Steyn, C. F.
Gale, D. J.	Steyn, S. J. M.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sturrock, F. C.
Graaff, de Villiers	Sullivan, J. R.
Hayward, G. N.	Tighy, S. J.
Henderson, E. J. W.	Tothill, H. A.
Henwood, B. H.	Van Coller, C. M.
Higgerty, J. W.	Van der Byl, P. V. G.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—66.

Abraham, J. H.	Conradie, J. H.
Bekker, G. F. H.	Deysel, A. J. B.
Bezuidenhout, J. T.	Döhne, J. L. B.
Boltman, F. H.	Dönges, T. E.
Botha, P. W.	Du Pisanie, J.
Brink, W. D.	Du Plessis, P. J. C.
Brits, G. P.	Du Plessis, W. C.
Conradie, D. G.	Erasmus, F. C.
Erasmus, H. S.	Mentz, F. E.
Erlank, A. E.	Olivier, P. J.
Eyssen, S. H.	Oost, H.
Faurie, W. H.	Papenfus, S. F.
Fouché, J. H.	Pieterse, P. W. A.
Fouché, J. J.	Sauer, P. O.
Frates, T. J.	Scholtz, D. J.
Grobler, D. C. S.	Steyn, A.
Havenga, N. C.	Steyn, G. P.
Hertzog, A.	Steyn, J. H.
Hugo, P. J.	Strydom, G. H. F.
Jansen, E. G.	Strydom, J. G.
Klopper, H. J.	Swart, C. R.
Labuschagne, J. S.	Uys, D. C. H.
Le Roux, S. P.	V. d. Heever, D. J. G.
Liebenberg, J. L. V.	Van Heerden, D. P.
Loock, J. H.	Van Niekerk, J. G. W.
Loubser, J. A.	Van Rhyn, A. J. R.
Loubser, S. M.	Van Schoor, J. J. F.
Louw, E. H.	Viljoen, J. H.
Luttig, H. G.	Visser, De V.
Malan, A. I.	Vosloo, L. J.
Malan, D. F.	Warren, S. E.
Maree, W. A.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

New Clause accordingly negatived.

Amendment in Clause 6 and the amendment in sub-section (1) of Clause 7, put and agreed to.

On Clause 7,

Mr. SULLIVAN: I wish to move the amendment standing in my name on the Order Paper and which reads as follows —

In Clause 7 to omit paragraph (h) of sub-section (1).

We have been up against one cardinal difficulty during the long discussion on this measure, and that difficulty has been the impossibility of ascertaining anything definite regarding the Government's intention as to the numbers that are to be excluded or included by this measure. That difficulty is present in regard to this clause, enforcing as it does the placing of a photograph on the identity card. For example, we should know from the Minister whether this Bill will include the whole Native population at the beginning, whether it will include all the Coloured people at the beginning, and if exclusions are going to be made, on what principle will those exclusions be made as regards races or sections of races.

It has not been very helpful to us in regard to the various clauses considered to be in this position. The vagueness as to the Government's intentions is one of the worst aspects of these long discussions. It has created unnecessary uncertainty and suspicion throughout the country.

Now my amendment has been designed to remove the photograph from the popula-

tion register and therefore from the identity card. It is in close consonance with our attitude during the second reading and during the Committee Stage. What we want is a simple registration card without a photograph, a sort of receipt, and by no means an identity card. We regard the photograph as a means of identification, as being against the traditions of the white people of this country, as being against the wishes and desires of the Native population who will consider the photograph on the card as another pass, in addition to the thirteen or so they already carry. We regard the photograph on the identity card as being a disturbing influence among the Coloured people who will come to the conclusion that they, like the Natives, will have to carry a pass. And, Mr. Speaker, they will no doubt keep in mind that, mainly as a result of offences against the pass laws, something like a hundred thousand Natives are imprisoned every year. What we want, to avoid that sort of thing, is something on the lines of what they have in Canada and England, a simple registration number endorsed on a simple parchment. That is as far as we on this side can possibly go.

In the Committee we have already adduced very strong arguments in favour of the removal of the photograph, and we wish to adduce further arguments on this occasion. We referred, for example, to the recent explorations made by the Director of Census when overseas. He travelled far and wide, in the New World and in the old, and when he came back he told us that as far as his experience went in regard to Canada, the United States and Western Europe, in only three of those countries were population registration systems in force with identity cards on which a photograph was used, namely, Belgium, France and Italy. But the Minister went even further . . .

The MINISTER OF THE INTERIOR: And which countries had the identity cards without photographs?

Mr. SULLIVAN: I am coming to that. I am giving the inference I draw from the director's statement. He said, in only these three countries was that system in force in Europe, and he added Israel, which, of course, is not in Europe. Those countries which more nearly correspond in their social system to the social system of this country, and that have the best population registration systems in vogue, for example, Sweden, Holland, Denmark, England, the United States and Canada — all these countries have a population structure as far as the Europeans are concerned and in regard to tradition, history and custom are very much like our own; and yet the director says that in the case of England police activity in regard to control of the population is carried out apparently very efficiently by a registration card on which there appears no photograph. The Minister says there is also a green card. There is, but he knows that that is used for a limited number of the population. It is not applied to the vast majority. We felt that if that is the practice, and if that is the recent practice, in the case of the countries of Western Europe, why should we in South Africa take over a system from the unsettled countries, a system which is followed behind the Iron Curtain and in Franco's Spain, and apply that to the whole of the population of this country? We feel that a great mistake is being made in this connection.

The second reason we raised was the difficulty of administration. The Minister admitted that difficulty in his replies during the Committee Stage. We argued that the photograph would sooner or later cease to be a true resemblance of the bearer of the identity card, and therefore a system of renewal of the identity card and the photograph would be necessary. We pointed out that in countries that have photographs the validity of the photograph is limited to a certain number of years, and at the end of that period it is called in and a new card and photograph are issued. If we do not propose in this country to control the identity card system and the photograph proposed in this measure in that way, why not drop the photograph altogether?

Then there was one other aspect, and that was the question as to who would make a decision when a new photo was necessary. According to the Bill that is left to the discretion of the director and his agents. The Minister was very careful to avoid much close reference to this issue. Admittedly, if the director and his agents could be omniscient enough to know every individual of all colours in the country who may need a new card, then that would be an ideal system, But with administration, as we know it as operated in South Africa, particularly among the non-European population, it is an administrative impossibility for the Minister, for the Department and for the Director of Census to see that proper control over this photo on the identity card is exercised. As far as the administration is concerned, that is, the practical side, we believe it will be a hopeless impossibility for the Minister to enforce the usage of photos, with effectiveness, on the identity card system.

The final point is the cost involved in all this. There will be heavy administrative costs. We know that the whole system will cost for the first year, to inaugurate it and to maintain it, something like £300,000. Then there are additional administration costs involved in the inclusion of the non-European population for whom photos will be obligatory. In addition to all these costs, which are costs directly on the taxpayer who is being told regularly by the Government

that we have already gone too far with social services and that we will have to hold the line, and for whom these costs will be a very vital consideration, we have to come to the costs on the individual. Even if you assume that the photo will cost sixpence, which I very much doubt — I doubt if it will be possible for the director to have photographs taken at that price — even if we assume it would cost that, the cost is nevertheless there. That cost, as was indicated to the Select Committee by Dr. Eiselen, can be mollified in its incidence on the Native people if they were assured that this pass, now to be supplied throughout the country, would be a substitute for the many passes or most of them that have now to be carried by the Natives. The individual costs are considerable; the social costs on the taxpayer of the country are very considerable, and it is a fairly good guess to say that the total cost for the first one and a half or two years when the scheme is coming into being, will be something in the region of one million pounds.

I think we have made our case again for the omission of the photo from the population register and identity card, and I move my amendment accordingly.

Mr. KENTRIDGE: I second the amendment proposed by the hon. member for Berea (Mr. Sullivan), and I support the arguments which have been adduced, not only yesterday, but which were again emphasised by the hon. member today. The hon. the Minister will recollect that this question of the photo on the identity card was discussed in the Committee Stage and it was point out that it would impose a burden on the people; and not only that, but that it is imposing an indignity on them to force them to carry this identity card with a photo on it. Reference has been made to the European population and the effect it will have on them. They will consider it an indignity. The suggestion has been made that it does apply in certain other countries, but the hon. member has indicated that there are various countries in which it does not apply. Reference was also made to the effect this identity card with the photo will have on the non-European population. We know from the evidence given in the Select Committee that the Native population will resent it, as an additional burden imposed on them. We were also told by those giving evidence, particularly by Dr. Eiselen, that if this identity card was applied to the whole population of the country and in the case of the Natives in the place of the present pass laws, then it would be acceptable to the Native population. The Minister went further and said that because the Natives are quite pleased with having their photos placed on their exemption cards, they will also be prepared to accept it in the case of this particular identity card. He overlooked the fact which was pointed out by Dr. Eiselen. I notice that the Minister only follows the advice of his officials when it agrees with his own ideas and in this case the advice of his officials does not agree with his own ideas. Dr. Eiselen pointed out that the reason why the Natives were prepared to have their photographs on their exemption certificates — and there are only a few thousand involved in the matter — was because it was a tremendous privilege. It does away with the necessity of carrying a pass and gives the holder a higher status. But Dr. Eiselen said that he agreed that they would resent the imposition of this identity card unless it were in substitution of the pass. What does this Government do? They do not say: "Very well, we are going to do away with the pass and substitute this new identity card," and thereby satisfy to a very great extent the Native population; no, Sir, they are pursuing the policy of first taking away rights and then saying: "We are going to give you some other benefits later on; we don't know when." The Minister suggests that in time to come some of the obligations under the pass laws will be done away with. Surely the correct position would have been first to have relaxed the pass laws and to say to the Native population definitely: "This identity card and the obligation we are imposing upon you" — and I am not discussing the expenditure side at the moment — "to have your photograph taken, is going to take the place of the pass and therefore you can accept this willingly." And I have no doubt they would accept it willingly.

So far as the European population is concerned, I have no doubt that they will regard it as an indignity to have their photographs taken in order to have them placed on those identity cards. The hon. member for Berea (Mr. Sullivan) both when he moved this amendment in the Committee Stage and today has pointed out — and apparently the official who went overseas to investigate has been unable to get any information other than that mentioned by the hon. member for Berea — that as far as the democratic world is concerned, the only countries where the photograph is used in connection with these registration cards, are Belgium, Italy and France, and we hear now that it is also used in Franco Spain. The Minister in replying to that said: "I am not concerned with what is done in Franco Spain," although I notice that the Prime Minister is now very friendly towards Franco Spain. He suggests the recognition of Franco Spain. But the Minister says: "I am only going to democratic countries for my precedents." And which are the democratic countries which are utilising the photographs? They are Belgium, Italy and France. After all, it is only fair to the House and to the country when you deal with the matter on that basis to show whether the conditions

are comparable, in those countries with the conditions in South Africa. We want to know whether, when this arrangement was made in those countries, they were in the same position that we are. We know that in Belgium, in Italy and in France the conditions were quite different to our conditions in this country. In Belgium, the arrangement was made at a time when Belgium was under the heel of Nazi Germany, and today Belgium is still in a very unsettled state both so far as the Crown is concerned and even politically generally. Belgium is in an unsettled state, and therefore they have not done away with this. France is in the same position. In France the system of placing photographs on registration cards was introduced under the Vichy regime and the Vichy regime was definitely under the heel of Nazi Germany at the time, and so far it has not been repealed and I think probably that is partly due to the fact that in France today there is considerable uncertainty as to the future, and there is a Communist Party in France whose membership consists of one out of every three of the population. In addition to that there is the other political organisation, the De Gaullist Organisation, which is today travelling in the direction of totalitarianism, and it is because of those conditions that it has not yet been repealed in France. The same applies to Italy. There the system was introduced under Mussolini. It has not yet been abolished there, also largely because the position there is still very unsettled. But at any rate, when you take those three countries you find that the conditions in those countries when they imposed this system were not in any way comparable to the conditions in South Africa at the present time, and therefore to quote them as an illustration in favour of our doing what the Minister is now doing is not only unreasonable but it is unfair. The Minister does not quote the case of Holland, Sir. I know that Holland, the country from which a large proportion of our population descends, is not popular with the Nationalist Party. Holland would not be fobbed off, for instance, with Dr. Otto du Plessis as a Minister Plenipotentiary because they objected to the views he had been expressing, although those views were very acceptable to the present Government. Holland had a similar system imposed upon them by Nazi Germany and Holland, as soon as it got its liberation, did away with that system. Why not quote Holland? No, they do not quote Holland because it would not support the case of the hon. the Minister

Finally, the hon. the Minister quoted, with great approval, the fact that the system of identity cards, with a photograph on it, is used in Israel. It is always pleasant to notice the approval with which Israel is being quoted by our friends over there. The Minister quoted the case of Israel as having the photograph on the identity card. That is perfectly true, although I want to say in the first instance, perhaps to the surprise of my hon. friends over there, that I do not regard everything that is being done in Israel as correct. But the other point is that the hon. the Minister, when he was replying to the second reading debate and was quoting Israel as a country having the same system of identity cards, did not reply to a question which I put to him at the time. I asked him whether he knew what the conditions were in Israel when this system of identity cards was introduced. He did not reply possibly because he did not know . . .

The MINISTER OF THE INTERIOR: In Holland?

Mr. KENTRIDGE: No, I am speaking of Israel. I will give him credit by saying that possibly he did not know, but I think when comparisons are made and when the State of Israel is quoted as one of the democratic countries where there is this system of identity cards with the photograph, I say when Israel is quoted in support of what the Minister is doing, it is only right and proper that the difference between the conditions which existed at that time in Israel and the conditions in this country at the present moment should be quoted. The Minister should know, if he does not know already, that when the identity card system was established in Israel by the Israeli Government, with the photograph on it, Israel at that time had no census of any kind. In fact, until recently, it was impossible to tell what the exact position was as far as the population there is concerned. Secondly, it was during an emergency period when the Arab States were fighting against the State of Israel, and this was one of the reasons for the introduction of this system. Thirdly, he should have told the House of another difference in the position, namely, that even today the arrangement between Israel and the Arab States is simply an armistice; no peace has yet been declared and virtually Israel is still in a state of war, and fourthly, those cards are being used in Israel as they are being used in Great Britain for rationing purposes. There is a rationing system there. The Minister does not propose to establish rationing in South Africa. When one takes into consideration those differences to which I have referred, then it is obvious that it is fatuous, that it is foolish to compare the conditions between those countries and South Africa and to justify the imposition by the Minister of this photograph by reason of the fact that a similar photograph is being used in Israel or in Belgium or in France or in Italy. No, Sir, the conditions must be compared. We must see whether our conditions are the same as the conditions in those countries before we can claim to

justify the action that the Government is taking by reason of those comparisons, and I say that those comparisons do not support the policy of the Minister. Under those circumstances, and for the reasons which have already been given by the hon. member for Durban (Berea) and other members during the debate in the Committee Stage, I venture to say that even at this late hour the Minister should accept this amendment and free the population of the obligation and the indignity which the imposition of these photographs implies.

Mrs. BERTHA SOLOMON: There is very little that I want to add to the exhaustive comments of the last two members who have spoken. I would like to ask the hon. the Minister a question and it is this: What kind of photograph does the Minister imagine he is going to get even at the absurd cost of, say, 1s.? — an absurd cost for a good section of our Native people. I want to ask the Minister also, if he would kindly give me his attention for a moment, whether he has ever had a passport photograph taken? I had that unfortunate experience a year or two ago, and I think I paid 3s. 6d. for two photographs. The photographs that resulted from that experience were, I think, completely unrecognisable. Of what value would these photographs be for identification purposes, if they are going to cost 1s., because these photographs will not be anything like a true likeness to the original, nor will they last. In those circumstances what would be the value of the photograph as a means of identification? It would be no kind of true record of the person taken. Although I listened attentively to the Minister's reply, with respect, I would like to suggest that he hardly dealt adequately with the points raised by the hon. member for Alberton (Mr. S. J. M. Steyn) as to the feasibility of getting enough photographic material into the country to deal with a situation which will mean that something like six or seven million photographs will have to be taken within a limited period. When one considers that a good deal of this photographic material comes from foreign currency countries and that it will require hundreds or thousands of people to do the job, I think the Minister might well be advised in view of what has been said, and in view of the fact that the photograph cannot conceivably be of any considerable value from the point of view of identification because it will be a cheap photograph, like the passport photograph, to reconsider his decision not to accept this amendment. As I said I do not know whether the Minister has ever had a passport photograph taken.

An HON. MEMBER: It was confiscated.

Mrs. BERTHA SOLOMON: I should not be surprised if it was confiscated for the reason that it did not look like the Minister. I suggest to the Minister that he might follow the example, not only of England, but also of the United States, of Holland and of Denmark and of Sweden which, according to "Die Burger", have no identity cards but merely a register and therefore no photographs. I think if he were to follow the examples of the mother countries of both European sections of the population of this country — Holland and England — he would decide to have a register only and he would then be pleasing all sides of the House.

The MINISTER OF THE INTERIOR: We have heard again the arguments that were put forward on the question of the desirability of having a photograph on the identity card, which we heard during the Committee Stage. Again I think it is necessary that I should make certain points clear. The first is that the identity card is not an identity card that will be issued to every member of the population. It will only be issued to those over 16 years of age. That cuts out a very large proportion of the population.

Mr. KENTRIDGE: [Inaudible.]

The MINISTER OF THE INTERIOR: I think the hon. member for Troyeville (Mr. Kentridge) will probably qualify under this head, because it is the physical age that is taken and not the mental age. Let me say this in order to have our facts quite clear. The hon. member for Durban (Berea) (Mr. Sullivan) has pointed to England. He says that there you have an identity card with no photograph. I have already indicated that in some cases where you have what they call the green card, a photograph is necessary. But it is quite true that your ordinary card does not require a photograph. But in other particular categories, they go much further. In your Navy and Merchant Service you require much more; you must have a card; you want not only the photograph of the holder of that card, but you want finger-prints of all ten figures.

Mr. SULLIVAN: That is reasonable.

The MINISTER OF THE INTERIOR: That is the position in England today.

Now let us go a little further. The hon. member has said that there are only three countries which have the identity card with a photograph. Has he told you, Mr. Speaker, how many countries with an identity card, have not a photograph? There is only one.

An HON. MEMBER: Holland.

The MINISTER OF THE INTERIOR: The hon. member has told us that in Holland it has practically fallen into disrepute.

An HON. MEMBER: It has no photograph.

The MINISTER OF THE INTERIOR: Well, let us say that there is no photograph there. I am referring to the evidence . . .

Mr. SULLIVAN: Will you read out your question to the director at the bottom of page 13 and his answer on page 14?

The MINISTER OF THE INTERIOR: I am reading question 114 now—

> I think that that . . .

That is to say, England—

> . . . is the only country in which a photograph does not appear on the identity card.

Mr. SULLIVAN: Go on.

The MINISTER OF THE INTERIOR: I quote the following questions and replies—

> What about Italy?—Italy has a photograph on its card, and so has France and so has Belgium.
>
> And Israel?—Yes, they have photographs on their cards, too. These are the only countries where they have identity cards with photographs on them.

Mr. SULLIVAN: That is definite.

The MINISTER OF THE INTERIOR: Yes, and the other is also definite—that England is the only country in which a photograph does not appear on the identity card.

Mr. SULLIVAN: How do you reconcile that?

The MINISTER OF THE INTERIOR: Well, then you must not quote the one; quote both of them then. The hon. member should not come here and refer to the answer in 116 and draw an inference from that, which is the very opposite to the inference which he can draw from 114, without, at any rate, quoting 114.

An HON. MEMBER: That is what you have done.

The MINISTER OF THE INTERIOR: No, I am saying that the only argument I have used as far as Holland is concerned, is that hon. members opposite have told me that there it has fallen into disrepute and I was taking Holland as a country in which there is not an identity card today. But I say, that of those countries in which there is an identity card in use, you have this position that only one of them has not got a photograph—except for certain classes of persons—and the other three have a photograph, and then beyond Europe I have given you the example of Israel. I don't know whether hon. members will contend that those four countries that I have mentioned are not democratic countries.

Mr. KENTRIDGE: I have given you the different conditions.

The MINISTER OF THE INTERIOR: Let the hon. member look at the Act in Israel, and then he can come and argue with me again. The hon. member has not read the Palestinian Act.

Mr. KENTRIDGE: I am talking of the conditions.

The MINISTER OF THE INTERIOR: I know that the conditions in one country are different from the conditions in every other country, but, broadly, there are the same conditions in every country. I have gone further; I have given other examples of other countries where they have the photograph on the identity card—countries like the Argentine and Brazil. But now I want to go further and I want to read to the hon. member for Berea in connection with England, where they have not got the photograph, what the director said in evidence in reply to the hon. member on this question that he has now again raised here. He put it to the director—

> Is it administratively practicable for the officer in charge of these identity cards to tell people he has never seen that they must get another photograph?

No, I beg your pardon; this is in connection with another point. Let me put this to the hon. member, that it is true that in England they have not got the photograph; they have not got finger-prints, but there they have the signature. Let me put this to him that, unless you have one of these three means of identification, your identity card means nothing at all. If you want a sealed card, which we intend employing in South Africa, a card which is impervious to misuse to a large extent, then you cannot have the signature. So if it has to be an identity card, which is effective at all, it must have one of the other two forms of identification.

Mr. SULLIVAN: Where does that appear in the Bill?

The MINISTER OF THE INTERIOR: It is stated in the evidence; I cannot find the passage for a moment. I will refer the hon. member to it when I get the paragraph. I see it is question 124. Let me first put the hon. member's question—

> I want to put it to you in another way. You are a responsible official and it is to you that we are looking for the compila-

tion of this card and register. Do you not think that it would be a wiser procedure, in view of the fact that this is largely in the nature of an experiment, to omit the photograph altogether at the present stage?

That is the hon. member's argument here, too. The reply of the director was—

My reply to that is that you will not have an identity card being used very successfully as a base of identity. You have not got the photograph; you have not got the signature; you have not got the fingerprints. There is no means of identity other than those three.

Mr. SULLIVAN: Would you read the next one?

The MINISTER OF THE INTERIOR: I know it is said that in England they have not got the photograph, but they have the signature, and now the hon. member wants us to have nothing. He is not proposing that we put the signature there instead of the photograph. He says that you must have an identity card and it must be an identity card without any of the only three means of identification.

Mr. SULLIVAN: On the lines of England or Canada. I distinctly said that this afternoon.

The MINISTER OF THE INTERIOR: I am looking at the hon. member's amendment. I am saying that in the hon. member's amendment that is the position that he is taking up, and I say that on this it simply means that the hon. member wants to have an identity card which will be absolutely without any use and without any effect. I say that any reasonable person must realise that an identity card which provides no means of identifying the holder is useless, and that is what the hon. member in effect is asking for in his amendment.

One of the other members was very concerned about the question of photographic material. Let me say at once that after all that is not a matter of concern for this House. It is a matter of concern for the people who have to administer this measure, and I think it can be safely left to the Government which will have to administer this Act to see that the necessary means are there for successfully and effectively administering it.

The hon. member for Berea, I think, has discussed the question of the validity of the card. In terms of Clause 20, sub-clause 1, paragraph (e), the period of validity of identity cards is a matter which will have to be prescribed by regulation. It is difficult to say at this stage what the period will be.

Mr. SULLIVAN: You might fix a general period.

The MINISTER OF THE INTERIOR: It says there —

The period of validity of identity cards issued to all persons generally or to any particular class of persons, and the issue of fresh identity cards to replace identity cards which have lapsed . . .

Mr. SULLIVAN: That would meet the point.

The MINISTER OF THE INTERIOR: That, I think, will meet the hon. member's point. Then there is this other point. When your photograph become unrecognisable owing to the ravages which time may have effected on your physiognomy . . .

An HON. MEMBER: Or on the photograph.

The MINISTER OF THE INTERIOR: No, the photograph is sealed. I think the possibility of the ravages of time affecting the original is greater than in the case of the photograph. At any rate, if this position does arise, the question was also put to the director as to who is to determine and how is he going to find out and will he be able to go and look at everybody's card to see whether the image is still recognisable. His reply is recorded in No. 123. When it was put to him whether it was administratively possible, he said —

It is not feasible for that man to do so personally . . .

That is to say, for the official in charge to do so personally —

. . . but it is feasible at some time or other for any of his officials or anybody who deals with an identity card or even the holder of that card to come forward and say that he wants a new card.

From time to time it may be necessary to show this card to some official, and in that way, if the image is no longer recognisable, in other words, if the position has arisen which the hon. member wants to have now, namely, an identity card without a photograph, which is the same as an identity card with an unrecognisable photograph, when that position arises then there can be, as suggested by the director, some means of having it brought to the notice of the director and a new one issued under the regulations which have to be prescribed under Clause 20 (1) (e). I take it that the holder of an identity card will try himself, just as in the case of the holder of a passport, to see to it that the photograph is

more or less in accordance with the original. If he does not do that, then he puts himself in a dangerous position. He may put himself in an uncomfortable position. He may be in this position that he wants to establish his identity and the only means of establishing his identity is the identity card. He has allowed himself to change so much that the photograph on the card no longer represents himself, and he may very likely be met with this answer: "But that is not you." So there is a very natural incentive for the holder himself to see that the picture of him which appears on the identity card does not get so out of date that it may incommode and inconvenience him when he requires it for purposes of identification.

Mr. SULLIVAN: But you would not leave it at that, would you? You are going to prescribe regulation?

The MINISTER OF THE INTERIOR: I have said that under that regulation there may also be a general period, but if within that period there is this change, then, of course, the holder is always free to come and suggest that there should be a new edition of the photograph appearing on his identity card. I think I have dealt with most of the points that have been raised. I am sorry that it was necessary to repeat myself, but it seemed necessary in view of the arguments that have come from the other side that I should make this quite clear.

Amendment proposed by Mr. Sullivan put and negatived.

Remaining amendments in Clause 7 put and agreed to.

On Clause 8,

Mr. GALE: I move—

> In Clause 8, to add at the end of sub-section (1), "and, subject to the provisions of Section 17, all particulars relating to a person whose name is included in the register shall, on the request of such person, be made available to him"; in line 27, to omit "A list" and to substitute "An extract"; to omit all the words after "therein" in line 29 down to and including "whatsoever" in line 30, and to substitute "his full name and identity number"; to omit all the words after "hours" in line 34 to the end of sub-section (2); and in line 45, to omit "a list" and to substitute "the extract".

There are five amendments on the Order Paper in my name, but I propose to deal with only two of them in my remarks this afternoon. Those two are the fifth amendment and the third amendment. The other amendments are consequential upon these amendments, and if amendments Nos. 1 and 3 are defeated then the other consequential amendments would fall away. The first amendment on the Order Paper is to sub-clause 1 of Clause 8 and the third amendment is to sub-clause 2 of Clause 8. Sub-clause 1 of Clause 8 provides that—

> There shall be maintained at the office of the magistrate of every district or at such other office within a district as the Minister may approve, a copy of the register containing the names and other particulars recorded in the register in respect of all persons registered as residing within that district.

The amendment which I move proposes to add to that—

> Particulars relating to a person whose name is included in the register shall on request of such person be made available to him.

That is, of course, subject to the provisions of Clause 17. The object of this amendment is to make available to any person residing in any particular district the particulars of the register as they appear in the central register. That opportunity is not provided for either in Clause 17 which is referred to in the amendment, nor is it provided for in any other portion of the Bill, and it should be provided for because the procedure which is laid down under Clause 17 is subject to quite a number of objections for the reason that it requires payment of a fee by anybody wanting the particulars of himself in the register. Not only is there cost to the person concerned involved in this, but also it involves writing to the central registry in Pretoria. Clause 17 also provides that those particulars on the register will only be given in certain circumstances. The amendment provides considerable advantage to the people whose names appear on the list, or on the register. The first advantage, as I have already indicated, is that there is no expense to the person concerned if he simply goes along to the magistrate's office and asks to see a copy of the register. Moreover, it provides for such a person a very quick reference. The person can immediately check up whether the particulars on the register are correct or not, and so I suggest to the hon. the Minister that it will be of considerable assistance to the Department which he controls if such a quick check can be made by a person of his own particulars, as he will naturally advise the Department of any mistakes.

It has a further advantage, Mr. Speaker, and that is that in terms of the amendment the information in regard to any particular person will be available to him only. Therefore there will be no publication to others

of the particulars concerning this person, and I suggest that that is a very distinct advantage indeed.

There is another advantage in that it provides administrative decentralisation. In these days when we know that officials of the various Departments are seriously overburdened with work, then the administrative decentralisation of having a copy of the register containing full particulars as contained in the central register at the magistrate's office, will obviously avoid all the extra work which will be thrown on these already overburdened officials of the various Departments, by reason of the fact that they will not have to attend to the multitudinous correspondence which will be occasioned by people wanting to find out what particulars are contained in the central register. Of course in Clause 17, to which I also made reference in passing, the director will have to be satisfied in the interests of the person concerned to give these particulars, and also he must be satisfied that the purpose for which the knowledge is required is set out very fully.

I think it would be perfectly obvious to any person that the amendment simply gives the opportunity to any one of us who wants to find out how the particulars concerning him are reflected in the central register, it gives him the opportunity of finding out at no cost to himself and advantage to the State by simply going along to the magistrate's office and ascertaining those particulars there. So I suggest to the hon. the Minister that he adopts this, and when he has completed the very serious conversation which he is presently holding with the senior Whip of the Government party, I would like to commend to his attention this very, very reasonable amendment, and I trust that the hon. Minister's opening gambit when he replies will not be: "The hon. member has not raised anything new." I trust that he has listened very carefully to the arguments which I put forward and that he will therefore see the reasonableness of this amendment.

Mr. Speaker, I deal now with Amendment No. 3 on the Order Paper, which is an amendment to sub-clause (2) of Clause 8. That amendment is directed towards the publication of only the full name and registration number of the person concerned. When I say "publication" I mean that all the other items, all the intimate details which sub-clause (2) proposes to make public, all those intimate details will not be made public, there will be no publication to people who should not be concerned with the affairs of others. So the amendment to sub-clause (2) proposes to delete all those particulars which are listed in the Bill as printed under the sub-items (a) to (e). In terms of these sub-items some of the particulars which would be available to the general public concerning any individual person, would be his citizenship and his nationality. Now I ask you, Mr. Speaker, why should any member of the public be sufficiently interested in intimate details of that nature? Why should any member of the public be interested in the classification of another person? I can understand that such inquiries will be made at the instance of State departments, especially those departments under the control of the hon. the Minister, because the Government at present is very keen indeed on finding out what person is Coloured or what person is a European, the object, of course, being to strike off as many of the Coloured people as possible from the voters' roll. So whilst I am forced to admit that the Government would make inquiries of that nature in regard to classification, I suggest that those particulars are of no interest, or should not be of any interest to outside persons, unless those persons are nosey-parkers or snoopers. There is a consequential amendment to this, and that is that the word "list" should be changed to "extract".

Now, Sir, the reasons I advance in regard to this amendment are, firstly, that this Bill which the hon. the Minister has placed before the House, is called the Population Registration Bill; it is not called the Population Identity or Identification Bill. So the accent should be on "registration" and not on "identification". This fact, I suggest, can quite easily be ensured if the list which is published at the magistrate's office only contains the full name and the registration number of the individuals concerned. The hon. the Minister and any other person who is interested will then realise that this person is in fact registered; this is a registration Bill. Anyone can see if the full name and registration number is there, that the person is registered. That is all that should be necessary under a registration Bill if it fulfils the purpose which its name implies.

If the hon. the Minister does not accept this amendment and forces this clause through the House in its present form one can easily imagine the opportunity for the poison-pen writer to which my hon. friend, the member for Gardens (Dr. Jonker) referred, and one can understand what great opportunity there will be for nosey-parkers and for snoopers to go along and find out particulars. One can also imagine the feeling of insecurity which will be engendered in the minds of the general public when they know that intimate details such as their nationality, their classification, their citizenship, are thrown open into the public glare at the magistrate's office. You can imagine the insecurity some people might feel, and when the House realises that the opportunity is ever present for these snoopers and maliciously minded persons to go along and see the lists, to see a copy of the register, they will realise what a big danger it really is, they will realise it for the simple reason that the clause as

presently drafted provides that this register, or this list which is taken from the register, is open for inspection during all office hours. So, as I say, Sir, one can visualise these maliciously minded people going along during all office hours to find out the innermost details of any person against whom they might have a grudge, and with the object of unearthing as many skeletons in the cupboard as possible, because when such people go to investigate the detailed description of others one can rest assured that their purpose must obviously be adverse to the person concerned, must obviously be to his detriment. In this clause as it stands now the hon. Minister is creating, and he will be held responsible for it, he is creating a paradise for snoopers, and I say that publication of all such details gives people every opportunity during office hours, and it provides opportunity for abuse of every kind. I dub the amendment which I put before the hon. Minister as the "anti-snooping" amendment, and if he would accept it then the details about any particular people would be a closed book to such maliciously inclined individuals who do the snooping. I say in all sincerity that a person's classification is a matter which rests entirely between himself and the State, and it is and should be of no concern whatever to others, and it is the duty of the hon. the Minister to protect individual persons against these maliciously minded people. I say it is the Minister's duty to protect people in this regard, and he can easily do so by accepting the amendment which I have put forward. The hon. the Minister has it in his power to do so, and if he will only say "yes" to the amendment there is no doubt that he will have done his duty in regard to the protection of the individual. If the hon. the Minister refuses to accept the amendment then I lay the charge against him that he is encouraging trouble-makers, he is encouraging the poison-pen writers, and he is encouraging the snoopers who make the lives of the citizens of South Africa very much more miserable than the Government has succeeded in doing up to date. There is no doubt that the Government has succeeded in making the lives miserable of a considerable section of the people of South Africa and I ask the hon. the Minister to use his influence by accepting this amendment, and so avoid further trouble.

The hon. the Minister at an earlier stage of the passage of this Bill, the Committee Stage, said that this register which would be at the magistrate's office would take the place of the voters' roll, it would be in substitution of the voters' roll. Now, Sir, I say that this argument is fatuous for the simple reason that the particulars on the voters' roll are totally different from the particulars that are required under this Bill, and, moreover, those of us who handle voters' rolls will know that the voters' roll is compiled in a different way. The arrangements of the voters' roll are that the women's names are in one list and the men's names are in another list. That will not be so with the list which is compiled from a copy of the register.

So, Mr. Speaker, although the hon. the Minister might say that nothing new has been raised, I would like to tell him, also, that nothing he has said in the previous stages of this Bill has convinced me that the opportunity should be given to maliciously minded people to do their snooping and to render miserable the lives of citizens of South Africa. I say, Sir, that the amendments are reasonable in the extreme, and I trust the hon. the Minister will accept them.

Mr. CULL: I second, Mr. Speaker. I think the hon. member for East London (North) (Mr. Gale) has put up a particularly good case, and it would be most reasonable of the hon. the Minister if he accepts the amendment to the effect that the register should be available to an individual if he wants to look up particulars registered in regard to himself. Such an individual in the ordinary course would have to write to the central office in Pretoria, or wherever it may be located, and it will mean additional and unnecessary expense and delay. We know that the Government Departments are under-staffed and that sometimes they take weeks and even months to reply to letters. Consider the delay that will be experienced by a person writing to a central office — and not only one person, probably at election times there will be hundreds and thousands of them, and they will have to wait for a reply. Look at the correspondence it will entail, the staff that will have to be kept for that purpose. Consequently, I think that amendment a very reasonable one, and if the hon. the Minister wants to be reasonable and amenable he should accept the amendment in regard to sub-clause (1).

With reference to the other amendments, Mr. Speaker, I feel sure they are also very reasonable. After all, why should all this information be available to any person who wishes to go along to a magistrate's office and inspect the list? There is certain information which is given in the identity number. The hon. the Minister has stated, for instance, that a code number will be given for a person's age, the year of his birth. That we know, but it will not be very long before everyone will have that code number. It will be very easy to get hold of that code number, and by knowing it anyone will be able to arrive at the date of a person's birth. Then look at the other particulars; the census number and district of birth, the registration number in the birth register of the person concerned, and the code letter indicating the race or ethnic classification. All those code numbers will be available, and use will be made of this particular list by political parties.

An HON. MEMBER: In what sense?

Mr. CULL: It will be used by the Nationalist Party. [Interruptions.] They have accused us this afternoon of certain practices at elections, but let me say that those practices were started by the Nationalist Party, and that the United Party never descended to the levels which were adopted by the hon. gentlemen on the other side.

Mr. SPEAKER: Order, order!

Mr. CULL: In Cradock, for instance, they objected en bloc to the whole of the Coloured list, and they even went further and laid charges, criminal charges, against quite a number of law-abiding Coloured people. Not only that, but where they were fully cognisant of the fact that Europeans had moved from one street to another in a town, they lodged objections, and stated on the form merely that those persons had left that address and that their destination was unknown. Mr. Speaker, use will be made of this list for those purposes, and if only the name and address and the registered number is contained in that list it will obviate the unpleasantness of that list being used by both or all political parties and by any other undesirable person, perhaps wanting to snoop for information, or getting hold of information for the purpose possibly of prosecuting an individual for debt, or for blackmail, or for any other purpose.

*Mr. MENTZ: The hon. member who has just sat down stated that the United Party knew of instances of malpractice in connection with the voters' rolls.

*Mr. HAYWARD: Malpractices on your part.

*Mr. MENTZ: If the hon. member had listened to the hon. member for Port Elizabeth (North) (Mr. Cull) he would have realised that the hon. member was referring to certain instances in Cradock when objections were made to certain non-Europeans whose names appeared on the voters' roll. If there is a sound reason, why should an objection not be lodged?

*Mr. CULL: In most cases the objections were unfounded.

*Mr. MENTZ: I have quoted instances where numbers and numbers of persons were registered unlawfully and now the hon. member is worried because we want to put an end to the malpractices.

*Mr. CULL: No.

*Mr. MENTZ: That is so. If that is not the case I want to know what their objection is to our attempting to prevent malpractices where they do take place under the Electoral Act. They do not reply to that question. If they are not worried about it, why do they moan about the possibility that the names of Coloured people appearing on the European voters' roll may be removed? They cannot get away from that. As far as this amendment is concerned, and as far as I can see, the hon. member who moved this amendment merely wants the name of the person and his number to appear on the copies of the register.

*Mr. CULL: Yes.

*Mr. MENTZ: What is the motive behind that? Let us see what information is to appear under this provision. Firstly, the name. The hon. member wants to retain that. Then his sex and his usual place of residence. Why does the hon. member object to one person knowing the address of another person? I shall deal with that later on in conjunction with (e), then I shall tell him why. Then under (b), the classification in accordance with Clause 5: I think if there is an important sub-section, it is (b). In the cities we have numbers of cases where people change their place of residence. You live in a particular house and somebody moves in next door and judging by his appearance you would think he is a non-European, but you are not certain. There are numbers of such cases and I can give them to the hon. member, but he ought to know about them. A non-European takes up residence next to a person in a European area and that person wants to know who his neighbour is, but he is unable to obtain the correct information. Does the hon. member not think that it will be to the advantage of the European living in the city if he can make sure when someone moves in next door to him and there is cause for suspicion, whether, in fact, that person is a European or not?

*An HON. MEMBER: He can see for himself.

*Mr. MENTZ: It is not merely in the interests of the European, but also in the interests of the non-Europeans. The hon. member for Drakensberg (Dr. Steenkamp) said here on one occasion that they all agree with us on the question of apartheid.

*Dr. STEENKAMP: Not as far as political apartheid is concerned.

*Mr. MENTZ: Yes, they agree with us on two points only, namely, that the Coloureds should appear on separate voters' rolls and that the three Natives' Representatives should be abolished in this House. I want to ask the hon. member whether he is in favour of the idea that a person should have the right, when someone moves into the house next door to him, to ascertain the true

position when he suspects that that person is a non-European?

*Mr. TIGHY: You misrepresent our point of view.

*Mr. MENTZ: As far as that is concerned, it is of immense value to be able to know whether a person who takes up residence next door to you is a European or a non-European. The hon. member for Johannesburg (West) (Mr. Tighy) should know the difficulty which city councillors and municipalities experience in such cases. I personally receive quite a number of complaints in Johannesburg. I receive telephone calls from people who tell me that somebody has moved in next door and they are convinced that that person is a non-European and could I assist them. It entails endless trouble in order to ascertain whether the person is a European or a non-European.

*Mr. TIGHY: Do you regard an Assyrian as a non-European?

*Mr. MENTZ: We are not talking about that. What objection is there to this provision in the Bill? I maintain that it is in the interests of the non-European as well as the European and furthermore it will greatly facilitate matters for the municipalities and city councils.

Now we come to (d) — citizenship or nationality. Why should a person be ashamed of his nationality? Does the hon. member want to suggest that there are members opposite who are ashamed of their nationality and that it is because of that that they object to the publication of one's nationality. If a person's nationality is disclosed, what harm can it do to him? Or must we take it that there are still members opposite who feel hurt about the Citizenship Act and that they do not want the public to know that they are no longer British subjects, but South African citizens.

*An HON. MEMBER: That is nonsense.

*Mr. MENTZ: Why do they object? Before moving an amendment hon. members opposite discuss it amongst themselves to determine whether or not it is practical. Why then does the party on the other side object to anybody's nationality being disclosed? Now we come to (f). In the case of a registered voter, the constituency and electoral division in which he is registered as a voter in terms of the Electoral Consolidation Act of 1946 (Act No. 46 of 1946) must appear on the copy. I would like the hon. member who has moved the amendment to tell me why that information should not appear on the copy of the register. Those of us who have taken part in elections, especially on the Rand, know of various cases where a person lives with his family in a certain constituency where he is registered. Then he moves to a completely different constituency. In that constituency his party is strong and they do not require his vote, with the result that he leaves his vote recorded in the constituency which he has left. If no objection is lodged, his name remains on the voters' roll in his former constituency. This difficulty can now be eliminated.

*Mr. TIGHY: You were responsible for that.

*Mr. MENTZ: Well, if we are responsible for it, we now maintain that those malpractices must cease and why don't hon. members opposite support us? We want to rectify that position but they want it to remain unaltered. Can the hon. member tell us what harm it will do to a person to have his name, address and the electoral division in which he resides disclosed on the copy of the register? I cannot see what objection there can be to that. He does not reply. He is not in a position to reply because he knows what his party does.

The entire United Party professes to be full of sympathy for the Minister of the Interior. Every speaker who has spoken has expressed his sympathy with the Minister for the tremendous administrative task he is taking upon himself and for the fact that he will not have sufficient staff. The Minister has just stated that that is an administrative matter about which members must not concern themselves. The administration is in the hands of the Minister. Members opposite may rest assured that the administration of this measure is in the hands of a very efficient man. He and the Government are responsible for the administration of the law. Leave it in their hands; it is safe there.

Mr. A. H. J. EATON: I have not taken up a great deal of the time of this House in connection with this Registration Bill because I think the Government has taken on a job that is going to give it a very big headache, and it is nice to see our friends, if they are our enemies, stew in their own juice. I want to come to a few practical matters, as I see them, in connection with the application of this Bill to areas from which I come. You will have a central register and in every magistrate's area you will have a copy of that register relative to the people resident in that particular area. Where are you going to keep this register and where will these people be registered in that particular area? If the Minister has any knowledge of it, he will know that in the magistrate's court you already have an overcrowding of people in and around it, and no reasonable person can see how this extra work can be handled in the magistrate's court. I am speaking geographically, from the point of view of the people. It is overcrowded, and here you are

going to add a very important function which has to be directed from those particular buildings. It will cause further overcrowding.

Under the Urban Areas Act you have the whole registration and control done by the municipalities. They need considerable building space to handle that one aspect of registration in a town like Durban. I want to put forward a practical suggestion. Can we not inspan, utilise and ask the municipalities to deal with this aspect of registration? You will have a local register appertaining to the Natives in that magistracy, and why not have it in that particular building where the Natives are accustomed to congregate, where they have gone over a long period and where they know the officials in those buildings? I know it is rather late to make the suggestion, but I would like the Minister to have a clear idea, from the point of view of, say about 50,000 Natives registering in an area like that of Durban, and who have for a long time been accustomed to having their affairs dealt with in that particular building by the municipal officials. Can we visualise that this registration will now be dealt with by a magistrate in a big area of that kind? If so, we will have what we may call a sub-register in an area like Durban, which will be kept in the magistrate's court and if you add 50,000 people who have to be dealt with and you already have this registration under the Urban Areas Act, there will be confusion with the registration in the office under the municipality. The chief magistrate will be the representative of the chief registrar in the law court of Durban, and you have the other registration office. You will have two offices dealing with registration, one under the Urban Areas Act and one under this Act. I think it is reasonable to ask the Minister to give us a clear picture of what will happen. I think we can visualise the difficulties that will arise. I am asking him to look at the matter from a practical point of view. These people have to be guided, because in many cases they are illiterate. They have become used to certain quarters where they go for advice and registration, and under this Bill if it becomes law, they will now be switched over to the magistrate's court as a centre. Those are the practical difficulties I would like the Minister to clarify. There will be a central register and the congregation of, say, 50,000 illiterate people on the precincts of the magistrate's court; and will it not be better to utilise the present machinery for registration which we have at present under the control of the municipalities?

The MINISTER OF THE INTERIOR: Those administrative matters will all be considered.

*Mr. J. J. FOUCHÉ: This amendment asks that the local register should not be made available to every person in that area. It is absolutely clear from the Bill that anybody who requires particulars about himself can obtain such particulars from the director on application. That being the case, what will be gained by the first part of the amendment and by adding the proposed words?

*Mr. CULL: But by correspondence.

*Mr. J. J. FOUCHÉ: What inconvenience is there in asking for those particulars by letter? If it will result in anything, it will result in ensuring that the wrong person cannot obtain the information. What are the costs attached to the writing of a letter? No, there is absolutely nothing in that argument. And now we find that members opposite also propose that (a), (b), (c) and (d) should be left out of the register. That is the real motive behind the whole amendment. Members opposite have repeatedly been told why this information is required and why the information which is mentioned here must appear on the list which is available in the magistrate's office, but they simply do not seem to be able to understand what the real position is in connection with this information, and it will therefore again have to be put to them. The hon. member for Westdene (Mr. Mentz) has already put it very clearly, but in view of the many exclamations which it elicited from the other side, it is obvious that they are not in agreement with it. I want to ask them against which items have they directed their arguments and which of the items contained in the information to be supplied about a person do they regard as offensive? They have mentioned only one item and that is (d) — the classification of a person in terms of Clause 5.

*Mr. CULL: I did not mention it.

*Mr. J. J. FOUCHÉ: That is the item which they mentioned and to which they objected. Members opposite say that we want to have this list for the sole reason of having something which will enable us to object to non-Europeans whose names appear on the voters' roll. Is that not the worst form of misrepresentation? What difference can that really make? As the position is today the voters' roll is available to any person who wants to see it. The Europeans and the non-Europeans are separately registered on that voters roll. The only difference which there may be is that it can now be discovered whether a non-European voter has been wrongly registered on the European list. That seems to be the motive, the sole motive behind the opposition of members opposite to this clause. That may be a strong allegation, but I make it because there is actually only this one difference in comparison with the existing position. At present the position is such that a person who wants

to lodge an objection in connection with the qualifications of a non-European voter, has every opportunity in the world to study the voters' roll as often as he likes. The position will now be different only in one respect and that is that the person will now be classified on this list and that it will now become clear whether he has been wrongly registered if his name appears on the European voters' roll. I mention this because the hon. member opposite has referred to it; that is why I say that members opposite are objecting to this list being made available to the public because it will now be possible to discover which people who are classified as non-Europeans appear on the European voters' roll.

Another objection raised by the hon. member for Port Elizabeth (North) (Mr. Cull) was that in the present circumstances, as the Bill now stands, there will be delay in obtaining information from the register. He maintains that a person who requires such information will have to write to Pretoria in order to obtain the director's permission. But that is not true, or rather it is not correct. We see in the definition that the word "director" does not only mean the director in Pretoria. The definition of "director" is as follows—

> "Director" means the Director of Census appointed under Section (4) of the Census Act, 1910 (Act No. 2 of 1910), and includes the Assistant Director of Census and any officer acting under a delegation from or under the control or direction of the Director.

*Mr. CULL: But not the magistrate.

*Mr. J. J. FOUCHÉ: It is obvious that for this purpose the director will appoint people who are not stationed as far away as Pretoria to supply this information; he will most probably appoint the magistrate. He can appoint any person. He will appoint a responsible person within reach of the public. That objection, too, is without any foundation whatsoever in my opinion.

Let us again look at Clause 7 in view of the objections made to (f): "In the case of a registered voter, the electoral division and polling district in which he is registered as a voter under the Electoral Consolidated Act, 1946 (Act No. 46 of 1946)." What objection can there be to this? Members are constantly objecting — and they object strongly — to the costs which this legislation will entail. But members on that side have been told repeatedly that although this legislation will entail costs it will also save money in other respects. They have repeatedly been told that the compilation of the voters' rolls will be facilitated by this legislation, and it is this very item which will facilitate the compilation of the voters' rolls. In this respect it will result in a saving. But members opposite do not think in terms of savings when it does not suit them. Then they only think of the propaganda value of their objections; their objections are then very far removed from the question of £ s. d. Then it only has propaganda value. No, I cannot see how this amendment can contain anything useful.

Mr. GAY: Mr. Speaker, the hon. member for Smithfield (Mr. J. J. Fouché) has asked us, in connection with our objection to this clause, or rather to a portion of it, why the information we ask to be deleted should not be available to the public; what is our object in withholding that information from the public? I may say at the outset, as far as this side of the House is concerned, we have not the slightest desire to withhold information from the public. Under Clause 17 the public has an absolute right to obtain that information, subject to certain safeguards. They must, in the first place, safeguard themselves by satisfying the director that they have a right to the information, that it will be used, in an honourable way, and that it will be of some value to the person whose registration is involved. Under the clause we are dealing with in the amendment, it throws it wide open to members of the public to go to the magistrate's court or wherever the register is exhibited, and to obtain those particulars from the facts there registered. There is a vast difference between the two. In the one case it is an individual who has a legitimate right, who follows out the precepts of the Act, who pays his bill, and then gets the information. In the other case it opens the door to anyone. Unfortunately, human nature has not yet reached that stage where we can all be regarded as paragons of virtue. We know that among the community there is a sub-stratum which fattens on the misfortunes of other portions of our community. It is to safeguard the individual who cannot help himself against the parasites in the community, that we ask that this information should not be broadcast on the lists exhibited in the various offices; not to make it easy for those evil-disposed people to pursue the misery of somebody else. We know that in South Africa we are a multi-racial nation. We are not all Europeans. We also have the non-European section, and in that section we have the mere borderline cases. We are trying to see that the poor devil who is a borderline case is not pursued in his misery — he is a borderline case through no fault of his own, but probably through the fault of some European before he was born, that he is not pursued in his misery, he lives in misery enough, through the information that can be culled in this way. That is one of the reasons why we ask that this information should not be broadcast to the public, aiming to protect the individual not able to protect himself. It seems a perfectly

reasonable request. It may be in the interests of the State to have a Population Registration Bill. It may be in the interests of the community to have an identity card. But the Minister has not yet shown us or given any reason as to why the particulars on that card should be thrown wide open to the public. In general, those are particulars which should be confidential between the State and the individual registered. There is no need, as we see it, for this Parliament to put legislation on the Statute Book, which is going to make it easier for evil-disposed people to wreak their will on somebody else The hon. member for Westdene (Mr. Mentz) also asked with regard to the motive: "What is the reason?" There is no reason as far as this party is concerned, for withholding the information. This party has nothing to hide and nothing to be afraid of. We have been told across the floor of the House that there is a political motive in connection with the Coloured vote and that we use it as propaganda. That has been said across the floor of the House. I want to point out that the Cape Province is the area most affected by the colour problem and that in it there are only nineteen constituencies with over 1,000 non-European voters. The Nationalist Party holds seven of those and we hold twelve. In eight of these twelve the United Party majority at the last general election was more than the total non-European vote in those constituencies. That appears to dispose of any question of need for political propaganda in this connection. There are only four seats in which one might say that the Coloured vote would have any influence on the results of the election. That disposes effectively of any question of propaganda on that particular matter. The Minister said in his reply to our requests that he might reconsider some of these amendments, if we could raise anything new in regard to them. He said that continually — we did not raise anything new. I would, with all respect, say to the hon. the Minister that it is somewhat difficult for this side of the House to raise anything new on these amendments. Mr. Speaker, Sir, the average amendment we are putting forward on this Bill is based on the truth as we see it, on honesty of purpose in the interests of the citizens of the country. Truth cannot be changed. We cannot produce anything new without departing from it. Truth is always new, and I would ask the Minister to look on it in that light. He must realise that when we produce nothing new we are handicapped. Handicapped the same as the Bible is because the Bible is true, it is always new. And the facts we are putting before him now are also new because they are true. All we ask is that he will recognise the honesty of our purpose in submitting these amendments, and in that light perhaps ease the somewhat adamant view he has taken up with his eternal No, no, no.

*Mr. BOLTMAN: The hon. member for Port Elizabeth (North) (Mr. Cull) has referred to me and that is why I again want to participate in the debate. I accused them this afternoon of trying illegally to place non-Europeans on the voters' lists and of trying illegally to take Europeans off the voters' lists. It was then said by members opposite that that was a lie. I now want to furnish proof of what I said. At Burgersdorp the United Party has a female secretary and I am prepared to mention her name in case there is any doubt. She objected to the names of two Nationalists, Mr. and Mrs. Louis Lotter, who have been living in the same house for 22 years; she objected to their names on the ground that they were no longer living there.

*Mr. CULL: And against how many has the Nationalist Party objected?

*Mr. BOLTMAN: I do not need those votes to which the hon. member thinks we will object. I am just mentioning this one case of that nature. Now I want to prove the other allegation I made. At De Aar they used a Coloured policeman to assist a non-European to sign his name. That non-European could not sign his name. The policeman then took his hand and signed his name for him; that came out very clearly in the statement made in the court.

*An HON. MEMBER: Who did that?

*Mr. BOLTMAN: The policeman did it. And do you know who signed as witnesses? The candidate of the United Party and the secretary. Do you want to know their names? Since the hon. the Minister of Justice is sitting here I want to draw his attention to this matter. The magistrate at De Aar imposed a fine of 10s. on this police official who committed that criminal offence, and the secretary of the United Party and the person who later became their candidate were not prosecuted. They are the people who sat in the office and signed the form after the policeman had caused that Coloured person's name to be signed in that way; they committed a falsification which was even more serious by signing as witnesses.

Hon. members have asked me to give examples. Now they are having convulsions. I say that if an unfortunate person sinks to that level, then he is not responsible. I am one of those who have a great deal of sympathy with those people, one should do everything in one's power to protect them against people who want to use them for their own ends. But this proposal of the hon. member opposite does not shed a better light on the matter; it does not do away with this difficulty, and in view of the remarks made by the hon. member for Port Elizabeth (North) (Mr. Cull) I want to ask the hon. the Minister not to accept this

amendment. It was only proposed for political purposes.

First amendment proposed by Mr. Gale put and the House divided:

AYES—65:

Abbott, C. B. M.	Kahn, S.
Allen, F. B.	Kentridge, M.
Ballinger, V. M. L.	Lewis, J.
Bekker, P. B.	Lovell, L.
Bell, R. E.	McMillan, N. D.
Benson, E. A.	Mitchell, D. E.
Bloomberg, A.	Moore, P. A.
Bowker, T. B.	Mushet, J. W.
Brooke, R. S.	Oosthuizen, O. J.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Pocock, P. V.
Cull, J. A.	Robinson, A. E. P.
Davidoff, H.	Russell, J. H.
Davis, A.	Shearer, O. L.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Steyn, C. F.
Frielinghaus, H. O.	Steyn, S. J. M.
Gale, D. J.	Strauss, J. G. N.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sturrock, F. C.
Graaff, de V.	Sullivan, J. R.
Hayward, G. N.	Tighy, S. J.
Henderson, E. J. W.	Tothill, H. A.
Henwood, B. H.	Van Coller, C. M.
Higgerty, J. W.	Van der Byl, P. V. G.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.
Jordan, R. D. P.	

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—68:

Abraham, J. H.	Grobler, D. C. S.
Bekker, G. F. H.	Havenga, N. C.
Bezuidenhout, J. T.	Hertzog, A.
Boltman, F. H.	Hugo, P. J.
Botha, P. W.	Jansen, E. G.
Brink, W. D.	Klopper, H. J.
Brits, G. P.	Labuschagne, J. S.
Conradie, D. G.	Le Roux, P. M. K.
Conradie, J. H.	Le Roux, S. P.
Deysel, A. J. B.	Liebenberg, J. L. V.
Döhne, J. L. B.	Loock, J. H.
Dönges, T. E.	Loubser, J. A.
Du Pisanie, J.	Loubser, S. M.
Du Plessis, P. J. C.	Louw, E. H.
Du Plessis, W. C.	Luttig, H. G.
Erasmus, F. C.	Malan, A. I.
Erasmus, H. S.	Malan, D. F.
Erlank, A. E.	Maree, W. A.
Eyssen, S. H.	Mentz, F. E.
Faurie, W. H.	Olivier, P. J.
Fouché, J. H.	Oost, H.
Fouché, J. J.	Papenfus, S. F.
Frates, T. J.	Pieterse, P. W. A.
Sauer, P. O.	V. d. Heever, D. J. G.
Scholtz, D. J.	Van Heerden, D. P.
Stals, A. J.	Van Niekerk, J. G. W.
Steyn, A.	Van Rhyn, A. J. R.
Steyn, G. P.	Van Schoor, J. J. F.
Steyn, J. H.	Viljoen, J. H.
Strydom, G. H. F.	Visser, de V.
Strydom, J. G.	Vosloo, L. J.
Swart, C. R.	Warren, S. E.
Uys, D. C. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment accordingly negatived.

The second amendment proposed by Mr. Gale was put and negatived.

Question put: That all the words after "therein" in line 29 down to and including "whatsoever" in line 30 proposed to be omitted, stand part of the Bill.

Upon which the House divided:

AYES—68:

Abraham, J. H.	Loock, J. H.
Bekker, G. F. H.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Boltman, F. H.	Louw, E. H.
Botha, P. W.	Luttig, H. G.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, D. G.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Olivier, P. J.
Döhne, J. L. B.	Oost, H.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Pieterse, P. W. A.
Du Plessis, P. J. C.	Sauer, P. O.
Du Plessis, W. C.	Scholtz, D. J.
Erasmus, F. C.	Stals, A. J.
Erasmus, H. S.	Steyn, A.
Erlank, A. E.	Steyn, G. P.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Jansen, E. G.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—65:

Abbott, C. B. M.	Bekker, P. B.
Allen, F. B.	Bell, R. E.
Ballinger, V. M. L.	Benson, E. A.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Bloomberg, A.	Lovell, L.
Bowker, T. B.	McMillan, N. D.
Brooke, R. S.	Mitchell, D. E.
Butters, W. R.	Moore, P. A.
Christie, J.	Mushet, J. W.
Cull, J. A.	Oosthuizen, O. J.
Davidoff, H.	Oppenheimer, H. F.
Davis, A.	Pocock, P. V.
Delport, G. S. P.	Robinson, A. E. P.
Du Toit, R. J.	Russell, J. H.
Eaton, A. H. J.	Shearer, O. L.
Eaton, N. G.	Shearer, V. L.
Friedman, B.	Smit, D. L.
Frielinghaus, H. O.	Solomon, B.
Gale, D. J.	Steenkamp, L. S.
Gay, L. C.	Steyn, C. F.
Gluckman, H.	Steyn, S. J. M.
Graaff, de Villiers.	Strauss, J. G. N.
Hayward, G. N.	Stuart, W. H.
Henderson, E. J. W.	Sturrock, F. C.
Henwood, B. H.	Sullivan, J. R.
Higgerty, J. W.	Tighy, S. J.
Hopewell, A.	Tothill, H. A.
Hughes, T. G.	Van Coller, C. M.
Jonker, A. H.	Van der Byl, P. V. G.
Jordan, R. D. P.	Waring, F. W.
Kahn, S.	Waterson, S. F.
Kentridge, M.	Williams, H. J.
Lewis, J.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Gale dropped.

Amendment in lines 32 and 33 put and agreed to and the remaining amendments proposed by Mr. Gale dropped.

Amendment in lines 53 and 54 and the amendments in Clause 10 put and agreed to.

In Clause 11,

Mr. P. B. BEKKER: I move—

In Clause 11, to omit all the words after "five" in line 9 down to and including "section" in line 11; to omit all the words after "made" in line 15 to the end of sub-section (2); to omit all the words after "Africa" in line 25 to the end of sub-section (3); to omit sub-section (4); in line 41, to omit "every" and to substitute "the"; in lines 42 and 43, to omit "and every person in regard to whose classification the objection has been made"; to omit sub-section (6); in lines 59 and 60, to omit "all persons including"; after "Director" in line 60, to insert "and objector"; in the same line to omit "person" and to substitute "objector"; in line 62, to omit "own"; in line 66, to omit "person" and to substitute "objector"; and to omit the proviso to sub-section (9), page 11.

In speaking to this, the longest clause in the Bill, I propose to be as brief as possible; in fact, to speak up and shut up. May I point out to you, Sir, that in the list of amendments standing in my name, it is only the first amendment that is of any consequence in that it embodies the principle. The other amendments are entirely consequential, and if the first amendment is turned down, perhaps you will give me an opportunity at the proper time to withdraw the others. Should the amendment be accepted, I take it that all the amendments will be put. Clause 11 is closely allied to Clause 5, which we have discussed earlier and which provides for the classifications of persons whose names are included in the register. Clause 11 provides for the machinery for objections and appeals against the classification of persons whose names appear in the register. It is a long clause, as I have said, which is of more than passing interest, as I shall explain a little later. It provides in the first place for the procedure to be adopted by the person who has been registered when he wishes to object, and sets out what procedure he has to follow to register and carry through his objection. So far as the person to be registered is concerned, we have no quarrel with this clause at all, but running concurrently with the person concerned, this clause provides machinery, too, for the third party objector. It provides the machinery which that person has to follow in objecting to the classification of some other person, and it is in that regard that our amendments on this side of the House are aimed at removing the third party objector. I have stated that it is of more than passing interest that this Clause 11 should be such a lengthy one. Having regard to the fact that this Bill purports to be a Population Registration Bill, and remembering that the Minister has told us that its prime virtue would be a statistical one, which is an objective affair, one realises that it has to be as accurate as possible when one remembers all that and analyses this particular clause, one finds that here provision has been made for intricate, lengthy machinery to deal with deterrents as far as the third party objector is concerned. It is perfectly true that this is responsible machinery; it is perfectly true that the third party objector cannot lightly go into the record of the person whose classification is in issue. For example, it provides that the objection must be lodged in duplicate, that it must be in the form of a sworn affidavit; there is to be a council of three individuals; there is to be deposited with the director by the third party objector an amount of £10 which in certain circumstances will be forfeited and so on. I say that one concedes forthwith that an attempt has been made, successfully I suggest, to provide deterrents of a responsible and legal kind, but the fact alone that it is there, looks to us as if it might be an invitation to the third party objector to come along and to

provide evidence which is not calculated to have any effect on the Registration Bill so much as to sort out Europeans from what are Coloured people, within the very questionable definition of a White person in this Bill. I indicated earlier that a White person means a person who in appearance obviously is or who by general acceptance and repute is a White person. I have stated earlier how difficult it is to determine when a person by general acceptance and repute is to be regarded as a White person. Even if one had to concede that in certain circumstances, it is necessary for the third party objector to insinuate himself, to provide evidence that may affect the classification of a person, then one would say that on a balance of the good and the potential evil that that might hold for a country like South Africa, having regard to its history, having regard to its racial complexities, then even under those circumstances we on this side of the House believe that one would have to think twice before so openly and so clearly and responsibly, if you wish, inviting the third party objector to file his claim. But we go further. Having regard to the definition it is our view in the first place, that any third party objector can well argue that the general acceptance and repute of a great many of people in this country who are regarded as Europeans, can in fact be called into question. That is the first point; the second point is that £10 is not going to be a deterrent to a person with a grudge. We believe that the poison-penwriter and the person with a grudge will certainly not be deterred by the fact that he will lose £10 or, as is provided for in Clause 6, that all reasonable costs may be demanded from him, the third party objector, if the objection is a frivolous one. We goes so far as to say that if this is in fact a Population Registration Bill the Minister should invest his census officers with the necessary powers to inquire and inquire fully and well at the outset, as is provided for in Clause 3 of this Bill when the register is being compiled, into the question of a person's classification; to inquire from the neighbours of that person what the situation is but that it should be regarded entirely as an administrative issue to compile this Population Registration Bill. Having done so and the director having classified a person, that individual alone should be allowed to object and to appeal against the decision of the director. In other words, this is a matter entirely between the State and the individual concerned. And it seems to us that therein lies the difference between this and that side of the House. If this is in fact a Population Registration Bill with all the virtues that flow from such a Bill we will go a long way towards supporting it. But what happened this afternoon? The hon. member for Westdene (Mr. Mentz) gets up twice and on both occasions asks this side of the House: "Will you support us when the time comes to take away the franchise from the Coloureds?" When we hear that we begin to wonder whether Clause 11 is aimed not so much at a Population Registration Bill, as that it aims at separation between Europeans and Coloureds, as is provided for in the definition, and that it in fact invites the public at large to come and give evidence as to who is a Coloured person and who is a European, with the object ultimately of disfranchising those Coloureds. If that is the aim of Clause 11, then I say there is no quarrel about it. It is simply a clear divergence of opinion. As I stated earlier, if the hon. the Minister would state clearly that that is the prime motive — it is true that there are other pieces of legislation, both actual and in contemplation, which would be assisted and affected by this particular Bill — if the Minister would state clearly and specifically that the long, involved legislative machinery provided for in Clause 11, is designed for the purpose of sorting out Europeans from Coloureds, within the definition of what purports to be a White person, then I say the object is clear and the practical machinery relating thereto is as clear. But if that is not the case, then our amendments should be seriously considered and the hon. the Minister should seriously consider one of two things: either that this Clause 11 be revised, or if that is not possible, that his definition of a White person be more specifically or clearly circumscribed, otherwise, as has been pointed out earlier, the door is going to be wide open for the wielder of the poison pen, for the blackmailer and it is going to cause considerable harm to race relations and goodwill in South Africa.

Mr. DAVIS: I second.

*The MINISTER OF THE INTERIOR: I must congratulate the hon. member for Johannesburg (North) (Mr. P. B. Bekker) on the fact that he succeeded in using the same arguments that he used in the Committee Stage, but merely in a different form. Perhaps it was the use of a different medium of expression which assisted him in this respect, but in any case he gave the impression that he was using different arguments and I want to congratulate him on it. I think I should draw attention to one point and that is that his allegation is not correct that this provision in connection with which he expressed his doubts, has as its main object the removal of the names of European voters from the voters' rolls. This provision, apart from the other advantages attached to a system of registration, is calculated to prevent breaches of the law. One of the cases in which it can assist in preventing a breach of the law is in the case of a man who has been placed on the voters' roll, or who seeks to be placed on the voters' roll illegally. This provision does not seek to remove from

the roll any person who has been placed on the voters' roll legally; nor does it seek to take a person who legally attends a European school out of that school; nor does it seek to remove a person from premises intended for Europeans if that person is legally entitled to live in those premises. But this provision in the Bill will be the means by which any person who is illegally on the voters' roll can be removed from that register. I want to ask the hon. member now whether he has any objection to the removal from the voters' roll of the name of any person whose name has illegally been placed on that roll.

*Mr. P. B. BEKKER: No.

*The MINISTER OF THE INTERIOR: Very well. Has he any objection to the removal of children from a European school when they are attending that school illegally? Surely he will have no objection to that. Would he object to the removal of a person who occupies certain premises illegally? I do not think the hon. member would object to that and if he does not object to our creating machinery here for the prevention of breaches of the law, why then does he propose this amendment?

*Mr. P. B. BEKKER: May I just ask a question? The hon. Minister will have to admit that in view of the definition of "European person", it is not so easy to determine where that child belongs. It is a matter which depends a great deal on circumstances.

*The MINISTER OF THE INTERIOR: Quite right, but once the classification has been made then one can go by the classification.

*Mr. P. B. BEKKER: Can we assume that a year or so after this classification has been completed, this clause can be repealed?

*The MINISTER OF THE INTERIOR: There may always still be cases which require classification. But its main purpose will be at the outset, and that is why we want this provision here while we are still able to have it. The hon. member's leader (Field-Marshal Smuts) said the other day that we want to classify what cannot be classified. That just shows how far the matter has already gone. We think that it is still possible to make this classification, but if we do not take the necessary steps now, it may be impossible to classify the people in five or ten or in twenty years' time. That is why we are asking members opposite who feel as we do, that there must be colour differentiation and that the colour differentiation which already exists in our legislation should be maintained, to assist us.

Question put. That all the words after "five" in line 9, down to and including "section" in line 11, propose to be omitted, stand part of the Bill.

Upon which the House divided:

AYES—67.

Abraham, J. H.	Loubser, J. A.
Bekker, G. F. H.	Loubser, S. M.
Bezuidenhout, J. T.	Louw, E. H.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, D. G.	Mentz, F. E.
Conradie, J. H.	Olivier, P. J.
Deysel, A. J. B.	Oost, H.
Döhne, J. L. B.	Papenfus, S. F.
Dönges, T. E.	Pieterse, P. W. A.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Scholtz, D. J.
Du Plessis, W. C.	Stals, A. J.
Erasmus, F. C.	Steyn, A.
Erasmus, H. S.	Steyn, G. P.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Jansen, E. G.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan
Loock, J. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—64.

Abbott, C. B. M.	Gale, D. J.
Allen, F. B.	Gay, L. C.
Ballinger, V. M. L.	Gluckman, H.
Bekker, P. B.	Graaff, de Villiers
Bell, R. E.	Hayward, G. N.
Benson, E. A.	Henderson, E. J. W.
Bloomberg, A.	Henwood, B. H.
Bowker, T. B.	Higgerty, J. W.
Brooke, R. S.	Hopewell, A.
Butters, W. R.	Hughes, T. G.
Christie, J.	Jonker, A. H.
Cull, J. A.	Jordan, R. D. P.
Davidoff, H.	Kahn, S.
Davis, A.	Kentridge, M.
Delport, G. S. P.	Lewis, J.
Du Toit, R. J.	Lovell, L.
Eaton, A. H. J.	McMillan, N. D.
Eaton, N. G.	Mitchell, D. E.
Friedman, B.	Moore, P. A.
Frielinghaus, H. O.	Mushet, J. W.

Oppenheimer, H. F.	Strauss, J. G. N.
Pocock, P. V.	Stuart, W. H.
Robertson, A. E. P.	Sturrock, F. C.
Russell, J. H.	Sullivan, J. R.
Shearer, O. L.	Tighy, S. J.
Shearer, V. L.	Tothill, H. A.
Smit, D. L.	Van Coller, C. M.
Solomon, B.	Van der Byl, P. V. G.
Steenkamp, L. S.	Waring, F. W.
Steyn, C. F.	Waterson, S. F.
Steyn, S. J. M.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the first amendment proposed by Mr. P. B. Bekker dropped.

With leave of the House the remaining amendments proposed by Mr. P. B. Bekker were withdrawn.

Remaining amendments in Clause 11 put and agreed to.

On Clause 13,

*Mr. TIGHY: I move—

To omit Clause 13, as amended.

I should like to tell this House and "the country outside"—which is a popular expression with hon. members opposite—that as far as this side of the House is concerned we are steadfastly opposed to any provision of the kind contained in this clause. We have spent many hours in Committee and on the second reading in discussing this highly contentious subject. It is, therefore, with a feeling of hesitation that we now have to start on a further discussion of the details, but I feel nonetheless that we would be failing in our duty to this House and to the country if we did not avail ourselves of every possible opportunity to oppose this unpleasant aspect of the Bill and to bring it more pertinently to the Government's notice. I notice that the hon. the Prime Minister is here himself this afternoon, and I want to assure him that my attack on this clause is not inspired by any party political considerations, but is intended honestly to assist the Government. I want to assure him that the most unpleasant aspect of the whole Bill is contained in Clause 13, because it contains the identification card principle —the pass, and as such it is important not only to the Opposition, but to the Government as well. As a matter of fact, in my humble opinion, if ever a Bill passed through this House has damaged the Government, it is this one with its "pass principle". It will do more harm to the Government than anything they have ever tackled. We on this side, in my humble opinion, would be failing in our duty if we did not oppose this provision in regard to the carrying of passes—it is a provision which we regard as humiliating. I just want to point out to the Minister and to the Prime Minister that we felt fully justified in discussing this matter in Committee. Hon members on this side who practically throughout the Committee Stage took part in the discussions, have not done so again on the Report Stage, barring those who have proposed amendments. But this is a particular instance, and on Clause 13 the guillotine was applied very early in the Committee Stage, with the result that we did not have the opportunity of discussing the matter properly.

*Mr. A. STEYN: Who proposed it?

*Mr. TIGHY: I do not blame the Government side for the application of the guillotine in this particular instance — there was a misunderstanding, or whatever it was. When sitting here the whole night, one gets drowsy. I want to be quite honest on this point and I do not blame the Government in this particular instance, but I want to say that this aspect which to all intents and purposes is the essence of the whole Bill could not be properly discussed in Committee because of this unfortunate incident. As a matter of fact, the Minister did not even have the chance to reply. A few speakers discussed the matter in the Committee Stage and an argument arose between myself and the hon. member for Gezina (Prof. A. I. Malan) about the definitions. The argument was not so much one affecting the principle, because the principle had been approved of on the second reading, but I want to say clearly, as we have already got to the Report Stage, that in this Clause 13 we are not dealing with a question of principle, but more particularly with the administrative aspect of the Bill. Like any Bill that is piloted through this House, this Bill also has its two aspects, the legal aspect and the administrative aspect. At the moment we are dealing with the application of the law. A difference of opinion has now arisen on the question which word should be used, "registration card" or "identity card" ("registrasiekaart" or "persoonsbewys"). The Minister, on the motion of the hon. member for Gardens (Dr. Jonker) has agreed to amend "kenkaart" to "persoonskaart". I must say that I agree here with the hon. member for Gardens, because our Afrikaans dictionary and our Afrikaans language have no such word as "kenkaart." Yet, the question at issue is whether we should call it "registrasiekaart" or "persoonskaart", and there is a tremendous difference between those two conceptions. As I have said, it is not a question of principle, but of the administrative aspect of the matter, and it is that aspect which makes this Bill unpleasant and unacceptable

and it also is a matter which is going to make this Government very unpopular in the country.

*Mr. BOTHA: Which matter, really?

*Mr. TIGHY: The hon. the Prime Minister may have a lot of confidence in his Minister of the Interior, but let me tell him in all sincerity, that, if there is one Minister in his Cabinet who is doing him harm it is the Minister of the Interior, owing to his extraordinary conception of things. He is an able chap, and I have no objection to him personally, but his attitude, his conceptions . . .

*Dr. VAN NIEROP: Are not you glad, then, if the Minister is harming the Government?

*Mr. TIGHY: If I did not want to be sincere with the Prime Minister, I would be glad, but I want to be honest and sincere with the Prime Minister.

*The MINISTER OF THE INTERIOR: Then you are disloyal to your party.

*Mr. TIGHY: It is this aspect which we strongly object to and there is no doubt that this argument about the use of the word "persoonskaart" or "registrasiekaart" has produced a very important difference of opinion. Let me say now that I do not blame hon. members opposite for differing from me in this question. All the discussions have shown clearly that the Minister of the Interior has undoubtedly, in some other place, probably at their party meetings, told them that this so-called "persoonsbewys"—personal certificate—is to all intents and puposes no more than a receipt. That is the way the Minister must have explained it to them, but if we look at it logically, it becomes obvious that this card, which the Minister wants to introduce, under this clause, is nothing but a card which will contain all details in terms of the law and which the individual will have to carry on him.

*Dr. LOOCK: No.

*Mr. TIGHY: There you are — we differ. Hon. members say "no". Since the Committee stage I have gone very fully into this question and I have consulted dictionaries. I do not want to detain this House with a linguistic analysis of terms but let me assure the House, in all modesty, that if a linguist were to go into this question he would confirm my view that there is a great difference between an identification card (identifikasiekaart) or a "persoonsbewys", as it is now called in Afrikaans, and the registration card, as proposed here in the Committee Stage — a tremendous difference. I know that hon. members opposite are honest in their intentions and I am convinced that if they go into this question they will come to the conclusion that, under this Bill, they will always, wherever they go or wherever they are, have to carry their pass with them.

*Mr. SCHOLTZ: The clause does not say so.

*Mr. TIGHY: That is where we differ. If the hon. member really goes into it he will find that I am correct and he will support me.

*Mr. SCHOLTZ: If the clause says so, yes.

*Mr. TIGHY: There is no doubt that when hon. members opposite meet their constituents, they, their constituents, will be justified in taking them to task and accusing them that they have humiliated the very people, who have sent them to Parliament, so much so that they have now been lowered to the position of "pass carriers" just like the Natives, Hon. members cannot get away from that. I do not want to be unfair to hon. members opposite. They have probably been listening to the Minister when he gave them his version in his own way in some other place. Well, that is not my business. It is their desire, but if they go thoroughly into this question and, particularly if they go into conditions in other countries, they will have to come to the conclusion that this is what their supporters can expect, that they will have to carry a pass, and their constituents will hold it against them. It is a matter for their own conscience, it is for them to look into it. The hon. member for Langlaagte (Mr. Robinson) discussed the question in English the other day from the linguistic aspect. Although, during the Committee Stage, I spoke in English, I also followed it up from the Afrikaans point of view and I am convinced that there is a misunderstanding on this point among members opposite. The hon. the Minister always smiles — he refuses to listen to reason. If he would only be reasonable and more considerate, many of the laws which he has put through this House would not be as unpopular in the country as they are today. If, however, my argument about the linguistic aspect does not convince them, let me produce other arguments from the Minister's own statements. It will be remembered, and I hope the hon. the Minister will not deny it, that in Committee he stated frankly that he had changed Clause 2 of the Bill because we had charged him that White women would have to carry passes and that Native women would not.

*The MINISTER OF THE INTERIOR: I have consistently denied it.

*Mr. TIGHY: Yes, I accept that. I attacked the Minister on that point on the second reading, and he then said that I was mistaken and that he would take steps so that it would be provided in the law that the non-European women would also have to carry passes the same as the White women. Let me say to the hon. the Prime Minister, in passing, that he has not got the same control over his Ministers that our Leader had. They are like a lot of schoolboys. I am sorry having to complain to the father about the child this afternoon, but that is the position. The Minister does not like us to complain to his father about him, but during the Committee Stage, he came here and he said that he had made this amendment because he did not want to give the United Party a chance of exploiting it for political purposes. He denies it. Yet, when this Bill was in Committee, he said that he was amending it for political purposes because he did not want the United Party to exploit that aspect.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

*Mr. TIGHY: When business was suspended I was engaged in explaining to the House, and particularly to members on the Government benches, that they had probably accepted the Minister's statement about the "persoonsbewys" or "persoonskaart," that it was an innocent document. I had just started explaining that it was not as innocent a document as the Minister had probably told them. During the Committee Stage, the Minister went out of his way to explain that he had amended Clause 2, particularly with a view to preventing the United Party from exploiting that aspect politically, and he did so despite the fact that he had not yet got the authority of Clause 21 to exclude certain classes of persons and also certain areas. The argument, at the time, particularly concerned the exclusion of non-European women as against European women. We had a hefty argument on that point. I told the Minister that "Tant Sannie" — the White woman — would have to carry a pass and "Ai Grietjie" — the non-European woman — not. The Minister got annoyed and said that, in order not to make it impossible for us to say these things on public platforms, he had made that amendment. Now let me ask the Minister, and any hon. member opposite, if the identity card ("persoonsbewys" or "persoonskaart") or the pass is such an innocent little document that no-one would object to carrying it, why then did the Minister go out of his way to amend the clause. I should like to hear. I am sorry that the hon. member for Gezina (Prof. A. E. Malan) is not here. [Laughter.] Yes, I can well understand hon. members in the kitchen, over there, laughing.

*Mr. SPEAKER: Order!

*Mr. TIGHY: If one sits over there one understands very little . . .

*Mr. SPEAKER: The hon. member must not be personal.

*Mr. TIGHY: I do not intend being personal, but those hon. members are laughing at me and that is why I am trying to get back at them. My argument is based on this, that the Minister, in order to get this Bill through and to get the support of his party, has not given a true interpretation of Clause 13.

*The MINISTER OF THE INTERIOR: Don't be ridiculous.

*Mr. TIGHY: The Minister now says that I must not be ridiculous. He must not forget that we sat over there once — that we were the Government. We have also had Ministers who, when they were anxious to get a Bill passed, put it before us in beautiful terms. I am convinced that the Minister has succeeded in convincing the Prime Minister that the White woman in South Africa will not be expected to carry a pass while the non-European woman does not have to do so, and that is why the Prime Minister has voted for it. I am sincere with hon. members opposite. If this Bill comes into operation and they go on to public platforms to report to their constituents, they will find out what has actually happened and what this Bill really means — they will find then that White South Africa is being placed on a basis of equality with the kaffir in regard to the carrying of passes. If that is not so, Mr. Speaker, why then did the Minister go out of his way to explain this point and why should he, for the first time in the history of Parliament, have admitted in Committee that he was introducing this amendment for the purpose of achieving political objects? [Interruptions.]

*An HON. MEMBER: He did not say that.

*Mr. SPEAKER: Order, order!

*Mr. TIGHY: I am sorry, Mr. Speaker, if I am hitting too hard; I shall try and treat them a little gently.

*Mr. SPEAKER: It was intended for hon. members on my right.

*Mr. TIGHY: The Minister has been driven into a corner. The Prime Minister is here this evening and now the Minister is not so aggressive. The "Oubaas", the father of the House, is here and the Minister keeps dead quiet because he knows that what we

say is true. Now let us be honest about this matter. Let me just say this on this point, that there is no fault to be found with the principle of population registration. But the carrying of a "persoonsbewys" or "persoonskaart" (identity certificate) or pass is not essential for the enforcing of this Bill. In other words, the whole principle and the essence of the Bill can be fully effected without the White people having to be forced to carry passes. But hon. members opposite are so anxious that the White man shall be reduced to the status of the Native that they are forcing him to carry a pass.

I do not believe that the Government can take it amiss from me if I say that this side of the House will steadfastly oppose that provision. We shall definitely oppose and resist the proposal that the White woman of South Africa is to be humiliated to the status of the non-European, that she is to be turned into a "pass carrier". I have already pointed out that this Bill can be successfuly enforced without that part. All the particulars can be obtained from citizens in South Africa by means of a registration card and there is no necessity to compel our citizens to carry cards as passes.

*Mr. SCHOLTZ: Where does the Bill do that?

*Mr. TIGHY: I do not want to bring politicis into this clause, but I just want to say in passing that, at no stage since the elections, or before the elections, has the Government made the introduction of a pass part of its political platform; and if it now wants to introduce it, then, in my humble opinion, it should first approach the electorate on the subject. In South Africa, contrary to any other country which has population registration, the carrying of a pass is a stigma on the individual. The moment an individual is expected to carry a pass, the moment he has to carry something to identify him, he is immediately placed on the same level as the non-European in South Africa. Consciously or unconsciously you are putting him in that position. Let the Prime Minister, or any other good speaker opposite, go through the country to explain this, the ordinary citizen will always look upon it as nothing more or less than that he is expected to carry a pass. He will take up the attitude that he has become a "pass carrier". The White man must not be humiliated to the level of a "pass carrier" in this country. The Natives carry passes in South Africa and we already have the greatest trouble in the world on account of their having to carry passes. Instead of relieving them of the necessity to carry passes, the White man is now humiliated to the level of the Native, through having to carry a pass in the same way as the Native.

My contention is strongly supported by what has happened to the Minister of Native Affairs. He tried recently to introduce passes for the non-European woman, for the Native woman in this country. What happened to that proposal? The Minister had to give it up — he cannot deny it. Why did he give up that idea? Because the non-European women objected and because he knew what would happen — that is why he did not go on with it.

*The MINISTER OF NATIVE AFFAIRS: You are talking nonsense.

*Mr. TIGHY: Why then did the Minister stop it? The Minister announced it himself. He did not go on with it and now he says that it is nonsense. Natives women do not carry passes now.

*The MINISTER OF THE INTERIOR: It is still nonsense.

*Mr. TIGHY: The Minister has simply run away. He raised a cloud of dust and then he ran away as fast as he could. The non-European women simply protested against having to carry a pass; can he now blame the white woman if she protests against it? We are going to protest against it and you will never get the white woman to carry a pass. But there is something else which the Prime Minister does not know yet, and that is why I want to raise it here. The Minister of the Interior has admitted that he cannot give effect to this Bill at once. It will be carried out in certain parts and even according to classes of the population. The prime Minister is, therefore, going to find, if he is going to be with us as long as that — because it will take a long time yet before this thing will be applied — he is going to find out that it will be introduced for the Europeans, but not for the non-Europeans. The hon. member for Rondebosch (Col. Jordan) moved an amendment that it should be simultaneously applied to everybody, but the Minister refused to accept his amendment. In other words, the white woman will have to carry it, but Ai Grietjie in the kitchen will get off scot-free.

No, this side of the House is not prepared to interfere with the liberties of the citizens. Knowing the Minister as we do, we cannot give him this power. Every step he takes is a step to interfere with the freedom of the individual and to curtail that freedom. We remember the incidents in connection with passports. That is why we refuse to give him this power to curtail the liberties of the citizen. I say again that it is not the task of this Parliament, nor has this Parliament the right, to place the privileges and the liberties of the citizens of this country in the hands of an arbitrary and autocratic Minister.

Dr. SMIT: I second the amendment moved by the hon. member for Johannesburg

(West) (Mr. Tighy), that this clause should be deleted. I wish to add that the objections I raised to Clause 2 in the Committee Stage apply with equal force to this Clause 13, namely, that the extension of the Bill to all sections of the population will make it quite impossible to carry it out with the manpower that is available in the Public Service. The Minister has said that his advisers have assured him that it is possible to do so. I do not wish to cast any reflection on the Minister's advisers, but I will say that neither the Minister nor his advisers have any conception or regard for the practical difficulties of the task, the expenditure involved, or of the staff that will be required. The hon. the Minister of Finance and the country will find out to their cost before long what the expenditure will be. The cost to the Treasury of this immense organisation is not justified, with the present state of the country's finances; and the cost of the photographs to the individual citizen, particularly to the poor, should be avoided at a time when the cost of living to people of small means is making it impossible for them to make ends meet. The fact really is that with the introduction of Clause 21, under which the Minister can exempt certain classes, the Minister has no intention to carry the Bill into effect. In his evidence before the Select Committee, the Director of Census stated that he intends building up the register for the Native population from the Native tax register in possession of the Department of Native Affairs. I want to read an extract from par. 95 of the evidence he gave to the Select Committee. The question was put —

> Do you intend building this register up from the information you have in the census returns?

To this he replied —

> Not necessarily from the Native census. We have a different procedure for that. We intend basing it on the tax receipt registrations and the registrations in the Native Affairs Department. So we are not relating the Native registration with the census. It will be tantamount to reorganising the records of the Native Affairs Department and building up our Native registers from there.

And then par. 98. The question was —

> Do you reckon that the Native Affairs Department can provide you with information under which you will list the ordinary residence of every taxpayer as well?

And here is the reply —

> Well, we are working on the assumption that that is possible. It will require a lot of extra work in that department to reorganise it on that basis, but we reckon that to start our register on the Native census would be very much more difficult than to start our register on the record in the Native Affairs Department at the present moment.

The fact is, Sir, that the staff of the Department of Native Affairs will not be able to carry out this work. I wish the Minister would visit the offices of the Department of Native Affairs on a day on which the Natives pay their tax. They stand in long queues and very many have to wait the whole day. If, added to that, you have this problem of obtaining the particulars for the register, you can imagine what will happen. I see the hon. Minister of Native Affairs is not paying attention to this portion of my address. As it affect the Department of Native Affairs, I think he should give me the courtesy of his attention. May I point out that under Section 2 of the Native Taxation and Development Act of 1925, the general tax is payable by an adult Native, and an adult Native is defined in Section 19 as a Native who has reached the age of 18 years. The tax register will only relate to the Native who has reached the age of 18 years. This clause refers to a Native who has reached the age of 16 years, so that the tax register will not be of any value in regard to Natives between the ages of 16 and 18 years. This is just another illustration of the haphazard way in which this legislation has been drafted.

*Mr. SCHOLTZ: I have listened with particular attention to the hon. member for Johannesburg (West) (Mr. Tighy), who has moved this amendment, but I must admit that even with the best will in the world I have not been able to follow the consistency of his argument. You will remember, Mr. Speaker, that from beginning to end his argument amounted to this that under Clause 13 citizens of this country would be compelled to carry a pass, as he calls it. That was the beginning and the end of his argument, viz., that Clause 13 compels every citizen of this country, every White woman in the country, to carry a pass. If you study the clause there is nothing of the kind in it. Clause 13 does not place any obligation on any citizen of this country; it only imposes an obligation on the official. He is instructed to issue the card and to compile the register.

*Mr. TIGHY: Which clause is that?

*Mr. SCHOLTZ: Clause 13, and let me, for the information of the hon. member quote the first few lines—

> The director shall . . . issue an identity card . . .

And it must be issued to every citizen mentioned there. There is no obligation on the individual even to apply for or to call for it. The clause which the hon. member now wants to have deleted, does not impose any obligation whatsoever on the citizens of this country. There is an obligation on the director to issue the particular card, and then the clause goes on to lay down all details that have to be recorded on the card. The contention that this card must be carried by the individual is entirely imaginary. It seems to me that hon. members opposite are doing their best by the arguments they use to stir up people against us, by giving them the impression that this Government wants to compel them or to expose them to do certain things which the ordinary person dislikes doing. That is not so.

The hon. member also issued a kind of challenge in reply to an interruption of mine, to the effect that we must prove that the Bill does not provide for the individual to carry a pass. He said that he would prove to us that the citizen of the country would have to carry a pass. He then asked me whether I would be prepared to vote for the amendment if he proved that that was what the Bill provided. I accepted his challenge, but the hon. member never got so far as to prove it. On the contrary, the provisions of Clause 13 refer solely to the director and place on him the obligation to issue the identity card. There is no obligation on the individual to carry such a card.

*Mr. TIGHY: Clause 14 provides that the man must carry it.

*Mr. SCHOLTZ: The hon. member's amendment refers to Clause 13 and not Cluase 14, and Clause 14 does not say either that one has to carry the card. It does appear to me, however, that the possession of the identity card is more of an advantage to the individual rather than a burden.

*Mr. TIGHY: Read Clause 14.

*Mr. SCHOLTZ: Let the hon. member read Clause 13. A passport is a document which is very valuable at times to people. The value of the passport lies in the fact that it is immediate proof who the carrier of the passport is.

*Mr. TIGHY: Read Clause 14.

*Mr. SCHOLTZ: The man's photograph is on it and the man's description is there as well. It is an easy thing for the owner or the possessor of the passport therefore to prove who he is. This card has the same advantages. It will enable the bearer of such a card at any time to prove who he is and what he is and what rights he is entitled to in this country. For instance, if the question should crop up whether the mover of this amendment is White or not, it will enable him to prove that he is White. If there happened to be any doubt about a person being White, then this would, at once, give the individual concerned the opportunity of proving that he was White, and that as a White man he was entitled to the benefits to which White people in this country are entitled under our various laws. To create the impression, as the mover of the amendment has tried to do that in Clause 13 a burden is imposed on the individual, is so much nonsense, of course. I say that instead of being a burden, it is to the individual's advantage and once the system is in full operation and people find how beneficial it can be to them, from time to time, they will appreciate its full value.

*Dr. JONKER: I should just like to say a few words arising out of what the hon. member for Namaqualand (Mr. Scholtz) has said. He challenges us by saying that there is no provision made anywhere for this pass having to be carried. The hon. member apparently has a very strange conception of the word "carry". He seems to think that because the pass can be left at home, it therefore need not be carried by the individual. If I ask him whether he wears a hat, he will say "Yes", but that does not mean that he wears a hat every hour of the day, and every hour of the night — it does not mean that he "carries" a hat on his head at all times. If I ask him whether he wears a singlet ("carries" a singlet) he will have to say "Yes, I wear it" (Afrikaans: "I carry it"). He will have to say that he wears (carries) a singlet. But that does not mean that he cannot leave it at home and that he only "carries" it (wears it) on certain occasions. The whole conception — the whole understanding — the whole literal interpretation of the word "carry" is confused. Whether one can leave it at home or not, "carry" only means that one has to have it in one's possession on certain occasions. If the hon. member is afraid, that we are going to tell people that, under this law, they will have to carry a pass, we are going to give it that interpretation to the word "carry" which is generally recognised in Afrikaans, and we are going to tell people that under this Bill they will have to carry a pass.

*Mr. S. E. WARREN: Then you will be telling an untruth.

*The MINISTER OF THE INTERIOR: I do not think there is much for me to reply to.

*Mr. TIGHY: That is what you usually say.

*The MINISTER OF THE INTERIOR: I do not intend treating the Opposition with

the disrespect of measuring the earnestness of their objections to this clause by the farcical nature of the speeches which we have heard on this subject. I think it would be unfair to the Opposition and I take it that their objection has not been correctly interpreted by the spirit of the speeches that have been made here by the hon. member for Johannesburg (West) (Mr. Tighy) and the hon. member for Gardens (Mr. Jonker) with the peculiar knowledge of language which he has displayed here.

*Dr. JONKER: Come and give me a lesson in Afrikaans.

*The MINISTER OF THE INTERIOR: I am not prepared to accept the proposal.

*Mr. HAYWARD: I shall be very brief. I just want to say that the Minister will not do his case any good by trying to belittle the speeches of members on this side of the House, or I might almost say by being offensive to members on this side of the House. The hon. member for Johannesburg (West) (Mr. Tighy) has made a very useful contribution to the debate on this clause. The explanation of the hon. the Minister did not make it clear to me just how far the poor people; Europeans as well as Coloureds, will be assisted to have their photographs taken. I shall wait until the hon. the Minister has finished his conversation. Let me repeat that it was not clear to me from the Minister's explanation, how far the poor people will be assisted to get those photographs. I am thinking particularly of the platteland, where it is very difficult for the farmers; there are many areas where there is not even a photographer, and when the Minister replies, I shall be glad if he will emphasise this point and clear it up.

Then just this further point arising out of the speech of the hon. member for Namaqualand (Mr. Scholtz), who said that this document is not a pass. Section 14, if I am not out of order, provides in subsection 2—

> Every person who is in terms of subsection (1) requested by a peace officer or a person authorised thereto by the director to produce to him his identity card shall, within seven days of the date of such request produce his identity card to that peace officer or to that authorised person or at a police station indicated by him and recorded by the peace officer or the authorised person, as the case may be.

*Mr. BOTHA: Surely that is the position in regard to your driver's licence as well.

*Mr. HAYWARD: We all admit that a Native carries a pass, but he need not carry it, either. He only has to produce it when he is asked for it.

*Mr. BOTHA: Do you not also have to show your driver's licence to the police when you are asked for it?

*Mr. TIGHY: When there is an accident.

*Mr. HAYWARD: I say that this document is nothing but a pass and hon. members opposite may talk until they are blue in the face, but this thing will be called a pass as long as it has to be carried. I am most grateful. Let the Government continue irritating the public in this fashion. What has happened today is simply an indication of what is going to happen soon if they continue to carry on in this way.

Question put: That the words from "13 (1)" in line 24 down to and including "card to" in line 29, proposed to be omitted, stand part of the Bill.

Upon which the House divided:

AYES — 66:

Abraham, J. H.	Loubser, J. A.
Bekker, H. T. van G.	Loubser, S. M.
Bezuidenhout, J. T.	Louw, E. H.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, D. G.	Mentz, F. E.
Conradie, J. H.	Olivier, P. J.
Deysel, A. J. B.	Oost, H.
Döhne, J. L. B.	Papenfus, S. F.
Dönges, T. E.	Pieterse, P. W. A.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Scholtz, D. J.
Du Plessis, W. C.	Stals, A. J.
Erasmus, F. C.	Steyn, A.
Erasmus, H. S.	Steyn, G. P.
Erlank, A. E.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Swart, C. R.
Fouché, J. J.	Uys, D. C. H.
Frates, T. J.	V.d. Heever, D. J. G.
Grobler, D. C. S.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Jansen, E. G.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 60:

Abbott, C. B. M.	Benson, E. A.
Allen, F. B.	Bloomberg, A.
Ballinger, V. M. L.	Bowker, T. B.
Bekker, P. B.	Brooke, R. S.
Bell, R. E.	Butters, W. R.

Christie, J.	McMillan, N. D.
Cull, J. A.	Mitchell, D. E.
Davidoff, H.	Moore, P. A.
Davis, A.	Mushet, J. W.
Delport, G. S. P.	Oosthuizen, O. J.
Du Toit, R. J.	Oppenheimer, H. F.
Eaton, N. G.	Pocock, P. V.
Friedman, B.	Russell, J. H.
Frielinghaus, H. O.	Shearer, V. L.
Gale, D. J.	Smit, D. L.
Gay, L. C.	Solomon, B.
Gluckman, H.	Steenkamp, L. S.
Graaff, de V.	Steyn, C. F.
Hayward, G. N.	Strauss, J. G. N.
Henderson, E. J. W.	Stuart, W. H.
Henwood, B. H.	Sturrock, F. C.
Higgerty, J. W.	Sullivan, J. R.
Hopewell, A.	Tighy, S. J.
Hughes, T. G.	Tothill, H. A.
Jonker, A. H.	Van Coller, C. M.
Jordan, R. D. P.	Van der Byl, P. V. G.
Kahn, S.	Waring, F. W.
Kentridge, M.	Waterson, S. F.
Lovell, L.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Tighy dropped.

Remaining amendments in Clause 13 and the omission of old Clause 14 put and agreed to.

Amendments put.

New Clause 14 put.

Mr. WARING: I wish to move the amendment standing in my name on the Order Paper—

> In line 32, after "proclamation" to insert "and after a copy of the register has been lodged at the office of the magistrate of every district".

This is the last-ditch fight on this side of the House against the application of this pass system to the European women of this country.

Mr. TIGHY: This is a "pass" Government.

Mr. WARING: I want to draw the effect of this clause to the attention of the hon. member for Namaqualand (Mr. Scholtz). The effect of this clause is this: Sub-section 2 says—

> Every person who is in terms of sub-section 1 requested by a peace officer or a person authorised thereto by the director to produce to him his identity card shall, within seven days of the date of such request, produce his identity card to that peace officer . . .

Mr. SCHOLTZ: It does not say that you must carry it with you.

Mr. MUSHET: That is the safest thing to do.

Mr. WARING: In the second part of this sub-clause it is stated that the person concerned must produce his identity card to the peace officer or to any authorised person or at a police station within seven days of the date of such request.

Mr. SCHOLTZ: What is wrong with that?

Mr. WARING: I want to ask the hon. member for Namaqualand whether the fact that you have to produce this document at a police station does not mean that under this sub-section you have to produce a pass?

The MINISTER OF THE INTERIOR: What about your driver's licence?

Mr. SCHOLTZ: You don't have to carry it with you.

Mr. WARING: The fact that you don't have to carry it with you in your pocket-book and produce it on demand but that you can produce it at a police station within seven days after being requested to do so by any peace officer, is not a great concession. Does the hon. member regard that as a great concession? Does he still think that you have not got to produce it at all, or does this mean that there must be the production of a pass?

Mr. SCHOLTZ: Where do you see that a "pass" must be produced?

Mr. WARING: I know that hon. members over there are trying to drag a red herring across the trail; the fact remains that you have to carry a pass, and if you cannot produce it immediately, you have to produce it within seven days at a police station. What a nice thing to do to the European population of this country!

Mr. SCHOLTZ: What about your driver's licence?

Mr. WARING: Every girl over the age of 16 years can be asked to produce her pass on the spot and then, if she has not got it, to produce it within seven days at a police station — a nice thing to do to the people of South Africa.

Mr. TIGHY: What can you expect from this "pass" Government.

Mr. WARING: That is why we say that this is the last-ditch fight on this side against the pass system, this disgraceful system that is being introduced in this par-

ticular bit of legislation. This Government is wasting its time with that sort of legislation instead of getting on with the work of the country. Let us go further into this matter. Under this clause, as I have said, every European girl over the age of 16 can be asked to produce her pass, and yet the Minister can under Clause 21 exclude Native women from the operation of this Bill when it becomes law.

Dr. FRIEDMAN: And he will, too.

Mr. WARING: The Minister has made a big admission to this House . . .

Mr. BOTHA: You voted for it.

Mr. WARING: I know that the hon. member for George (Mr. Botha) is trying to get hold of any little straw that he can hang on to in an attempt to save the situation for his party. It is said that a drowning man will grab hold of a serpent. The hon. member for George will grab hold of anything, but the fact is that in subsection 1 it is stated that under this Act a person has to produce his pass at a police station, if called upon to do so by a peace officer.

Mr. SCHOLTZ: Not a pass.

Mr. WARING: Now they are running away from the fact that this is a pass. Of course, it is a pass.

Mr. BELL: They are getting sensitive about the pass.

Mr. WARING: Let us get on with this point. Under this section a European girl has to carry a pass or to produce a pass when called upon to do so. Under Clause 21 the Minister can exclude classes of people. He can exclude Native women who come under Clause 1. He has the right to include them.

Mr. MENTZ: You voted for it in Clause 2.

Mr. WARING: The whole amendment to Clause 2 is the result of the efforts of the United Party. They statutorily excluded Native women under Clause 2, and the hon. the Minister of Native Affairs has also had to throw in his hand when it came to the Native women. He had to throw in his hand because the Native men in this country had the courage to say: "Our Native women are not going to carry passes." The politics of hon. members on the other side go no further than the whipping of their party. Under Clause 21 the Minister can exclude the Native women of this country.

Mr. TIGHY: And he is going to exclude them.

Mr. WARING: He can exclude certain sections of Natives in this country and we say that you are going to have an impossible situation. Because it is impracticable, because the Minister cannot find some means of registering every Native in this country over a certain age, he is going to exclude them and you will have this position that European girls over the age of 16 will be forced to produce a pass and the Native women will not be forced to produce a pass. That is the position.

Mr. MITCHELL: Do you deny it?

Mr. WARING: The Minister said that he altered Clause 2, and I want to read the portion that he altered. He said: "Excluding all Native females and all Native males who have not yet attained the age of 18 years."

The MINISTER OF THE INTERIOR: Read Clause 22.

Mr. WARING: In Clause 2 he specifically laid that down.

The MINISTER OF THE INTERIOR: And look at Clause 22.

Mr. WARING: He specifically laid that down. He then intended leaving them out altogether.

The MINISTER OF THE INTERIOR: You know that is not so. Read Clause 22.

Mr. WARING: I will give the Minister Clause 22: He left them out altogether . . .

The MINISTER OF THE INTERIOR: That is not so.

Mr. WARING: . . . and he is still prepared to include the European women in this country over the age of 16. The Minister hides behind one point.

The MINISTER OF THE INTERIOR: If you had read the Bill you would not have said that.

Mr. WARING: He hides behind Clause 22.

Mr. STRAUSS: He is always hiding behind something. It is all right, he will get his hiding in the end.

Mr. SPEAKER: Order, order!

Mr. WARING: In the original Bill, in Clause 22, the Minister said that he could include the Native sections that have been left out.

The MINISTER OF THE INTERIOR: At any time by proclamation.

Mr. TIGHY: And exclude them.

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Mr. WARING: But he left them out.

The MINISTER OF THE INTERIOR: No, there is provision for their inclusion.

Mr. WARING: He then tried to use the back door in Clause 22 to save his face.

Maj. VAN DER BYL: And what a face he is trying to save.

Mr. WARING: When he could not save his face, when he saw that that cut no ice, he got away from Clause 22 and he cut that right out. Why did he do it? He said that he did so for political expediency.

The MINISTER OF THE INTERIOR: That is untrue, too. It was to prevent political exploitation on your part.

Mr. WARING: The Minister does not like this.

The MINISTER OF THE INTERIOR: I never like nonsense.

An HON. MEMBER: Why then are you sitting on that side?

Mr. WARING: In Clause 21 he has made an alteration with which he is trying to bluff that side of the House. He does not say to them: "Look at Clause 21; under Clause 21 I can now exclude certain classes of people and exclude certain areas."

The MINISTER OF THE INTERIOR: Of course, I told them that.

Mr. WARING: No, that is just an administrative action which he intended to take.

Mr. TIGHY: He even bluffed the member for George (Mr. Botha).

Mr. WARING: Those hon. members over there simply have to swallow it because the whip has cracked.

Mr. SPEAKER: Order, order! I must ask hon. members to curb their enthusiasm a little. One cannot hear the speaker.

Mr. WARING: They simply have to swallow it. The hon. member for Aliwal North (Capt. G. H. F. Strydom) and other hon. members on that side of the House have to swallow this bitter pill.

Mr. A. STEYN: And you have to swallow something else.

Mr. WARING: Up to now we have been beaten on the various amendments that we have put forward. Here we have one amendment which says this: "You have said that you are going to issue those passes and we say to you in our amendment that you dare not issue those passes, and you are not going to force any European to produce those passes until you have fulfilled all the conditions which you have said you want in this Bill; until you have fulfilled the idea of registering everybody; until you have fulfilled the idea of sending copies of this register to every magisterial district; then only can you operate under this clause." We say this because we are not going to have the position in this country as far as we are capable of preventing it constitutionally, where our European women, girls over the age of 16, will have to carry a pass, where we know that Native women are not going to be forced to carry a pass.

Or a section of Natives in the Transkei or wherever you like, that they will not also be in the same position that they must produce a pass. We know that we will be overwhelmed again in the Vote, the same steam-roller will be used, but neverthless we here stand up for our rights and liberty in this country and we do not want our White women to carry passes, and we move this amendment in all seriousness and we challenge the hon. members on the other side to vote against it.

*Mr. BRITS: The hon. member for Orange Grove (Mr. Waring) knows very little about our people. Let me tell him that the Afrikaner women, those that I know, will be proud to carry this pass, as they call it. The Afrikaner woman will be proud to carry the identity card. I am very sorry that the hon. the Minister did not provide that everyone should be made to carry this "pass". I have a "pass" here myself. This is my railway pass. When I go to the station and they ask me for my pass, I produce this, and I am proud of it. I have another pass; my driver's licence. I am very proud of it. If I were a tramp or a thief or a murderer, I would not want to carry a pass. If a man does not want to carry an identity card, it is proof that there is something wrong with him. A great attack his been delivered here and it has been argued that we are insulting people. I speak of the platteland mothers who have made great sacrifices for their people and their country, and they will accept it proudly. During the recess I came into contact with many of them and I explained the thing to them, and they said they would carry it with pleasure if it would have the effect of keeping our nation white and of enabling us to distinguish between Black and White.

*Mr. HUGHES: Will the pass keep the country white?

*Mr. BRITS: Let me say this to hon. members on the other side of the House: I have carried another pass as well, a pass

of dishonour, the pass of the Gestapo of the previous Government. I had the misfortune of being put in gaol in the last war and I was thereupon obliged to carry their pass under their Gestapo. But I shall carry this identity card with pleasure, and hon. members need not think that they can stir up our people. We shall explain to the public and tell them that this identity card has been introduced to show that they are White and not Coloured. There may be some who will be ashamed to carry it, but they will be badly behaved individuals. I shall carry it. I am only sorry that the Minister has not inserted a provision that every person has to carry the identity card on him. You get people, sometimes who are killed in a motor car accident or some other accident, and you cannot always find out who they are; or you get a person who has been drowned and you cannot trace who he is by his clothing; but with the aid of the identity card you would be able to establish who he is. Hon. members opposite may talk as much as they like, but, as far as my constituency is concerned, I shall explain matters; of course, not in the sneering manner of hon. members opposite, but I shall tell them why this has actually been introduced, and I am not the least little bit worried about doing so, because this Bill has been brought in for the good and the benefit of the people.

Mr. BOTHA: I merely want to remind the hon. member for Orange Grove (Mr. Waring) that his party has already had a hiding at the polls on this very point. I want to remind the hon. member for Orange Grove and the other members that the hon. member for Alberton (Mr. S. J. M. Steyn), with the aid of Miss van Rensberg's brain, was responsible for this "tale of a pass", and that because of this tale they have had a very sound hiding in the Provincial elections.

*An HON. MEMBER: Did you not deny it at the time?

*Mr. BOTHA: The only similarity between their attitude now and then, the only similarity between their notorious SAP pass and the speech of the hon. member for Orange Grove is that there is as little foundation for the one as there is for the other. They are both false. But now the hon. member for Orange Grove, who, in his enthusiasm, expressed himself in such fiery language here, has to answer this question: How does he reconcile this with their attitude the other evening when they followed in the wake of the hon. member for Cape Eastern (Mrs. Ballinger) and voted for the exclusion of Native women? This goes to prove that we are dealing here with an Opposition which is completely irresponsible from top to bottom. They try to be as irresponsible as possible and that alone is reason enough for their remaining in Opposition for ever. Secondly, the Opposition does not oppose this Bill on the score that a so-called pass is to be introduced, because they know that the word "pass" does not occur anywhere in this Bill. I want to ask the hon. members for Orange Grove whether he always carries his driving licence with him? He does not answer because he does not always carry it, but the police have the right, when they want to see his driving licence, to demand its production. Has he ever objected to that? What is more, however, there is a third reason, I think, why the Opposition objects to an identity card and that is that the identity card will state that the holder is a South African citizen, and in the light of their attitude last year, I think that they are not keen on showing the world that they are South African citizens. They want to be citizens of a country which does not exist, viz., the Commonwealth; they want to be Commonwealth citizens, they want to be anything but South Africans.

*Maj. VAN DER BYL: You are not on your soap box just now.

*Mr. BOTHA: I want to tell the hon. member for Green Point (Maj. van der Byl) that I am not at Suurbrak either, where he used to be. This identity certificate, which will be issued under this law and which the individual will not have to carry on him, will eventually be carried voluntarily by the whole population of South Africa because they will start appreciating the benefits attached to it. The Opposition does not want this Bill because they do not believe in an organised State, they do not believe in a State where order prevails. [Interjections.]

*Mr. SPEAKER: I want to ask hon. members to refrain from a lot of unnecessary interruptions. I am prepared to allow proper interruptions, but not a whole lot of unnecessary interruptions.

*Mr. BOTHA: Mr. Speaker, with all due respect, if you want to wait for proper interruptions from the Opposition . . .

*Mr. SPEAKER: Order, order.

*Mr. BOTHA: This Bill and the issue of identity certificates give us the opportunity of showing that democracy is able to tackle and to solve the world's modern difficulties and problems; but the Opposition does not want to solve any problems. Their policy has always been to "hands up" to any problem facing them and to allow things to develop, and then you get the kind of thing that has happened among them, and the Communists and the Liberalists will take control in South Africa. They are at liberty

to go to the country on this point and then they will get another big hiding, as big as the one they have already had in the Provincial elections.

Mr. MITCHELL: The position as I see it very clearly is that the hon. the Minister in Clause 21 is trying to escape the grave charge we are making against him. And in regard to the amendment moved by the hon. member for Orange Grove, the position is this, that if the amendment is accepted, and there can be no calling upon European women to produce their pass until Native women have been registered and have their pass. This is the position, until Native women have been registered and have their pass, the law officers cannot call upon White women to produce their pass. Now, Sir, until the Minister can give us the assurance that under Clause 21 he is not going to compel White women to produce their passes until he has registered Native women and made them produce their passes, until that time comes we must insist on this amendment, and we challenge the other side to vote against this. Let them say that they are going to give the hon. the Minister the power to call upon White women to produce their passes while exempting Native women from carrying passes at the same time. It is all very well to talk about girls of sixteen. What is going to be the position if you get elderly ladies of 80 who have to go personally with their pass to the police station and produce it? That is what this clause says. It is the written word here in this Bill.

The MINISTER OF THE INTERIOR: Read the Bill. Where does it say that they have personally to go and produce their pass?

Mr. MITCHELL: It says here that they have to produce the pass. Does it mean that you can send your pass by carrier-pigeon to the police station?

The MINISTER OF THE INTERIOR: I might even send it through you.

Mr. MITCHELL: What is the good unless you produce it personally? What nonsense, Mr. Speaker. We suggested that there should be no photo. The Minister would not have it and his whole argument was that the photo was necessary so that the person might be identified with the pass, and now he talks about the possibility of sending somebody else to the police station to produce your pass. Let me repeat, elderly ladies of 80 and over will have to go personally to the police station. [Laughter.] Let hon. members on the other side make up their mind whether they are going to impose this indignity on European women without at the same time imposing it on Native women, or whether they are going to insist that it shall be imposed equally and impartially on all sections of our community at the same time. And if they are prepared to apply it impartially, then they will be prepared to accept that amendment moved by the hon. member for Orange Grove. But the test of the Minister and of the Government and of the Nationalist Party is in that amendment and if they vote against that amendment, then their insincerity stands foursquare to the whole world to see, Sir.

Mr. CHRISTIE: I want to bring the House back to the serious reality of this Clause, the very serious reality. The hon. member for Orange Grove's amendment is to the effect that three months from the date of proclamation and after a copy of the register has been lodged at the office of the magistrate of every district, the provisions of this clause come into effect, and it seems to me to be a very reasonable request to make to the Minister. I do not want to carry that too far. It should be obvious to the Minister and to every member of this House that if the magistrate in every district is not in possession of a copy of the register, then he is not in the position to give effect to this Bill when it becomes an Act. But I want to go a little further. I want to look over this whole question of the carrying of the pass by the white women and not by the Native women.

An HON. MEMBER: Not a pass.

Mr. CHRISTIE: Call it an identification card or whatever you like, it is still the same thing. This reminds me of an old story I heard many years ago, with regard to saying "This is different from that", and I hope Mr. Speaker, you will allow me to put it to the House. When the Scottish lady was going down to England, with her little son, she told him to be careful and to speak good English and not speak the vernacular. On their arrival in England the little boy called out to her: "Look at that funny 'dug'!" She replied to him, saying: "That is not a dug, it is a dog." "Well," said the boy, "it looks like a dug." It does not matter how it appears in this Act, we know what it looks like. It does not matter whether you call it a pass or an identity card or anything else, we know what it is. Let us go a little bit further with regard to the contention that now, of course, the Bill has been changed, but it has only been changed again in the same respect, viz., that originally the Bill provided that the Minister had the power to include certain other groups, that is to say that the Native women could also be included. Now the hon. the Minister has changed that and he now says that he now wants to have the power to exclude. Again a distinction without a difference, again the same old "dug". Surely

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the Minister, with all his understanding of law and understanding of the ordinary approach of the ordinary person, is not blind to the fact that having made that change he has not altered the position at all as far as the Native woman is concerned, vis-à-vis the European woman. Now I want to say this further that in my opinion in putting forward this clause, this new clause as it is now — whether he accepts the amendment of the hon. member for Orange Grove or not is his business, though I think that he should accept it — is such that we are faced with this position, that every member of this House will have to remember as days go by that you have either to apply this law in sections and ignore other sections, or you are going to create a hubbub amongst every white woman in this country. Of course, we know, and haven't we heard it said, and it is as old as politics, it does not matter what law you have got, it is who has got the power to administer the law, and there it is as plain to me as can be, and it must be plain to the whole country, that here is an Act that will be applied in portions and ignoring others. It will not have a 100 per cent. application. Is that honest government? Of course not. Is it government that this country desires? Is it government that under the guise of certain necessities, certain objectives, ignores the wider issues? Now my very old friend, the member for Losberg (Mr. Brits) has shown us two passes he is carrying about. I want to point out to him that the first pass he has shown to us is a very valuable pass, his Parliamentary pass. It gives very fine privileges. But although it gives him those privileges that he can travel right round the railways of South Africa without paying a penny piece, he is not compelled to carry that pass.

The MINISTER OF THE INTERIOR: He may be compelled to produce it.

Mr. CHRISTIE: The hon. member cannot have it both ways. If he does not want to use that pass, he can go to the railways station and buy his ticket. But we have this peculiar position, that members like the hon. member for Losberg are worried over this. I am sure he is worried about it. I am, and certain hon. members on the Government side, as well as hon. members on the Opposition side, are worried about it, that this clause will not be administered in the sense in which it appears on paper. Of course, if it is not going to be administered in that way, then this will be another law that will become a farce in the sense that it will only be used in sections and in parts.

Mr. S. E. WARREN: Why worry about that?

Mr. CHRISTIE: The hon. member interjects: "Why worry about it?" Let me tell him that we will have to worry a great deal more about the administration of Bills that have been passed through this House recently, as well as other Bills that will come forward in the near future. We have to be very worried about that very thing that we will have the administration of these things to suit the particular party that is in power.

Dr. H. G. LUTTIG: That is an unfair conclusion to arrive at.

Mr. CHRISTIE: I would like to think that it is an unfair conclusion. I would be the happiest man in the world if it could be shown in the near future that this is an unfair conclusion. At the present time I must be guided by the attitude of the Government supporters and because of the attitude taken up by the speakers there, I must conclude that they are not going to apply this Bill when it becomes an Act in the 100 per cent. sense.

Mr. S. E. WARREN: Your conclusion is wrong.

Mr. CHRISTIE: If my conclusion is wrong, I will be the happiest man in the world, or rather let me say that I will not yet be quite happy, because if they apply the pass equally to the White woman and the Native woman, then indeed I would feel a little happier about it, but not if they are going to exclude the Native woman, as they can under this Bill. There is just one other point and that is that the accusation was made against the Labour Party that they have voted to have the power to exclude Native women. As far as I remember it was the two Native Representatives for the Transkei and Western Cape who went over and voted with the Government side and it was interesting to see how they voted with the Nationalist Party in two divisions. Well, Mr. Speaker, it shows how the chickens are coming home to roost. But my point is that the accusation was entirely unfounded. I think it came from the hon. member for George (Mr. Botha) or the hon. member for Standerton (Mr. W. C. du Plessis); it does not matter much which. Now I hope I have brought the House back to the reality of the seriousness of the position.

An HON. MEMBER: What point have you made now?

Mr. CHRISTIE: I have stressed three points. I can only appeal to the House to accept the amendment moved by the hon. member for Orange Grove, which is fair and reasonable. Of course, we know that we will have the third reading in a few days' time, and our wanrings will not be heeded, but, in my opinion, this Act is fraught with great dangers and no benefits to any section of the community.

*Mr. UYS: Hon. members opposite intimated tonight that they were very concerned about the possibility of this Bill being made applicable to Europeans and Coloureds before being made applicable to Native women. They are now pretending to be terribly worried over the possibility of European women being compelled to carry identity cards before Native women have to do so. It is peculiar that they should now show such concern for the European women under this Bill. When they can use the Coloured voters of the rural areas to out-vote the European women at the polls, they are not so concerned for the European women and they show little respect for them. When, in the Cape suburbs, they put non-European women on the voters' rolls as Europeans in order to out-vote the European women, they again have no great sympathy with the European women and they have little respect for them, particularly for the women who have political rights in South Africa. This Bill is opposed and this amendment has been proposed merely to prevent it becoming possible to disallow Coloured women getting on the voters' roll in the guise of European women. They are afraid that in this way they may lose a few votes at the polls here and there, which will prevent their out-voting the European women. They now pose as the great champions of European women, but if they can out-vote them on the platteland, with the help of the Coloureds, they show little respect for the European women. They are not ashamed when employing their own women and other women of the S.A.P. organisation to drive Coloureds to the polls to vote for them. No, Mr. Speaker, the European women, particularly the European women from the platteland, the people who speak Afrikaans on the platteland, know the Opposition. They got to know them long ago, and hon. members opposite are at liberty to continue with the sort of propaganda which we have heard during this debate and which they want to proceed with on the platteland; the European women will take no notice of it. It will not help the Opposition because the European women of South Africa know them, and in future they will remember the knowledge they have acquired about the Opposition.

Capt. HENWOOD: Mr. Speaker, I would just like to refer to the speeches made by three of the members on the other side. The hon. member for George (Mr. Botha) worked himself up into a high fever of excitement because we dared to call this identity card a pass. The hon. member for Losberg (Mr. Brits) just re-quoted the hon. member for George's speech and said, "I carry a railway pass, I carry a motor pass, why should I worry about carrying another pass?" In other words, he as a front-bencher takes the fundamental view. Let us not split hairs; be honest and admit it is a pass. And we now have the hon. member for Bredasdorp (Mr. Uys) saying that he is concerned about White women carrying a pass and Native women not doing so, but we need not worry about it, if you only went to the polls you would know. Mr. Speaker, we challenge that side to go to the polls on this issue now. [Interruptions.] They had a near issue this afternoon. If any Government were defeated as they were this afternoon they would get out . . .

An HON. MEMBER: As a result of what?

Capt. HENWOOD: Any Government defeated as you were this afternoon would resign, and would go to the polls on this issue. What you are doing today, having got in on a minority vote, you have been doing all the time, unpopular things that the country will not stand for, making European women carry passes — and more serious than that, European girls — when Native women are excluded from doing so. It is a most shocking state of affairs. At least the Natives — we had trouble with them because of that all over the country and previous to this we said nothing about it — at least they had got the courage to stick up for their womenfolk and say, we will not have them to be made to carry a pass, not only throughout the country districts but we will even insist that they will not have medical examinations and carry a pass in urban areas, exclusively in European urbanised areas. And up to now, unfortunately for the country to my mind, they have in that way defeated the laws of South Africa. But you cannot force them to make their womenfolk carry a pass, and the hon. the Minister has not got the courage at this stage to tackle that question. I think it is a shocking state of affairs when our women and children, girls over sixteen years of age, have to carry a pass; their own servants will go by and will laugh at them, as they are doing today, and will say, "Look, that is what the White men are doing to their womenfolk, but we will not carry a pass." We are splitting hairs, Mr. Speaker, because in all our pass law conversations, in all the discussions that have taken place in this House for the last twenty years in relation to Native unrest and the number of passes the Native has to carry, they have always stressed the use of the word "passes". Their poll tax receipt number is not a pass any more than the identity card is, but they look upon it as a pass and so do we. On that poll tax receipt which they have to show to the police — and if they have not got it they have to produce it within a certain number of days — is a tax identity number, not a pass number but a tax identity number, but everybody calls it a pass; the Railways demand to see their pass, which has a tax identity number as on the poll tax receipt. So let us get down to the fundamental truth. Do not let people work up to a fever of excitement, as our hon. friend the

member for George did. After all, we know he is a party organiser; actually he was trying to cover up the retreat — if there is any sort of retreat — for his Minister, because the whip has cracked and you really dare not show your wishes in the matter. We sat up all night, but there were not more than half-a-dozen speeches delivered on your side, but as soon as we get to the recess you will stump the country with excuses as to why it is necessary for White women to carry a pass and why it is not necessary for Native women to do so. The White man in this country objects to it, the public as a whole object to it, and I challenge you to go to the polls now. I tell you next time you go to the poll you will rue the day, because of the type of legislation you are trying to pass against the wishes of the people of South Africa.

*Mr. VILJOEN: I feel that if we have ever had an instance of a hollow rattle trap, we have had one here this evening. The Opposition has latterly found it impossible, in this House and in the country, to put forward anything constructive, and in order to conceal its political bankruptcy, it is continually raising battle cries, which are so insincere, that if I had sat on that side of the House, I would have felt really ashamed. I have yet to learn, Mr. Speaker, that it is a disgrace to have to have an identity card containing one's name and sex; I have yet to learn that it is humiliating for a person to be classified on such a card under the section of the population to which he belongs. I have yet to learn that it is a disgrace to state on that card that the individual is a citizen of the Union of South Africa. I have yet to be told that it is humiliating for a person to carry an identity certificate. I have yet to be told that an individual will be ashamed to see his own face on a photograph attached to such an identity card. I have yet to learn, Mr. Speaker, that these provisions in this Bill are in any way humiliating to anyone.

Cries have been raised here which almost roused the Opposition to a state of hysteria — the hon. member for Orange Grove (Mr. Waring) in particular, who all the time, was displaying a condition of artificial hysteria with his tongue in his cheek, because, verily, there was no sincerity in him — it was simply an attempt at producing effects outside this House. No, I think that the people as a whole will welcome this Bill, because I feel that any citizen of this country, who loves South Africa, be he man or woman, will be proud to declare his or her descent and to state what his or her citizenship is. It is simply an identity card which hon. members are misrepresenting to the country, just as on a previous occasion they also misrepresented it. In other words, the Opposition's interpretation of this Bill, and especially of the identity card, is exactly the same type of caricature as that which, during the elections, they gave of the word "apartheid". The word is being misrepresented and, to such an extent, that the whole country, today, is amazed at the ridiculous way in which it has been carried on. The same sort of thing is going to happen again and the people will again be faced with the ridiculous interpretation of this identity card by the Opposition.

Ours is not a small country. This is a big country with a population consisting of various component parts. In our population we have various ethnical groups, and if I understand the Opposition correctly, they expect the Minister to be able, in one night, to issue an identity certificate to very part and to every section of the population, and to organise the whole matter from north to south. As far as I am concerned, I say that South Africa will be grateful and can be grateful if this Bill can be applied within a period of from 18 months to two years. The conditions of our population require things to be done in that way, and what is wrong with it? South Africa today is a grand homing place for undesirable individuals from abroad, people who make use of the privileges of this country without complying with the civil duties of the country. This Bill will prevent people from adjoining territories being smuggled in, to live here without our being aware of it. In the long run nothing but good for this country can emanate from the provisions of this Bill, and it will contribute to our people achieving a greater degree of unity and it will contribute to our being able to build up a greater national pride. It is also in accord with the Citizenship Act, which was passed here last year. We fully support this Bill and I am convinced that the followers of the Opposition, who study this measure without prejudice, will welcome it without their being affected by the Opposition's interpretation of the Bill.

Col. OOSTHUIZEN: Mr. Speaker, I hope that the hon. the Minister will accept the amendment moved by the hon. member for Orange Grove (Mr. Waring). When one reads the onerous clauses in this particular section it will be seen that it is absolutely necessary before the proclamation is issued that the register should be available in every magisterial district. I moved an amendment in the Committee Stage which unfortunately was closured and could not be discussed, making an appeal to the hon. the Minister at least to exempt European women from the necessity imposed in this clause of producing this identity card or pass, or whatever you call it, to any police officer or anyone appointed by the director. I was rather surprised to see the hon. member for Losberg (Mr. Brits) producing practically with pride what he calls the passes he already has to carry, and it seems to me that none of us would be surprised if

some hon. member there does not ask the hon. Minister to apply all the pass laws to the European men and women in this country. They are simply overjoyed at the idea of carrying passes and letting their womenfolk do so. They are the purified descendants of the Voortrekkers. Sir, when the hon. the Minister sat on this side as a member of the then Opposition he defended the individual's rights against any autocratic powers such as these. But now that he is on the other side of the House and a member of the Government he has become the worst autocrat of all. But I do say to him, at all events, that whilst he is determined to make our womenfolk carry passes the Minister of Native Affairs is afraid to compel Native women to carry passes because their men won't have it. But European men on that side of the House say: "For Heaven's sake give us passes, as many as you like, we will enjoy carrying them."

Mr. TIGHY: Hear, hear. The hon. member for Losberg said it.

Col. OOSTHUIZEN: I am very perturbed at the provisions in this clause, that any policeman can come up to your wife or daughter in the street at any time and demand her pass from her. I am very much surprised that hon. members over there cannot see the danger of this. I am sure that no hon. member on the other side would like to see a policeman stop his wife or his daughter in the street and demand her pass. Yet they do not realise what it means. Do they think that the police will not demand passes from the wives of Nationalist members?

Mr. SCHOLTZ: But they can do the same thing now. They have the same right now.

Col. OOSTHUIZEN: Therefore the wife or daughter or any one of you may suffer the humility of being stopped in the street, her pass being demanded, and if she has not got it with her she will have to go to the police station. How would any of you like that? Anyone seeing a police officer accost a woman in the street might think that she has committed an offence.

Mr. SCHOLTZ: Have they not got the same right now?

Col. OOSTHUIZEN: I strongly object to anyone having the right to interfere with my wife or my daughter in the public streets or anywhere else. Yet hon. gentlemen there sit back calmly and say: Give us a pass, give us a dozen passes, it is an honour to carry these passes if the Nationalist Government wants us to. No. Sir, I say that although you are descendants of the Voortrekkers who left this country because they wanted individual freedom, every measure you pass, including this one, curtails the freedom of the individual.

Mr. Speaker, I appeal to the hon. Minister that while he is determined to force our womenfolk to carry passes, at all events to save them the humiliation of allowing a police officer or representative of the director to stop them in any street or in any public place and demanding a pass from them. I appeal to him to see whether he cannot in Another Place coat with sugar this bitter pill of the passes.

The MINISTER OF THE INTERIOR: It is not a pass.

Col. OOSTHUIZEN: I strongly support the amendment.

*Mr. VAN NIEKERK: To think that the hon. member who has just resumed his seat belongs to the legal profession gives one a feeling of surprise when one takes note of the fact that he has told us that every woman and every young lady in this country has to carry a pass and that a police official will have the right to stop them in the street and to demand that they shall produce their pass.

*Mr. TIGHY: Of course.

*Mr. VAN NIEKERK: The hon. member cannot show me a single place in the Bill where it appears. Whenever an infringement of the law takes place, the identity card of the individual can be demanded, but it can be produced later at a police station or before a magistrate. Let me ask the hon. member this: Are they pleading the case of South Africa or do they want to form an entirely independent block in South Africa? In England every citizen has to carry such an identity card.

*Mr. TOTHILL: Only for rationing.

*Mr. VAN NIEKERK: The hon. member is now talking nonsense. In England everyone has to carry an identity card. Every woman there must carry one, and the entire population is registered.

*Mr. TIGHY: To enable them to get food.

*Mr. VAN NIEKERK: To speak of rationing now is nonsense. Why should there be rationing? They no longer get rations. When that legislation was introduced, it was said that it was a war measure. The war has been over for more than five years yet they still want to refer back to the war. If England can do it, why cannot South Africa do it? What is the difference? No, the Opposition simply want to rouse the country and they themselves do not know what they want. When the Mixed Marriages Act was passed last year, they said that we were tackling the question in the wrong order, and that we

should first of all set up a population register and then follow it up with a Mixed Marriages Act. They said we were putting the cart before the horse, and they asked "why not put the horse before the cart". They said that we should first pass a population registration Act to protect the predikants if they married people; so that the predikants could inspect the register or inspect the individuals' indentity card to see to which race he or she belonged. At that time they first wanted this Bill which we are now dealing with, but now they are against such an identity card. No, the Opposition is dishing up ludicrous arguments and they should not for a moment imagine that their arguments will impress the public.

The hon. member for Pietermaritzburg (District) (Capt. Henwood) made a fuss and has challenged us to make this Bill the issue of an election. Only a year ago we had provincial elections, and they then came along with the "Sap-pass"; with fingerprints and everything else on it. They said that these things would be introduced in this legislation and, although they exaggerated enormously, the public decided the issue. They received a thrashing such as they have never had before. That shows that the agitation and propaganda which the Opposition stir up here do not impress the people, and I assure them that they will not carry any weight in the future either, because the public wants a pure race here in South Africa. The purpose of this Bill is to preserve race purity. The people are proud of the fact that we are taking steps to reserve the purity of our race, and if there are members on the other side of the House who are not proud of maintaining race purity then they are not worthy of their seats in this House. As I say, the purpose of this Bill is to preserve race purity. The second purpose is to prevent miscegenation in South Africa. Do members opposite not care if these things do occur here? These sort of things have gone too far in our country and the time has therefore arrived to take steps to prevent this miscegenation in this country. Do they not want legislation to stop this sort of thing and to have race purity in South Africa. We stand for this legislation because we want to promote race purity and national pride in South Africa.

The MINISTER OF THE INTERIOR: Mr. Speaker, I listened with great interest to the synthetic indignation expressed by the hon. member for Orange Grove (Mr. Waring) in which he was supported by other hon. members. I think hon. members on the other side showed their profound disappointment that this identity card does not come up to the caricature which they represented in their offcial propaganda machine last year.

Capt. HENWOOD: It is worse.

The MINISTER OF THE INTERIOR: They are grievously disappointed that, after they had put the public on edge with their spurious "Sap-pass", that we have now introduced something that is entirely different, and I think the hon. members representing Natal have least reason to cavil if I say that their indigation is synthetic, because they will remember that wonderful protest meeting in Durban to protest against this identity card. They will remember that on the first occasion four people attended, and it was then suggested that there was some mistake and a new advertisement was put out calling another meeting. I must confess that at the second meeting the attendance had been increase by 50 per cent.—there were then six persons present [Interruptions.] So hon. members on the other side will see that the public outside does not really take seriously their synthetic indignation at what the White woman has to suffer.

Dr. FRIEDMAN: That is a debating society point.

The MINISTER OF THE INTERIOR: Well, of course, that would be the appropriate place for the hon. member in which to make an interjection. That is an indication of his intelligence quotient.

Let me say, Mr. Speaker, that there is one thing that the hon. member for Orange Grove said with which I am in agreement. He said that this was their last ditch. I think that his speech and speeches of members on the other side show that their final attempt, in their last despair, in utter desperation they clutched wildly about, and now this is the straw that they have clutched. Let me say this, that hon. members opposite are clutching in utter desperation at this last straw, and they are doing it equally with an utter disregard of accuracy. The hon. member for Orange Grove (Mr. Waring) based his speech on two premises, both of which are wrong. The two premises are that in terms of this Bill you have to carry a pass. There are two statements of fact, and both are wrong. You have not to carry anything and you have not even to produce a pass. The hon. member for Pietermaritzburg (District) (Capt. Henwood) is no doubt acquainted with the English language and if he were to say that in England you have to carry a document, it will be accurate because there is an identity card in England which is . . .

Capt. HENWOOD: A registration number.

The MINISTER OF THE INTERIOR: No, called an identity card.

Capt. HENWOOD: There is no stigma attached to it.

The MINISTER OF THE INTERIOR: There is no stigma attached to it because there you have a sensible Opposition. It was a sensible Government who introduced it and you have a sensible Opposition there. At any rate, they have an Opposition which does not, unless they are in very sore straits, exhibit the infantile tendencies which is so obvious here on the opposite side of the House.

If the hon. member were to go to England, he would have to have an identity card, and on the back of that identity card, unless he is there for a very short time, he will find this notice. Members opposite, I think, appreciate the King's English, and they should pay attention to this notice—

Notice: (1) Always carry your identity card.

Capt. HENWOOD: It was introduced during the war.

The MINISTER OF THE INTERIOR: It still exists.

Capt. HENWOOD: It was printed in wartime.

The MINISTER OF THE INTERIOR: We must really not be so childish. This is not a school debating society —

(1) Always carry your identity card.

(2) You must produce it on demand by a police officer in uniform of by a member of His Majesty's armed forces in uniform and on duty.

And then it goes on to say that any offence against these requirements is punishable by a fine or imprisonment or both. The fact is, Mr. Speaker, that the identity card provided for in this Bill has to be produced when demanded by a police officer or an authorised officer. But does the fact that it has to be produced mean that it must be carried? It must be produced within seven days, compared with two days in England, but the fact that it has to be produced within seven days does not make it a pass either. If it is a condition of a pass that anything that has to be produced within a certain period of time is a pass, then a driver's licence would be a pass. A driver's licence can be demanded by any policeman in the street. He can go up to the daughter of sixteen or the grandmother of eighty and demand a driver's licence. The hon. member for Port Elizabeth (Central) (Col. Oosthuizen) must be afraid, because the lady of eighty or the child of eighteen, in terms of the existing law, can be stopped in the street by a policeman and asked to produce their drivers' licence.

Mr. MITCHELL: And so can a Native woman who has a driver's licence.

The MINISTER OF THE INTERIOR: And so can the hon. member for South Coast (Mr. Mitchell). He is in the same position as the Kaffir woman. I am now dealing with the premises of the argument for the member for Orange Grove. Let me also say that the birth certificate must be produced in certain circumstances. That does not make it a pass. You have to produce other things from time to time.

Mr. TIGHY: Your death certificate.

The MINISTER OF THE INTERIOR: In the physical sense the hon. member is rather premature if he wants to do that, but perhaps not in a political sense. Those are the two premises which form the whole basis of the argument here tonight. They are two statements of fact which are both incorrect, and the hon. member for Orange Grove has become hot under the collar and full of synthetic indignation on both statements of fact which are, in fact, false. If the hon. member had taken the trouble to read the Bill properly and also legislation in other countries, he would not have had any difficulty about it.

Now I want to come to a few other points. I stated that Clause 2 of the Bill makes it clear that this is a national registration Bill. It is intended to cover every member of the population. I stated that in English and I stated it in Afrikaans. It seems to me that in order to make it penetrate to the minds of some members opposite, I will have to say it in some other language, which I really do not know at the moment. I made that statement and I stand by it. I also said that Section 21 is necessary because no Government in its senses, which wants to carry this into effect, can undertake to provide this complete scheme immediately in respect of 12 million people. We have had evidence before the Select Committee that in other countries it was extended by sectors. I have said it will be extended in the same way in this country, gradually extended, until we attain what is envisaged in Clause 2. Hon. members need not fear that Clause 2 misrepresents the correct position.

During the second reading debate I indicated that I was going to make a change in Clause 2. I then said it would be a change in the form and wording of the Bill, but not in substance. There is only a change in form, in order to obviate that there should be political distortion of this Bill by the party opposite. That is what I stated and that is what I repeat. I stand by Clause 2 which contains the object of the Bill, but it is an object which can in the very nature of things, only be obtained over a period of years.

Now let come to the hon. member for Johannesburg (City) (Mr. Christie). I think he rather unnecessarily departed from his usual objectivity, when he spoke in this

debate. He suggested that after all two Native Representatives voted with the Government in the course of two divisions. It was actually on one clause that they voted with the Government. It was not on this clause.

Mr. CHRISTIE: It was on the exclusions.

The MINISTER OF THE INTERIOR: No.

Mr. CHRISTIE: On the exemptions.

The MINISTER OF THE INTERIOR: Yes, on Clause 21. I must say that on the law of averages even the representatives of the natives must sometimes be correct, and that is about the correct percentage. What the hon. member for Johannesburg (City) failed to tell you, Mr. Speaker, was that on this very clause we are discussing now all the members of the Unity Party and all the members of the Labour Party supported eight different divisions on amendments proposed by the only member of the Communist Party in this House; they followed him slavishly every time the division bells rang. That was on this very clause. Every time he asked for a division, every member opposite followed him.

Mr. C. M. WARREN: On a point of explanation, the hon. member for Cape Western (Mr. Kahn) only called for one division.

The MINISTER OF THE INTERIOR: He moved eight amendments.

Mr. C. M. WARREN: But we called for the divisions.

The MINISTER OF THE INTERIOR: That makes it even worse. That means that the Opposition had the courage of the hon. member for Cape Western's convictions. I am indeed thankful for the correction. That means then that the member of the Communist Party moved eight amendments on this particular clause; he called for one division and in regard to the seven remaining amendments he did not call for divisions, but the United Party called for divisions on his behalf. If that is correct, then it indicated on this very clause what the attitude is of hon. members opposite, and I think they will not be able to resist the conclusion that must be drawn by people outside who have followed the debate, that all this indignation is a spurious and specious indignation and that it is entirely synthetic; and moreover, that it is being introduced here purely for political purposes. And, Mr. Speaker, it also indicates that they did not hesitate, in making that political propaganda, to show an utter disregard and lack of respect for what is accurate and true.

Amendment put and the House divided:

AYES — 60:

Abbott, C. B. M.	Jonker, A. H.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kahn, S.
Bekker, P. B.	Kentridge, M.
Bell, R. E.	Lovell, J.
Benson, E. A.	McMillan, N. D.
Bloomberg, A.	Mitchell, D. E.
Bowker, T. B.	Moore, P. A.
Brooke, R. S.	Mushet, J. W.
Butters, W. R.	Oosthuizen, O. J.
Christie, J.	Oppenheimer, H. F.
Cull, J. A.	Pocock, P. V.
Davidoff, H.	Russell, J. H.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Smit, D. L.
Du Toit, R. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Steyn, C. F.
Frielinghaus, H. O.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Van Coller, C. M.
Henwood, B. H.	Van der Byl, P. V. G.
Higgerty, J. W.	Waring, F. W.
Hopewell, A.	Waterson, S. F.
Hughes, T. G.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES — 66:

Abraham, J. H.	Loubser, J. A.
Bekker, G. F. H.	Loubser, S. M.
Bezuidenhout, J. T.	Louw, E. H.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, D. G.	Mentz, F. E.
Conradie, J. H.	Olivier, P. J.
Deysel, A. J. B.	Oost, H.
Döhne, J. L. B.	Papenfus, S. F.
Dönges, T. E.	Pieterse, P. W. A.
Du Pisanie, J.	Sauer, P. O.
Du Plessis, P. J. C.	Scholtz, D. J.
Du Plessis, W. C.	Stals, A. J.
Erasmus, F. C.	Steyn, A.
Erasmus, H. S.	Steyn, G. P.
Erlank, A. E.	Steyn, J. H.
Eyssen, S. H.	Strydom, G. H. F.
Faurie, W. H.	Strydom, J. G.
Fouché, J. H.	Swart, C. R.
Fouché, J. J.	Uys, D. C. H.
Frates, T. J.	V. d. Heever, D. J. G.
Grobler, D. C. S.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Jansen, E. G.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Liebenberg, J. L. V.	Warren, S. E.
Loock, J. H.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

Amendment therefore negatived.

The new Clause 14 then put and agreed to.

*Mr. HIGGERTY: On a point of order, Mr. Speaker, I wish to draw your attention to a mistake in the division list of the "Ayes" this afternoon, concerning the amendment to Clause 5, proposed by the hon. member for Gardens (Dr. Jonker), when there was an equality of votes and Mr. Speaker, by virtue of a casting vote, decided the question in favour of the "Ayes", viz., that the words of the Bill be retained; and the name of the hon. member for Harrismith (Mr. Papenfus) appeared in the list of the "Ayes" although he was not present.

*Mr. SERFONTEIN: With your permission, Mr. Speaker, I should like to inform the House that it is perfectly correct that Mr. Papenfus was not present when the Committee divided. As soon as my attention was directed to the mistake in the division list, I at once scrutinised it. I immediately told the Opposition Whips that a mistake had been made, and I also informed you, Mr. Speaker, and the Clerk of the House. I just want to express my regret that such a mistake should have been made, especially in such a critical division. I should like to add that it often happens that a mistake is made in the marking of names, and the good spirit prevailing between us as Whips makes it possible for such mistakes subsequently to be corrected. This has been done. Such an arrangement has to be made here this evening for the very reason that this was a critical division. I only want to add that both Dr. van Nierop and I, who did the counting, happened to have the same figures, otherwise we would have had a recount. I wish to express my regret that this mistake should have occurred in regard to such a critical division.

Mr. SPEAKER: Of course, it is not unusual that mistakes of this nature are made. That happens very often and those mistakes are rectified subsequently, but in this particular instance it is a very material mistake, and consequently special steps will have to be taken to rectify it. In the first place, I must now order that the vote of Mr. Papenfus be disallowed. In consequence of this it would not have been necessary for me, as Speaker, to use my casting vote, and I also order that my casting vote should be withdrawn. The position would then be that the result of the division would have been as indicated by Mr. Higgerty, namely, 63/62, but I wish to indicate immediately that unfortunately the matter does not end there, because if members will refer to Clause 5, on which this division took place and to this particular amendment, they will see that on Clause 5 Dr. Jonker moved an amendment to omit certain words and to substitute certain other words, and the result of the division was then, as announced, 63 in favour of retaining the words and 63 against. With my casting vote those words were retained. But for that those words would have been deleted with a view to putting the following amendment. Unfortunately we did not get to that stage, and now the position has been created where it is difficult for me at this juncture to suggest what the next step should be and I therefore wish to suggest that this debate be now adjourned so that I can reconsider the whole matter and give my ruling tomorrow. Will the Minister please move the adjournment of the debate?

The MINISTER OF THE INTERIOR: I move—

That the debate be now adjourned.

Agreed to.

Debate adjourned; to be resumed on 11th May.

On the motion of the Prime Minister, the House adjourned at 10.22 p.m.

THURSDAY, 11th MAY, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

PROVIDENT FUND AND PENSION SCHEME FOR UNIVERSITY INSTITUTIONS.

*The MINISTER OF EDUCATION, ARTS AND SCIENCE: I move—

That this House, in terms of section twelve (3) of the Higher Education Additional Provision Act (No. 20 of 1917), approves of the proposed amendments to the regulations relating to the provident fund and pension scheme for university institutions, framed in terms of section twelve (1) (g) of the said Act and published by Government Notice No. 878 in "Government Gazettes Extraordinary," Nos. 4365 and 4374 of 21st and 28th April, 1950, respectively, and laid upon the Table of this House on the 1st May, 1950.

I would like to move this motion in terms of the Higher Education Additional Provision Act. In terms of the Education Acts alterations in the provident schemes must be announced in this House by means of tabling, and then a motion must be agreed to, after which it is incorporated in a Bill which has

to be introduced by the hon. the Minister of Finance.

This is the outcome of negotiations between the universities, the Department of Education and the Treasury, which have been taking place since 1946 in connection with the provident scheme for lecturers at the universities. They have nou come to a satisfactory arrangement in terms of which much better provision is being made for retiring professors, lecturers and members of the administrative staff. I may just briefly say that they paid in 6 per cent. under the old scheme and that the State also contributed 6 per cent.; that was paid out to them on retirement, plus 4 per cent. compound interest. This new provident scheme makes provision for the payment by the member of the provident fund of 7 per cent. and by the Government of 7 per cent., while compound interest of 4 per cent. is added to it. With the increased salaries which lecturers are paid today it will appreciably improve their position. I may mention just one example. A person who was earning £800 per year under the old scheme may now on the average earn £1,100. Where he previously received £3,800 on retirement, he will now get approximately £8,000.

*Field-Marshal SMUTS: In a lump sum?

*The MINISTER OF EDUCATION, ARTS AND SCIENCE: In a lump sum. He receives no pension but a gratification. In this particular case it will enable him to buy an annuity of £650, if he wants to convert it into an annuity. Otherwise he can get the whole amount. It is also provided that when a member, who has had less than five years' service, resigns he gets back 50 per cent. of the accumulated benefits, and after five years he gets an additional 2 per cent. for every year's service. If a person resigns owing to ill-health he will still be entitled to the pension granted to him by the council. It is in every respect a much better scheme and it gives lecturers at the universities many more benefits, and I may just say that the members of the old fund can choose whether they want to continue paying into the old fund or whether they want to pay into the new fund. New members will have to pay into the new fund.

Mr. SULLIVAN: We regard this motion introduced by the Minister this afternoon as a most important motion affecting as it does, the welfare of thousands of members of the tutorial and administrative staffs of universities, technical colleges and other institutions. The motion, if I may say so, is a happy consummation of many years of negotiation. I am glad that the Minister is in a position to move it today. I am sure that in doing so he recognises the good work of his predecessor in this regard and of his department. As one who has had many years of experience in connection with higher education, I want to assure the Minister of the general appreciation of the fact that this motion has been introduced, belated as it is. There are a few features which I want briefly to refer to in connection with this Bill which are in themselves very welcome. The first is that opportunities are now being given to members of the old funds to join the new funds on reasonably advantageous conditions; and in particular is facility being given to those who were in the service of these institutions before 1919. That is a very important step forward, and has removed a long-standing grievance on the part of many members of the staffs. The second point I want to emphasise is the advantage that has been introduced in establishing under this fund a dividend account which in effect means that the Government must guarantee these pension funds and provident funds at a rate of at least 4 per cent. The third point of importance in the measure is the provision for an annuity or a pension to members of staffs in addition to the provident fund payments. I have one point of criticism there, and I submit it to the Minister for his consideration. The inclusion in this scheme of provision for an annuity fund is not obligatory. It is conditional; it is conditional on the desire of the College Council concerned. That was the old condition. I hope that after giving further consideration to the matter, this may be tightened up a little by the Minister so as to provide, in these days of low interest earnings on provident fund capital amounts, the assurance that a pension will also be paid to members of the staff.

Then finally there are two aspects to which I want to draw the attention of the hon. the Minister in connection with those who transfer from the present funds to the new funds. The basis for the calculation of their service to be taken into consideration on their transfer is not clear, and in my view quite unsatisfactory. It is left to the discretion of the Minister. The actual wording is "as may be reckoned by the Minister". I would like the Minister to give us his views on that as to whether anything can be done to make it a little bit more definite. The second point is the retrospective effect on members of the staff. The fixed date in this motion is the 1st August 1949. Members of staffs of these institutions usually have their resignations terminated at the end of December or the end of June. It seems to me it would have been more just and more convenient if the Minister would have made the date the 1st of June or 1st December, 1949, instead of the 1st of August. To fix the date even a year back would not be too generous in my view. This motion is undoubtedly a step forward and will be welcomed by all who are interested in higher education. I trust that the Minis-

ter will be able to give us his views on the points I have raised with him this afternoon.

The MINISTER OF EDUCATION, ARTS AND SCIENCE: The terms included in this Government Notice have been a matter of consultation with the universities, and this is the agreement which has been arrived at between the Treasury, the Department of Education and the universities. The fixed date is the 1st August, 1949. That is the date that has been decided upon and it would be very difficult to make any alteration in this date now. In connection with the older members of the funds, I may say that those who are in service at present, if they elect to come under the new scheme, will still have the privilege of a pension granted to them by the Council with the assistance of the Department if their gratuity is considered insufficient. The position is the same as it was before.

Mr. SULLIVAN: It is a bit vague, is it not?

The MINISTER OF EDUCATION, ARTS AND SCIENCE: I do not think it is so vague. It has always been as vague as that. The council of a university or university college is never compelled to grant such a pension, yet it has been done in all deserving cases, and they are quite satisfied to leave it at that. If there are any further particulars which the hon. member wishes to discuss, I think they can be discussed when the actual Bill comes before the House.

Motion put and agreed to.

POPULATION REGISTRATION BILL.

First Order read: Adjourned debate on Report Stage, Population Registration Bill to be resumed.

[Debate adjourned on 10th May, when new Clause 14 had been agreed to.]

Mr. SPEAKER: My attention having been drawn yesterday to an error in the Division Lists for the "Ayes" on an amendment moved by Dr. Jonker on Clause 5, I had directed that the vote of Mr. Papenfus be disallowed. The effect of this alteration is that all the words from "he may" to the end of sub-section (3) of Clause Five are now omitted by the vote of the House and it is necessary for me to put the words proposed to be substituted by Dr. Jonker.

Mr. SPEAKER then put the words proposed to be substituted by Dr. Jonker, viz.: "he shall give notice to that person and, if he is a minor, also to his guardian, that he intends to alter the classification of that person and if that person so consents the Director may alter his classification accordingly and if he does not consent thereto within one month of date of such notice the Director shall refer his proposed classication to a board, whereupon the provisions of section 11 shall apply mutatis mutandis."

Upon which the House divided:

AYES—62.

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lovell, L.
Bekker, P. B.	McMillan, N. D.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Pocock, P. V.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Smit, D. L.
Du Toit, R. J.	Smuts, J. C.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

NOES—68.

Abraham, J. H.	Fouché, J. J.
Bekker, G. F. H.	Frates, T. J.
Bezuidenhout, J. T.	Grobler, D. C. S.
Boltman, F. H.	Havenga, N. C.
Botha, P. W.	Hertzog, A.
Brink, W. D.	Hugo, P. J.
Brits, G. P.	Jansen, E. G.
Conradie, D. G.	Klopper, H. J.
Conradie, J. H.	Labuschagne, J. S.
Deysel, A. J. B.	Le Roux, P. M. K.
Döhne, J. L. B.	Le Roux, S. P.
Dönges, T. E.	Liebenberg, J. L. V.
Du Pisanie, J.	Loock, J. H.
Du Plessis, P. J. C.	Loubser, J. A.
Du Plessis, W. C.	Loubser, S. M.
Erasmus, F. C.	Louw, E. H.
Erasmus, H. S.	Luttig, H. G.
Erlank, A. E.	Malan, A. I.
Eyssen, S. H.	Malan, D. F.
Faurie, W. H.	Maree, W. A.
Fouché, J. H.	Mentz, F. E.

Olivier, P. J.	Swart, C. R.
Oost, H.	Uys, D. C. H.
Papenfus, S. F.	V. d. Heever, D. J. G.
Pieterse, P. W. A.	Van Heerden, D. P.
Potgieter, J. E.	Van Niekerk, J. G. W.
Sauer, P. O.	Van Rhyn, A. J. R.
Schoeman, B. J.	Van Schoor, J. J. F.
Scholtz, D. J.	Viljoen, J. H.
Steyn, A.	Visser, de V.
Steyn, J. H.	Vosloo, L. J.
Strydom, G. H. F.	Warren, S. E.
Strydom, J. G.	Wilkens, Jan

Tellers: J. J. Serfontein and P. J. van Nierop.

The substitution of the words proposed by Dr. Jonker accordingly negatived.

The MINISTER OF THE INTERIOR: I move that the Bill be recommitted for the purpose of further considering sub-section (3) of Clause 5.

Mr. SERFONTEIN: I second.

Mr. STUART: Is any debate allowed on this motion?

Mr. SPEAKER: Yes.

Mr. STUART: With all due respect I submit that at this stage this matter should not be pressed in the way it is being pressed.

HON MEMBERS: Order, order.

Mr. STUART: That little interlude in which the hon. member for Transkeian Territories (Mr. Hughes) absent-mindedly passed between the Chair and myself, convinces me of something that I always knew, that the problems of the member for Transkei (Mr. Stuart) would be as nothing if it were not for the Transkeian Territories. I feel that I would not be doing justice to my own feelings in this House if I did not express a very serious sense of regret that any episode of this description occurred at all, and if I might say just one thing, that if the Government Whips had adopted the habit that was adopted during the night sitting by the junior Opposition Whip on this side, who repeatedly came down towards this end to see if members were hiding or sleeping, this mistake would not have occurred. The Government Whips did not do that; they simply took the votes from the Table and in those circumstances they are bound to make a mistake.

Upon which the House divided:

AYES—68.

Abraham, J. H.	Boltman, F. H.
Bekker, G. F. H.	Botha, P. W.
Bezuidenhout, J. T.	Brink, W. D.
Brits, G. P.	Louw, E. H.
Conradie, D. G.	Luttig, H. G.
Conradie, J. H.	Malan, A. I.
Deysel, A. J. B.	Malan, D. F.
Döhne, J. L. B.	Maree, W. A.
Dönges, T. E.	Mentz, F. E.
Du Pisanie, J.	Olivier, P. J.
Du Plessis, P. J. C.	Oost, H.
Du Plessis, W. C.	Papenfus, S. F.
Erasmus, F. C.	Pieterse, P. W. A.
Erasmus, H. S.	Potgieter, J. E.
Erlank, A. E.	Sauer, P. O.
Eyssen, S. H.	Schoeman, B. J.
Faurie, W. H.	Scholtz, D. J.
Fouché, J. H.	Steyn, A.
Fouché, J. J.	Steyn, J. H.
Frates, T. J.	Strydom, G. H. F.
Grobler, D. C. S.	Strydom, J. G.
Havenga, N. C.	Swart, C. R.
Hertzog, A.	Uys, D. C. H.
Hugo, P. J.	V. d. Heever, D. J. G.
Jansen, E. G.	Van Heerden, D. P.
Klopper, H. J.	Van Niekerk, J. G. W.
Labuschagne, J. S.	Van Rhyn, A. J. R.
Le Roux, P. M. K.	Van Schoor, J. J. F.
Le Roux, S. P.	Viljoen, J. H.
Liebenberg, J. L. V.	Visser, de V.
Loock, J. H.	Vosloo, L. J.
Loubser, J. A.	Warren, S. E.
Loubser, S. M.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—61.

Abbott, C. B. M.	Kahn, S.
Allen, F. B.	Kentridge, M.
Ballinger, V. M. L.	Lovell, L.
Barlow, A. G.	McMillan, N. D.
Bekker, P. B.	Mitchell, D. E.
Bell, R. E.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Pocock, P. V.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Smit, D. L.
Du Toit, R. J.	Smuts, J. C.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. G.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.
Jordan, R. D. P.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

The MINISTER OF THE INTERIOR: I move as an unopposed motion—

That the House do now resolve itself into Committee and that Mr. Speaker leave the Chair.

Mr. SERFONTEIN: I second.

Agreed to.

House in Committee:

The CHAIRMAN: The Bill has been referred to the Committee for the purpose of further considering sub-section (3) of Clause 5.

The MINISTER OF THE INTERIOR: I move—

After "incorrect" in line 39 to insert "he may, subject to the provisions of sub-section (7) of Section 11 and after giving notice to that person and, if he is a minor, also to his guardian, specifying in which respect the classification is incorrect, and affording such person and such guardian (if any) an opportunity of being heard, alter the classification of that person in the register".

*Dr. JONKER: I beg to move as an amendment—

After "incorrect" in line 39 to insert "he shall give notice to that person and, if he is a minor, also to his guardian, that he intends to alter the classification of the person and if that person so consents the director may alter his classification accordingly and if he does not consent thereto within one month of date of such notice the director shall refer his proposed classification to a board, whereupon the provisions of section eleven shall apply mutalis mutandis".

I think after the occurrences of yesterday afternoon and this afternoon, and in the light of everything that has happened, the Minister ought to realise that he should accept this amendment. I do not think that this happened fortuitously; I feel that there is some significance in what happened and since my arguments could not persuade the Minister, I think yesterday's majority ought to convince him that the words proposed by me are better than the words in the clause as it stands. He has already caused his party to suffer a defeat by insisting on the retention of the words proposed by him. I feel that if he persists in that attitude, his party will suffer yet another defeat as the result of it. I do not want to repeat what I said yesterday or on a previous occasion. I merely want to point out to the hon. the Minister that when I spoke of the seriousness of the classification and stated why we could not deal with that question frivolously or lightly, he should bear in mind that when once such a classification has been made the person concerned and his descendants can never again move outside the group in which they have been classified. It is stated in the definition that a person will be judged by his appearance and by his associates. He will be regarded as a European if in appearance he is a European and if he habitually associates with Europeans, but I want to submit to the Minister that surely that is not the only test in practice. We have a similar provision in the Mixed Marriages Act. The Minister explained, by way of notice in the newspapers and elsewhere to all marriage officers that they were only to judge by the appearance and the associates of the person to question. We have already had a case in Cape Town where someone who in appearance and by general acceptance was a European, married, but it subsequently transpired that according to her descent she had some non-European blood, in other words, her father was of light colour; and the marriage officer concerned was convicted.

*Dr. VAN NIEROP: She had attended a Coloured school.

*Dr. JONKER: If my hon. friend will listen for a moment he will grasp the point. That marriage officer was convicted by spite of that fact that the Minister had laid down that only those two tests were to be applied. Now we have the same sort of thing in this Bill, and here too we will find that when a person has been grouped in one class, the director will also apply the test of descent in order to classify that person in another category and once he has been put into that category he can never move out of that category again. That is the irrevocable aspect of this classification, in spite of the definition, and it is on the strength of that that we urge that those arbitrary powers should not be given to the director, but that he should refer the matter to the machinery which is being created under Clause 11. I do not want to go into that at greater length, but I want to make an appeal to the Minister for the fourth time, once and for all to accept these words which the division that we had yesterday clearly showed to be the best words. In that case he will experience less difficulty with his Bill.

Mr. GALE: I desire briefly to support the amendment which has been moved by the hon. member for Cape Town (Gardens) (Dr. Jonker). The circumstances in which this amendment is again under consideration are well known to the House, but I suggest, Sir, that providence required this amendment to be accepted by the Committee, but unfortunately the machinations of man by the addition to the numbers voting on the

other side and of the sick and the lame have altered the desire of providence in this matter, they have, in fact, circumvented what would have been providential for the country and I submit that I have a feeling that the just reward of that interference with providence will be visited upon those who are guilty of such interference. In order to realise the disadvantages which attach to the clause as moved by the hon. the Minister, we ought to take into consideration three main factors. The first is that this clause endeavours to enshrine in the legislation of our country a principle which the laws of our country do not accept and do not adhere to. The principle to which I refer is that in this clause, as moved by the hon. the Minister, the onus is thrown upon the person against whose classification an objection is made, to clear himself. In other words, whereas we in our laws uphold the principle that he who alleges must first prove, we find that in this clause, as submitted by the hon. the Minister to the Committee, the person against whom an objection has been made is being given the opportunity of being heard. The hon. the Minister in Clause 11 has provided the machinery through which objections against classifications should be heard and in this clause the hon. the Minister departs from his own Bill. He provides in Clause 11 that a board should consider these objections and yet in Clause 5 he seeks to leave a back door open in order to give the director the right to consider this matter and the director, in terms of Clause 5, is the sole arbiter in a matter which is of the utmost importance not only for the ordinary citizens of South Africa but also to the hon. gentleman who sits opposite. The matter of classification affects the status of every citizen in South Africa. Matters of status are regarded by us, very rightly, as being matters of extreme and supreme importance. Even in the consideration of matters affecting the matrimonial status we know that those matters are regarded as being so important that they are taken outside the jurisdiction of the ordinary magistrate's court and are placed within the jurisdiction of the highest court of our country. In spite of that, the hon. the Minister, who is here dealing with a matter which might be regarded as being more important than matrimonial status, that is the status of an individual as to whether he is to be regarded as a Coloured, a European or a Native — and that decision will be carried on throughout the ages to all the descendants of the individual concerned, I submit, Sir, that the hon. the Minister is toying with a matter of supreme importance by suggesting that that decision should lie within the sole judgment of one particular person, called the director

The MINISTER OF THE INTERIOR: Subject to appeal.

Mr. S. E. WARREN: He has not seen that.

Mr. GALE: The hon. the Minister says "subject to appeal" and the hon. member for Swellendam has awakened from his semi-coma condition and he now interjects as usual. I suggest that the hon. member for Swellendam can get up immediately after I have finished and if possible try to controvert the arguments that I am putting forward. The hon. the Minister, in his interjection, quite rightly pointed out that it is subject to appeal, but it is amazing that the hon. the Minister now takes shelter under Clause 11 where the right of appeal is provided for. He is, in fact, agreeing with my argument . . .

Mr. S. E. WARREN: He is not.

Mr. GALE: In ordinary circumstances I would take no notice of the hon. member for Swellendam. He really does not merit any such notice, but when he interjects so considerably, I suggest that he is toying with the Chair and I suggest that the members in this House should get the protection of the Chair against such members as the hon. member for Swellendam. Now, Sir, to return again, if I am permitted to do so, to the point I was making in regard to the Minister's interjection, the Minister is hiding behind the provision of Clause 11 which provides for an appeal. The whole burden of my argument up to now is that this entire procedure should be dealt with in terms of Clause 11. So I do hope that when it comes to the voting, the hon. the Minister will cross over and vote for his own argument.

Mr. Chairman, there are lots of advantages in favour of the amendment. There are more advantages in favour of the amendment than there are disadvantages applicable to the clause as moved by the hon. the Minister. I do not intend to deal with all the advantages, because some of them must be obvious even to the hon. member for Swellendam, but the hon. member for Gardens has covered the ground very fully indeed, and I would like to touch on one obvious advantage only. The clause, as submitted by the hon. member for Gardens, provides a short-cut in regard to any objection which is made to a person's classification. The short-cut which is provided by the amendment is that when the director has given notice to the person concerned of an objection to his classification, that person has the opportunity to consent to such objection, in which even the amendment provides that the director may alter the classification accordingly. There is no such suggestion as that in the hon. the Minister's clause. I suggest, therefore, that if he has the interests of the over-burdened State officials at heart, he should at least take this one opportunity of lightening their burden by taking the short-cut to these objections which might be raised. The

amendment which the hon. member for Gardens has put forward, appears to me so sound and so reasonable that even the Minister should accept it and I unhesitatingly give the hon. member for Gardens my whole-hearted support to his amendment.

Col. JORDAN: I think what the country and the Committee should realise is that the hon. the Minister on more than one occasion in this Bill gives with one hand and takes away with the other. One illustration of that is that in Clause 2 various people originally excluded from the register were drawn in and in Clause 21 people who were then brought in he takes power to exclude. In Clause 11 he provided for formal objections, subject to the safeguard of appeal, but in order to ensure that that procedure shall not necessarily constitute the safeguard which the Bill appears to provide, he incorporates in Clause 5 provision for another form of objection. If one examines Clause 5, particularly sub-section (5), now before the Committee, it starts with these words, "If at any time it appears to the director . . .". Mr. Chairman, the information on which the director makes the classification is gleaned from the census. If the census said that a particular person is a Coloured person, then there is no other evidence upon which the director bases the classification. As, therefore, the source of his information for the purpose of making the original classification is limited to the census, does it not mean that in Clause 5 that information contrary to that to be gathered from the census, must come from some other source? What other source can it come from? It can only come from a communication made to the director by some person. The result is that by the provisions of Clause 5, the Minister himself provides the loophole of escape from the formality, which, in the interest of the public, he inserted in Clause 11. Surely that is not a fair way in which to deal with the people of this country, surely it is trifling with the people, as it is trifling with the Committee and was trifling with the House, that a form of procedure should be laid down and in the same measure a loophole of escape from its consequences be provided. Now what does the amendment lead to? The amendment has due regard to any administrative difficulty which might confront the director in certain circumstances and it attempts to solve the administrative problem which may confront the director, because it says this: That if an objection is taken in the form of a communication made to the director under Clause 5 from which it is made to appear that the classification he made was wrong, upon his communicating that to the person affected, the person affected may consent to an alteration of the classification. Therefore, there is no administrative burden created by the amendment moved by the hon. member for Gardens. So that is the one thing that can happen. Upon receipt of a communication, which, incidentally, the Bill ought not to give any power to make, but which nevertheless is done, the director can act upon the consent of the person concerned; but if the person, whose classification is attacked in a communication addressed to the director, decides to contest that, then the amendment says: Very well, if you wish to pursue your objection to the classification, now you must comply with the provisions provided in Clause 11 and go through the procedure that is laid down in that clause. Therefore, my submission is this, that the hon. the Minister might make an attempt — now that providence has been kind enough to afford him this second opportunity — he might consider this matter in the spirit of attempting to meet the Opposition in a way which will reasonably safeguard the people, as he is able to do. I, therefore, support quite unhesitatingly the amendment moved by the hon. member for Gardens and I hope that the hon. the Minister, instead of maintaining his stubborn opposition to everything that comes from this side of the House, will see the reasons behind the amendment and will accept it.

The substitution of the words proposed by the Minister of the Interior was put and the Committee divided:

AYES—67:

Abraham, J. H.	Loubser, J. A.
Bekker, G. F. H.	Loubser, S. M.
Bezuidenhout, J. T.	Louw, E. H.
Boltman, F. H.	Luttig, H. G.
Botha, P. W.	Malan, A. I.
Brink, W. D.	Malan, D. F.
Brits, G. P.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Olivier, P. J.
Döhne, J. L. B.	Oost, H.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Pieterse, P. W. A.
Du Plessis, P. J. C.	Potgieter, J. E.
Du Plessis, W. C.	Sauer, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	Uys, D. C. H.
Grobler, D. C. S.	V. d. Heever, D. J. G.
Havenga, N. C.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Jansen, E. G.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan
Loock, J. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—62:

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lovell, L.
Bekker, P. B.	McMillan, N. D.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Pocock, P. V.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Smit, D. L.
Du Toit, R. J.	Smuts, J. C.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Words accordingly agreed to and the amendment proposed by Dr. Jonker dropped.

Sub-section (3), as amended, put and the Committee divided:

AYES—67:

Abraham, J. H.	Hertzog, A.
Bekker, G. F. H.	Hugo, P. J.
Bezuidenhout, J. T.	Jansen, E. G.
Boltman, F. H.	Klopper, H. J.
Botha, P. W.	Labuschagne, J. S.
Brink, W. D.	Le Roux, P. M. K.
Brits, G. P.	Le Roux, S. P.
Conradie, J. H.	Liebenberg, J. L. V.
Deysel, A. J. B.	Loock, J. H.
Döhne, J. L. B.	Loubser, J. A.
Dönges, T. E.	Loubser, S. M.
Du Pisanie, J	Louw, E. H.
Du Plessis, P. J. C.	Luttig, H. G.
Du Plessis, W. C.	Malan, A. I.
Erasmus, F. C.	Malan, D. F.
Erasmus, H. S.	Maree, W. A.
Erlank, A. E.	Mentz, F. E.
Eyssen, S. H.	Olivier, P. J.
Faurie, W. H.	Oost, H.
Fouché, J. H.	Papenfus, S. F.
Fouché, J. J.	Pieterse, P. W. A.
Frates, T. J.	Potgieter, J. E.
Grobler, D. C. S.	Sauer, P. O.
Havenga, N. C.	Schoeman, B. J.
Scholtz, D. J.	Van Niekerk, J. G. W.
Steyn, A.	Van Rhyn, A. J. R.
Steyn, J. H.	Van Schoor, J. J. F.
Strydom, G. H. F.	Viljoen, J. H.
Strydom, J. G.	Visser, de V.
Swart, C. R.	Vosloo, L. J.
Uys, D. C. H.	Warren, S. E.
v. d. Heever, D. J. G.	Wilkens, Jan.
Van Heerden, D. P.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—62:

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lovell, L.
Bekker, P. B.	McMillan, N. D.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Pocock, P. V.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Delport, G. S. P.	Smuts, J. C.
Eaton, A. H. J.	Solomon, B.
Eaton, N. G.	Steenkamp, L. S.
Friedman, B.	Strauss, J. G. N.
Gale, D. J.	Stuart, W. H.
Gay, L. C.	Sturrock, F. C.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Sub-section (3), as amended, accordingly agreed to.

The MINISTER OF THE INTERIOR: I move—

That the Chairman report sub-section (3) of Clause 5 with an amendment.

Agreed to.

House Resumed:

The CHAIRMAN reported sub-section (3) of Clause 5 of the Bill with an amendment.

Amendment considered and agreed to.

Amendments in Clauses 15, 16, 18 and 19 and the amendment in paragraph (b) and

the omission of paragraph (c) of sub-section (1) of Clause 20 put and agreed to.

In Clause 20,

Mr. RUSSELL: Mr. Speaker, I rise in the somewhat vain hope of persuading the hon. the Minister to accept my amendment to this clause. The amendment is as follows—

> In Clause 20, to omit all the words after "prescribed" in line 60 to the end of sub-section (1).

The Minister hitherto has not been swayed at all, by any pleadings of mine, from his path of dictatorial dishonour, nor influenced by any reasoning I used in the Committee Stage; nor has this obdurate and obstinate Minister been moved in the least from his arbitrary attitude by the scintillating speeches and brilliant arguments adduced by the hon. member for Fauresmith in 1945, and reproduced in their original form yesterday by me. I quoted him extensively to himself, but apparently he was unconvinced by his own arguments. I think, Sir, that when Dönges disagrees with Dönges, the members of this House might well despair of making any dent in his armour of despotic inclination.

In the Committee Stage he said that the sentence we proposed be omitted from Clause 20, namely, "or which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved" should remain, because its retention guards us against his doing anything by regulation that is "inconsistent with the Act". That was his reason for the retention of this sentence. Surely, that argument is untrue and false. I think the Minister knows his contention is specious in that regard. The Minister knows the reason why the time-honoured custom of putting into a Bill the words "not inconsistent with the Act" was discontinued; because if anything is done by way of regulation which is inconsistent with an Act, it is automatically ultra vires. So that the protection the Minister claims this particular clause gives, actually does not exist. He cannot make regulations that are inconsistent with the Act.

The MINISTER OF THE INTERIOR: For the purposes of the Act.

Mr. RUSSELL: No, "not inconsistent with the Act" — those were the words the Minister used.

The MINISTER OF THE INTERIOR: It must be for the purposes of this Act.

Mr. RUSSELL: Obviously it must be for the purposes of the Act. He cannot introduce any regulations which are not for the purposes of this Act.

The MINISTER OF THE INTERIOR: Are you moving to delete those words?

Mr. RUSSELL: I have moved to delete them.

The MINISTER OF THE INTERIOR: Move the deletion of those words.

Mr. RUSSELL: Do I take it the Minister will accept . . .

The MINISTER OF THE INTERIOR: No, I will accept it if you move the deletion of the words after "prescribed" in line 61.

Mr. RUSSELL: The word "prescribed" is not in line 61. Does the Minister not realise that we are dealing with Clause 20, with line 60 on page 17? I have moved to omit all the words after the word "prescribed" in line 60, up to the end of that sub-section. I also moved that in the Committee Stage and the Minister refused to accept it.

The MINISTER OF THE INTERIOR: From where do you want the words removed?

Mr. RUSSELL: I think it is quite clear in my amendment. From "prescribed" in line 60 to the end of sub-section (1).

The MINISTER OF THE INTERIOR: If you move the deletion of the words after "prescribed" in line 61, I will accept it. That is to test your argument.

Mr. RUSSELL: The Minister may be testing my argument. I am testing his honesty. The Minister is too quick in trying to move these funny little, clever little amendments which leave a back door of escape for him. The hon. member for Rondebosch (Col. Jordan) speaking to him a moment ago, showed how he left a back door, in regard to Clause 2, in Clause 21. I spoke yesterday about how he left a back door to clause 7, by virtue of Clause 20 (h). He is always making back-door amendments.

The MINISTER OF THE INTERIOR: I am only exposing the fallacy in your argument.

Mr. RUSSELL: The Minister is not exposing any fallacy at all. The Minister used a specious argument and it still remains specious. He used the argument that this sentence in the sub-clause prevented him from doing anything inconsistent with the Act.

The MINISTER OF THE INTERIOR: I did not say that.

Mr. RUSSELL: It does not prevent him at all. The law prevents him. Actually this sentence is no protection for us at all. If this clause stays here, he can still not do anything inconsistent with the Act.

The MINISTER OF THE INTERIOR: Nobody ever suggested that.

Mr. RUSSELL: The Minister suggested it yesterday.

The MINISTER OF THE INTERIOR: I was speaking about the purposes of the Act.

Mr. RUSSELL: But the Minister is always limited by the purposes of the Act, even if he does not say so.

The MINISTER OF THE INTERIOR: Then move that the words should be deleted.

Mr. RUSSELL: I leave the responsibility to the Minister. He is in charge of this Bill, and running it very inefficiently, too. The deletion is something we should be able to entrust to the Minister if he thinks it is necessary. Does he really feel as sincerely, as he says he does, about the sovereignty of Parliament; and about the need for supervising Ministers in making regulations? They are uncontrolled in this House at present by any sort of machinery, even the parliamentary machinery he suggested should be introduced, and that we expected he would introduce as soon as he climbed into the seats of the mighty. We have had enough of this Minister claiming with oleaginous complacency that he believes in the sovereignty of Parliament. He said yesterday that he believed Parliament was supreme. We admit that Parliament can delegate, and has the right by its own free will to limit even its own sovereignty. We grant that. We all know that delegation, though an evil, is a necessary evil. We all know that it is an administrative necessity of government. I accept that as I have always accepted it. The Minister knows it, too. But what I want to ask him is why did he not show this same reverence for the sovereignty of Parliament as the final expression of the will of the people; why did he not accept the decision of Parliament made by a free and open vote; why did he not accept the constitutional position quite willingly when this House decided in September, 1939, to go to war? And I ask him this, too: In 1945, when he spoke as the hon. member for Fauresmith about controlling Minister's regulation-making powers, did he not realise then that any delegated powers that had occurred before that date, between 1939 and 1945, that any delegated powers passed on to our Ministers, had also been given by a free vote of this House and after a free discussion in this Parliament? Might I point out to the Minister that our party in Parliament at that time represented the majority of the people of the country, in addition to the majority of the seats in the House. Now he sits in a minority Government that does not represent the majority of the people of this country. Yet he is not ready to curtail any of his dictatorial powers. He willingly grasps arbitrary powers on every possible occasion, in spite of his own words of 1945, that "no executive should have these uncontrolled powers"; in spite of his previous arguments in favour of supervision by a scrutinising committee of some sort. This shows an inconsistency on the part of the Minister which, I think, is to be deplored. Now he talks about a free vote of the House and our willing acceptance to grant the powers he wants, when he knows that this measure is being steamrollered and passed through the House . . .

Mr. SPEAKER: The hon. member is not allowed to say a measure is steamrollered through this House. There is full opportunity for the discussion of every measure introduced into this House. The hon. member may proceed.

Mr. RUSSELL: Surely, Sir . . .

Mr. SPEAKER: I have given my ruling, and I will not allow a discussion on it.

Mr. RUSSELL: In 1945 the Minister persuaded himself, temporarily, that he was a democrat. He called delegations of that time, in spite of the large parliamentary majority, a "hissing in the ears of democratic-loving people of this country". Am I allowed, Sir, now to say to him that the pushing through of this clause by a party that represents a minority in the country, is also a hissing in the ears of democratic-loving people in South Africa? May I throw his very words back at him, and may I also say that this Government is not democratic but the very reverse of democratic, that it spurns Parliament and ignores the personal freedoms and liberties we are so used to; that it is Nazi-inclined and that he cannot be entrusted with the unfettered powers he wishes us to give to him. To find in 1950 that the Minister justifies actions which he deplored in 1945, is a regrettable thing. I am certain, Sir, that when we hear him talk with unctious rectitude about the sovereignty of Parliament, we cannot take very seriously what he says. We must notice his change of attitude towards the things he held dear in those days and compare his actions of today. We know that in this House he supported me at a time when I pointed out these very flaws, in the uncontrolled system of delegated powers, to my own Government. I think this political lawyer, now that he has argued the case . . .

Mr. SPEAKER: I must ask the hon. member not to be personal and not to lower the debate to the level of personal remarks.

Mr. RUSSELL: Mr. Speaker . . .

Mr. SPEAKER: To call the hon. member a political lawyer is not parliamentary language. If the hon. member thinks it is, he may continue.

Mr. RUSSELL: My point is that, as a political lawyer, he argued the brief for the sovereignty of Parliament in 1945, and now in 1950 he has argued a brief in directly the opposite direction. That is the point. I think I will quote the very words the Minister used against uncontrolled delegated powers in 1945, which we accepted then although we do not now believe them to be genuine. "The irony of the position today is that we have a Government which is supposed to be a protagonist of the system of democracy and of the sovereignty of Parliament and personal freedom and liberty. Yet, if one must judge by their actions they are just the very reverse. No body of persons in this country is doing more to make democracy a hissing in the ears of the people of the country than this Government which does not now grace the benches on the opposite side." If he made those remarks today, you might have accused him of bringing the debate down to a personal level. I think, Sir, that anything I have said has been inspired by a natural indignation, that a person who spoke in that way in 1945 did not have the courage to speak in the same way in 1950. Now that he has changed from the Opposition to the Government benches he wants to use the very powers, he wishes this House to give to him those very powers against which he previously protested and to pretend that we willingly give them, that we grant them without any objection. Any person who values real democracy is likely to object to a change of attitude such as this. I think he must be accused of having mouthed many a platitude in favour of the sovereignty of Parliament; he must be accused of having dropped all these high ideals, because now he insists on grasping these rights when he knows there is no safeguard against the abuse of these powers; when he knows how he intends using those powers and when he knows that Parliament should not grant them to him unless they are controlled by some parliamentary machinery, which he knows very well does not exist today.

Mr. Speaker, I now wish to come to other points in my argument, points I was unable to enlarge on in the Committee Stage. I wish to indicate certain disadvantages in the Select Committee's new clause governing regulations which the Minister now proposed this House should accept. The first flaw in this new clause is a weakness which I suggest my amended clause does not contain. That is that anything previously done or decided upon in terms of these regulations, published perhaps during the recess, cannot be examined except when Parliament meets at some later period. Even then they can only be inquired into retrospectively. Anything done under them cannot, however, be corrected retrospectively. Even after that period, not only are our methods of correction severely curtailed, but almost non-existent. A method of correction is seemingly made available to us, but as I think I proved yesterday, that method is totally inadequate. I am sure I showed that the safeguards are comparatively useless. I hope I showed quite clearly that even a minor correction, much less a total abrogation of any regulation to which we object, would be a practically impossible procedure in this House. Unless we are granted Government time to discuss the matter we are powerless, and I ask anyone whether we can confidently expect to be granted any opportunity such as that. I feel, and I think the Minister knows it too, that he will have regulation-making powers which will be quite uncontrolled. This clause he has inserted here is another back door. It seemingly gives protection to this House. Through another back door, however, our protection is removed because we have no scrutinising committee, of the sort he previously wanted. We will have only limited means of ever raising objections in this House. Particularly half-way through a difficult and long session, it will be impossible for the Government to give us the time to discuss regulations which the Minister may have promulgated even while we were in Session. He takes powers under this clause to make regulations even while Parliament is sitting. And then he gives us such limited rights of questioning, modifying, altering or abrogating regulations, that we might as well admit that Parliament is being by-passed. The only way in which we can correct those regulations is by private member's motion, and what chance has a private member of raising such a matter by way of motion at a late stage in the session or even half-way through a session?

Other serious disadvantages of this clause were pointed out by me yesterday. I used four or five arguments which the Minister has heard, and I will not repeat them. But I will say this that one of the usual arguments used in favour of giving regulation-making powers to the Executive, is that, in times of emergency, speed is the essence. Sometimes the Government must act quickly. We grant that, and we would grant them more powers more willingly if we had some check on the use the Government made of those powers. But, Sir, in this case there is no need for speed. Time

is not of the essence. We know ourselves that classifications are only going to be carried out according to the information gleaned by the director from the 1951 census. We know that at the present moment the Minister is conducting experiments in Pretoria to see how the Act will work. Therefore, Sir, he has ample opportunity, to find out what flaws may exist in the administrative aspects of this Act; he has plenty of time, before the census figures become available, to draft all the regulations he can possibly think of and bring them to this House for proper consideration and approval. They could easily and timeously be approved of or rejected by this House in full session. I feel sure that the argument of speed, the reason which is usually advanced for giving the Executive unusual powers in a real time of emergency such as in time of war, cannot be justified in this case. I am certain the Minister knows there is no real need for haste.

I will admit that the clause proposed by me, asking for the positive affirmation of these regulations by both Houses of Parliament, is a stringent one. I will grant you that the clause the Minister suggests would suffice if only small, mere administrative details had to be worked out by regulation-making. But obviously that is not so. Obviously the Minister has other intentions in mind, other laws in mind, that he wishes to make in his office in Pretoria by way of regulations. I insist that in this instance, in the case of this wretched Bill, which alters a man's status, alters more than a man's status, alters his children's status for ever — that a strong, positive clause is needed to prevent any abuse of regulation-making powers that might affect a man and his children for ever and a day. For this Bill, by classifying a man in a certain racial group, will for his whole future affect how he can vote, where and how he can travel, how he can take his pleasures and recreations, whom he can marry, where he can live, and even where he can be buried. I submit that in a Bill which can so drastically alter a man's status so as to affect all these liberties I have mentioned, we need the strongest possible protection. Abuse of any of the powers we delegate to a subordinate authority like a Minister, should be safely guarded against. We should ensure not only that we can rectify mistakes, but that this House always has an opportunity of discussing, of reading, marking, learning and more than inwardly digesting any measure that a Minister proposes to introduce by way of regulation-making. I think it is important that we should not allow the slightest loophole through which a man's status may be affected by departmental decree. I prefer, Sir, that we should have a positive, affirmative resolution of this House, rather than let a regulation become law by a negative neglect, which is what will happen in terms of the Minister's amendment.

In conclusion, Sir, I would like to say that we in this House are very alarmed at the dictatorial propensities not only of this Minister, but his Government. I think we have seen in this Bill, and in previous Acts, and in Bills that are yet to come before the House, an almost indecent lust for dictatorial power. I think myself that it is becoming an open scandal the way in which Ministers of this Government, in this Bill and in Bills like the Unlawful Organisations Bill, are taking powers to destroy and remove every single liberty that we hold dear. I think these Ministers of this Government, these would-be commissars of their projected Soviet of South African Republics, should be halted so that government of the people by the people should not perish from this earth of South Africa.

Col. OOSTHUIZEN: I second this motion. This motion has been very ably argued by the proposer, so it will not be necessary for me to go into much detail. But what amazes me is the fact that the position of this Minister who fought so gallantly with the proposer of this motion and myself when the United Party Government was in power, against delegated legislation, has deteriorated to the extent to which it has. Only during the First Session of Parliament a motion was put before the House to appoint a Select Committee to investigate the whole position and to provide machinery to safeguard the prerogatives of Parliament in regard to delegated authority in legislation, and the Minister supported that motion, but nothing has been done in that direction. It does seem to me, Sir, that when once guardians of public rights get into the Ministry, whenever a man becomes a Minister, he seems to get it into his imagination that he becomes a superman, and what he could not do when he was in Opposition as an ordinary member, he certainly can do then. Very often the only difference is in the size of the hat-bands, and not in any other direction.

Mr. SPEAKER: Order, order! Are we again coming to these personal remarks?

Col. OOSTHUIZEN: I withdraw that. I thought that was quite parliamentary. At any rate, one does get the impression that there is a decided change in the attitude of members of Parliament when once they become Ministers, and I do believe that the Minister was perfectly bona fide in his opposition to delegating legislation, and to giving these large powers to Ministers, when he was in the Opposition, and I wonder what has changed him to the extent that he has changed. Take the powers that the Minister wants to take here in regard to the regulations. It is quite sufficient for him

only to take the right to frame regulations that are necessary for the carrying into effect of this Act, but why go further and say "any regulations which the Minister might consider necessary or expedient"? It is surely quite unnecessary to go to that extent, and I do say to the Minister that if he cannot go further he should agree to the amendment of that particular sub-section to that extent. After all, we are the guardians of the prerogative of Parliament and of the people, and when you look at the powers given under this section in regard to the framing of regulations, you find that power is given in sub-section 2 to frame penal regulations in which penalties can be prescribed, and under which the failure to do certain things will render the person concerned liable to a fine of £50 or imprisonment for a period of six months. Surely that is a very great power, to delegate to a Minister, to enable him to make regulations for this purpose, and the very fact in an important measure like this should weigh with this House, and any regulations framed should be scrutinised by this House when such vital rights of individuals are involved as those involved under this Act. The Minister said that certain safeguards had been provided in sub-sections 3 and 4 but we know that those safeguards mean absolutely nothing at all. Under the first sub-section, he only has to lay those regulations on the Table of the House. That does not mean anything at all. Parliament cannot take any action in connection with them at all, so that safeguard may just as well be left out of the Bill because it means absolutely nothing.

The MINISTER OF THE INTERIOR: Are you serious?

Col. OOSTHUIZEN: With regard to the next sub-section, it would be quite impossible while that Government is in power by resolution of both Houses of Parliament to vary any of those regulations, so I think it would be much more honest to leave those sub-sections out entirely and to let us realise that these regulations are so wide that the Minister can do anything under them, and let us realise that the safeguards he has attempted to put into the Bill signify exactly nothing. I do say to the Minister: Think back to the attitude you have taken in the past when you so severely criticised Ministers who sat on the other side when you were sitting on this side and show that you were bona fide in your attitude. I can at least say and the hon. member for Woodstock (Mr. Russell) who proposed this motion, can say that we have been consistent. The party of which I am a member, when it was in power, knew me as one of their severest critics on the question of delegated legislation. I fought that issue in every Bill, and I had the very able support of the present Minister, and I do say to him: Show that you are really a Minister who is prepared to protect the prerogatives of Parliament as you have said in the past, and that you are prepared to give certain safeguards here in framing regulations which affect the whole status of citizens, not only of present citizens but also the status of their children and grandchildren to the end. I do make a very strong appeal to the Minister to agree to the amendments that have been put forward by the proposer of this motion, and if he cannot so far as to agree to any alteration in the regulations being made with the consent of both Houses, let him at least go to this extent and say that it would be sufficient if the regulations are disapproved by this House; let him at all events extend the safeguard, although I do not think it will mean anything at all, because I am quite sure that those members on the Government side supporting this Minister, will accept any regulation that he chooses to place before the House. I second the motion.

Col. JORDAN: I desire to associate myself with what has been said in relation to the subject of government by regulation, and the first point with which I wish to deal is the first amendment which has been moved by the hon. member for Woodstock (Mr. Russell). It seems to me that where a Statute provides in a number of sections that regulations may be made or forms prescribed, and generally defines the matters which can be prescribed by the employment of administrative action, there is no need to go as far as this particular clause goes at the end of sub-section 1 of Section 20. The words, to which the amendment takes exception in sub-section 1, are words which, if effect were given to them — and it is, of course, always a moot question as to whether a regulation which does not deal with the matter prescribed specifically in an Act can have effect, because it must then be examined from the point of view, not of how power to prescribe is given, but from the angle as to whether the regulation made is consistent or inconsistent with the Act — are words which give too wide a power — and it seems to me that provided the legislation itself defines the matters in respect of which it is competent to deal by regulation, the Minister should content himself with that power as a sufficiently wide power. I do not want to add to that, but I do want to associate myself with the reminder to the Minister which has come both from the mover and the seconder of the motion. At one time, as has been pointed out, he was a champion who assailed on every occasion this delegation of powers by Parliament. Let me remind the hon. the Minister that so serious a view did the whole legal profession take in regard to the extent to which Parliament was delegating its powers — and it was concerned, too, with the extra-

ordinary breadth of delegation that was taking place — that the legal profession, shortly before the present Government took office, organised a large and representative deputation to the then Government. That deputation consisted not only of representatives of the legal profession but it had on it representatives of the Associated Chambers of Commerce, the Federated Chamber of Industries, certain of the agricultural organisations, the Association of Trust Companies, and so on, so that the very composition of that deputation shows the widespread concern that does exist in regard to this delegation by Parliament of these wide powers to the executive, and it was felt that the time had come when some proper curb should be placed upon them. Since then a number of Select Committees of this House have dealt with the matter. The first was the Select Committee which the hon. the Minister accepted in the very first session of this Parliament, I think, in August, 1948, upon a motion moved by the hon. member for Woodstock. The Minister felt in regard to that motion that it was framed in language, of which he could not entirely approve, and he himself moved an amendment which resulted in an examination by a Select Committee of this whole, intricate and complicated problem. The Select Committee ultimately, upon a reappointment by the House in successive sessions concluded its labours and reported to this House. It happened that so far the House has had no opportunity of debating the merits or demerits of the suggested procedure that was proposed by the Select Committee.

Mr. MITCHELL: And it was a unanimous report.

Col. JORDAN: It was, as I am reminded, a unanimous report. It was a report of a Select Committee, of which the majority was naturally and properly composed of members from the Government side of the House. This is not a party political question, and I hope that the hon. the Minister will not think for one moment that this side of the House is dealing with this issue in any party political spirit whatever. It is simply that this Bill does provide an opportunity to raise this issue again. I do not propose to carry the amendment to sub-section (1) any further, and I want to pass on to sub-sections (3) and (4), the sub-sections that were inserted into this clause by the Select Committee. The hon. the Minister has told both the Committee of the House and the House that the scheme which he has designed for the control of regulations is unique, with one possible exception. I do not know of that exception, and I want to say so at once and I accept it. The probabilities are very high — let me put it that way because I have not been able to check myself — the probabilities are very high that only in one other statute were the safeguards, which the hon. the Minister has incorporated in these two sub-sections, incorporated and that was a statute passed by this Government since it has been in power — I think, the Prince Edward Island Act. The question, however, is this: Is the hon. the Minister really satisfied that what he has provided in sub-sections (3) and (4) do constitute a safeguard of the character for which he argued with such power when he sat on this side of the House? Is he really satisfied that he has provided the protection of which hitherto he has been a proponent? When you look at sub-section (3) you find not that it is new, you find that it is ancient. You find the provisions of sub-section (3) of this clause in Section 17 of the Interpretation Act of 1910. Sub-section (3) of this clause provides no more than that regulations shall be laid on the Tables of both Houses of Parliament within certain times. Section 17 of the Interpretation Act provides exactly the same thing. The times may be different. Then in sub-section (4) the hon. the Minister provides machinery for an attack upon regulations which have been laid on the Table of the House. Surely that has no very real merit? Of course, I take it that, if under Section 17 of the Interpretation Act of 1910 regulations had been laid upon the Table of the House, it would have been competent for any member to bring those regulations so laid upon the Table of the House under review, by a notice of motion to that effect, moved by any member of the House. That surely would have been a remedy and, if that is so, then the hon. the Minister in sub-section (4) is doing no more than enacting a piece of procedure which exists as an inherent right of Parliament even without the authority of the sub-section. That is how it appeals to me. I think that that could have been done.

The hon. member for Woodstock, in the second portion of his amendment, asks that instead of this negative procedure, in terms of which you attack a regulation, maybe after it has been in force for months, there should be substituted for this negative procedure, the positive procedure of deferring promulgation until after regulations in draft have been approved by Parliament. Let me put to the hon. the Minister what an enormous difference there is between these two procedures and, if I may say so, one does feel that one is putting a point of view to the one Minister who should be able to appreciate and sympathise with that point of view. Let me take his procedure first. The regulations are laid on the Table of the House. They happen to be promulgated a day or two after Parliament has risen. They then have validity by virtue of promulgation and they have the force of law until they are attacked in the next ensuing session of Parliament. They may then have run for a minimum of six months or more. It is asking an awful lot

then of a Minister not to defend regulations which have been in force as long as that, so that an attack launched on regulations which have been in force for six months or so is almost foredoomed to failure, because if such an attack were ever crowned with success, the very fact of success would result in the creation of a good deal of administrative chaos. Here in this Bill the position is that it will be some years before it is possible to bring this regulation scheme into operation. The information, upon which the register is to be compiled, only begins to come in as a result of the census of 1951. The hon. the Minister knows exactly the form in which that information will come to him. There is time to present to Parliament almost model regulation — plenty of time — and I suggest to him that the Bill will suffer no harmful consequences if the clause in replacement of sub-sections (3) and (4) proposed by the hon. member for Woodstock were inserted in this Bill. This is an opportunity of testing out machinery of that type and I think the hon. the Minister might well, on this occasion, seize that opportunity. I can quite understand the reluctance of the executive introducing a clause governing regulations, such as that suggested by the hon. member for Woodstock, if there were urgency in the problem with which the projected regulation was designed to deal. But here there is no such urgency whatsoever. You will have at least a matter of two years or more — probably a very great deal more — in which to settle the regulations. These are regulations framed under an Act that will be dealing with the question of status and how you are to safeguard your status, and it may be dealing with matters of procedure. Why not then, having regard to the important consequences of this Bill to a large section of the population of the country and having regard to the fact that there is ample time to frame regulations, why not then on this occasion test out whether the machinery that is proposed to be created should not be adopted and see how it works? The hon. the Minister knows — I think the hon. member for Woodstock pointed it out on another occasion, if he did not do it on this occasion — that similar machinery has been created both in our own Statutes, at least in one case in 1935 in relation to the Fisheries Act, and that a clause somewhat similar to that moved by the hon. member for Woodstock figures in relatively recent English Statutes. I do hope, therefore, that the hon. the Minister will not remain completely adamant on this issue and will feel disposed, in view of the factors which I have advanced — and they are not political factors — they are factors which have been presented to him, I hope entirely objectively — I ask him to seize the opportunity of making an experiment in this Bill as it is an ideal Bill for that purpose.

The MINISTER OF THE INTERIOR: Apparently the hon. member for Woodstock (Mr. Russell) believes with Oscar Wilde that nothing succeeds like excess.

Mr. RUSSELL: You have said that before.

The MINISTER OF THE INTERIOR: The hon. member has, I am afraid, weakened the merits of his argument by the prelude to it. He has ascribed motives and intentions to me and he has generally launched a personal attack upon me. I have too high a regard for the dignity of this House and for my own self-respect to try to retaliate in kind. I can merely say that I treat those remarks with the contempt that they deserve

And now, having dealt with the demerits of the arguments put up on this clause, may I turn to the merits. I must say at once that the hon. member for Rondebosch (Col. Jordan), in very restrained terms, has argued his case very well. He has eschewed the personal attack, and I am glad to commend his example to the hon. member who sits behind him. The hon. member for Rondebosch has referred to the safeguards in this measure. May I point out to him again that what he has to look at in judging how far I have remained consistent with the opinions I expressed in bygone years, are the matters which can be determined by regulation in this Act. Two of the most important matters in the Act are certainly the contents of the identity card and the particulars that can be recorded or included in the register itself. Those are the two most important points. In the British Act both those points are left to the Minister to determine by regulation. I have in this Act in Clause 7 and again in Clause 13 very definitely said this—

> There shall in respect of every person whose name is included in the register other than a Native be included in the register the following particulars and no other particulars whatsoever.

In other words, in a matter which is usually left to be dealt with by regulation I have come forward and I have put that in the Act itself.

Col. JORDAN: May I put a question? What is the effect of paragraph (h) of sub-section (1) of Clause 20 upon that?

The MINISTER OF THE INTERIOR: That will have to give way to the express provision in the Act itself. That is quite clear. I do not think that any argument can be put up to say that anything in the Act can take away the force of the words "and no other particulars whatsoever". I think that the hon. member will see — I say that any person acquainted with the

interpretation of statutes will agree — that the express terms of Clause 7 and also Clause 13 will exclude the introduction of other particulars than those which are expressly provided for. I say, in England the position was otherwise, but in the Bill which I found on the files when I assumed office it was also otherwise. There also these very important matters were left in the hands of the Minister to be prescribed by regulation. I deliberately altered that and I think the hon. member for Rondebosch (Col. Jordan) will account that as righteousness unto me. I have introduced sub-clauses (3) and (4). The hon. member for Port Elizabeth (Central) (Col. Oosthuizen) has said that they are meaningless, but I submit that I think the hon. member for Rondebosch will agree with me that they are an advance on the usual procedure of having in terms of — is it the Rules of the House or the Interpretation Act? — the regulations laid on the Table of the House. I think it is a big advance on that. Now there is specific provision that the House may attack, apart from any question of ultra vires, it may now attack the wisdom, apart from the legality, of any regulation which has been framed, and it has the whole Session in which to do that. The difficulty under the old system has been that the regulations are laid on the Table of the House and usually that is the end of the matter. Here there is specific provision made for this defect, and in the Select Committee reports dealing with this, this has always been held as a step in advance of the normal procedure. It is quite true there is a further step which may be taken, and that is to have every regulation approved positively by a majority of the two Houses. But hon. members will also bear in mind that that is almost a counsel of perfection. It would mean that our Order Paper might possibly be clustered with a lot of regulations to which no objection can normally be taken, but which in terms of the provision which the hon. member wants will have to come before this House and will have to be approved of, before they have any force and effect. In the meantime, until they have been approved of, they are simply pro non scripto. Now that, from a practical and a realistic point of view I think the hon. member for Rondebosch will agree, is not a course which one will pursue except in very extraordinary circumstances. Some measure of that kind might perhaps have been appropriate if, for instance, there had not been the provision in this Act which I put in in Clauses 7 and 13, namely, that those matters must be dealt with by Parliament itself and not by the Minister.

Col. JORDAN: Under Regulation No. 10 (2).

The MINISTER OF THE INTERIOR: If the contents of the register or of the identity card had been a matter for regulation, then that might conceivably have been a matter in respect of which a provision of the nature proposed by the hon. member would have been appropriate. But I have already said Parliament must decide that. I cannot put in any other particular in the register or in the identity card without coming back to Parliament, and that is the safeguard, and a very big safeguard.

So I trust that those hon. members who are really concerned about the position of the sovereignty of Parliament and who are concerned to be realistic as well, will feel that I have gone a very long way in meeting what has always been a matter which has raised doubts and difficulties in the minds of people who are concerned about the rising tide of bureaucratic power.

I think, Mr. Speaker, I have dealt fully with the merits of the arguments used and I need say nothing further.

Question put: That all the words after "prescribed" in line 60 to the end of sub-section (1), proposed to be omitted, stand part of the Bill.

Upon which the House divided:

AYES — 66:

Abraham, J. H.	Loock, J. H.
Bekker, G. F. H.	Loubser, J. A.
Bezuidenhout, J. T.	Loubser, S. M.
Boltman, F. H.	Louw, E. H.
Botha, P. W.	Luttig, H. G.
Brink, W. D.	Malan, A. I.
Brits, G. P.	Malan, D. F.
Conradie, D. G.	Maree, W. A.
Conradie, J. H.	Mentz, F. E.
Deysel, A. J. B.	Olivier, P. J.
Döhne, J. L. B.	Oost, H.
Dönges, T. E.	Papenfus, S. F.
Du Pisanie, J.	Pieterse, P. W. A.
Du Plessis, P. J. C.	Potgieter, J. E.
Du Plessis, W. C.	Sauër, P. O.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	V. d. Heever, D. J. G.
Grobler, D. C. S.	Van Heerden, D. P.
Havenga, N. C.	Van Niekerk, J. G. W.
Hertzog, A.	Van Rhyn, A. J. R.
Hugo, P. J.	Van Schoor, J. J. F.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, De V.
Le Roux, P. M. K.	Vosloo, L. J.
Le Roux, S. P.	Warren, S. E.
Liebenberg, J. L. V.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 60:

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lovell, L.
Bekker, P. B.	McMillan, N. D.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Robinson, A. E. P.
Christie, J.	Russell, J. H.
Cull, J. A.	Shearer, O. L.
Davidoff, H.	Shearer, V. L.
Davis, A.	Smit, D. L.
Delport, G. S. P.	Smuts, J. C.
Du Toit, R. J.	Solomon, B.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Strauss, J. G. N.
Friedman, B.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Russell negatived.

New sub-sections (3) and (4) proposed to be inserted in Clause 20 put, upon which the House divided:

AYES — 66:

Abraham, J. H.	Grobler, D. C. S.
Bekker, G. F. H.	Havenga, N. C.
Bezuidenhout, J. T.	Hertzog, A.
Boltman, F. H.	Hugo, P. J.
Botha, P. W.	Klopper, H. J.
Brink, W. D.	Labuschagne, J. S.
Brits, G. P.	Le Roux, P. M. K.
Conradie, D. G.	Le Roux, S. P.
Conradie, J. H.	Liebenberg, J. L. V.
Deysel, A. J. B.	Loock, J. H.
Döhne, J. L. B.	Loubser, J. A.
Dönges, T. E.	Loubser, S. M.
Du Pisanie, J.	Louw, E. H.
Du Plessis, P. J. C.	Luttig, H. G.
Du Plessis, W. C.	Malan, A. I.
Erasmus, F. C.	Malan, D. F.
Erasmus, H. S.	Maree, W. A.
Erlank, A. E.	Mentz, F. E.
Eyssen, S. H.	Olivier, P. J.
Faurie, W. H.	Oost, H.
Fouché, J. H.	Papenfus, S. F.
Fouché, J. J.	Pieterse, P. W. A.
Frates, T. J.	Potgieter, J. E.
Sauer, P. O.	Van Heerden, D. P.
Schoeman, B. J.	Van Niekerk, J. G. W.
Scholtz, D. J.	Van Rhyn, A. J. R.
Steyn, A.	Van Schoor, J. J. F.
Steyn, J. H.	Viljoen, J. H.
Strydom, G. H. F.	Visser, de V.
Strydom, J. G.	Vosloo, L. J.
Swart, C. R.	Warren, S. E.
V. d. Heever, D. J. G.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 60:

Abbott, C. B. M.	Jordan, R. D. P.
Allen, F. B.	Kahn, S.
Ballinger, V. M. L.	Kentridge, M.
Barlow, A. G.	Lovell, L.
Bekker, P. B.	McMillan, N. D.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oosthuizen, O. J.
Brooke, R. S.	Oppenheimer, H. F.
Butters, W. R.	Robinson, A. E. P.
Christie, J.	Russell, J. H.
Cull, J. A.	Shearer, O. L.
Davidoff, H.	Shearer, V. L.
Davis, A.	Smit, D. L.
Delport, G. S. P.	Smuts, J. C.
Du Toit, R. J.	Solomon, B.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Strauss, J. G. N.
Friedman, B.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers.	Tighy, S. J.
Hayward, G. N.	Tothill, H. A.
Henderson, E. J. W.	Trollip, A. E.
Higgerty, J. W.	Van Coller, C. M.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

New sub-sections (3) and (4) proposed to be inserted in Clause 20 accordingly agreed to.

In Clause 21,

First amendment in Clause 21 put and agreed to.

Mr. DAVIS: I move—

> In Clause 21, to omit paragraph (d) of sub-section (1).

Mr. Speaker, in order that the effect of my amendment may be appreciated by the House it is necessary for me to say just a word about the history of that amendment. The House will remember that under the provisions of Clause 2 Native women were

excluded from registration and Native males under eighteen years of age. But under the provisions of Clause 22 there was power provided to extend the application of the provisions of the Act to any section of the Native population. When the matter was before the Select Committee the hon. the Minister, who stated that he did so for political reasons, decided to eliminate those provisions of Clause 2 which excluded Native females from registration and Native males under eighteen years of age, and as a consequential amendment he moved to eliminate from Clause 22 those provisions which enabled him to extend the provisions of the Act to any section of the Native population. But at the same time, in language which it seems to me can fairly be described as vague, he extended powers to himself under the provisions of Clause 21, which enabled him to exclude from the provisions of the Act—

> . . . any other class of persons, or persons or class of persons ordinarily resident in any specified area, the generality of the provisions of this paragraph not being limited by the provisions of the preceding paragraphs.

So although he had included by an amendment the registration of Native women under Clause 2 he now by these words had the power to exclude them from the operation of the Act. It seems to me that that was an extraordinary thing on the part of the Minister to have done in the circumstances. It was advisable for him either to provide in the Act that Native women were to be excluded, and if he desired to eliminate that provision from the Act he should not have taken unto himself the power to exclude them by regulation. It seems to me to have been an entirely wrong conception of the attitude of the public towards those provisions in the Act. The attitude of the public was that they did not want White women to be subjected to the indignity of having to carry this type of pass unless Native women were also subjected to exactly the same thing, and that was the reason why the hon. the Minister, as he explained, for political reasons decided to alter the provisions of Clause 2 and to include the same power in Clause 21 in a form which might easily have been misunderstood.

That being the position, I want to suggest to the hon. the Minister that he should make his position perfectly clear to the public of this country, and if it was not his intention to camouflage the attitude which he adopted in connection with Clause 2, he can easily make that position perfectly clear by giving a simple undertaking to this House in connection with the provisions of Clause 21; and the undertaking that I ask from him is simply this, that he should agree and give the House an undertaking that in Another Place he will introduce an amendment limiting the interpretation of the word "classes" in such a manner that if he registers Native males he undertakes also to register Native females. That is a very simple undertaking. Let him say: "I intended to bring Native females under the operation of this Act by my amendment to Clause 2 and I will undertake that the word 'classes' in Clause 21 cannot be so construed as to enable me to exclude Native females from the operation of the Act." I think the Minister owes that to the country, I think he owes it to this House, and I ask him to give an undertaking of that nature which would at once eliminate any difficulty which I find in accepting the clause in its present form.

The MINISTER OF THE INTERIOR: I have already said I stood by Clause 2.

Mr. DAVIS: But you have also taken to yourself under Clause 21 the power to do the very thing which you decided not to do with Clause 2. If that is the attitude of the hon. Minister, if he can get up and say: "I give an undertaking that the interpretation of 'classes' will not be extended in such a way as to exclude a section of the population such as Native women," then that is all I ask; it is a very simple undertaking for him to give, and if he gives that undertaking then as far as we are concerned we cannot object to the provisions of Clause 21, and I feel that the hon. Minister by giving that undertaking will rehabilitate himself in the eyes of the public of this country.

Mr. MITCHELL: I second, Mr. Speaker. I wish to support my colleague the hon. member for Pretoria (City) (Mr. Davis). The Minister says he stands by Clause 2. Of course the Minister stands by Clause 2. He has to. It is part of the Act. He has to stand by the whole Act. We are not concerned with any mental reservations on the part of the Minister in regard to any portion of the Act he may not wish to apply.

The MINISTER OF THE INTERIOR: It is a question of what you are thinking.

Mr. MITCHELL: You must not attribute motives.

HON. MEMBERS: Order.

Mr. MITCHELL: What is that about order? I am addressing the Speaker. I say the Minister must give heed to the admonition given by the Speaker this afternoon and he should not attribute motives. He may have mental reservations in regard to portions of the Act, but it is an Act of Parliament and he must stand by the whole Act.

The MINISTER OF THE INTERIOR: I have none.

Mr. MITCHELL: The position, therefore, is perfectly clear. Section 21 gives the Minister certain powers, and we ask the Minister to give the assurance, as my colleague the hon. member for Pretoria (City) has asked, and in Another Place it can be safely entrenched in the Bill, that there will be an over-all registration of the total population in the Union and that the Native women will be registered pari passu with the Native men, and that the identity card or permit, call it whatever you like, will only be demanded from the European women at the same time as it is demanded from the Native women, the Native women having been registered pari passu with the Native men. The whole thing must be in conformity with the general over-all plan. We all realise that the administrative machinery of the country can obviously not in the twinkling of an eye register twelve million, or ten million, or even eight million people. We recognise that, but we say that before pains and penalties are imposed on the European section, let the provisions of Clause 2 be carried out in their entirety; let there be a complete registration.

We do not like this Bill, but we say that if the Minister insists on it and he has the backing of the majority in this House, let there be an over-all registration and let us all stand equally before the law, before the pains and penalties, before the demands of identity passes and whatever action will be taken. But the Minister continues to evade the issue. He says: I propose that this should be a complete register in the fullness of time. But in the meantime he gives himself the right to make exceptions in regard to certain classes. I am not prepared to say what the class may be. But I assume that it is any group of individuals that can be defined. Sex may be a definition for a particular class of person to be exempted by the Minister and we ask in this amendment which is now before the House, that it be put and that the Minister gives the assurance that there will be an over-all registration before the penalties are imposed.

The Minister has repeatedly made reference to the law of Britain, and let us for once have done with that particular law. Since 1945 there have been no prosecutions; the law has not been enforced in Britain, and in any case that particular document was issued to give certain privileges and benefits. Since the cessation of hostilities that law has been virtually a dead letter, and let us have done with that argument in connection with identity cards, and also the argument that the identity cards are something in the nature of a driver's licence for a car. The position is that everybody who drives a car has a licence and he has that licence for every part of the Union. The car is also licenced. There are no exemptions. All motor vehicles are licensed. That is the common principle we ask for. We say that if the law is enforced in the Union, we must have an over-all registration and we must make no difference between one section of the population and another. We must not come and demand the permit from one group and not from another. Then there is the registration which comes before the identity card. No permit can be demanded from the population if there is no registration. These exemptions are there to ease the administration side. They will go step by step. But we ask the Minister to let the penalty clause remain in abeyance until the registration is complete and the law applies to the whole Union.

Mr. S. E. WARREN: That is bloody nonsense.

Mr. MITCHELL: I resent that remark, and I ask you, Mr. Speaker, to ask the hon. member to withdraw it.

Mr. SPEAKER: The hon. member must withdraw that remark.

*Mr. S. E. WARREN: I will withdraw the word "bloody" because that is unbecoming, but as regards "nonsense", I wish to say that I do think it is nonsense. But I abide by your ruling, Mr. Speaker, and I will withdraw it.

Mr. SPEAKER: Then the hon. member withdraws the remark. I must again point out to hon. members that such interruptions only cause unpleasantness.

Mr. KAHN: It has been very interesting to watch members of the United Party squirm at the idea of White women having to suffer under a racial discriminatory law. When they are presented with the threat of identity passes having to be carried by White women, to the exclusion of African women, they raise their voices in frantic protest against the humiliation and indignity which White women will have to suffer by carrying an identity pass, whereas African women will not have to do so. I hope in future there will be a fuller appreciation of the indignation and sense of frustration of the African people on account of the host of discriminatory laws which apply to them and to them only. While I am against the boot being on the other foot and will oppose as far as possible the imposition of a pass system on the White women of the country, it is fit that hon. members should pause and reflect in thought that where the White women resent the idea of carrying an identity pass, the African women hate it all the more.

On this particular clause I voted with the Government in previous divisions and I propose again to vote with the Government on this clause, because I think it essential to leave a loophole, to leave an escape hatchway by which the Government can save its face. Because, Mr. Speaker, the original intention of the Government was made perfectly clear. Their real thoughts were indicated by Section 2, which provided that African women were not going to be included in the provisions of this Act. Some time ago when the question of the Government's suicidal intention of amending the Urban Areas Act so as to require African women to come under the same registration system, which meant the pass system, the Government had to beat a hasty retreat in the face of the threat by the African women to defy the Government and to refuse in any circumstances to have the pass law system imposed on them. That was a reprehensible proposal. It is equally reprehensible in respect of the White woman. The Government beat a very hasty retreat and the Minister of Native Affairs hurriedly issued a statement. First of all he complained about the premature publication of the Government's intention to amend the Urban Areas Act, so as to require Native women to carry passes, and subsequently, after a furore had been caused throughout the whole country, the Government retracted and the Minister himself made a statement in which he held out to the African people that the African women would be saved from the threat of the pass law system.

The Government, having made that declaration, one of two things can happen. Either through Clause 21 the Government desires to have the power of exemption, as alleged by the Opposition, or again through a back door of the Population Registration Act the Government may wish to impose a pass on the African women. They may rest assured of one thing, whether there is a pass under the Urban Areas Act or whether it is an identity pass under the Population Registration Bill, the African people will equally resent it and there will be a spirited opposition to a pass in one form or the other. I am going to vote for this clause because I believe that a way out must be left to the Government.

I do not believe they will dare stir a hornets' nest by trying to impose a pass on Native women. This Government will not have the courage to do so, realising the terrific agitation that will be set afoot. I am sure they do not intend to apply the pass laws to the African women.

*Maj. PIETERSE: It is because of the agitation you set afoot.

Mr. KAHN: That is all right. Whatever it is, if I am a perfect agitator, it shows one thing. If the United Party were as vigorous and as powerful representatives of the White women as we are of the African women, no pass law would have been imposed on the White women. It is a tribute to the Natives' Representatives and to the organised African people that the Government had to withdraw its proposal for a pass law for the African women. It is up to the White women to react in the same way, and the Government will be defeated. The fact still remains that this Government must be given a provision to exempt the African women in the light of the promise made to them. I hope advantage will be taken by the White women of enlisting the support of the African women in their fight against this insult, the indignity of having to carry a pass and a number like a convict. I thought hon. members on that side of the House would at least have some respect for their own womenfolk and not degrade them to the level of convicts, to the level of having identity numbers and of having to produce on demand to a policeman this wretched and miserable identity certificate. Members opposite say they are proud to have this particular pass. I do not know whether they need it in some way or other. This country has been in existence for many years, and if we go back to 1652 to the time of van Riebeeck or to the days of the Voortrekkers — they carried rifles and not passes. They had no need for identity certificates and they were as good Afrikaners as anybody on the Government benches, and without an identity certificate and without a registration system. So obviously it is of no value. It is not a test of a man's patriotism that he will have a little card to carry around.

It is not a driver's licence. The Minister unwittingly misleads himself when he compares the identity card with the driver's licence. The police may only ask for the production of a driver's licence when a person has driven a motor vehicle. Ordinance No. 15 of 1931 limits the right to demand a driver's licence to a person who has driven a motor vehicle, obviously to aid the police in the prosecution of any person who has driven a motor vehicle contrary to the terms of the law. For that reason only is it required. But in terms of this Bill there is an entirely different purpose for which this identity card is required, and although the Minister may refrain from explaining precisely why the identity card is required, the position has been made abundantly clear by his front-benchers and his back-benchers who have spoken on this subject. Some said it was required for the purpose of classifying people according to race or colour; it will assist in preventing non-Europeans from climbing on to the voters' roll; it will assist apartheid in the Post Office; it will assist the enforcement of apartheid on the Railways, and in Heaven, or any other place where apartheid applies. It is their clear idea

that this card must be of such value that it is a means to the application of the system of apartheid and other objectives as well. The identity pass as it has become popularly known, and notoriously so, because that is its real nature, can also be used as part of the implementation of the Government's scheme to introduce a police state in South Africa.

Mr. SPEAKER: The hon. member is now going far beyond the object of this amendment. The amendment deals with subsection (d), the exemption of certain classes, and he must confine himself to that.

Mr. KAHN: For the reasons I have outlined, I say the powers to exempt must be granted to the Government. One hopes there will be a change of Government. The writing has been on the wall in the division which took place yesterday. That is symbolic. To superstitious members opposite that must mean that in this way their downfall will be encompassed. The power to exempt must be granted because if wisdom prevails in a future Government, they will exempt the entire population from the provisions of this legislation. This law will become a dead letter, and it is for that reason that I will vote for this power of exemption.

I want to conclude on this note, that the Government cannot speak with two voices. The hon. the Minister of the Interior cannot be a ventriloquist to the Minister of Native Affairs. The African people and the African women in particular have been promised by this Government that they will not be required to carry a pass under the Urban Areas Act. It is interesting to note that there is no law in this country which speaks of a pass. They all speak of tax receipts, service contracts, but no law mentions a pass. It has by common notoriety become part of the vocabulary of this country to refer to a document which must be produced as stipulated in the law, as a pass. That is why the Government and the Minister can work themselves up to a perfect lather of synthetic indignation but it will not prove to the populace that this is anything but a pass. It is a pass system and it will go down with the Nationalist Party as a pass system. The Government cannot speak with two voices, and woe betide the day when under this Population Registration Bill they try to impose a pass system upon the African women. They will rue it, because it will cause harm and danger, and it will disturb the peaceful and harmonious relations in the country. For that reason an opening must be left to the Government to make a miserable escape from its ill-advised statement of policy. We must give this Government the power of exemption so that it will never impose this system on the African women.

Mr. ROBINSON: The hon. member who has just sat down has advanced an argument to support the Government in this matter, which I for one find difficult to follow. I presume he will be voting for the Government because of the natural affinity between the two parties represented by that hon. member on the one hand and the hon. members opposite on the other hand. I am sure that the two totalitarian parties which have their seats in this House will unite a little later in the day in a division, and we will see them in their rightful place, side by side.

I have endeavoured on two previous occasions to get from the Minister an explanation in regard to this clause. The Minister has, if I may say so, evaded the point up to now, the point which was put to him by myself and other members on this side. I trust the Minister will correct me if I give a wrong interpretation of his attitude on this matter. As I understand him, he requires Clause 21 (1) (d) to enable the registration of the various sections of the population to take place in a certain sequence. He has told us that he wants it as a purely administrative matter. He requires these powers in order to enable the Department, in a purely administrative sense, to have every facility in carrying out the long-term registration of our population. The Minister has told us that he does not seek these powers for any other reason. He has also told us that he stands by Clause 2 of the Bill. That is his answer to every attack that has been made in regard to his attitude on this point. But, as the hon. member for Natal South Coast (Mr. Mitchell) has indicated, whether the Minister likes it or not, we have passed Clause 2 and he will have to stand by Clause 2. He has no alternative in the matter.

I want to ask the Minister this. If it is really the intention of the Government to have this clause, framed as it is, merely to facilitate the registration, is he prepared to accept an amendment to this clause in Another Place, whereby the right of deletion or exemption will be removed as and when the whole population has, in fact, been registered? Why should we leave it in the hands of this Minister or of any future Minister to have the right to exempt a class of person from registration? After the full registration of the population has taken place, why should he have the right to exempt a certain class or section? You see, it is a very genuine and real argument that one can put up. I have said it before, and I have no hesitation in repeating it. Let us assume that some future Minister decides that he wishes to exempt all his political followers in the country. Let us assume that some future Minister or Government wishes to classify certain persons in the country in such a way that they want them to enjoy minority rights; let us assume he wishes to introduce

discriminatory legislation in any form against one section or another of the population, be it for language reasons, for colour reasons, or whatever reason we can think of. The Minister then says that those he wishes to support will be exempted from the necessity for carrying passes, and only the classes abhorrent to the Government will have to carry passes and be labelled as pass-bearers.

There is another aspect of this exemption clause. I want to suggest to the Minister that the real reason why he wishes to retain this exemption clause is because he has not the slightest intention of registering the Native peoples of this country. We have shown in the debate that it is impracticable to photograph all the Native people in the country who are required to be registered and who, in terms of the Bill, must be photographed. Hon. members have shown the Minister that it is quite impossible to go out into the reserves with travelling photographic vans to take photographs of the many millions of Natives who are still in a state of semi-savagery, and who have no understanding of this measure which will affect their future lives. Hon. members have pointed out to the Minister that it will be quite impossible for him to photograph all the Native people for another reason, namely, that the Native families cannot afford the additional cost and burden placed on their shoulders. In short, without repeating all the arguments in regard to this matter, the Minister has had shown to him that it will be an impracticable position for this or any other government, if there is a change of government, to effect the registration of the Native population, of which a large number are still living in semi-savagery in many parts of the country.

Now, what is the real intention of the exemption clause? The real intention is this, that the Minister wishes to get hold of the people of the country, the Europeans and the Coloured. He is going to proceed this way. He will issue passes to the Europeans, men and women, and to the Coloured people, men and women, in the country, with the final object of depriving the Coloured people of the right of voting and being on the register as they are now. Their point of view is this: We wish to make it quite clear that this is part and parcel of the policy of apartheid. That is the real interpretation of this measure. They wish to separate the Coloured population from the European population in the country and when they have done that they will know whom they wish to enfranchise when the time comes to remove the Coloured people from the voters' roll. There is not going to be any registration of the Native people. It will not be a question, as stated by the hon. member for Cape Western (Mr. Kahn), that the Native women will have to carry passes. The Native women will not carry passes, and similarly the Native men will not carry an additional pass. At the moment the real intention in the mind of the Minister is to use this measure as a means of removing the Coloured people from the voters' roll when the time comes, and, incidentally, of making every European in the country, whoever he may be, carry a pass and being labelled as a pass-carrier. If, on the other hand, the Minister is genuine when he tells us that this is purely an administrative facility required by the department; if what he really wants is a clause to assist the department in the registration of the people, let him, in Another Place, see to it that this clause is amended accordingly; and show his bona fides to the country, that his intention is not merely to register a section of a section of the people of the country.

Then, Mr. Speaker, there is another point I wish to bring to your attention. On a number of occasions the hon. Minister has been asked whether he will be prepared to say that the issuing of identity cards to the people of the country will be delayed until such time as there has been a full registration of all the people. The country would like to know. We fully appreciate that, in fact, the Minister has to register the people in sections. He may first have to deal with the urban areas and thereafter with the rural areas. He may first have to deal with the Europeans, then with the Coloureds, and then with the Natives. We do not know what the intentions of his department are, but we do know that it will be necessary to carry out the registration in sections until all sections of the country are in fact registered. And we say that until such time identification cards should not be issued. It should be issued in such a way that at a given date all will have to carry the identification cards. I see no reason why for a matter of five years, the Europeans of the country, men and women, will have to carry identification cards and be subject to the penalties, whereas the Native population will not be subject to those penalties simply because no identification cards have as yet been issued to them. As we understand the Minister, having listened to these debates, it is the intention of the Government to proceed immediately with the registration; first of all of the Europeans, then of the Coloureds, and this will be the first time in the history of South Africa that the European section will have to carry an identification card, whereas the Native people will not for a long time, if at all, be subjected to that. I think it is quite fair for this side of the House to say again to the Minister if he is insistent upon proceeding with this measure which, may I say, raised a storm of feeling throughout the country; of all the things that this Government has done and for which this

hon. Minister has had to be responsible, inclusive of the Citizenship Bill and the other contentious measures which we have had to consider in this House, let me tell him there may not be the great demonstrations which have taken place on other matters outside the gates of Parliament, there may not have been the number of public meetings, and there may not have been the voluble protests which are easily recognisable, but I can tell the hon. the Minister that in this measure he has stirred up the deepest possible feelings in the hearts, particularly of the European people of this country. Never before — and I say this to hon. members on that side — has any Government come and said to the White women of South Africa: "You are going to carry passes from now onwards." That is what has happened and the unwitting members on that side of the House have fallen into the trap, merely to give the Minister more powers. Let us remember in regard to this exemption question that the Minister has a chance here to indicate to Parliament and to the country whether he is really genuine in this matter. If it is a genuine attempt to register the people of this country, all of us, men and women, then it is within his power to amend this particular clause and this sub-section so as to meet the wishes of this side of the House and, I suggest, the wishes of the people of South Africa. But if he stands by this particular sub-section, if he is determined not to allow any alteration in this measure, as it is now before the House, then the Government will be shown in its true colours. The people ask this of this Government: If we are to be registered, let us all be registered and let us all be issued with our identity cards at the same time. Once you have registered us, delete your power to exempt certain classes of us, and if the Minister is prepared to do those two things, then he will have shown himself at least to be reasonable, and he will have shown the people of this country that the Government is prepared to listen to reasoned arguments which have been advanced not only this afternoon, but which have been advanced throughout the length of this debate. The alternative is this, that the Government stands branded as a Government which is desirous of regimenting the people of this country, of imposing the necessity of carrying passes and other forms of identity, things which are foreign to the traditional spirit of freedom of all sections in South Africa, and things which we certainly never expected to see in this year 1950, when at least we, as a country, firm believers as we are in the democratic system, were hopeful that we would not be restricting liberties at this stage of our development, but that we would be enjoying even greater freedom after the sacrifices we have made in the past.

Mr. OPPENHEIMER: I wish to support the amendment of the hon. member for Pretoria (City) (Mr. Davis). Before I do so, I would like to say a few words about the comparison which is so frequently drawn between this pass which is now to be issued and a motor driver's licence. It seems to me, Sir, to be a really absurd comparison, because after all, a motor driver's licence is issued to people who are thereby given permission to drive a car. They have to produce it in the case of an accident. They can be called to produce it if they are driving a car, in order to show that they have the approval of the authorities for doing so. That is one thing; but it is quite a different thing to say that people have to produce a document to show that they exist with the approval of the authorities. It is one thing to show that you have the approval of the authorities to drive a motor-car; it is another thing to have to show that they approve of your being born and living in the country, and therefore I think that that comparison is one which does not hold water at all.

Hon. members opposite have told us ad nauseam that the carrying of this pass is something of which South Africans and particularly South African women are going to be proud. They say that their wives are going to be very proud to carry this valuable document which is being issued.

An HON. MEMBER: They can tell that to the marines.

Mr. OPPENHEIMER: All I can say is that I have never seen a lot of men who are so nervous about giving a valuable present to their wives. Let us look at the facts. It is quite clear that the carrying of the pass is something which is not going to be appreciated by the population of this country and least of all by the women of this country, and therefore it is a very serious thing if there remain provisions in this Act which allow the carrying of that pass not to be a universal matter but to be a matter in which there can be discrimination between different classes of persons. One does not want, we certainly do not want, to be unrealistic and unreasonable in this matter, and of course, it is quite clear that it is going to take a long time to register the whole population of this country. It cannot be done in a moment, but we do want to know this. The hon. the Minister has told us that the intention is that finally there should be universality in this matter; that the carrying of this pass should be a universal matter, and our objection to this clause is that it leaves it in the power of the Minister not to carry out the intention that this pass system should be universal throughout the country. It gives him discretion not to put that into operation. It allows him to delay

indefinitely the registration of Native women and Native youths. After all, Sir, we remember that originally the Minister did not intend, in this Act, to provide for the registration of these classes and when he did make provision for their registration, he explained that it really did not make any difference. He explained that the alteration in Clause 2 was just another way of putting it, that it was an alteration in order to make it look better from a political point of view, and therefore we are a little alarmed that the provisions of this clause are really a confirmation that is so, that the alteration which has been made in Clause 2 will be a distinction without a difference.

Then, Sir, I think, my hon. friend the member for Langlaagte (Mr. Robinson) raised a very important point when he said that this discretion given to the Minister to apply this law to some classes only will continue after all classes have been registered, if that day ever comes. That seems to me also to be an entirely unnecessary provision. My hon. friend the member for Pretoria (City) (Mr. Davis) has asked for the deletion of this sub-clause, but he, Sir, wanting to be entirely reasonable, also said that he was prepared to drop his amendment if the hon. the Minister was prepared to give certain undertakings in regard to the way in which his discretion would be applied. What we want, Sir, is an assurance that this clause is not going to be used in such a way as to nullify the universal nature of this measure, and if the hon. the Minister were prepared to give an assurance in that sense, and to tell us that alterations would be made in Another Place to make certain that this Bill would be of universal application, then the objection at this stage to this sub-clause would fall away. I hope, Sir, that the hon. the Minister will tell us how he does intend to use this clause, and what necessity there is for it, and if he can tell us that it is going to be used only in such a way, as not to affect this principle, that if it is to be applied, it is to be applied to everyone, if he can give us that assurance and if he is prepared to back up the assurance which he gives us here by making alterations in Another Place to his powers in that direction, then our objection would fall away, but in the meantime, as the position stands, I think this sub-clause is a mischievous one and an unnecessary one, and I therefore wish to support the amendment of the hon. member for Pretoria (City).

*Mr. BOLTMAN: It is difficult for me to understand the different attitudes on the other side. The hon. member for Cape Western (Mr. Kahn) has given his reasons as to why he wishes to vote with this side. I want to say in this House this afternoon that the Native Representative who sat with us on the Select Committee, the hon. member for Cape Eastern (Mrs. Ballinger) would quite possibly have been prepared to agree to Natives carrying this identity card or keeping it on their person, because she was under the impression that that identity card which the Native must have would eventually replace the pass which the Native is required to carry today, and after the Secretary for Native Affairs had given an explanation, the hon. member for Cape Eastern was so impressed by that explanation that she was not at all hostile to that proposal; as far as she was concerned, it was acceptable. But then the hon. member for Rondebosch (Col. Jordan) moved an amendment to the effect that the Natives were not to fall under this at all and he moved the deletion of sub-clause (d). Then, of course, it was impossible for the hon. member for Cape Eastern to leave the matter there, because we all know what happens in politics. The reproach would have been levelled against her that she wanted the Natives to carry an altered pass, whilst they were urging that the Native should not carry a pass at all. Those people are the ruination of the Natives; those White champions of the Natives are ruining them.

I have listened this afternoon to the hon. member for Kimberley (City) (Mr. Oppenheimer) who has just spoken. He says that he has never seen people so anxious to give their wives a present. I should like to have the attention of that hon. member who is burying his head in his desk. I want to ask him whether it is not true that White men, White women, Indians and Coloureds were on the same platforms at the political meetings that he held during the election? Would he dispute it?

Mr. OPPENHEIMER: Yes, and not one of them carried a pass.

*Mr. BOLTMAN: He cannot deny it. And then I do not even want to ask him what happened at the dance that was held subsequently. Let him get up and tell us what happened at the dance.

*An HON. MEMBER: Were you there?

Mr. OPPENHEIMER: May I say a few words by way of personal explanation, because this is a matter which has been raised a number of times. There was in Kimberley a dance which was given by the Coloured people for charity, for the National War Memorial Health Foundation. It was around the time of the election and I was requested, as the Member of Parliament for Kimberley (City) to go and make a speech at that dance. It took place in the City Hall. It was a dance in which only Coloured people took part. I went there accompanied by my wife. I went on to the platform and opened the proceedings with a few words about the National War Memorial Health Foundation. I watched

the dance from the platform with my wife for about half an hour and I went home, and if the hon. member for De Aar-Colesberg (Mr. Boltman) can find much wrong with that, I shall be very surprised indeed.

Mr. CULL: The Government members say that he danced with a Coloured woman.

*Mr. BOLTMAN: What is the reason for all the excitement on the part of those members? Are they so pleased that the hon. member for Kimberley (City) had on the same platform Kaffir, and Indian and White women? Are they so pleased that he did not take his wife and joined them at dancing?

An HON. MEMBER: Disgusting.

Mr. LAWRENCE: Mr. Speaker, I ask whether this hon. member is going to abuse the opportunity he gets to speak in this House by dragging this sort of thing into the debate. I don't know what this hon. gentleman thinks he is.

Mr. SPEAKER: Order, order! What is your point of order?

Mr. LAWRENCE: My point of order, Sir, is this. What is this talk about the hon. member for Kimberley (City) and his wife: what has that got to do with this debate? It is quite irrelevant, it is quite extraneous and also it is uttered in very poor taste indeed by the hon. member for De Aar-Colesberg.

*Mr. BOLTMAN: Those members who are continually saying that we want European women to carry a pass whilst Native women will not be required to carry a pass, are the people who are dragging our wives into this. It was the hon. member for Kimberley (City) who said that he had never seen people so anxious to give a present to their wives in the shape of a pass. What hypocrisy is this: The hon. member for Salt River (Mr. Lawrence) can tell those clever stories of his to the Coolies in Salt River, but here he is dealing with intelligent people. These hon. members must not think that they will get away with this. Those members want the right to impute certain things to us in connection with our wives, but when the hon. member over there attends a Coloured dance with his European wife, as he himself admits, then they throw up their hands in holy indignation and they expect the Press not to report it. I deliberately got up to expose this so-called holy indignation on the part of members on the other side when they say that we want to force European women to carry a pass whilst Native women will not be required to carry them, because there are members on the other side who sat with Coloureds and Indians on the same platform.

*Mr. HAYWARD: What about the Prime Minister in London?

*Mr. LAWRENCE: The Prime Minister dined with Indians at the same table.

*Mr. BOLTMAN: They sat on the same platform with Coloureds and with Indians. That is why I say that the members of the United Party are the ruination of the Natives, more so than some of the Native Representatives.

*Mr. CULL: What about Dr. van Rhyn at Fort Hare?

Mr. LAWRENCE: The Minister of the Interior gave a cocktail party for Indians the other evening.

*Mr. BOLTMAN: I merely got up to say that I do not know to what extent the hon. the Minister is prepared to meet these hon. members, but in asking that this clause be deleted they do so merely for the purpose of making political propaganda in the country and not because they are really concerned about White women.

Mr. STUART: I am sorry the last speaker has made this very provocative speech, more particularly as I propose, on this particular clause, to vote with his party. I like the prospect of voting for his party a great deal less now that I have heard him. I cannot find it in my heart to differ from the arguments adduced by the hon. member for Langlaagte (Mr. Robinson) or the hon. member for Kimberley (City) (Mr. Oppenheimer) nor do I in any way like the attack made upon the latter. It is only on one simple logical twist in the position that I differ from the mover of this motion, from the hon. member for Natal South Coast (Mr. Mitchell) and the other gentlemen who have spoken. The logical twist is exceedingly simple.

An HON. MEMBER: What is a "logical twist"?

Mr. STUART: They are quite right. This section is bound up with Section 2. Section 2 has been passed by the Select Committee in a form which I personally deplore. It has passed the elimination of the words "excluding all Native females and all Native males who have not yet attained the age of eighteen". I deplore that very much. In no way whatsoever do I attach any blame to the hon. member for Cape Eastern (Mrs. Ballinger), who sat on that Committee — on that very difficult committee. Apparently she was persuaded, and I do trust from the bottom of my soul that she was correctly persuaded that if she accepted the position, and allowed that automatic exclusion of Native women and of Native

children to be switched over to Section 21, and if she took the risk of leaving it to the Minister's discretion to do the exclusion, that then she would be obtaining a system under this Government, this pass, or whatever you like to call it, would be used to the exclusion of all other passes.

Mr. WARING: I hope you are coming back.

Mr. BOLTMAN: I will come and sit next to you, if you like.

Mr. LAWRENCE: Oh, no, we don't want that.

Mr. STUART: May I continue? Now that the free fight has died down, the hon. member for Cape Eastern, like me, accepted that position, so I am told. Under those circumstances she consented to the pushing of this particular clause with this power of exemption, elsewhere, and I cannot be a party under any circumstances to binding the Native women irrefutably to Section 2 simply and solely in order to satisfy one's contempt of the illogicality of the Minister on occasions. Under those circumstances I feel that I am compelled to vote for this particular section as I voted at an earlier stage in Committee. I am not going to make a diatribe on the noxiousness or the undesirability of having passes or documents for Native women, or on the desirability or the undesirability of having documents for European women. I don't want to discuss that. The matter has been more or less decided by Section 2. It can be done at the discretion of the Minister, but I want him to keep his discretion. If I may be permitted after making that plain statement as to how I propose to vote. I should like to go off on to another point which has been rather exhausted by the hon. member for Kimberley (City) (Mr. Oppenheimer) but which has got a certain amount of amusement in it. Let me draw the Minister's attention once again to the utter lack of logic in his quite curious comparison of this pass system or this document system with the motor driver's licence. The two things are as different as chalk and cheese. I don't think it has been put quite in the way I would like to put it as a lawyer. The fundamental difference this, that in the case of the document under this Act, you have to get the document whether you want to or not; you are born into it. In the case of other documents in the State, let me explain exactly what the position is. I just want to show what a synthetic bit of argument it is. One produces a driver's licence because one of one's free choice has elected to become a driver. That is all the difference in the world. You produce a passport because of your free choice; you have tried to go outside the country and you have obtained a passport. You produce actually in court a certificate allowing you to practise as an advocate because you have chosen to qualify as an advocate. You can even produce proof that you are a licensed jester as a Minister, because you have chosen to qualify for the position as Minister by a long and painful course of wooing the electorate and gradually making your way. It is all your choice; it is your election. It is your little habit, your little way. And then the Minister has the nerve to tell people in this House that the whole of this Bill is about the same as a driver's licence when you have no choice at all. I sincerely trust in those circumstances, that he will not have what really is the logical impertinence to put up that argument again; it is pathetic.

*Dr. J. H. STEYN: Although I was a member of the Select Committee which examined this Bill, I have not taken part in the debate hitherto, firstly, because the Bill is practically self-explanatory — it does not require much defence — and, secondly, because any defence that may be necessary was put up by the Minister himself in such an extremely capable way, to the detriment of the Opposition, that it was not really necessary to take part in the debate. You, Mr. Speaker, and the Chairmen as well as the House and the Minister have listened to the debates on this Bill with exceptional patience. I want to confirm that. I want to remind you that, if my memory does not play me false, we had something like 44 divisions on the first seven clauses; and then there are still certain members on the other side who maintain that there has been no obstruction from them. I think 44 divisions on seven clauses would be regarded as obstruction even according to the most moderate yardstick. But now the debate has taken an entirely new turn. We have practically got away from the Bill itself and arguments of a purely political nature are now being advanced. The arguments which are now being advanced here were started, I think, by the hon. member for Orange Grove (Mr. Waring). He was then supported by others. These are arguments which have absolutely nothing to do with the administration of the Act. They have nothing to do with the Act; these are purely political arguments which are being advanced here for the benefit of their constituencies outside. I want to warn the Opposition that in the long run they cannot do this. That type of blatant party political argument will at some future date recoil on them like a boomerang. It really tries one's patience to see what policy they adopt. We have also had this from a very responsible and respected member, the hon. member for Johannesburg (City) (Mr. Christie). I was very sorry to hear this from his lips. He says that his main argument against this Bill is that the present Minister will be called upon to administer it. Is that a fair

argument? Can a Bill of this nature be coupled to a Minister in his personal capacity? Is the Bill not intended as part of the State administration that will remain a permanent part of the State administration as long as the law is valid? Another Minister on this side of the House may be occupying that portfolio tomorrow. There may even be a Minister from the other side occupying that portfolio in the future. Has the hon. member any right to couple such a Bill to the person of the Minister concerned? Is that not out-and-out party politics? I think we are going rather far in advancing this type of argument in connection with a Bill which should be dealt with from a national standpoint. I know that it has become the custom that what the one side proposes the other side opposes, but I think we are going rather far and I think an appropriate word of warning is not out of place.

Mr. WARING: I think this House cannot allow the hon. member for De Aar-Colesberg (Mr. Boltman) to get away with his sneering insinuations about the hon. member for Kimberley (City) (Mr. Oppenheimer).

*An HON. MEMBER: What has that to do with this Bill?

Mr. WARING: He referred to the fact that the hon. member had on his platform a representative of the Coloured community and a representative of the Indian community. He referred, as he has done quite a few times in this House, to a certain dance with the intention of insinuating that the hon. member for Kimberley (City) attended that dance, a dance for Coloureds, and that he danced at that Coloured dance.

Mr. CULL: They said that on the platteland.

*Mr. BOLTMAN: On a point of explanation, it is absolutely untrue that I imputed that to the hon. member for Kimberley (City) (Mr. Oppenheimer). The hon. member can look up my Hansard, because I know what words I use when I talk about these things. I used the following words: After I had referred to the people who sat on the platform I said, "I would rather not talk about what happened at the dance." I said no more than that. The hon. member himself then got up and explained what had happened.

Mr. WARING: I think anybody with a reasonable frame of mind will read into the hon. member's explanation the underlying explanation. Sir, I just want to raise a few issues for the attention of this House. The hon. member for Bethlehem (Dr. van Rhyn) — I hate to do it — attended a graduation ceremony. Nobody on this side of the House in any way tried to incriminate his honour . . .

An HON. MEMBER: That is quite a different thing.

Mr. WARING: . . . in view of the fact that he capped Native students, that he sat on a platform where there were Natives. In fact, Mr. Speaker, I felt quite proud of the hon. member for Bethlehem. I did feel quite proud of him. And I do not mind saying so. I felt that it was the sort of gesture that the Natives in this country should get from some of the Europeans in this country and leaders in this country.

Sir, the hon. the Prime Minister has also extended courtesy and received courtesy from representatives of India and Pakistan in his capacity as Prime Minister. The Minister of the Interior only lately has done the same. But the hon. member for De Aar-Colesberg (Mr. Boltman) comes here and tires to cast these insinuations at the hon. member for Kimberley. I think it is disgraceful, and I hope, Sir, as you have made appeals on many occasions, that this House really should accept the appeals that you have made and cut out this sort of thing from our debates.

Dr. GLUCKMAN: Mr. Speaker, I feel that I cannot allow this incident to pass without making a comment or two. I do so, Sir, because I happen to be the honorary director of the National War Memorial Health Foundation and I hold all in honour who do anything at all to help its progress. I am particularly grateful to the hon. the Minister of Health, who was great enough and kind enough the other day, to be present and to open one of the centres in Goodwood. He was thanked — the whole thing was done in excellent taste — he was thanked and so was I and others present, by one of the representatives of the Coloured community in that area for the work that is being done. What are we coming to in this country, Sir, when these kinds of remarks are being made against hon. members who do their duty both as members of Parliament and humanitarians; who lend their full weight to the spread of an organisation which has one aim and that is to improve the welfare of all sections of the community. Must we think twice before we lend our authority and our good name and our standing to do a humanitarian act lest that kind of act should be attacked and our name be besmirched and these strange insinuations made. I am deeply grieved that after all the years I have sat here, both in my capacity as a member of Parliament and one who is interested in this work, a monument to those who have fallen in the Great War — that these kind of remarks and insinuations should be made about an hon. member who did his duty both as a member of Parliament and a great

humanitarian. I am deeply grieved that this has happened.

*The MINISTER OF THE INTERIOR: I am pleased to bring this debate back to the subject matter of Clause 21. I do not think there is much to reply to on the arguments which have been advanced here. They are the same arguments that were advanced on previous occasions. One new point has been mentioned, I think by the hon. member for Langlaagte (Mr. Robinson). He has suggested that Clause 21 (1) (d) might possibly be used once the registration system is in operation, and when all the people have their cards, that at that stage, if the clause remains as it reads at the present moment, this sub-clause may be used to exclude certain classes. I want to say to the hon. member at once that that is not the object of Clause 21 (1) (d). I have already explained that that clause was inserted in order to assist in the gradual introduction of the system of registration. It is not the intention, once the registration has been introduced and once it is of general application, that the Minister should have the right to come along at that stage and exclude certain classes. That was not the intention. The intention was, as I have stated, and I am prepared to discuss this matter with the law adviser if it is not clear, and then, if necesary, to effect any alteration which may be necessary in Another Place in order to make clear what I stated is the true purpose and effect of this clause.

Question put: That the words "any other" in line 40, proposed to be omitted, stand part of the Bill.

Upon which the House divided:

AYES — 64:

Abraham, J. H.	Grobler, D. C. S.
Bekker, G. F. H.	Hertzog, A.
Bezuidenhout, J. T.	Hugo, P. J.
Boltman, F. H.	Kahn, S.
Botha, P. W.	Klopper, H. J.
Brink, W. D.	Labuschagne, J. S.
Brits, G. P.	Le Roux, P. M. K.
Conradie, D. G.	Le Roux, S. P.
Conradie, J. H.	Liebenberg, J. L. V.
Deysel, A. J. B.	Loock, J. H.
Dönges, T. E.	Loubser, J. A.
Du Pisanie, J.	Loubser, S. M.
Du Plessis, P. J. C.	Louw, E. H.
Du Plessis, W. C.	Luttig, H. G.
Erasmus, F. C.	Malan, A. I.
Erasmus, H. S.	Malan, D. F.
Erlank, A. E.	Maree, W. A.
Eyssen, S. H.	Mentz, F. E.
Faurie, W. H.	Olivier, P. J.
Fouché, J. H.	Oost, H.
Fouché, J. J.	Papenfus, S. F.
Frates, T. J.	Pieterse, P. W. A.
Potgieter, J. E.	V. d. Heever, D. J. G.
Schoeman, B. J.	Van Heerden, D. P.
Scholtz, D. J.	Van Niekerk, J. G. W.
Steyn, A.	Van Rhyn. A. J. R.
Steyn, J. H.	Van Schoor, J. J. F.
Strydom, G. H. F.	Viljoen, J. H.
Strydom, J. G.	Visser, de V.
Stuart, W. H.	Warren, S. E.
Swart, C. R.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 53:

Abbott, C. B. M.	Kentridge, M.
Bell, R. E.	Lovell, L.
Benson, E. A.	McMillan, N. D.
Bloomberg, A.	Mitchell, D. E.
Bowker, T. B.	Moore, P. A.
Brooke, R. S.	Mushet, J. W.
Butters, W. R.	Oosthuizen, O. J.
Christie, J.	Oppenheimer, H. F.
Cull, J. A.	Robinson, A. E. P.
Davidoff, H.	Russell, J. H.
Davis, A.	Shearer, O. L.
Delport, G. S. P.	Shearer, V. L.
Du Toit, R. J.	Smit, D. L.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Strauss, J. G. N.
Friedman, B.	Sturrock, F. C.
Gale, D. J.	Sullivan, J. R.
Gay, L. C.	Tighy, S. J.
Graaff, de V.	Tothill, H. A.
Hayward, G. N.	Trollip, A. E.
Henderson, E. J. W.	Van Coller, C. M.
Higgerty, J. W.	V. d. Byl, P. V. G.
Hopewell, A.	Waring, F. W.
Hughes, T. G.	Waterson, S. F.
Jonker, A. H.	Williams, H. J.
Jordan, R. D. P.	

Tellers: A. W. S. Mortifee and C. M. Warren.

Question accordingly affirmed and the amendment proposed by Mr. Davis negatived.

Amendments in paragraph (d) of subsection (1) and the amendment in lines 45 and 46 of Clause 21 put and agreed to.

In Clause 22,

First amendment in Clause 22 put.

Sir DE VILLIERS GRAAFF: I want to move on behalf of the hon. member for Alberton (Mr. S. J. M. Steyn), who is indisposed and cannot be here today, the amendment standing in his name as an amendment to the first amendment in Clause 22 —

In lines 66 and 67, to omit "after consultation with the Executive Committee" and

to substitute "on the recommendation of the Assembly".

Clause 22 says clearly that the Governor-General may, after consultation with the Executive Committee of the territory of South-West Africa, apply the provisions of this Act to the said territory, but there is no assurance, no indication, that any advice given by that Executive Committee will be accepted by the hon. the Prime Minister. There are, as this House well knows, provisions already in existence for the election of certain representatives of the territory of South-West Africa to this House. Those provisions have been in existence for some considerable time, but there has as yet, for various reasons, not yet been an election and therefore I think I am entitled to say, Mr. Speaker, that South-West Africa today is completely voiceless on the subject, except that the Minister says that he has consulted with the Administrator on this matter and that he is satisfied. Now, Sir, let us be clear about the position of the Administrator in South-West Africa. He is not responsible to the people of South-West Africa in the sense in which a Cabinet Minister or the Prime Minister is responsible to this House and to the people of this country. The Administrator is an official appointed by the Union Government and I therefore cannot feel satisfied that there has been proper consultation with the people of South-West Africa, or that there is any assurance that their views will be respected. Thus far we have been entirely unimpressed by the hon. the Minister's reasons and arguments for introducing this legislation at all, and less, Sir, may I say, will we be impressed by arguments that he has adduced so far for the extension of this legislation to South-West Africa. One feels that many of those arguments, even if applicable to the Union, are of less weight if applied to South-West Africa and many arguments for the non-application of this legislation in its entirety are even more weighty when applied to South-West Africa. I do not wish to weary this House, but I will give just one example. The Select Committee of 1935 pointed to the difficulty of applying legislation of this kind in places where areas are thinly populated, and that Select Committee instances Gordonia. Now, Sir, it is perfectly clear that in South-West Africa the whole area is extremely thinly populated and during my recent visit to South-West Africa I was in one constituency which was over 700 miles long and approximately 450 miles wide at its widest points. That constituency, virtually the size of the Free State, was inhabited by only 3,500 voters. That will indicate to what extent the argument of the 1935 Select Committee can be applied to that area. It may be clear also that the expense of the application of this legislation to South-West Africa will be even higher per head than is the position in the Union, or likely to be the position in South Africa. In addition there is the difficulty in regard to photographs, to which the hon. the Minister is so attached. In a country of that kind, which is largely a pioneer country, it seems that everybody virtually knows everybody else, and also their pedigree, and there is very little need for identification and one feels that in that area the issue of a European identity card or a non-European identity card to individuals will make no difference whatever to their treatment by the population at large, who have a very clear idea of the origin of each person concerned. Hence in respect of that aspect of apartheid it seems that this Bill will serve little or no practical use in South-West Africa. Fact is that in South-West Africa there is already apartheid, perhaps too much apartheid, because their major problem is obtaining labour from the reserves. There is a type of separation existing there which recognises not only the different racial groups, but also the different ethnic groups of the population and one feels that apartheid there will not be in any way assisted by the application of this Bill. I feel also that the provisions of this Bill are contrary to the spirit of South-West African legislation. The hon. the Minister is placing himself in this position, that he will not only be advocate in his own cause when he consults with the Executive Committee, but also judge in that cause and he will come to a decision without allowing himself to be guided and bound by the sound judgment of those people who are the representatives of the population of South-West Africa. I trust, Sir, that in replying to this motion, the hon. the Minister will resist the temptation, which apparenly overcame him in the course of the consideration of this Clause in the Committee Stage, to indulge in something in the nature of a political speech. I hope he will do his best to restrict himself to facts. This is an important matter and one which I found was discussed very fully and very earnestly by the population of South-West Africa with whom I came into contact and I can assure the hon. the Minister that they will not value a political approach to it, but look to him as a Minister of our country, which they regard as a big brother, to evince those elements of statesmanship which we regard as so important.

*Dr. STEENKAMP: At this late stage while seconding the motion, I naturally do not want to repeat the arguments which have already been put forward against this legislation during the past few weeks, but one thing is certain that although the circumstances in South-West Africa are different from those in the Union, their population groups are, for instance, different from ours, my experience there in the past week has been, without trying to make

political capital out of it or without broaching the subject myself, it has been indicated to me by means of questions, that the population there is against any form of population registration as we want to introduce it here in the Union. It therefore appears to me that we would act very unwisely if any Minister, not necessarily this Minister, should, according to this clause, after consultation, not after consent or agreement or approval of the executive there, extend this legislation, when it becomes an Act, to South-West Africa. It is very obvious that those people there feel as strongly, if not stronger, against this legislation as we do, and especially against the pass system, or the identity card, if you do not like the word "pass". As I have said previously, the psychology of the South African people, of whom the people of South-West Africa form an entity, are against the carrying of this pass or identity card, and those people are not prepared to subject themselves to the unnecessary inconvenience which this Bill will enforce on them. They are not prepared to have the worry of an identity card, and they especially do not want the European woman to suffer the insult and, I repeat, the inconvenience.

*The MINISTER OF THE INTERIOR: In the Committee Stage I have said that this amendment is nothing but an obvious political stunt, and after listening to the two speeches made here, there is nothing to make me change my mind. All I can say is that I am very sorry that the hon. member for Hottentots Holland (Sir de Villiers Graaff) lent himself to this sort of game. The arguments they used here why it should not be applicable to South-West Africa, are arguments which would much better have suited the representatives of South-West Africa when they are consulted in this matter. Then we will hear what they have got to say and it will be taken into consideration, but it is rather presumptuous of the hon. members to pretend that they can act here as mouthpiece for South-West Africa.

*Sir DE VILLIERS GRAAFF: May I ask you a question? Are you prepared to give the assurance that you wil accept their advice as regards the application of this legislation?

*The MINISTER OF THE INTERIOR: The hon. member will see what the amendment is, that "after consultation . . ." and he has enough knowledge of the law to know what that means.

Question put: That the words "after consultation with the Executive Committee" proposed to be omitted, stand part of the amendment.

Upon which the House divided:

AYES — 62:

Abraham, J. H.	Liebenberg, J. L. V.
Bekker, G. F. H.	Loock, J. H.
Bezuidenhout, J. T.	Loubser, J. A.
Boltman, F. H.	Loubser, S. M.
Botha, P. W.	Louw, E. H.
Brink, W. D.	Luttig, H. G.
Brits, G. P.	Malan, A. I.
Conradie, D. G.	Malan, D. F.
Conradie, J. H.	Maree, W. A.
Deysel, A. J. B.	Mentz, F. E.
Dönges, T. E.	Olivier, P. J.
Du Pisanie, J.	Oost, H.
Du Plessis, P. J. C.	Papenfus, S. F.
Du Plessis, W. C.	Pieterse, P. W. A.
Du Toit, R. J.	Potgieter, J. E.
Erasmus, F. C.	Schoeman, B. J.
Erasmus, H. S.	Scholtz, D. J.
Erlank, A. E.	Steyn, A.
Eyssen, S. H.	Steyn, J. H.
Faurie, W. H.	Strydom, G. H. F.
Fouché, J. H.	Strydom, J. G.
Fouché, J. J.	Swart, C. R.
Frates, T. J.	V. d. Heever, D. J. G.
Grobler, D. C. S.	Van Heerden, D. P.
Hertzog, A.	Van Niekerk, J. G. W.
Hugo, P. J.	Van Rhyn, A. J. R.
Klopper, H. J.	Viljoen, J. H.
Labuschagne, J. S.	Visser, de V.
Le Roux, P. M. K.	Warren, S. E.
Le Roux, S. P.	Wilkens, Jan.

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES — 52:

Abbott, C. B. M.	Kentridge, M.
Bell, R. E.	Lovell, L.
Benson, E. A.	McMillan, N. D.
Bloomberg, A.	Mitchell, D. E.
Bowker, T. B.	Moore, P. A.
Brooke, R. S.	Mushet, J. W.
Butters, W. R.	Oppenheimer, H. F.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Russell, J. H.
Davidoff, H.	Shearer, O. L.
Davis, A.	Shearer, V. L.
Delport, G. S. P.	Smit, D. L.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Strauss, J. G. N.
Friedman, B.	Stuart, W. H.
Gale, D. J.	Sturrock, F. C.
Gay, L. C.	Sullivan, J. R.
Graaff, de Villiers	Tighy, S. J.
Henderson, E. J. W.	Tothill, H. A.
Higgerty, J. W.	Trollip, A. E.
Hopewell, A.	Van Coller, C. M.
Hughes, T. G.	V. d. Byl, P. V. G.
Jonker, A. H.	Waring, F. W.
Jordan, R. D. P.	Waterson, S. F.
Kahn, S.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

Question accordingly affirmed and the amendment proposed by Sir de Villiers Graaff dropped.

Remaining amendment in Clause 22 put and agreed to and the Bill, as amended, passed.

Bill to be read a third time on 12th May.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

COMMITTEE OF SUPPLY.

First Order read: House to resume in Committee of Supply.

House in Committee:

[Progress reported on 9th May, when Votes Nos. 1 to 26, 36 to 41, 43 and 44 had been agreed to; precedence had been given to Votes Nos. 31 to 34; Vote No. 31.—"Agriculture", £3.296,500, was under consideration.]

*Mr. OOST: I think the House owes a debt of gratitude to the Minister for his friendly and exhaustive exposition of the policy and the functions of his Department, particularly in connection with the meat question. It is in that connection that I should like to say a few words, particularly with reference to the Minister's remarks in regard to the question of mutton.

*Mr. STRAUSS: What is that?

*Mr. OOST: I want to tell the House where it is possible to produce mutton. I want to point out to the Minister and the House that in my opinion a little more attention could be devoted by his Department to sheep farming in a part of our country which is particularly suitable for it, and which has been used very little for that purpose up to the present. I refer to the Bushveld. There are hon. members in this House who know more about it than I do. My experience only covers a period of about 25 years. Let me say to the Minister that there is a large area of the Transvaal and also outside the Transvaal which is extremely suitable for sheep-breeding, more particularly slaughter sheep. This is a warm part and it is not suitable for Merinos, but I wonder whether anywhere in South Africa there is better veld for slaughter sheep than this area. Experience has taught us that sheep which are bred in that area are practically free from disease, excluding possibly ticks, which cause gall-sickness. But if they are regularly taken care of and dipped, they can be cured with the remedies at our disposal. Our experience is that from the sheep, which are bred in that area by crossing Persians with kaffir sheep, we get an excellent product, which can easily be improved by the use of suitable rams, particularly of the Down type. This will yield an excellent product. I would mention particularly the Dorset. The position is this that I feel that the Minister's Department could give a little more attention to this, not with a view to paying the farmers or giving them money, but in order to give them some encouragement. I can give you the assurance that this will not be fruitless. These animals need little watching. They can be kept in the kraal until midday and then let loose. That is the only watching they require. We get excellent sheep there when the Down type of ram is used. This may even mean that the production will become very great and if we can use this type of ram, we can make use of the export market. Hon. members will ask why I talk about the export market.

That brings me to the question of marketing, in connection with which I want to say a few words. The marketing of that type of sheep which is bred from the Down type, which is of the English block type, can be carried out very easily. There may be a period of abundance in the course of years. In that connection I want to say that we in this House and in the country must not forget that the greatest material sacrifice was made in this country by one section, and that is the farming section. The country must never forget that. The farmers started to shoulder the burden at an early stage. They could not increase their prices. They could sell mealies at 40s. on the open market, but had to be content with 20s. That applies to meat, tobacco, potatoes and everything else. I am afraid that there are perhaps members in this House who do not appreciate that fact sufficiently.

There is one thing which gives me some cause for concern. The farmers, as I have said, had to shoulder this burden at an early stage and they had no alternative. What is going to happen if at some future date prices decline as a result of large world production, something which is close at hand? Will the farmers be assisted? The farmers could have sold their products at higher prices. I have mentioned the question of mealies which they sold at 20s. when they would have got 40s. on the open market. If world prices fall at some future date to 10s. or 7s., will the farmers receive adequate support so that they will still get a reasonable price? I strongly doubt it. I hope that that will be done, and that members of this House will not forget what the farmers have done in the past.

I want to give you certain figures in order to show that it is no fiction that the time will come when there will be over-production. In America this year there is an over-production of six and a half million bales of cotton and 25,000 tons of cotton seed. There are mountains of mealies and stacks

of potatoes, etc. There is over-production in every sphere, and that production will influence the market sooner or later. It will ultimately reduce the world price. When that time comes I hope that members on both sides of the House, including those who have no interest in farming, will be magnanimous enough to remember that during the war period the farmers had to struggle and that indirectly they suffered large material losses through the prices that they accepted; that we will then remember that in this House and assist the farmers through the difficulties caused as a result of overproduction, not in this country but in other countries; because you will agree with me that we can afford as much protection as we like but in the long run the price on the world market affects the price in this country. I wanted to say these few words to the Minister in the hope that when that day arrives, we will not forget what the farmers did during the war in the shape of the material sacrifices made by them.

*Mr. STRAUSS: May I have the privilege of the second half-hour? I do not propose starting with the words with which my friends opposite always start: "I thank the Minister." Let me say that we had an interesting sight here yesterday, a sight more interesting than the Minister's speech, a sight which had a humorous side as well. You see, Mr. Chairman, for years it has been the custom, when a Vote comes up for discussion in Committee, especially the Agricultural Vote, for some member on this side of the House to lead off with criticism of the Minister's policy. In this instance, however, there was no need to follow that practice, because the Minister got somebody from his own side of the House to put in a good word for him. He put up his own umbongo — "big Piet from Kuruman" had to step into the breach to apologise for the Minister and to show that all the troubles and all the consequences of the neglect of the past two years are attributable to the former Minister of Agriculture.

*Mr. A. STEYN: But that is the case, as a matter of fact.

*Mr. STRAUSS: This was the most humorous sight we have ever beheld here, and I feel that my hon. friends opposite will not take it amiss — especially the hon. member who has just sat down — if I say that he contributed somewhat to the humour of the situation when he referred to the possibility of mutton being exported from this country. That is one of the best jokes this Committee has heard for years. The humorous part was this, that the present Minister who, two years ago, and for quite a number of years before that, had been telling us in this House that the meat scheme . . . [Interruptions.] I hope that these interruptions will not be deducted from my thirty minutes. I was saying that the Minister had been telling us all these years that the meat scheme in principle was sound, but that it was the maladministration and the mess made by the previous Government which were responsible, for the trouble. It was said that cattle were obtainable in the country; that cattle and the sheep were there; that there was no trouble in that respect; the only trouble was the grading system introduced by the previous Minister, and it was also contended that the prices were all wrong; the middleman got too much and the producer got too little. Those were their statements, but, they said, as soon as they came into power the producers would get a higher price, the middleman would get a smaller margin of profit and the consumer would get his meat cheaper, while at the same time the producer would get more for his slaughter stock. The present Minister has been in office now for more than two years, and his umbongo in the person of "big Piet" has now to come along to absolve the Minister of any blame on account of his not having done anything in these two years to improve the meat situation. He had to do this in spite of the fact that the meat situation is infinitely worse than it was in the days of the previous Government. The poor Minister is in trouble, in trouble worse than any Minister has ever been in, and "big Piet" had to step in to rescue him.

During the recent elections, it was stated that mutton would be available as soon as the present Government came into power; the Minister now tells us that it will be here soon. The Minister has given the House a big lot of figures in order to convince the country that there is going to be an improvement and that more mutton and beef will be available. Arising out of those figures he has, by a flight of fantasy, given the country to understand that very soon there will be more mutton than the country requires for its needs. But my difficulty with the present Minister is that he is not putting his cards on the table, that he is not frank with the people of South Africa. The present Minister is a politician firstly, he is a politician secondly . . .

*Mr. A. STEYN: [Inaudible.]

*The CHAIRMAN: Order, order!

*Mr. STRAUSS: And thirdly he is also a politician. [Interruptions.] I should like some order in this House and I hope that the time taken up by these incidents will not be deducted from my thirty minutes. Probably hon. members opposite are trying to take up my time in this way because they are scared of the truth. The Minister is, firstly, secondly and thirdly, a politician and perhaps fourthly, fifthly and sixthly, Minister of Agriculture. He has brought us

House Resumed:

The CHAIRMAN reported progress, and asked leave to sit again.

House to resume in Committee on 16th May.

On the motion of the Minister of Finance, the House adjourned at 10.17 p.m.

TUESDAY, 16th MAY, 1950.

Mr. SPEAKER took the Chair at 2.20 p.m.

QUESTIONS.

Whisky to Remain on Prohibited List.

I. Capt. HENWOOD asked the Minister of Economic Affaris:

(1) Whether he contemplates taking any steps to remove whisky from the list of prohibited imports;

(2) whether any representations have been made to him by importers of whisky; of so, what was the nature of such representations; and

(3) whether he is prepared to allow imports of whisky; if so, under what conditions.

The MINISTER OF ECONOMIC AFFAIRS:

(1) No.

(2) Yes. Generally these representations suggest the importation of whisky with investment of proceeds in the Union on lines of the previous whisky importation scheme.

(3) The United Kingdom is not prepared to permit the continuation of exports to the Union if the proceeds are to be blocked and in view of the fact that sufficient currency is not available for the country's full requirements of capital goods, raw materials and more essential consumer goods, I do not consider that I would be justified to make exchange available at this stage for the importation of whisky.

Pakistan and India and Group Areas Bill.

II. Mr. TIGHY asked the Prime Minister:

Whether any representations have been made to the Union Government by Pakistan and India for a postponement of the Group Areas Bill until after the proposed round table conference with their Governments; and, if so, what was the reply.

The PRIME MINISTER:

Yes. I do not, however, think any good purpose would be served by disclosing at this stage details of the negotiations which are being conducted preliminary to the holding of the round table conference.

Building of Allemanskraal Dam.

III. Mr. WARING asked the Minister of Lands:

(1) Whether it has been decided to build the Allemanskraal Dam on the upper reaches of the Great Fish River;

(2) what is the estimated cost of the dam;

(3) whether the report of the engineers recommended the proposed scheme; and

(4) what measures he intends taking to prevent the dam silting up.

The MINISTER OF LANDS:

(1) Yes. In accordance with a promise given by the former Prime Minister.

(2) £716,000. This amount is reflected in Loan Vote E for 1950-'51.

(3) Yes, as part of the proposed Orange-Fish River Scheme.

(4) The areas above the dam have already been proclaimed as soil conservation districts and, by applying soil conservation methods, it is hoped to reduce the silt in the river.

If the proposed Orange-Fish River Scheme is built the water will be desilted before it reaches this dam.

Mr. CULL: Did I hear correctly that the Allemanskraal dam will be part of the Orange-Fish River scheme.

The MINISTER OF LANDS: The question was whether the report of the engineers recommended the proposed scheme. My reply was in the affirmative.

Mr. CULL: But is it the policy of the Government?

PARLIAMENT THE REPUBLIC OF SOUTH AFRICA

Meeting of Natives' Representative Council.

The MINISTER OF NATIVE AFFAIRS replied to Question No. III by Mr. Kahn, standing over from 25th April.

Question:

(1) Whether he intends to refer any matters to the Natives' Representative Council during the present session of Parliament; and

(2) whether he intends to convene a meeting of the Council in the near future.

Reply:

(1) No.

(2) It is my intention to convene a meeting of the Council after the present session of Parliament.

Mr. KAHN: Arising out of the reply, may I ask the hon. the Minister whether in accordance with the Natives' Representation Act, the hon. the Minister will refer legislation affecting Africans to the Natives' Representative Council?

The MINISTER OF NATIVE AFFAIRS: Not legislation introduced this Session.

POPULATION REGISTRATION BILL.

First Order read: Third reading, Population Registration Bill.

The MINISTER OF THE INTERIOR: I move —

That the Bill be now read a third time.

Mr. STRAUSS: Mr. Speaker, I wish to move an amendment to this motion for the second reading of this Bill, and I may as well at this stage read out the terms of my amendment, which is as follows —

To omit all the words after "That" and to substitute "this House declines to pass the third reading of the Bill because inter alia —

(a) in compelling people to comply with a multiplicity of irksome requirements in order to be issued with and to be possessed of identity cards, it is placing an irritating and unnecessary burden on the citizens of the Union; and

(b) it fails to provide proper safeguards against the abuse of lodging objections to the racial classification of persons, and opens the door to the practice of persons prying into the family history of other persons."

Well, Sir, this Bill was strongly opposed at its second reading and it was opposed for the most adequate and compelling reasons. I do not wish to detail those reasons here once again. Those reasons still stand. But not only that, Sir. This Bill as it has emerged from the Select Committee to which it was referred after the second reading, and in the form in which it has now emerged from the Committee of the whole House, is even less acceptable than the Bill was in its original second reading form. Let me first of all in this connection mention what happened in regard to Clause 2, and the consequential amendments that were necessitated in other clauses as a result of what had happened to Clause 2. The House will remember that Clause 2, in the terms in which it appeared in the Bill at the second reading, provided for a complete register of the population of the Union, with the exception only of Native females and Native males under the age of 18 years. Barring those two classes, the rest of the population, in terms of Clause 2, had to be registered. Clause 22 then provided, as it then stood, that these omitted persons, that is Native females and Native males under the age of 18 years, could be included in the Minister's population registration scheme by means of proclamation. But Sir, we know what has happened. As a result of the penetrating criticism of the Opposition which exposed the Minister's position, he has had to beat a retreat like so many of his colleagues in the course of this session. He has had to run away from Clause 2, because we were able to show to his followers and to the country that what the Minister proposed to do, as the Bill stood at the second reading, was to compel the White women of this country to carry passes whilst the Native women were exempted under Clause 2. As a result of the criticism by the United Party the Minister was compelled to beat a retreat. He had to bring in an amendment to Clause 2, and Clause 2 as it now stands, provides for complete and entire registration of the population. That amendment on the confession of the Minister himself . . . [Interruptions]. It is no use my hon. friends opposite getting shaky and jumpy — on the confession of the Minister he did that primarily for reasons of political expedience. He did not do it on the merits of the case or because it was really in the interests of the country; he did it to try to protect the precarious position of the Nationalist Party which is admittedly becoming more precarious every day on account of the legislation introduced by that party.

The MINISTER OF THE INTERIOR: That is petty.

Mr. STRAUSS: The Minister may think petty, but it is at fact. The pettiness comes from the seat over there. There is nothing petty in what I say. I am merely stating the facts objectively. In doing so, and in introducing an amendment in Clause 2 in order to make the population register all-embracing for the whole population of the country, the Minister was compelled to introduce consequential amendments in Clause 21, so that those now included could be excluded again. But he went much further, and that is one of the respects in which this Bill is much worse than it was at the second reading. He has gone a great deal further in introducing the amendments he has introduced in Clause 21, and that clause now gives him unlimited and unfettered powers to exclude or exempt. I regret very much that I have to say it, but I think it is my duty to say it, that in taking to himself these unfettered powers, this Minister is running true to form as we know him and as the people in this country have learned to know him. He is taking these autocratic powers into his own hands, just as he has taken autocratic powers in regard to passports, so that he can dispense political favours when it suits him. These powers are so wide that they give him the power to exempt persons from the duty of being possessed of and carrying identity passes. He has that power of exemption under Section 21 as now amended.

Mr. SUTTER: He can exempt members of the Nationalist Party.

Mr. STRAUSS: Let us look at Clause 21 to see how complete and absolute these powers are. It says this—

> The Governor-General may by proclamation in the Gazette exclude, for a specified or unspecified period, from the provisions of this Act or exempt, for a specified or unspecified period and either unconditionally or subject to such conditions as may be prescribed in the proclamation, from any specified provisions thereof . . .

Then it goes on to mention classes (a), (b), (c) and (d), and subsection (d) says—

> (d) Any other class of persons, or persons or class of persons ordinarily resident in any specified area, the generality of the provisions of this paragraph not being limited by the provisions of the preceding paragraphs,
>
> and may in like manner amend or withdraw any such proclamation.

There you see, Sir, it is the old pattern we know so well when it comes to this Minister. All the powers are in his hands to do as he wishes, to dispense political favours and ministerial favours if he wishes to do so. He has been quite unable—we probed the position by amendments in Committee, as we probed it at the second reading—he has been quite unable to give any convincing reason for taking these far-reaching and wide powers unto himself, in view of the very modest powers he possessed under the Bill as it stood at the second reading. His sincerity has been tested by the amendments moved in the Committee stage, the test was applied to the Minister in the Committee Stage and it has found him to be wanting in every respect.

In the second place the Minister's attention has been very clearly focussed on the danger inherent in the present Clause 5 (b). Hon. members will remember that Clause 11 prescribes certain formalities which have to be complied with in respect of lodging objections, whereas Clause 5 (b) does not contain similar requirements, and the contention was put up on behalf of this side of the House—I do not wish to deal with that contention in detail at all, but I only want to mention that contention was advanced, and in my submission it was a very sound contention—that Clause 5 (b) is simply a way of escape, a backdoor by which the more onerous requirements of Clause 11 can be by-passed. The Minister there again does nothing to allay the fears and misgivings, not only of this side of the House, but of people outside, about the effect of the iniquitous provisions contained in those sections.

Then, Sir, if you take these two clauses and you consider their effect in practice, when this Bill is ultimately passed into law and becomes operative in the country, you see at once that these two clauses most invitingly and alluringly open the door for prying and spying into the family history of people in this country by persons who have the worst possible motives for doing so. I am now referring to Clause 2 of my amendment which says that these two clauses will bring something into the public, administrative and social life of this country from which hitherto we have been free. Now, Sir, the door is being opened wide and the channels are available for people to use passions and motives of the worst kind in order to harm other people. I do not need to detail the various ways in which this may happen. We know that there are various base motives why people seek to harm other people, and here the door is opened and the channel made available. It may be motives of professional jealousy, those of the disappointed lover, family feuds and vendettas, a political vendetta or hatred, and all the channels are made available by the Minister for those people to come and spy and pry and to raise a poisonous and pernicious atmosphere such as we have never had in this country.

An HON. MEMBER: It is disgusting.

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Mr. STRAUSS: I agree with the hon. member opposite that it is disgusting. But it is being put forward by his Minister to make that poisonous state of affairs possible in this country. Here again, we as an Opposition did our utmost to strip the Bill of these objectionable features; we tried by moving amendments in Committee, to limit the information made available to the public in the magistrates courts, and by attempting to knock out the third party objector, for whom the correct name is the informer. Mr. Speaker, this Bill as it stands, will become a paradise for the informer. We have tried to knock that out, but to no avail. Our submission has been that in a country with a population such as ours, with the variety of races we have here, the racial history of any person should be something between him and the State only, and not open to prying and spying eyes, not open to the evil eye and the slanderous tongue of any other person. It should be the concern only of the person himself and the State. We therefore draw attention to this in clause (b) of our amendment. And at this stage let me say that the amendment is not exhaustive. We focus attention on the two main grounds among others, on which we have launched our attack against the Bill and will continue to do so.

The other ground is that contained in clause (a) of the amendment, namely the fundamental objection this side of the House has to the necessity now created for the people having to carry passes. Not only have they to carry passes and be possessed of passes, but also Sir, they are being subjected to a multiplicity of irksome requirements in order to have the identity passes issued. At this time when our people in the country are going through a very difficult time, when more difficult times lie ahead — economic difficulties, difficulties of the cost of living — at this time when people in the country are crying out for good government, when they are crying out for some form of statemanship, this is what they get — irksome restriction and passes for everyone. And if not passes for everyone, then it means at any rate passes for the white women and not passes for the native women of the country.

I come back to that point. The native women were excluded originally under clause 2, and therefore there is discrimination in their favour. The Minister thinks he has put the matter right from a purely political propagada point of view by the amendments he has introduced. But even there he is on very very shaky grounds indeed, because we know that from an administrative point of view it would be impossible for him to make the native women of the country carry passes. He has been challenged to give an undertaking that he will not use those powers under section 21, to exempt native women from carrying passes, and he has not found it possible to accept that challenge. So we know, Sir, that that state of affairs will come about, and the position will be that the white women of the country, indeed every section of the public will have to carry passes; white women, old people and young people will have to be possessed of these passes. That is irritating and an unnecessary burden, of which the people of this country will despair.

We see the gravest difficulty from an administrative point of view to carry out this piece of legislation if it is finally placed on the statute book. We have already indicated the difficulty you will have in photographing 12 million people, consisting as we know of eight and a half million natives, over half a million Asiatics, 900,000 Coloureds and 2½ million Europeans. There has been no light thrown on these difficulties, as to how the Minister will get the photographs. We know the difficulties that will be encountered in the native reserves. We know this country is experiencing a lack of photographic equipment. We know the difficulties of the hon. the Minister of Finance and the Minister of Economic Affairs, with regard to the foreign exchange shortage and the necessity for imposing import control, a necessity which is still there today and does not permit of the relaxation of import control to any great extent. We know that even the farmers, and I want to mention just this one instance, are going short of fertiliser. Rock phosphates cannot be imported on the scale it ought to be. Farmers are getting 75 per cent. to 80 per cent. of their requirements. My hon. friend there nods his head. He knows it is so. Every farmer knows it. Yet this legislation is permitted, and foreign exchange will presumably be made available for the necessary photographic material in order to enable the photos to be taken so that the people of the country will be able to comply with the Minister's pass law.

There are also other difficulties in regard to these photographs. The Minister refused to make any State provision with regard to payment of the photographs in the case of those who are too poor to pay, whether they are Europeans or non-Europeans. We know the difficulty with which the artisan will be faced to comply with this requirement. We know how many thousands of man hours will be lost because our workers have to comply with this provision. It will be lost to industry and to development of the country. All the unskilled workers, the semi-skilled and the skilled artisans, will have to take time off in order to comply with the requirements laid down in this regulation. I do not want to dwell on the dislocation which will result from this to industry in the country, in a time when we get an appeal or should get an appeal from the Government from industry to

produce more, not only for the requirements of this country but for export, so as to overcome the difficulties from which we have suffered and are still suffering. Instead of making it possible for these people to produce more and to get additional manpower, they are going to be hamstrung in this way so that they cannot produce as much as they otherwise would have done.

I do not want to delay the House, and I come to my final point. [Interruptions.] I know my hon. friends opposite do not want to hear this. They will hear a great deal more about it. They will yet come to rue the day when this Minister appeared on the scene with this kind of legislation. I want to say finally that here in this Bill there was a golden opportunity to do something which was greatly needed in the country. It was a heaven-sent opportunity to introduce a provision to simplify all the pass laws in the country.

Mrs. BALLINGER: Hear, hear.

Mr. A. STEYN: There you have it.

Mr. STRAUSS: My hon. friends over there may amuse themselves and laugh over these matters, but let me tell them with all the seriousness and sincerity at my command, that the state of racial tension in the country is such today as we have never seen it in the country before. Sir, race relations may have been different two years ago. They have vastly deteriorated since this Government came into power, and if there is any necessity today which is greater than anything else, it is that it is necessary in the public interests that every constructive step should be taken, every step which is open to us should be taken to ease racial tension, in order to minimise the friction and irritation that are in existence today. And here, as far as the pass laws are concerned, we have had very clear recommendations from commissions. I instance the Young Commission of 1939 which suggested that these frictions and these irritations should be reduced to a minimum by doing away with a multitude of passes for the non-Europeans and replacing them by one single pass. That was a United Party commission, Sir, and we would have been glad to carry out that recommendation, but it was in 1939, at a time when the country had to go to war, and owing to manpower difficulties we could not carry it out.

The MINISTER OF THE INTERIOR: You had nine years.

Mr. STRAUSS: The Minister says nine years, but he has had two years and he brings in this Bill, and he does not do it. Nothing is done in a way of constructive legislation of that kind. All that is done, Sir, is this ideological legislation, legislation for party-political purposes, which in the end will have a boomerang effect which that party will not be able to survive. I beg to move my amendment.

Maj. VAN DER BYL: Mr. Speaker, I have great pleasure in seconding the amendment moved by my hon. colleague. My arguments will largely be based on clause (b) of this amendment. My colleague has analysed the Bill so vividly that I do not think it is necessary for me to go further than what happened during the second reading debate. [Interruptions.] These horselaughs would have been very much better if they applied to the meat scheme debate. [Interruptions.]

The SPEAKER: Order.

Maj. VAN DER BYL: As I said, my colleague stated the whole case on the Bill as it emerged from the second reading, as it emerged from the Select Committee and as it emerged from the Comittee Stage. And I hoped most sincerely that the Minister would have developed some discretion during the period when we were trying to help him to remove some of the irritations and humiliations that this Bill must bring to many people of this country. And that, Sir, is why I took no part in the debate while the second reading of the Bill was being discussed. Members on this side of the House thrashed out the Bill from all aspects. Most of the points were raised that one would have cared to raise, and I do not propose now to cover the same grounds, except where it is necessary to point my argument. The one thing that emerged most clearly from the speeches during the second reading that followed from that side of the House, was the specious and one might almost say plausible introduction by the Minister of the Interior when he tried to pretend that this was quite an innocent little Bill introduced in the interests of the country and for national reasons. It was very soon shown what the true meaning behind that Bill was. Sir, you remember that my Rt. Hon. Leader, when he led off in the second reading debate, he analysed the Bill with cold logic and emphasised the essentials the whole time, and exposed what in his opinion the Minister's real intentions were. Well, members on the other side of the House at first were surprised, then they were incredulous that anybody could put such a construction on the Minister's intentions in connection with this Bill; it was possible he said for anybody to put the construction on it which my Rt. Hon. Leader did. But, Sir, it very soon became clear from the speeches from the back benches, from the wild men on the other side, when they crossed the t's and dotted the i's of everything my Leader had had said.

An HON. MEMBER: The wild men?

Maj. VAN DER BYL: Quite frankly, we on this side of the House are extremely grateful to them for dusting off all the cant and hypocrisy . . .

Mr. SPEAKER: The hon. member must not use those terms.

Maj. VAN DER BYL: May I not use the term cant? I withdraw "hyprocrisy."

Mr. SPEAKER: No, the hon. member must withdraw those terms.

Maj. VAN DER BYL: Then I withdraw both words. May I say then that they exposed the Bill in all its stark reality, as they chattered on, dragging out all the old Shibboleths whilst their minds rattled like an empty goods train.

When speaking on Mixed Marriages last year, I went into detail on the Mendelian laws of heredity and based my arguments on those grounds. I do not propose again to give details of what Mendel proved. That is known to every educated person. Mendel proved conclusively the basic factors of atavism which can be described as a "resemblance to remote ancestors rather than to immediate parents", and when I say "remote" I may well mean also "not quite so remote". It is this which worries me so greatly in this Bill. It is this that can cause not only great hardships and misery, but can constitute a grave danger to the State. This Bill, as has so repeatedly been said, claims once and for all to separate the people into three main classes, European, Coloured, and Native. Now let me take the Europeans and Coloureds only. Once this register is compiled, a final boundary fence will be erected over which neither side can climb. Now leaving out technical details and lawyers' points, it comes to this: A man who looks white, or who by association and mode of life is considered white, shall be a white man for ever and the same applies to his descendants. A man who looks coloured, or who associates with Coloureds and whose mode of life is looked upon as Coloured, and both he and his decendants will be Coloured for ever. There is no going back once that register is completed. That is the position. Once either of those near or immediate ancestors had been classified in either of these categories, they remain there for all time with complete disregard—and that is the point I want to make — of Mendel's law or any true laws of heredity. In short the hon. the Minister in introducing this Bill is completely ignoring the atavistic throw-back. Now nobody who has had any experience will deny that two apparently white people, based both on their colour and association and their mode of life, can have recessive Colcured characters — I am using "recessive" in the technical sense—although their dominant character (I again use that in its technical or Mendelian sense) is white. These two people marry and beget a family. In the first two children the dominant characters meet. They are not only white, but can be exaggeratedly blonde. In the third child both the recessive characters of the parents meet and the child is not only obviously Coloured, but can be completely negroid, a child which by no possible argument can be put down as European and yet both its parents were Europeans, there is their history, they were both white judged by colour and association. Now, Sir, this is not theory or imaginative thinking. It is cold fact and has occurred again and again. And both of these people might have occupied high positions in the land, they might have been members of Parliament, but the point is this that by no specious reasoning could that third child be registered as a European; that child is a negro. What is now the child's position vis-a-vis this Register in which such a case of atavism occurs? The child may have had a succession of completely (in the eyes of the law) White parents on both sides. Both parents may have, for generations, had the highest positions in the European public life; they may both have been members of Parliament even in fact as future Ministers or judges may have to interpret this very Bill, if it becomes law. Generally by no possible specious reasoning could such an atavistic child be registered other than as not only a Coloured but actually a Native. I do not want to enlarge on the practical and natural difficulties or the absurd and very tragic situations that may arise. It has been stressed fully from this side of the House during the second reading debate and also in Committee. The fact is that the hon. the Minister never met this argument, he has always avoided this point.

But now I want to touch on a national danger that can flow from such a situation, to show the effect of this Bill. Such a situation can and will sooner or later arise. Whether the Government intends it or not, a considerable number of people who have passed as white and who have been accepted as such, and have even been on the European voter's roll and have had the privileges of Europeans although in many cases it is public knowledge that they have a strong strain of colour in their blood, will now be classed officially as Coloured and will have to accept life as such. If we come to Clause 5 (c) where the Director comes in (I almost said the Dictator) he can after having received a poison-pen letter, put that person in the Coloured category, a person who has for a long time been looked upon as a European.

Mr. MAREE: You haven't read the definition.

Maj. VAN DER BYL: What is the object of arguing with people who cannot understand these simple facts.

Mr. J. H. CONRADIE: You can only be personal. That is all. Read the definition.

Maj. VAN DER BYL: These people who have been looked upon as Europeans all their lives, when they fall on the other side of the fence will be turned into the most bitter enemies of the whites, for hell knows no fury like the human being who has had his ego touched. That is the danger. They with their background and education and social intercourse and their knowledge, people who have always been looked upon as Europeans, they will be the leaders, the leaders of the decent Coloured people who have always been looked upon as Coloured, and there are very many of them, who were not dissatisfied with their lot in life, who had no inferiority complex, but wer proud of themselves and their communities and who had been satisfied to be respected by their fellow Coloureds, as well as many whites who have learnt to know of their honesty, integrity, character and ability. But these new people who had been cast out of the white sphere by this Bill, with hate and resentment in their hearts, will become the new leaders of the Coloureds, and their one desire will be to destroy the whites who cast them out. Had they always been classed as Coloureds they would have been satisfied to remain as such in their own community, but to find themselves suddenly cast out of the white community, will eat into their very souls. Their one aim in life will be to overthrow their former associates and they will work for that end with a fanaticism and zeal which only a grave injustice or hate can engender. They will never be content till they have revenged themselves on those who spurred and humiliated them. I don't want to overdraw the picture. It is obvious to anyone with imagination and knowledge of human nature how most great movements have come from personal dislikes. I could quote cases from history for hours. You need only read Winston Churchill's book how he says how often small little things which irritate or grieve, how often a person who has been humiliated or irritated in the end becomes a world-shaker. It is not necessary to give parallels. Hon. members will recollect how in the days of Paul of Russia he was a great friend of Frederick the Great and he gave him the whole Russian support, but Frederick the Great, with his habit of making rude remarks about people, piqued Catherine the Second, and after Paul had been liquidated and she became queen, she turned the whole of the Russian forces against Frederick the Great only because he had made a rude remark about her, and in other words hurt her ego. Frederick also made rude remarks about the mistress of King Louis of France and jeered at Marie Theresa of Austria because of her piety, and these women finally turned their nations against Frederick. The point is that you have only to see how a person accepted as white but who has an obvious colour strain in his make-up is always most bitter in his outlook, approach and spirit against the non-European, to realise what an inferiority complex can do with human emotions. In anti-semitic countries it is often the gentile with the Jewish ancestor who is often the biggest Jew-baiter of all.

Rightly or wrongly—I do not want to argue the merits of the case now—this Government has engendered distrust and hatred of the white by the non-white. Things are happening today that would have been thought impossible even eighteen mont,hs ago. Violence and resistance to law and Government action are rapidly increasing. If things go on like this, we will find ourselves living in a hostile camp, almost besieged. You cannot keep down elemental emotions, once they had been roused, by guns for ever. You can do it in the short view, but you cannot do it for ever.

We have warned the Government. History has warned them and our friends outside are daily warning them. Let them take heed of these warnings. Cannot the Government leave aside all this contentious legislation which creates hatred, which their foolish and tactless actions are fanning, and deal with the economic improvement of the country. The Government is wasting time with legislation, much of which is impossible of realistic implementation, whilst our soil is dissolving beneath our feet and the economic lifeblood of South Africa is draining away. The Government knows that this legislation is completely unrealistic, they know that it will never be carried out. The hon. the Minister has no intention to make his real register of the whole population. There is no intention of registering the native women and to compel them to have photos on their passes.

Dr. VAN NIEROP: Nonsense!

Maj. VAN DER BYL: You know that you have not got the machinery to do it.

Dr. VAN NIEROP: Nonsense!

Maj. VAN DER BYL: The hon. the Minister knows that he has not got the machinery to carry it out.

The MINISTER OF THE INTERIOR: What nonsense.

Maj. VAN DER BYL: The hon. Minister must not always be talking about himself. Why then make provision to leave the native women out. The Minister himself had said that it is a political move on his part. No, South Africa knows that this side of the

House is fighting to preserve white civilisation for the future generation. I want to make this country safe for my children, and to enable them to inherit the privileges and life that I have inherited from my forebears. I want to make the country safe for my children. The Government so far from preserving it, might well be the cause of its destruction. They are laying the seedbed on which Communism will grow most fruitfully. They will be responsible. The hon. member for Germiston (District) (Mr. Strauss) has put it very clearly. The Minister does more than anyone else, with his strange, almost teutonic outlook that desires the regimentation of everything, and the desire to card index everything to destroy our civilization. Should our white civilization ever be overwhelmed by Communism or a black tide, this Government must answer for it. They are letting the jinnee out of the bottle and once out they will never be able to put it back. This Bill merely has to create one Gandhi from what is at present the white side of the fence, and the future generations might well have to pay in blood for it. This Bill separates the white races physically into defined separate racial groups but at the same time unites all non-Europeans psychologically into one camp. The future generations will never forgive this Government for their last two years of legislation. The Minister's own children may well one day rue what he is now doing.

*Mr. J. J. FOUCHÉ: I do not want to argue on the basis on which the hon. member for Green Point (Maj. van der Byl) has argued here. But when you are dealing with such a serious matter as this, something which is actually in the interests of the people, and something in connection with which there seems to be such a vast difference of opinion between this side of the House and the side opposite, then I think of that sort of meanness. The hon. member to level accusations and to say that the brains of this side of the house make alle the noise and rattle like an empty drum. If we wanted to do so we could easily make ourselves guilty of that sort of meanness. I have something in mind that I could say but I do not want to make myself guilty of that sort of meanness. The hon. member for Green Point has had a great deal to say about the most unfortunate beings that one can imagine. I cannot think of a more unfortunate being than the person who believes that he comes from a European home, and then a child whose appearance is that of a non-European is born in the second or third generation. That is a tragic case and I do not think there is anyone in the world who has any feeling, who will not feel sorry for such a person. But what is the point that the hon. member has made in connection with these unfortunate cases which crop up every now and then in the country? The hon. member has said that such a third child, or a child who is obviously non-European, and who is born in third generation of a European family which has always been recognised as European, should for all time appear on the register as a European.

*Maj. VAN DER BYL: I said that a non-European and his descendants must always remain on the other side, even in such exceptional cases.

*Mr. J. J. FOUCHÉ: It is clear that the hon. member's argument was that if a mistake has been made in the European register, and a third child or a child born in the third generation is obviously non-European, such a non-European child must for all time be registered on the European register. I want to ask the hon. member what he intends doing with those unfortunate beings? But I want to emphasise this fact to the hon. member that this register is not intended to be a family tree of the population. "White person" is very clearly defined in Clause 1 (xv) of the Bill—

> "White person" means a person who in appearance obviously is, or who by general acceptance and repute is, a White person, but does not include a person who, although in appearance obviously a White person, is by general acceptance and repute a Coloured person.

It really seems to me that the hon. member has never read that definition. I am afraid that the hon. member's whole argument has been based on a complete misunderstanding this afternoon, and I am being very kind when I say it has been based on a misunderstanding; if I want to be nasty I should say that his whole argument has been based on abysmal ignorance of the Bill. I am afraid that the argument of the hon. member does not hold any water. The hon. member has tried to make a great point out of the fact that under the provisions of the Bill the different sections of the country will be classified and that for that reason the Bill will cause ill-feeling between the Europeans and non-Europeans in the country. If that were true, I would be one of the people who would be very sorry about it. If there is one thing which is necessary in South Africa is is a better relationship between European and non-European and not a worse relationship. You cannot deny the fact that today the feeling that exists between European and non-European in South Africa, is not what it should be, and for years it has not been what it should be. I am personally of the opinion that one of the main reasons for the deterioration in the relationships and the ill-feeling that exists is due to the uncertainty that exists in South Africa as far as the different colour groups are concerned. I my opinion it is one of the main reasons why we have this

ill-feeling in South Africa. We must get away from the idea that someone of another race, someone of a different colour, is inferior and that is why we do not want to suppress the non-European races in this country. It is not true that we want to suppress them. Nobody with any self-respect harbours those feelings and everyone who has human feelings and a sense of justice, believes that every race in the country must be given spiritual freedom. For the life of me I cannot see why the classification of the different groups should cause ill-feelings. Why should it cause ill-feeling? The definition of "White person" is very clear. Under present circumstances a distinction is made between Native voters, Coloured voters and non-European voters in this country; that distinction already exists. That distinction is made as far as schoolchildren are concerned and in every possible sphere. This Bill does not introduce anything new. This Bill merely wants to eliminate that uncertainty. I am afraid there is nothing in the argument of the hon. member for Green Point. I am sorry that his whole argument has been based on a misunderstanding.

*Mr. J. H. CONRADIE: And that he has not read the definition.

*Mr. J. J. FOUCHÉ: I am not in entire agreement with the hon. member for Gordonia (Mr. J. H. Conradie). I do not believe that the hon. member for Green Point has not read the definition. Surely he would have read the Bill. I merely want to suggest that he does not understand it.

For the second time today the hon. member for Germiston (District) (Mr. Strauss) has tried to make a great point of the fact that the Minister has now decided not to register Native women and children. That argument has been refuted dozens of times. I personally quoted the second reading speech of the hon. the Minister. I have it here but I really do not want to waste the time of the House by quoting it again. The Minister was very clear in his second reading speech and he expressed himself in very clear language, without mincing matters. The other side finds it very difficult to refute the arguments of the hon. the Minister, and if they do not succeed in doing so, they say that his case has been varnished with legal terminology and that that is why it sounds so fine but that in actual fact it is very poisonous. The Minister has stated in clear terms that the Bill intends to establish a national register, but the Minister is a practical person and he realises, and he has stated clearly, that it is not practically possible to apply the provisions of the Bill to 12,000,000 people immediately.

*Dr. STEENKAMP: But the Minister says that it is nonsense when we say that it is not possible.

Mr. J. J. FOUCHÉ: "Immediately." The hon. member for Drakensberg (Dr. Steenkamp) is a historian, but if that is the way he argues, he is definitely poorly developed in other directions. The Minister has stated very clearly that it is not practically possible to apply the provisions of the Bill to 12,000,000 people immediately and for that reason the Bill will be applied gradually. But the Minister has stated that it is a National Registration Bill and it will be applied to different sections as it becomes practically possible from time to time.

*Mr. S. J. M. STEYN: Why not first exclude the Europeans? Why do you start with the Europeans?

*Mr. J. J. FOUCHÉ: Because this Bill has no ulterior motives and is an honest measure, the Minister starts with the section of the population which can easily be dealt with at the present moment and it will gradually be applied to the other sections. Any right-thinking person will understand that. The hon. member for Germiston (District) has again stated that Clause 5 (3) of the Bill does not state the position correctly. He says that it is purely and simply an attempt to evade the protection afforded under Clause 11. That is really a very unfair accusation. It is an unfair accusation because the Bill states definitely and very clearly that the Director will act in cases that are absolutely straightforward. Where cases are not clear they will be dealt with in accordance with the provisions and under the protection of Clause 11. Every possible protection is given to ensure secrecy. If you study the work done by the Select Committee you will see that one of the matters to which they paid special attention was the observance of secrecy as far as possible. No, I am afraid this afternoon we have only had a repetition of arguments which we have heard previously from that side of the House, and I am afraid we must simply accept the position that this difference exists between this side of the House and that side of the House. We on this side of the House believe that the nation must be built up systematically, that we must, once and for all, have a proper system of population registration, in order that our procedure in this country may conform to the procedure of all civilised countries of the world where they have national registration. But unfortunately we in South Africa have an Opposition which is too liberal in many respects, but we also have an Opposition which is so conservative in other respects that they will never take a step forward.

Mr. POCOCK: I want to register my protest also against this Bill as I did not have an opportunity before to do so.

Mr. S. E. WARREN: You can do that by voting against it.

Mr. POCOCK: In dealing with this Bill and the arguments which have been advanced as to whether this Bill makes provision for a pass, or whether it is an identity card, I want to say that during the time that I have been in this country I have on many occasions had to carry a pass. I have had to carry a pass under military law and I have had to carry a pass on various occasions, but on every one of those occasions the pass that I have had to carry was the result of voluntary effort on my own part. The difference between the pass that we had to carry in those days and the pass that we will now be required to carry under this Bill is that this will be a compulsory measure; it will be incumbent upon every person to carry a pass. This pass has been compared here with a motor driver's licence. Exactly the same thing applies to a motor driver's licence. It is entirely due to your own action whether you have a motor driver's licence or not and exactly the same thing applies to a railway pass or a railway ticket. Those are purely voluntary matters, whether or not you have those documents is a matter that rests entirely with you, but this is an entirely different matter, and no valid reason has been given as to why this pass should be instituted. Even in this White Paper the Minister says that it was necessary to obtain a classification of the different sections of this country, and then the Minister quoted some instances to show why the pass or identity card system was introduced overseas. The Minister made a very strong point of the introduction of this card in Great Britain. But in every single case that has been quoted here the carrying of an identity card is the result of war measures, and even in Great Britain it is not compulsory for everyone to carry a pass. If you go there on holiday or on a visit, you get a rationing card or an identity card, but that is not a compulsory matter, and no doubt as soon as the war measures disappear you will find that there the card will also be abolished.

An HON. MEMBER: It is not a war measure.

Mr. POCOCK: Peace has not been officially declared with Germany and even in this country we had war measures which were still in existence two or three years after the war had come to an end. I would like to ask hon. members who support this Bill what they would have said if the previous Government had introduced a measure of this kind under the War Measures Act. We were very severely criticised at the time for taking measures under the War Measures Act to protect the true interests of this country. Objections were taken even to measures to intern certain people, but imagine what the reaction would have been if the Government had required every single person in this country to carry a pass. You would have had a rebellion in this country.

The MINISTER OF TRANSPORT: Have you got to carry a pass under this Bill?

Mr. POCOCK: In effect you have to carry a pass; you have to produce it at a police station when called upon to do so, so do not let us quibble about words.

The MINISTER OF TRANSPORT: It makes a tremendous difference.

Mr. POCOCK: In the case of your motor driver's licence you are supposed to carry it. You are supposed to produce it on demand, and if you cannot produce it immediately you are given a few days to produce it. Do not let us quibble about words. Whether or not you have to produce this document immediately or within a certain number of days, in effect you have to carry a pass. I notice that some members object to our calling this document a pass. They prefer to call it an identity card. Let me say this that a skunk does not smell any better if you call it a rose, and that applies to this pass. Hon. members opposite have claimed that the women of this country will not object to carrying a pass. I do not know whether my hon. friends have ever put it to women at a mixed meeting to ascertain what their reaction is.

An HON. MEMBER: Have you?

Mr. POCOCK: Yes, I have. I put it to a mixed meeting in Pretoria. I explained the terms of the Bill as outlined in this memorandum. That was before the Bill was presented to Parliament. I simply commented on that Bill as it was explained in this memorandum. I did not have time to go through the whole Bill, but I explained some of the more important provisions.

Mr. H. S. ERASMUS: Did you use the word "pass"?

Mr. POCOCK: I read to the meeting the words that appear in this memorandum, and the reaction of the women in that audience was astounding. There were 70 to 80 people at the meeting.

An HON. MEMBER: Where was it held?

Mr. POCOCK: It was a meeting which was held at my own branch. This meeting was attended by people who study these things and who are interested, and what is more

the audience was composed of people who are largely representative of the people in this House. Hon. members opposite are making fun of this matter, but they will find out that it will not be such fun when they are presenting these cards and when they have to carry them so as to be able to produce them on demand. A number of points of criticism has been raised on this side of the House. The Minister has failed to reply to some of those points of criticism. The other evening we raised the question of the photographs. It may be simple enough to obtain seven or eight or nine million photographs. The real difficulty with which the Minister will be faced will be this; although he says he will be able to deal with this matter by regulation, his real difficulty will be how to link up the original photograph with the numbers appearing on the register at the head office. Does the House realise that the register will be compiled from the census forms. Photographs then have to be taken of persons hundreds of miles from the central office in Pretoria. Those photographs have to be taken of everyone who is on that register. Every person will have to get his photograph duly certified to testify to the fact hat it is indeed a photograph of the person whom it purports to represent. That particular person outside has no knowledge at all of his registration number. He can only put forward his photograph as representing John Brown or Susan Brown or whatever the person's name may be. That photograph may be certified to represent the said John Brown; it may be sent up to the head office but there is no link up between that person and the person whose name appears in the register. You know, Sir, the difficulties we have in this country with regard to our voters' rolls, where you see a dozen and a half names which are exactly the same, with exactly the same initials, and where the people reside in the same district and in the same area. How are you going to link up the photograph with the number appearing on the register, if you have two dozen names on the register and all of them happen to be the name of, shall we say, Marthinus van den Berg. How are you going to decide who is the Marthinus van den Berg whose name appears on the register? The difficulty is that the measure has never been thought out. That is the real difficulty. It is easy enough to talk glibly of getting a register and having a duplicate in the district, but the difficulties that you are going to experience in linking up the original in the district with the one in the central office are going to be enormous. We all know what difficulties we have to experience in filling in the particulars when we apply for a passport. You have to give the colour of your hair, the colour of your eyes, you have to describe your features, and then when you get your passport, you are very fortunate if you can recognise yourself on the photograph. Under this Bill you are going to be faced with the difficulty of taking the photographs of between eight and nine million people. I take that figure, because roughly it is about three-quarters of the total population. Has the Minister ever considered how that difficulty is going to be overcome? And, after all, Sir, what is the real object of this Bill? We are told that it is a question of sectionalising the population. Might I remind the Minister that if this measure had been passed forty years ago there would have been persons who, if they had been registered then, would have been registered on the Coloured section; today they will come under the European section. You will find in the course of time that you are going to have constant changes in your population and now you are going to fix for all time a particular section in a particular group. This thing is going to be quite impossible from that point of view and the hardships which have been pointed out by my hon. friend here will increase as time goes on.

A great deal has been said on this question of the definition. The hon. member for Smithfield (Mr. J. J. Fouché) said that the definition of European was quite clear under Section 15. If it is quite clear and beyond all doubt, why is provision made to have all these objections raised? Once a person has been defined as a European, why should anyone have the right to come along and prove that he is not? It seems to me that this measure must cause intolerable hardship.

I personally would not worry about a registration system if it was carried out for national purpose. By that I do not mean a purely sectional purpose. It is not a national purpose when it is simply designed to hit a particular section.

Mr. SCHOLTZ: Which section?

Mr. POCOCK: If this measure was intended for national defence, we would have no objection. After all we have our registration of births and deaths; we have no objection to that because we realise that it is for a national purpose. That was introduced many years ago and there never was any objection to it. But we feel definitely that the motive behind this Bill is not simply a question of registration. The motive is definitely to get at a particular section of the population.

Mr. SCHOLTZ: Which section?

Mr. POCOCK: The motive is to find out exactly what is going to be the future of this country from a party political point of view.

An HON. MEMBER: Nonsense.

Mr. POCOCK: The hon. member forgets that this measure is also judged by the

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previous actions of the Government. Hon. members opposite have told us how they propose to deal with the non-European section of the country. To me it is most tragic that at a time when all the non-European sections of the world are consolidated and standing together against the rest of the world, we in this country should be constantly introducing measures which can do nothing at all but create further bad feelings between the European and non-European sections and which must encourage all the enemies of South Africa — and we have many enemies overseas who are looking all the time for some little measure where they can find fault with what we do in South Africa — to level further criticism against us.

Mr. SCHOLTZ: Don't you want any classification?

Mr. POCOCK: When we go overseas we constantly have to defend South Africa, but there is nothing so difficult to defend a country that introduces measures of this kind, measures which are unjust to a section of the population.

An HON. MEMBER: To which section are you referring?

Mr. POCOCK: The hon. member has not read the Bill. I say it is unjust towards the non-European section of this country to bring in a Bill which puts a stigma on them and which places them into a certain category and it is also unjust to the European section of the country to require them to carry passes when it has not been necessary for them in the past to carry passes.

Mr. LOVELL: May I remind the House that during the Second Reading debate on this Bill I attacked the very wide powers that the police had under Clause 14 of the Bill. I attacked those powers on the ground that they were a serious invasion of the liberties of the subject. I used no personal abuse in my speech and I hope that I addressed my arguments to this House on the basis of reason. I asked the hon. the Minister of the Interior, in the course of my speech, for what great cause or issue he asked us to surrender a very fundamental liberty which Clause 14 of the original Bill took away from us, and this is how he replied—

> But the hon. member for Benoni (Mr. Lovell) was equally unfortunate, for he was really in the wrong House when he made his speech. I think it would have been more appropriate if the hon. member for Benoni could have delivered his ode to liberty and freedom to his compatriots in the Parliament of Israel.

*Mr. S. J. M. STEYN: Disgraceful.

Mr. LOVELL: There was no counter argument addressed to the argument that I addressed to the Minister, and there was no attempt to answer the point. That was the answer that the Minister thought fit to give me. First of all, let me tell the hon. the Minister that that statement is inaccurate. The citizens of Israel are not my compatriots, they are my co-religionists. Not that anyone would not be proud to be a compatriots of the citizens of Israel in view of their heroism in recent days when they resisted the invasion of five marauding armies. But I want to ask the Minister why he chose to make such a reply to my arguments. Everyone must admit that it is a ver. strange reply indeed and it is moreover a reply which is not accurate. May I tell the Minister that I say that his reply was merely an appeal to racial prejudice. He was appealing to the racial prejudice latent in some of his followers. He tried to belittle arguments which he could not cover by any reasonable reply by an appeal to prejudice.

I want to tell the hon. the Minister of the Interior very frankly that the Labour Party in general and I in particular have never stopped to use the weapon of an appeal to prejudice in this House. We have always addressed our remarks to the House on the basis of an appeal to reason, and we have done so because we have a belief in our fellowman, that finally, and in the long run the appeal to reason will always prevail over the appeal to prejudice. It is interesting to note too that it was in this House that it was correct for me to make my attack on clause 14, first of all, because I was elected by the citizens of Benoni to represent them in this House, and secondly because it is in this House that the invasion of liberty was about to take place; and what is more, that is shown by the fact that the Minister has had to retreat from the position which he originally took up. He has had to amend clause 14 of the Bill so that the powers of the police have now been to a large extent curbed. May I repeat the words of the hon. member for Germiston (District) (Mr. Strauss). The Minister has on this issue also had to run away from his original position.

There have been complaints that my leader in the course of his remarks at the Committee Stage, made a political speech, as if political speeches are not permissible in this House. What sort of Bill is this if it is not a political Bill? This Bill is nothing but a political Bill and deserves no other reply than a political reply. Consider what are its objects. Its objects are to classify the people so closely and rigidly that those who fall into the border line between white and coloured or between Coloured and black shall be erased from the voters' roll so that the

Government shall have fewer voters who will vote against them. With that object in view, days and hours of Parliament's time have been wasted and hundreds of thousands of pounds of the taxpayers' money are to be spent. There is another object, and that is to impose upon the Coloured people of this country who have never previously been asked to carry a pass, the obligation of carrying a pass. But in order to do that the Minister has found it necessary not only that the Coloured people should carry passes but that all of us, white and coloured, will have to carry this new pass of the hon. the Minister.

Finally let me say this about this Population register and the identity cards which will follow the inauguration of this register. A population register can serve a very good purpose; it can also serve an evil purpose. In England it serves an excellent purpose; it serves a purpose of seeing that people receive the benefits arising from the social security scheme which is in force in England. In Israel it serves a good purpose, because there is a state of armed truce. It serves the purpose of security. Let me remind the hon. the Minister that in Holland the population register served an excellent purpose. In other words, a population register and the identity card which follows it serve a wonderful purpose in a country where the Government has a love for democracy, but in a country where the Government merely pays lip service to the forms of democracy and not to its content, a population register and the identity card which follows it can be an evil thing. In Holland the population register was excellent until the Nazis took over Holland and then it was used for an evil purpose. When I say that this Government is a Government which has no love for democracy and merely pays lip service to its forms, I am not speaking wildly. I can prove what I say. Recently the hon. the Minister of Health, one of the thoughtful members of the Cabinet, one of the cultured members of the Cabinet, said this . He said —

> Fundamental issues are not to be left to the decision of the masses.

A democrat says, Sir, that fundamental issues are left only to the decision of the masses and details can be left to the decision of bureaucrats. That is what the people say and that is what any person who loves democracy would say. The hon. the Minister of Lands has said in the course of speeches that anyone who opposes the apartheid policy of the Government is guilty of treason so that if one wishes to criticise the policy of the Government one becomes a criminal one is guilty of treason. That is a very serious offence. To accuse your political opponent of being criminals is not the outlook of a democrat, because there is one thing that all democrats value and which all Governments which love democracy, value. They say this, that they will defend the rights of the minority which opposes them as strongly as they will defend their own rights. Otherwise, Sir, they show little regard for the true meaning of democracy.

Let us see what the hon. the Prime Minister said when he spoke of his republic some years ago. He said —

> Our republic must be something different in form and character from what it is now.

That is what the Prime Minister said. He went on to say —

> In other words, we must break with the British Parliamentary system.

That is what Ministers of the Crown have said and I repeat that as long as you have a government in power which pays little regard to the true value of democracy, so long a population register may be a menace to this country. In conclusion may I say that we of the Labour Party propose to support the amendment put forward by the hon. member for Germiston (District) and we shall vote on this measure accordingly.

*Mr. DEYSEL: The hon. member for Benoni (Mr. Lovell) who has just sat down, did not speak for any length of time, but in the short space of time occupied by him he tried to cover the whole world; he spoke about Communism, Republicanism, democracy—he pushed them all together into one bundle in connection with this Bill and he accused hon. members of this side of the House that they did not know what a republic was and he also charged us with not knowing what a democracy was, and said that we wanted to make Communism a crime.

*Mr. LOVELL: Who said so?

*Mr. DEYSEL: The hon. member himself said it a little earlier on.

*Mr. LOVELL: I did not even use the word Communism.

*Mr. DEYSEL: Anyhow I do not want to cover a field again which has already been covered. All speakers on the other side of the House came here this afternoon again with the same story: they came here again with the allegation that the Bill was introduced solely to deal with a particular section of the people and solely with one specific object, merely to catch those people; and they said that the sole reason for the introduction of this measure was one of prejudice. We have heard it so often both in this House

and outside this House. I have actually grown up under the spirit of prejudice. Ever since I have had my intellect I have heard this cry of prejudice, and when I hear the word, my mind automatically goes back to the early days of our history. I do not want to go back as far as the hon. member for Green Point (Maj. van der Byl) has done —as far as Frederick the Great; I prefer to confine myself to our own country. My mind takes me back, for instance, to Slagtersnek.

*Hon. MEMBERS: Oh.

*Mr. A. STEYN: No, that you must not talk about.

*Mr. DEYSEL: I know, Mr. Speaker, that it stinks in the nostrils of the Opposition. There are others on the Opposition benches, however, who have a feeling of regret when they hear Slagtersnek mentioned, because they would prefer to forget it. But many things have happened worse than Slagtersnek, things born out of prejudice, and not only out of prejudice, but born out of a feeling of hatred. I do not want to accuse every hon. member opposite of this, but many hon. member opposite are in this position that when they get up to speak, we can see by their faces and by their expressions that they hate members on this side and that they also hate the people represented by us on this side. They hate those people with a bitter hatred. We have heard the hon. member for Cape Town get up here and say: "I am not talking to the uneducated people on that side of the House".

*Mr. BARLOW: Afrikaners have said the same thing.

*Mr. DEYSEL: The hon. member for Hospital (Mr. Barlow) always tries to prompt people when they are addressing the House. He should rather sit up and take his hand out of his trouser pocket—he would be doing something better than what he is doing now. He cherishes the same type of hatred and vindictiveness against members on this side of the House. He has said that the people who are represented by this side of the House, have done three great things in South Africa; he always tries to tell us that he loves us very much, and then he turns around and watches for the opportunity to stab us somehow. He has said that we have created a language here; that we have given the Bible in Afrikaans to the country, and thirdly he has said that we have created a coloured population here.

*Mr. BARLOW: Where did I say that?

*Mr. DEYSEL: The hon. member will have to swallow it, whether he likes it or not. I mention all these things to show that we were faced with this prejudice as well, when this Bill was introduced. On that occasion the Rt. Hon. the Leader of the Opposition got up and proposed a motion. He did not actually so much oppose the Bill, because there are so many democratic countries which have this type of legislation in regard to population registration that he did not actually want to say much against it, and he did take the risk of frankly opposing the Bill. Throughout the whole of his speech, however, he showed that he was opposed to the Bill. A measure of this kind is allowed to exist, but not in South Africa. The first reason was alleged to be that our population was composed of such a multiplicity of races; and the second reason was that this side was in power and because the Minister in charge happened to be the present Minister of the Interior. Have we ever beheld a more serious display of vindictiveness than this? Here an individual, the Minister is accused. Any other person would be acceptable to do what is required, but just because it is this particular Minister he cannot be entrusted with it. One does not develop a feeling of distrust against a person in a day or in two days or three days; even less does one develop such a feeling in a few days in regard to a group of individuals, and even less does one develop that feeling towards a whole section of the population even in a year or two. This is something which grows. This is something which the child is taught; it is something the child hears from its parents. That feeling of hatred and vindictiveness has grown in this country and it has been stirred up and fed and added to from day to day.

*Mr. BARLOW: [Inaudible.]

*Mr. DEYSEL: I shall be glad of the hon. member for Hospital will keep quiet a little and if he will stop his interruptions. We have heard these interjections so often that they are tending to become tedious.

*Mr. BARLOW: Get on to the Bill, then.

Mr. DEYSEL: I am coming to the Bill, but I particularly want to sketch the background to show why this Bill is necessary, and to show why the other side of the House is always and at all times opposed to measures of this kind. I do not want to deal with this Bill only, but I also want to refer to other Bills. The hon. member for Benoni has referred to matters which are really not connected with this Bill, thus to indicate the attitude of the two sides of the House. When a Bill is introduced it is the consequence of circumstances; one does not just draft a Bill if there is no need for it; anything one does is done in consequence of circumstances. Thus the European countries have passed their registration laws, because they considered it necessary at that particular time. Figuratively speaking the world has got

smaller. People have moved to an ever increasing extent; there has been more and more immigration and movement of people from one country to another, and this has rendered registation necessary. In England provision has been made for two cards; they have a green card there for a special class of people; no arguments are raised against that. Here we have only one card for all sections in the country, and it is now contended that by doing this we are trying to put one section on the one side, that we do not want to have them with us. It is argued that we are treating certain people in a prejudicial manner, but nothing is said about England where they have two cards—one card for the ordinary people and another card for certain classes. What is the object? And why is it that people are not suspicious about that sort of thing? What does England want with a system like that? Does England perhaps want to catch out the Jews or the Communists?

During the second reading debate we heard tremendous criticism levelled against Clause 13 of the Bill. Not a great deal was said about Clause 2 or Clause 21. We then expected that in Committee all members opposite would again speak on Clause 13. But when we got to Clause 13 in the Committee stage only two members had an opportunity of speaking on it, and a front-bencher opposite then got up and moved the closure.

*Mr. BARLOW: And quite right too.

*Mr. DEYSEL: The hon. member for Johannesburg (West) (Mr. Tighy) immediately got up and I thought he was going to bite off the head of the hon. member for Hospital. They had him on the carpet properly outside. In any case, we then got to the Report Stage, and there hon. members again had the opportunity of talking about Clause 13. But what did they do? Not one of them spoke about it, in spite of the fact that they had taken up the time of the House on it for hours on the second reading.

*Mr. TIGHY: I did speak on Clause 13.

*Mr. DEYSEL: Not in the report stage.

*Mr. TIGHY: You must have been out of the House.

*Mr. DEYSEL: We have now been told ad nauseam by hon. members that a pass will have to be carried. Hon. members over there are telling us over and over again that it is a pass. The hon. member for Sunnyside (Mr. Pocock) said that we could call it what we liked, but in the end it would still be called a pass. I think that the word "kenkaart" is a better word than the word "persoonskaart," but it still remains only a card. It makes no difference whether we always carry it on us or leave it at home. It is a card attached to our person, and whether in that sense it is called a card, does not matter. But this business has been set moving in this House by hon. members opposite. A committee was appointed to investigate the whole matter, and I can remember clearly that the municipalities talked about this question. It was noticeable in those days that people holding the sentiments of the Opposition were in favour of the card. The idea at the time was that the card would have to be carried and that the Native would then not feel so badly about carrying a pass, because the White man also carried it. The Minister has now come forward with a registration system under which an identification card will be attached to every individual. Members opposite call it a pass and they now want to pretend that because the White woman will get such a card, she will feel insulted because she has to carry a pass. It has been pointed out repeatedly that they are not concerned with the White women.

*Mr. BARLOW: [Inaudible.]

*Mr. DEYSEL: They say that the White woman will have to carry it and that the Native woman will not have to carry it. The hon. member for Hospital is again interrupting and I would feel almost disposed to use an adjective which would describe him. I hope he will not interrupt me again. Members opposite have been told over and over again what the effect of this Bill will be and how it will be carried out. If they do not want to believe it yet, then possibly we may have to feed it to them with the aid of a spoon. One can take a horse to the water, but you cannot make him drink. I know that at one time hon. members opposite were not very much concerned about White women. In this connection I would like to refer to certain legislation which was introduced into this House by the late General Byron; it followed the so-called Black Manifesto which had been signed by certain people, some of whom are now on the other side of the House. General Byron introduced a Bill to give the franchise to women: the Nationalist Party moved an amendment to prevent the Coloured women and the Native women from being excluded. This amendment the present Leader of the Opposition fought tooth and nail.

*Dr. STEENKAMP: Do you mean to say that he was opposed to women's franchise? You should read it again.

*Mr. DEYSEL: Yes, I shall quote it. The present Leader of the Opposition said this at the time—

> I shall vote for the Bill as it now stands, in spite of the Coloured vote which is granted in it.

We should bear in mind that men like Jagger and Burton had signed the manifesto. The Leader of the Opposition then went further and said that the effect of the amendment which had been proposed would be that the Coloured woman would be excluded. And he went on to say—

> The result of it is that the Bill before the House in its present form restricts the franchise to the European woman. But in its original form it gives the franchise to both.

He said that the position was that if the man had the franchise, the woman must also have it. He said that he would vote for the Bill as General Byron had introduced it, but he would not vote for the amendment of the Hertzog Government, that the White woman only was to get the franchise. That was the attitude of that side of the House. And that is not the only instance. We have heard the incitement by the other side in connection with that Bill. We have heard it again in connection with this Bill. We have heard about racial prejudice. It is the old habit of the liberals in this country. We know them from those days, long before the French Revolution, we know that they stand for liberalism. It was brought to this country after the French Revolution, and those liberals have maintained their propaganda cries to this day. Their purpose was to divide and reign, and to do it in such a way that it had the appearance of justice. Half a truth is more dangerous than a lie, and they understand the art of making use of half lies.

I do not want to go into this question of propaganda, but if we look at it, we would certainly be able to talk about the various ideologies and about certain nations, and we would see how they did it. This is exactly what that side of the House has been doing for years, and in the last two years particularly, they have been tremendously busy with it. We have seen it in the Opposition's methods. What the one approves of, the other disapproves. One day they are against a thing and the next day they are in favour of it. What the one section approves of, the other section disapproves of. In the beginning they were terribly concerned because the Natives were to be excluded. If they are included, then they are also terribly concerned about it. Those are their tactics. The one day they criticise a thing and the next day they approve of it. Just let us look at what they have done in regard to Clause 2 and Clause 21.

The other argument they adduce is that this side of the House has introduced this Bill merely for political purposes, and then they say again that this Bill spells the downfall of this side of the House. In spite of that, in spite of all they have said, they say that this Bill will mean the downfall of this side of the House—and yet they say that the Minister has introduced it solely for political purposes. That argument must collapse. From the very start they made it clear that they were going to make use of Clause 10 and Clause 21. According to the hon. member for Johannesburg (West) the white woman will have to carry a pass, but Ai Kaatjie—the coloured woman, the kitchen maid—will not be required to carry one.

*Mr. TIGHY: Exactly.

*Mr. DEYSEL: They are going to try to make political capital out of this measure, and the Minister has told us straight out that in order to counteract that sort of thing he has amended Clause 2 and that he has introduced a consequential amendment in Clause 22. In terms of Clause 22 the Minister can, by means of a proclamation, postpone this matter as far as the Native women are concerned, but the law says that everyone in the country must be registered; it is clear that the other side of the House is creating ill-feelings between the various sections in the country. That is typical of the other side. They first of all approve of a thing and next day they turn it down with a lot of fuss. At first they created a great hullaballoo because the Native women had been excluded. Now that the Minister has included them and has undercut the Opposition's intended propaganda, they are again kicking up a terrific fuss, this time because they are disappointed.

Let me mention a few similar instances. At first they were opposed to the incorporation of South-West Africa and after that they were opposed to a half-hearted incorporation. At first they were in favour of equality. It has been proved over and over that that side of the House is in favour of equality and consequently opposed to apartheid. But now, since their boastful leader, the hon. member for Hottentots-Holland (Sir de Villiers Graaff) has spoken in East London, they are against equality again and consequently in favour of apartheid. We are now told that the Leader of the Opposition in the Savoy Hotel used the word "apartheid" for the first time and that he was the originator of the word.

Yet we find that since his return and since he has made friends with the Unionists, the late Patrick Duncan stated that the Unionists had surrendered none of their principles, and even at their congress held in Bloemfontein in 1929, all the newspapers announced that the Unionist Party's policy had triumphed there. At first they were strongly opposed to the appointment of

General Beyers when he was appointed in place of General Poole. They kicked up a terrific fuss about that. When General Beyers was discharged they again kicked up a terrific fuss.

*The DEPUTY SPEAKER: The hon. member is getting too far away from the Bill now.

*Mr. DEYSEL: I want to show the way the Opposition is jumping about, also in regard to this Bill, and I want to show that this is not the first time they have done so and also that they are doing it for the purpose of dividing and reigning in this country. That is why I refer to these matters. There are other similar things which they have done. It is perhaps a little far-fetched but it amounts to this, that they are opposed to a thing today but they approve of it tomorrow.

*The DEPUTY SPEAKER: The hon. member must get back to the Bill.

*Mr. DEYSEL: Yes, I am getting back to the Bill and let me conclude with this. We have been told by the other side repeatedly that this side of the House is trying to make political capital out of this Registration Bill, but if we go into matters we find that it is really that side which is bitterly disappointed at this Bill having been introduced, and particularly in regard to the amendment of Clause 2 and also because, as in 1949, they wanted to go to the people with the S.A.P. pas. They were convinced that this time they would be able to achieve something, but just as they lost then, so they will lose this time, they will lose as a result of their agitation about the S.A.P. pass, at least if we go to the public with an S.A.P. pas — s-a-p and p-a-s.

Mr. STUART: Mr. Speaker, I really feel that doing anything about the last speech is rather like kicking a sitting dog. But I really do feel that one of the greatest anachronisms of the world has been achieved. The hon. member has discussed this side of the House as being so liberal that even before the French Revolution the people on this side were liberals.

Mr. DEYSEL: I never said that.

Mr. STUART: I am perfectly sure he does not know what I am talking about or where the anachronism comes in.

An HON. MEMBER: You did not understand him.

Mr. STUART: I understood him perfectly. And after all, I am being very polite. I am only referring to one point and I am not referring to all the other things he dragged out, that I certainly think ought not to be dragged out and that I would not have dragged out myself. Of course, it is very easy to say a lot of bitter things; it is rather a speciality of some people in this country to say bitter things. I do not wish to do so. Mr. Speaker, my criticism of the hon. Minister — which is not in absentia, he is at the moment behind the Speaker's chair — is that the women under this Bill are in a most curious position. There has been criticism, I think, from that side, complaining quite bitterly that the hon. Minister did include everybody, and that to say that what he did was an abominable falsification of facts. What is the good of all this sorry spectacle when in the original Bill he did exclude Native women? It was only when it was found, after the second reading of the Bill and when it had to go to Select Committee, that one or two people on this side of the House were a bit captious about white women having to carry a pass while Native women had not to do so, when it was found that hon. members were getting a bit captious that Native women were excluded, that the hon. Minister decided to include everybody. The hon. Minister did this in order to try and meet the argument of the United Party, and I know all about it for the simple reason that I voted for the resultant Section 21 along with my Nationalist friends. So much for that little false alarm that was going on at an earlier stage this afternoon.

Then there is another interesting point. The last speaker was tremendously vociferous on the intolerable suggestion that there were political objectives behind the Bill. The official attitude is that there are no political objectives behind this Bill, but we had been told up and down the country for what seems like a generation but is only a couple of years, that the whole object of the Government is to secure apartheid, and the whole preliminary step to effect this apartheid is this Bill; and then it has been said again and again and again, and we are expected to swallow the appalling dribble that there is no political objective in this Bill when anybody who had anything to do with the introduction of the Bill knows that it was introduced for that purpose, and that purpose only. Look at them. Can you imagine the Minister of the Interior doing anything at all, promising to do anything at all, without a political objective? I cannot. It is certainly unthinkable.

Another interesting point with which I want to close—I won't be long—another interesting point (there was very little save tactics on the other side from the unfortunate speakers to whom I have been referring) is my objection that the hon. Minister is opposed to the Bantu, to the African. He has taken care of all the particulars

you could possibly want about the Europeans and all the particulars you could want about the Coloureds, mainly because he is going to attempt to solve the unsolvable problem, the absolutely unsolvable problem as to what is actually a pure white person, what is a pure Coloured person (if you can get a pure Coloured person) and what is the subtle mixture between the two, and which is which and which is the other. That is the problem he is trying to solve. God help him; he is up against the problem of the ages; and it is unsolvable, and he knows it. So I presume he will solve it for the purposes of apartheid in some curious way of his own. When it comes to the Bantu he does not want to know anything at all. He does not want to have the address of the Bantu. Now it is a very curious thing that more than half the post that travels in this country travels to the African or from the African. It means an enormous postal revenue, and how it can be carried on without the African having an address at all God only knows. The non-deliveries would be portentious. But he does not want the address of the Africans; oh no, all he wants is the district in which the African lives. So that you can have thirty or forty guesses as to which particular location the particular African lives in. That is all he wants. He does not want to know where to find the African. He is dealing with apartheid, and he does not want to know whether the African is married or not, he does not want to know whether the African woman has got a husband or the African man has got a wife. He does not want to know if there is a multiplicity of wives. He does not want to know if there has been a change in affections. He wants to know all that about the white man, and all that about the Coloured man. The white and the Coloured must give all the details, every snoopy little fact that can be obtained must be given—but oh no, as far as the Africans are concerned he does not want any particulars. He does not want the information as to whether the Africans are voters or not. If an African, as he has every right to do, requires a document to show that he is a voter having to be qualified by a certain quota, he cannot get it under this Act; and it is not because of any technical difficulties, because a Coloured person is in exactly the same position. So it is purely the whim of the Minister, for some obscure reason the Minister has a whim, and the whim is that the African voter as such shall not be put on the list.

Another glorious whim of the Minister is that there shall be no more adolescence in this country. You are a child, and when you attain the age of sixteen you put away childish things and for the rest of time you are an old man. You carry a pass and the police can ask you if you have got a pass. I am not so very fussy about a policeman asking a boy who is a month over sixteen whether he has got a pass, but I am not quite so pleased with his asking a girl over the age of sixteen whether she has got a pass. I do not think that so funny, and I think the Minister—little good luck to him—is stirring up a hornet's nest.

Mr. Speaker, I do suggest that from the point of view of the Natives the hon. Minister treats his whole approach to the African in a frivolous way. I explained the other day how the hon. Minister who is supposed to be identifying the population is really tossing about twenty or thirty thousand people on the fringe between the white and the coloured. He is not doing anything else. He is going to incur this enormous expenditure, and what for? In order to be able to harry a few people. Well, that has been adequately dealt with, but the reason I say that is this: Unless the object of the Minister is to harry the people between white and Coloured he should be taking the whole question of Native registration much more seriously. For what he is doing is obviously playing about Native registration. I can only take it that he does not intend to act on it, whatever he says, whatever protests he makes, for a man must be judged by the more immediate details of his acts, at any rate by the Acts he introduces, the Bills that he passes. Mr. Speaker, now that he is judged in that way the irony is that he is obviously frivolous about the Bantu side of it. Why is he messing about with it at all? What is this play-acting, what is all this fuss? And then another thing, when substantial points are put to him why does he most carefully pick out, as he has been picking out — I won't go into details; I kept an interesting and most amusing list for some subsequent occasion when I may be able to refresh his memory — why does he carefully pick out of every fifty points that are made only the twenty-one that he can swing round easily and leave the other twenty-nine utterly unanswered? It is not right, and I said last time when I was discussing the question with the hon. Minister, and I say it specifically: It is all very well; we know that we have forwards and we have got backs in any team, and it is a very pretty thing to watch the hon. Minister of Lands controlling the forwards, keeping their heads down in the scrum so that they do not pop up unduly and keeping them pushing and providing the gravamen of the force, but it is simply devastating to see the Minister of the Interior when the openings have been made for him playing as a selfish centre three-quarter, swinging and swinging and swinging until he is tackled in possession. I wish he would not do it, it is so painful.

He'll get dropped from the team. I gave the hon. Minister two suggestions in Committee, one with regard to putting in the names and identity of the African registered voter, and the other one about putting in his marital condition; and he swung round and round the question; he referred me to his expert advisers. Of course that has happened before. I have done it myself when I have been in a position of authority; I have referred matters to my expert advisers. Then, as always, the expert advisers said they could not do it, then the hon. Minister said he could not do it, so everybody said they could not do it, so the Native remained unmarried. It might be the union of a bull and a cow for all we know.

All I want to say under these circumstances is that I do not wish the Minister well with this Bill. I am afraid he has pickled a rod for himself. I don't quite know how I can drag in at the same time a reference to scorpions. It comes in somewhere there; I do not know the exact details, I have forgotten. At any rate it does not matter, it makes no difference to the Minister.

*Mr. VAN DEN BERG: I am rather sorry, Mr. Speaker, that you have called on me now, because the hon. member who has just spoken has proposed a toast apparently to every sub-section of the population of South Africa, and I am not exactly in a position to reply to all the toasts which he has proposed. Hon. members will surely agree, however, that it is very difficult to reply to arguments which are not arguments, and it is, therefore, very difficult to give a reply to the hon. member's effort. Let me come back to the hon. member for Sunnyside (Mr. Pocock). That hon. member is quite competent to create an imaginary picture. In a most able manner he has strung together and coupled together a number of arguments until he got close to the image which scientists in America tried to create some years back in designing an artifical man. They did make this artificial man — he actually grew and became bigger. That artificial man had all the characteristics, the physical properties of the human body—but it was not yet a man, he was not genuine, he was unable to speak or to think. The hon. member quoted various arguments which, if one did not know this country, if a stranger had listened to them — and that is the danger of that kind of speech — the stranger would have said that a good case had been made out. The hon. member referred to a meeting which was held in Pretoria and he intimated that that meeting was comprised of what he regarded of possibly almost the most intelligent section of the city and he put his case to them. The hon. member knows that I have a high regard for this House, and I assume that the arguments which he has used here will be repeated outside for the benefit of the people who do not know better. The hon. member says that he has addressed them on the question of the carrying of a pass, and he asked this side of the House who of us had yet held a meeting and had tested the case at a political gathering. He had a political gathering there of about 80 people. Let me ask the hon. member whether a political meeting consisting of members of his party, who are already prejudiced against the Bill as the result of propaganda, was a meeting representative of Pretoria? According to the hon. member, they there displayed great alarm about this Bill because of the alleged provision for the carrying of passes said to be contained in the Bill. Now I come to the point in regard to the hon. member having built up artificial arguments.

*Mr. BARLOW: If you continue in this strain I shall move the closure of the debate.

*Mr. VAN DEN BERG: The hon. member used artificial arguments. What on earth has he proved? Does he really contend that the woman of South Africa will be ashamed to be identified who she actually is?

*Mr. DU TOIT: Who has said that?

*Mr. VAN DEN BERG: There you are, hon. members are artificial. They think they know the women of South Africa, but I believe that their knowledge of the mothers and daughters, and of their philosophy of life, is very poor. As I know them, not one of them will be afraid or diffident, when they are travelling somewhere, to say, "I am Mrs. or Miss So-and-so". Does the hon. member for Sunnyside tell me that the women at the meeting he addressed said to him that they were afraid to disclose their identity to the world, no matter where they were travelling?

*Mr. BARLOW: Did you tell them that they had to carry a pass?

*Mr. VAN DEN BERG: The hon. member knows that it is not so. The purpose of the Bill is to enable a person to be identified by means of a number and a photograph.

*Mr. BARLOW: Have you asked them?

*Mr. VAN DEN BERG: I have held several meetings and the hon. member knows that when I hold a political meeting it is of a quality different from the meetings held by the hon. member and his colleagues next to him, which invariably have notices in the Press, "Mr. So-and-so addressed the... branch of the United Party". Usually a few ladies get together and coffee and tea are served, and then the member concerned gives an interview to the Press, and that is the meeting which has been held. The

hon. member will agree that the class of meeting I hold is different. But I have not got the time now for such nonsense. The hon. member knows how scared I am of political meetings, and I have to feel very strongly before challenging hon. members over there, but I am prepared to meet any of them anywhere in the country on a political platform. Then I challenge them to prove that the women of South Africa are ashamed and frightened, wherever they may travel, to be known as the persons they actually are. That is where their whole argument is so artificial. The stories spread by the United Party are artificial. In this respect they show considerable ability, but as fast as they build up such an artificial picture, just as fast does it collapse. They continue to argue that it is a pass. Supposing that it were a pass, which it is not, even then it would not be as terrible as they make it out to be. But let me ask hon. members whether they are ashamed to produce their railway pass, when they arrive at a particular place and to say: "I am Pocock of Pretoria". There is nothing in their argument, but they insist on their story that the women are going to be insulted. What man on earth, be he European, Coloured or Native, or anything else, need be ashamed to say: "I am So-and-so," to let the world know who he is? Why should anyone be ashamed? Or are members acting on behalf of people who have reason to be ashamed? If they carry on in that way, their attitude will be consistent with that of people who are afraid lest the world should know who they are. They have no grounds for their contention that it is a disgrace to possess a document which states who they are. But they now go on and tell the people in the rural areas that they have a grievance. Protest meetings have been held and those protest meetings in Durban and elsewhere were such a success that if there were three speakers, the speakers were three times as many as the audience. They also held a mass protest meeting at Krugersdorp, under the guidance of the Mayor; 29 people came to protest, and of these, 28½ were brought from Parktown and elsewhere by car. This afternoon we heard a different story from the Labour Party, to the effect that this Bill was based upon political motives.

*Mr. HAYWARD: Naturally.

*Mr. VAN DEN BERG: The object was supposed to be to have fewer people on the voters' rolls, so that fewer people could vote against the Government.

*Mr. DAVIDOFF: Yes.

*Mr. VAN DEN BERG: Listen to that. The hon. member has repeated it. Let me ask hon. members over there whether they are in favour of people being on the voters' rolls who, in terms of the law, should not be there? Do they want people who should not be on the roll to be left there? Let me ask another question. Hon members have intimated that they are aware of the fact that the people whose names appear unlawfully on the voters' rolls are consistent opponents of the Government; in other words, they know that every illegal voter is their friend. This emphasises my contention the other day, when they kicked up such a fuss. The other day they almost wanted to blow up the House because of what I had said. But now they admit that all the people who are unlawfully on the voters' rolls are supporters of theirs. When I said so the other day they almost flew at me and wanted to blow up the House. Then they dare talk of criminal aristocrats. That is the language they used; that is their terminology. I shall have to analyse it first. I shall have to throw a little acid on it to see what they mean by it. Naturally, hon. members opposite know that if there is a proper population register, it will not suit their book. I feel, however, that I can make an appeal to their honesty, that I can appeal to them as representatives of the people. I ask hon. members: What is the world to think if someone asks us, being such a cosmopolitan population, how our population is made up, and we cannot say how the various races are composed and how many there are of each? What will people think of us? What would you think of the farmer who has a number of cattle and a number of horses and numbers of fowls and donkeys, and when asked how many of each he has, says 5,000, but he is not in a position to say how many cattle he has or how many fowls? What sort of farming would that be, if the farmer did not know what he had on his farm? He would be described as a careless individual. The Minister is busy bringing order to this country, so that we may know exactly how many there are in each population group. Apparently hon. members opposite do not want that. The Minister is engaged upon the huge task of bringing order to the country so that we may know how our population is made up and so that the world may know exactly what comprises South Africa. Hon. members on the other side do not mind as long as they can just say that they have 5,000 pigs and cattle and sheep and elephants. They do not mind if they do not know how many cattle and how many elephants there are. The Minister and this side want to know exactly what our position is. That is the great thing; who are you? But apparently hon. members on the other side want a population group here which cannot be recognised; where one does not know who is who and where a person comes from. If we had put our house in order, as this law undoubtedly will do, we would in the long run have saved ourselves

a lot of trouble. Once we have order we shall no longer have those endless census compilations under which we never get a complete picture of the country. Once this Bill is on the Statute Book we shall no longer have these endless changes on the voters' rolls. The hon. member for Sunnyside (Mr. Pocock) has raised objections to the Bill. He mentioned my name. He asked how many people of the same name might not appear on the register. But once this Bill is on the Statute Book, it does not matter if there are ten thousand people of the same name on the register; you can identify them. Today, on the Witwatersrand mines, for example, there are 121 people with precisely the same name and surname. Hon. members opposite do not want these people to be distinguished from each other.

Mr. POCOCK: How are you going to make the register in Pretoria accord with the register outside?

*Mr. VAN DEN BERG: Does the hon. member now pretend that he does not know? Although an individual of the same name as I have appears on the register, he will have been identified once and for all, because he has a number. Wherever he lives, the day he is registered he gives his date of birth and the place where he was born. Two people may have the same name, but they have a different father and mother. Apart from these details everyone has a different fingerprint by which one can be distinguished from the next person. There are dozens of ways in which you can distinguish between 500 people who may have the same name. They have the same name, but there will never be any dispute about their identity. Surely the hon. member knows that; why does he carry on with these artificial arguments; he need not worry how the Minister is going to get over these difficulties. That is just what we say to hon. members opposite; they need not worry themselves about the way we are going to carry out the Act. It will work like clockwork.

*The MINISTER OF THE INTERIOR: Just as in other countries.

*Mr. VAN DEN BERG: Why should hon. members for one moment imagine that the Minister is going to put a law on the Statute Book which he knows in his own mind cannot be carried out? It is pure imagination on the part of hon. members to come along with the idea that the Act cannot be carried out. Any person with common sense knows that it cannot be given effect to in 24 hours, but in a comparatively short time it will be possible to apply the registration principle over the entire population, and then once and for all there will be an end to the difficulties and uncertainties in connection with identical people, in connection with people who are not born here, people who move from one place to another, and the country will be rid of the difficulties in connection with the voters' rolls. If hon. members would put aside their artificial arguments they would admit that the Minister is doing a great service to the country. I appeal to members of the Opposition in all seriousness. The time for division and guessing is past. The time has arrived when you must realise that not only South Africa but the rest of the world has enough difficulties, and this is not the time to go on causing endless friction. In cases where hon. members over there act as the Opposition, they may well differ from us in principle, but the manner in which the Opposition is now carrying on is not worthy of them. In most of the speeches by the other side of the House this Bill, which has an entirely different purpose, has been exploited. The Bill has been used to cause trouble even between the races. The Bill has also been used to stir up racial hatred in the country. In my opinion that is not the action of an honourable man and a chivalrous Opposition. I felt that, in view of the fact that they are numerically comparatively strong, there is no necessity for them to resort to criticism, and opposition of this quality. If an Opposition is very small in comparison with the numerical strength of the Government, one can possibly forgive them for grasping at any straw to create a bit of fuss, but I am surprised at the irresponsible attitude shown by some of the members on that side of the House, and at the fooling behind it, and all this is done under the pretext of honest and upright criticism and under the pretext that they differ from the Government only in principle as far as this Bill is concerned. I want to emphasise one thing which the hon. member for North-East Rand (Mr. Deysel) has said; and that is that it is unfortunate there are not many, but there are members on that side of the House who, the moment they get up, make one feel the atmosphere of hatred.

*Mr. BARLOW: He said the whole lot; now you say not very many.

*Mr. VAN DEN BERG: The hon. member must please retract those words. He is distorting the hon. member's words and it is not chivalrous to distort a man's words in his absence. I say that luckily there are only a few of them on that side, but when they do get up one can immediately feel the atmosphere of vindictiveness. Let me appeal to the sensible members on that side, once and for all, to live up to the conceptions of every honest man in this country, irrespective of which party he belongs to, that is to place the well-being and the interest of the people above these petty political party whims which animate some of those members on the opposite side of the House.

Mr. KENTRIDGE: The hon. member for Krugersdorp (Mr. van den Berg) has spoken at considerable length and the only issue that he attempted to raise was to reply to the hon. member for Sunnyside (Mr. Pocock) who had addressed a meeting in Pretoria in which he put not his own point of view, but the Government's memorandum in connection with this Bill, on the subject of European women carrying passes, and the White women at this meeting definitely rejected it. I would like to ask the hon. member for Krugersdorp whether he has ventured to address a meeting of women in his constituency and whether he has asked them specifically whether they are in faour of carrying a pass, more particularly when, under the Bill, Native women are excluded from the necessity of carrying these passes.

Mr. VAN DEN BERG: Will you answer a question?

The CHAIRMAN: Order, order!

*Mr. VAN DEN BERG: On a point of order. The hon. member has asked me a question. He says he is prepared to sit down to give me an opportunity to reply.

An HON. MEMBER: He said nothing of the kind.

Mr. KENTRIDGE: In Clause 4 (2) of the original Bill provision was specifically made that whilst European women have to carry passes Native women are exempted from the necessity of carrying passes.

The MINISTER OF THE INTERIOR: There is no such provision in the whole Bill that anybody has to carry a pass.

Mr. KENTRIDGE: We know why they were exempted. We know they were exempted because, when the Minister of Native Affairs intended to introduce the amended Native Urban Areas Bill under which Native women would have to carry passes, he found agitation among the Native women such that he had to abandon it, and for that reason the Minister of the Interior in his Bill also included Native women and Native children under the age of 18 years from the necessity of carrying passes. Then Sir, I think he realised that European women, resenting the carrying of passes in any case, would resent it to an even greater extent if by a side wind the Minister came along under his power of exemption and excluded Native women from the necessity of carrying passes. It really comes to the same thing. It means that as far as the Minister and the Government are concerned they are still adhering to the position that while European women will be obliged to carry passes, Native women may be, and I have no doubt will be, excluded. I am not raising any objection to the exclusion of Native women. What I am raising objection to is the inclusion of European women under the obligation to carry passes. When hon. members opposite object to the word "pass", and protest that this is not a pass but an identity card, they are really misleading the public.

Mr. SCHOLTZ: You are misleading the public.

Mr. KENTRIDGE: I say that this Bill that we are now dealing with is simply one of a series of measures for which the Government is responsible, which is designed to introduce into South Africa a police state and to take away from the people of South Africa the freedom which they have enjoyed in the past.

Now, Sir, I would like to refer to a statement made the other day by the most liberal member, if one can say that there are liberal members, on the Government side. I refer to the hon. the Minister of Health. Speaking the other day in Another Place on quite a different matter, he was dealing with the question of national health, the question of the deterioration in the health of the people and the need to improve national health services in this country, he said that he could not do it; and what was the reason he gave? He said, according to a report which appeared in the "Cape Times" yesterday —

> It will be madness for any Government, while busy with a programme which it regarded as vital, to turn its attention to other matters.

They will not turn their attention, Sir, to the question of the health of the people; they will not turn their attention to the question of bringing down the cost of living to the masses of the people, because they are busy taking away the freedom of the people and they are busy establishing a police state in this country and this is simply one of the measures, together with the one which is about to be introduced, which is designed to achieve that purpose.

Mr. G. F. H. BEKKER: Moscow.

Mr. KENTRIDGE: My hon. friend over there need not speak of Moscow. During the war, while there was a Stalin-Hitler pact, the Nationalists never uttered a word against the Communists; these Communists were the friends of the Nationalist Party. I want to say without any hesitation that when my hon. friends opposite talk about Communism they are the people who are spreading Communism in South Africa, both by their economic policy and also by their political policy of depriving people of the franchise. They are the people who are spreading Com-

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munism in this country and it is no good coming along and bluffing the public and calling us Communists. They object very strongly to this Bill being called a "Pass Bill", but that is not only our interpretation.

The MINISTER OF THE INTERIOR: I only want you to have more respect for the King's English.

Mr. KENTRIDGE: The Minister may not think so, but I want to quote to him the opinion of someone for whom I have great respect. I refer to Dr. Holloway, who has been regarded as an authority in this country; who has been treated with great respect, who for many years has been the principal adviser of the Government in finance and who has taken no part in politics; and this is what Dr. Holloway said in 1935 in giving evidence to the Select Committee on population registration.

The MINISTER OF THE INTERIOR: But what did Gladstone say in 1888?

Mr. KENTRIDGE: The hon. the Minister is right when he talks about 1888, because in reality this Bill has its origin in 1800, not in 1888. The principle of the passport was introduced originally by Napoleon Bonaparte, when he wanted the right to recruit people . . .

The MINISTER OF THE INTERIOR: You are thinking of 1066 and all that . . .

Mr. KENTRIDGE: The point is this. I want to say to the Minister that in 1935, before the Select Committee on population registration, a committee appointed by the Fusion Government, a committee appointed by the Government of which the late Gen. Hertzog was Prime Minister, Dr. Holloway said that the only advantage of this measure, that is to say, the Population Registration Bill, was in connection with police purposes, and he went on to say —

> It seems to me that it is extremely doubtful whether the white population of South Africa, British and Dutch, will easily put up with a system like this, especially bearing in mind that it is so easy to link up a thing like this with the pass system.

That was said by Dr. Holloway, not the Minister of the Interior, who can make black look white when he wants to, and people who are white black when it suits his side.

The MINISTER OF THE INTERIOR: It only means that he gauged your mentality accurately in 1935.

Mr. KENTRIDGE: Dr. Holloway went on to say—

> People will say that the Government wants White people to carry passes nowadays . . .

I am therefore not giving my own opinion only, but I am telling the House that I thoroughly agree with the interpretation given by Dr. Holloway on the population registration Bill in 1935, and therefore for any hon. member on the other side to come along and protest when we refer to this Bill as a measure providing for another pass system, which is to be inflicted on the White people, just as it has been inflicted on the non-Europeans in the past, is fatuous. I say it is fatuous for hon. members opposite to protest against it, because if one looks at the Bill there is no doubt about it that this is simply a Bill just as the Unlawful Organisations Bill which they are introducing and against which protests are coming from every part of the country, not only from demonstrations in Cape Town and this part of the country, I say that this Bill, just as the other Bill, is intended to legalise the Government's interference with the freedom of the people. In this Bill you are going to require every person in the country except Native women and Native children under the age of 18, to carry a pass. You are going to give every man and woman in this country a number and a string of letters and a photograph for which everyone will have to pay unless he is a pauper. The Minister, in the report stage, has virtually admitted that it is impossible to carry this Bill into effect. We do not know how long it will take; it may take ten years or longer to carry this Bill into effect, and therefore the only conclusion one can draw is that he wants to apply this Bill for a specific purpose, for a political purpose; and then the hon. member for Krugersdorp, who we miss at the present moment, because he has been very excited, and his friends on that side come along and say that we must not introduce politics into this issue. The Minister has told us that it is only gradually that he will apply population registration, and if it is to be applied only gradually where is the necessity of introducing this Bill as one of a series of Bills designed to introduce a police state in this country? In that regard also, I would like to refer to a statement which was made in 1935, and I think if the Minister has studied and paid attention and if hon. members opposite had studied and paid attention to the regard of the Select Committee in 1935, where evidence was given by influential members of the Civil Service, like the then Secretary for the Interior, Mr. Hoogenhout, who is now Administrator for South-West Africa; men like Mr. Corbett, who was at that time Commissioner for Inland Revenue; men like Dr. Holloway, the Secretary for Finance, if

he had paid attention to them the Minister would not have introduced a Bill like this which is a travesty of justice and which is an impracticable proposition. On that occasion we were told by Mr. Hoogenhout that the success of a Bill of this kind would depend in its initial stages on whether its establishment, based as it would be on compulsion, would meet with public approval and on the whole-hearted co-operation on whom would devolve the duty of notification. He went on to say—

> People of South Africa would not accept a system which tends to tighten up to a certain extent or in any way restrict their individual liberty.

Has the position changed since then? On the contrary, at that time there was no fear of police interference, there was no fear of interference with the liberty of the subject as there is today as the result of the policy that is being carried out by the present Government; so that today I submit that people are more likely to be afraid, are more likely to refuse to co-operate in making this Bill a success than they were in 1935. Beyond the fact that this Bill is intended to make it easier to take away the votes of the Coloured people we have never yet been told what is the emergency in South Africa which induces the Minister to introduce legislation of this kind.

And, Sir, there is another question. I do not want to go into the full details of it but at any rate it has been mentioned before, and it is worth mentioning again. There is this practical issue. We know that we are worried about the rising cost of living. We know that the hon. the Minister of Finance said that in no circumstances is he going to spend another penny to increase subsidies in order to reduce the cost of living as far as the masses, and particularly the lower and middle income groups in the country are concerned; he says he cannot do it. If we are going to do it we are going to have so much more taxation. In this instance it has been shown to this House during the discussions on this Bill that this will be a most expensive measure to carry into effect, not only as far as Government expenditure is concerned, but also as far as the public is concerned in so far as they will have to pay for the photographs of themselves. I would like to remind the Minister, and I would remind the Minister of Finance, that Dr. Holloway also dealt with this question of expenditure, and in the course of his remarks he said—

> From my general observations of the way in which Governmental expenditure goes, I think that this will be no exception and the expenditure will be bigger then one would anticipate. It is a fairly general rule that when the Government starts a thing which involves expenditure it does not look very big at the start, but like the swallow's nest, it starts getting excrescences and expenditure keeps on growing and growing and once you have got into the thing you can never get away from it. I think this is particularly likely to happen in a case of population registration of this kind. (Page 43.)

One would like to know from the hon. the Minister of Finance, who does not stay in the House as regularly now as he is accustomed to do, because he is probably very unhappy about this Bill, what his views are about the possible expenditure that will be incurred, and what he thinks of Dr. Holloway's advice in 1935. But the Government are not concerned with the advice of men like Dr. Holloway. Even the hon. member for Pretoria (District) (Mr. Oost) who was a member of that Select Committee would not accept the principle of the population register, but he said we must have another investigation into the matter. And what investigation have we had? We have had no investigation. What has happened is that the Minister has made up his mind that he is going to introduce these passes in South Africa and, having made up his mind, he sends two of his officials, Mr. Raath and Mr. Lewis, overseas, not to inquire into the desirability of legislation of this kind but to find out how this system works in those countries where it applies.

There is one other aspect that I want to touch on and that is the question of classification. I refer to Clause 8 (2) of the Bill which provides that once the register has been drawn up and the director has decided who is White and who is Coloured, it is open to the public at any time to go along and examine it, and it is open to members of the public to act as informers, to act as blackmailers, to act as snoopers. We can imagine what will happen. If my name appears on that register as a White person and they think for a moment that I have some Coloured blood in me, they could go and report to the director and they could have my name taken off that list. I take my own case as an illustration because hon. friends opposite probably know that the Jewish race, to which I have the honour to belong, is probably one of the purest races, but I would like to tell hon. members opposite that scientists, Julian Huxley and other scientists, in dealing with this matter, have declared repeatedly that there is no such thing as a pure race in the world, and particularly in a multi-racial country such as South Africa. I say that Clause 8 may prove a boomerang to those people in South Africa who want this legislation because they believe that they are White, because it may be possible for any member of the public to come along at any time and inspect the register and make a report to the director, and then they will begin to worry whether they had any Coloured blood in

them some generations back, and if it is proved that they have Coloured blood in them, in spite of their associates, they will find themselves removed from the European list and placed on the Coloured list. I want to say to my hon. friends over there that that has been the experience of Nazi Germany. It was found that no one was safe in Nazi Germany. Not only did the ordinary blackmailer, the ordinary informer, the ordinary snooper, carry tales to the Nazi authorities, but even children were prepared to expose their parents. The same applies to communist Russia. I want to quote to this House an experience which I think may apply to very many people in this country, perhaps unconsciously. I refer to a case that took place in Hungary during the Nazi regime. When the Prime Minister of Hungary, Dr. Imredy, the leader of the anti-Semetic party, introduced anti-Semetic legislation into the Hungarian Parliament, all of a sudden a snooper came along to the other authorities and informed them that the Prime Minister's grandmother happened to be a Jewess and immediately upon that he had to give up his position, not only as Prime Minister but as leader of his party and he had to clear out. My hon. friends need not be so amused. I say without any hesitation that this system of classification is one that is fraught with the greatest danger to a large section of the White population of South Africa. I believe that many Europeans in this country realise the dangers of a provision of this kind, and I believe that just as the White women will refuse to carry this pass, the White men will be opposed to it and will refuse to be subject to these very grave dangers.

I want to say in conclusion that this Bill, like so many other measures introduced by this Government, is designed to take away the liberties of the subject, to take away the rights and privileges of the people of this country; and in this connection I want to quote something Dr. Holloway said.

An HON. MEMBER: A hollow quotation.

Mr. KENTRIDGE: Our friends opposite have very great respect for Dr. Holloway when it suits their purpose. I wish to quote from his evidence on page 42 of the Select Committee's report of 1935. He deals with this question of liberty and he says—

> The tendency nowadays is that the liberty of the subject should be curtailed, unless you have good reason for not doing so. Where people resist curtailment of their liberties their instincts are sound.

I venture to say that South Africa will resent this attempt to curtail the liberties of the people of this country, that instincts will be roused and that ultimately they will succeed in ridding themselves of this Government which seeks to impose measures like these on the liberties of the people of South Africa.

Sir DE VILLIERS GRAAFF: Mr. Speaker, there are many objections to the legislation introduced by this Bill. There were very few reasons adduced today to justify it. The amendment placed before the House by this side seeks to fix the attention upon the objectionable features of the Bill. The first portion of the amendment has reference to the fact that this Bill renders it necessary for people to be issued with and to be in possession of identity cards. One feels that in discussing that head it is pertinent to inquire into the object of being issued with and having to be in possession of such an identity card.

Various reasons have been advanced by the Minister, most of them, I think, in his introductory speech on the second reading, for these provisions, and I propose with your permission, Sir, to examine those reasons in detail. Certain of the arguments he advanced and certain of the examples he gave seemed to indicate that he envisages the use of the identity card in the same manner as a pass is used today.

The first reason he advanced was that it was necessary for the effective functioning of a system of social services and social security. It is surprising, Sir, that in those two countries where it is acknowledged that the best social services system is obtaining today, there is apparently no provision for the issue of identity cards. Why, then, should these cards be necessary here, when they are unnecessary in countries where the best social security systems in the world apply? Can it be said that it is necessary on the basis of experience already suffered in this country? As far as we can see the Minister has adduced no evidence to show that experience has rendered it necessary or established the need for identity cards to be issued.

The second reason advanced by the hon. the Minister for the issue of identity cards is that it might be useful in the case of a national emergency when it may be required for purposes of rationing. I am not aware that there is any necessity for food rationing today. Heaven forbid that that necessity may ever arise in this country.

The MINISTER OF THE INTERIOR: It was necessary not so long ago.

Sir DE VILLIERS GRAAFF: The Minister says it was necessary. I suppose it will be superfluous to remind him that there was a war on at that time. Presumably the hon. the Minister thinks, with little confidence of his own Government in the tragic position which has been reached today, where even horses in the neighbourhood of urban areas are not safe. Perhaps he was impressed by the speech of the hon. member for Namaqua-

land (Mr. Scholtz), who indicated that the mutton that was promised at the time of the election was unlikely to be forthcoming for the next ten years. I would say that that was a very poor argument for the issue of identity cards.

His third reason was that identity cards might be useful for controlling illegal immigration, and he called the four Provincial Administrators to witness in their report of 1948, in which they recommended national registration. But it is noteworthy that those four administrators, while feeling that a national register should be instituted in order to control illegal immigration, made no reference whatever to any issue of identity cards. The hon. the Minister of course says: How can you control illegal immigration if you do not issue identity cards? The four administrators had their scheme, and apparently they did not find an identity card necessary. What they wanted was an ordinary registration number, and then they wanted a registration book in order to check up on the individuals concerned. Members opposite all attempted to cloud the issue by making reference to the registration number of every individual in the army and to the necessity for carrying an identity disc in war time. Well, Sir, I am indeed surprised to find that some people are so ignorant as to confuse what is known in the army as that "meat ticket" with this identity card. That seems to me to be also an extremely weak reason for this identity card.

The hon. the Minister had a fourth reason. He stated that it would limit, if not altogether avoid, tax evasion. He said that information was given to him by the Commissioner of Inland Revenue in 1950. He is aware that there was a former Commissioner of Inland Revenue who did not agree with that conclusion. And, Sir, it is remarkable that no evidence was placed before the Select Committee indicating that that was in fact the position.

His fifth reason was that the identity card would be useful for the detection and control of crime. I would remind the hon. the Minister of the evidence given by Mr. Hoogenhout before the Select Committee of 1935. He said this—

> I do not know whether this system will provide the police with much information. If anyone wants to disappear he would not take the trouble to register.

The Minister gave as his sixth reason legislation in connection with apartheid, and also the various usages and customs in connection with apartheid . . .

The MINISTER OF FINANCE: Are we now going to continue the second reading debate?

Sir DE VILLIERS GRAAFF: May I draw the hon. the Minister of Finance's attention to the fact that an amendment has been moved to the motion for the third reading. That amendment focuses the objections of the Opposition particularly to the issuing and possession of identity cards, and also to the third party objector. Perhaps, if the hon. the Minister has familiarised himself with the amendment, he would not have made this interjection.

The MINISTER OF THE INTERIOR: And if you had familiarised yourself with the practice in this House, you would not be making that speech.

Sir DE VILLIERS GRAAFF: Now, the sixth reason advanced by the hon. the Minister was that it would facilitate legislation in connection with apartheid, and the daily usages and customs indicated by apartheid. He instanced admission to our schools. Now, Sir, that is a most interesting incident because Section 13 (1) of this Bill provides that cards would only be issued to children after the reach the age of sixteen years.

The MINISTER OF THE INTERIOR: What about their parents?

Sir DE VILLIERS GRAAFF: Presumably those children are at school before that time, and presumably also, as indicated by the interjection of the Minister, the reference will be to the identity cards of the parents and not of the children. Hence it is of importance to have regard to the Minister's reply to a question put by me to him during the second-reading debate, and appearing in col. 3149 of Vol. 8 of the weekly edition of Hansard—

> Sir de Villiers Graaff: May I ask the hon. Minister a question? Am I correct in assuming that the child of two parents both with European registration certificates, in the usual stud book manner, will be regarded as a European?
>
> The Minister of the Interior: The test that is laid down in this Bill is the test of appearance and of usual associations. That is the test laid down in this Bill. There is no question of descent or of blood. I want to make it quite clear that under this Bill the children of parents who are Europeans or non-Europeans will be Europeans or non-Europeans, as the case may be. There is a possibility that that may be changed; there is a right of recourse to the director. But, prima facie, they will be Europeans if their parents are registered as Europeans.

Now, Sir, this seems to be a remarkable state of affairs, more particularly with reference to the definition of Europeans under Clause 1 (15) of the Bill. Here "European" is defined—

"White person" means a person who in appearance obviously is, or who by general acceptance and repute is, a White person, but does not include a person who, although in appearance obviously a White person, is by general acceptance and repute a Coloured person.

If recourse is to be had to the identity card of the parents, surely this definition set out in the Bill is not being applied, and it seems to me for the Minister to state that that is one of the reasons for the issue of identity cards, is entirely an erroneous reason and on analysis it cannot be supported. He goes on, of course, that it will be useful in the case of mixed marriages, in regard to regulations at seaside resorts, bioscopes, admission to sports fields, and so on, and he instanced Newlands. Now let us be perfectly fair to the hon. Minister. Those identity cards would be useful provided individuals carry the identity cards with them wherever they go; in other words, the identity card is neither more nor less than a pass.

The Minister also suggested that these identity cards would be of use in application for passports in order to determine whether the applicants are South African citizens. He says it would be easy to determine the identity and nationality of the applicant. Unless I am very much mistaken, today an individual applying for a passport has to make a sworn statement. If he makes a false statement he is liable to a charge of perjury. The penalty is in the discretion of the court and the sentence will naturally be a very heavy one. The penalty for making a false application for and therefore being issued with a false identity card is £100 or six months. It seems to me that unless the present procedure is continued despite the issue of identity cards, then the individual will be inclined to take the risk of making a false statement on the identity card rather than make a false sworn statement in regard to his nationality on a passport. Is the Minister prepared to accept the facts particularised in regard to nationality on the identity cards, where these identity cards have been issued to ten or twelve million people, rather than the facts on passports where they are issued to comparatively few individuals today?

These then, Sir, are the seven chief reasons the hon. the Minister gives for the carrying of identity cards. He gives an eighth. He says it will militate against personation at elections. Personation at elections is a crime for which the penalty of imprisonment up to two years is fixed. Falsifying an identity card is subject to a penalty of £100 or imprisonment for six months. Does it seem that that is really going to prevent personation? If a person is prepared to take the risk of two years in prison, he would also take the risk of falsifying an identity card.

The MINISTER OF THE INTERIOR: But how can he?

Sir DE VILLIERS GRAAFF: £5 notes are falsified, as the Minister knows. Goodness knows how many deserters from the British Army have falsified identity cards in Britain today.

The MINISTER OF THE INTERIOR: Their identity cards are not sealed.

Sir DE VILLIERS GRAAFF: Why then make it an offence to falsify an identity card? It seems ridiculous. The ninth reason advanced by the hon. the Minister was that it would be of assistance to individual business and also to the liquor trade. Let us concede that it may be of some use, but must we say that in order that apartheid can be more easily applied and that there may be certain advantages accruing to people concerned in the liquor trade, the entire population must be importuned and irritated by the issue of an identity card, and having to be possessed of an identity card from time to time? That is one of the main objections to this legislation.

But there are other objections, and I have indicated by this amendment the most serious of the other objections is the objection against the third party objector as to the classification of another individual. This side of the House has felt, and has stated throughout, that the classification of an individual, being a matter of status, should be something between the individual and the State. The matter was dealt with during that Committee Stage, and according to my note the Minister said that his justification for the third party objector was that it would assist in the case of the property owner who wished to object against certain people who were not entitled to live in a particular township. The Minister must be familiar, of course, with the cases of Alexander and Johns, reported in the 1912 Appellate Division reports, where there was no difficulty whatsoever experienced by citizens in getting rid of people not entitled to reside in a particular area.

The MINISTER OF THE INTERIOR: They had to prove that they were not of that particular race.

Sir DE VILLIERS GRAAFF: Exactly. And on the very rare occasions when that is necessary, will it not be of advantage to the State and to the people of the country that it should be proved in a court of law instead of being left to a director or a magistrate? It only happens occasionally from time to time, and with all respect to the Minister it is better to have a Supreme Court decision in regard to the status of a person than to leave it to arbitrary decision under the procedure of this Act.

The MINISTER OF THE INTERIOR: A person can go to the Supreme Court under this Act as well.

Sir DE VILLIERS GRAAFF: Does the Minister mean to say that his reason for making this provision is in order to avert those few occasions when such a case has to go to the Supreme Court for decision?

The MINISTER OF THE INTERIOR: One of the many reasons.

Sir DE VILLIERS GRAAFF: Well, I will deal with the others in a moment. Here is one of them, and all this work is done each year in order to avoid those few Supreme Court cases that might arise. Surely the hon. the Minister does not expect a self-respecting citizen of the country to accept that?

The Minister's second reason was the assistance to parents with regard to children attending European schools. Here again, one finds that this is a matter that has been dealt with by the courts very adequately in the past. I need only refer the Minister to a series of cases referred to in the report of the Mixed Marriages Commission as early as 1939. Those cases the Minister and I have discussed before now, and they make it perfectly clear that the parents have the right of recourse to the court in event of objection being lodged.

These are his two main reasons for saying that he wishes to have the third party objector left in existence. This side of the House cannot concede that those reasons justify it in any degree. This side of the House thinks the Minister is leaving the door open to prying into people's affairs, and causing a lot of trouble and unhappiness which can easily be combated by the existing legislation, in exercising the legal remedies as they are today. The fact is, Sir, that this is unpopular legislation, undesirable legislation and unfair legislation. The hon. the Minister is trying by a series of specious reasons to find what he regards as justification for introducing something that is nothing more or less than a measure designed merely to facilitate that apartheid which seems to be some sort of infectious disease on his side of the House.

Mrs. BENSON: I want to deal with Clause 13 of the Bill on page 11. This clause reads as follows—

> The director shall, as soon as practicable after the inclusion in the register of the name of any person who has attained the age of sixteen years or after any person whose name has been so included, attains the age of sixteen years, and subject to the succeeding provisions of this section, issue an identity card to that person.

I would like to ask the hon. the Minister if he has really given serious thought to what the carrying out of this clause will mean to the child and the parent. It will be an added and irritating responsibility to the mother, who will have to see that it is carried out. With reference to the photograph, the child may have to lose a day at school, and when you think of the thousands of children throughout the country who will be affected, you can realise the additional burden we are placing on these mothers who already have enough worries and responsibilities when they have school-going children to attend to.

Mr. Speaker, why burden a child with the carrying of an identity card? There is also the psychological effect it must have on schoolgirls. Now I am particularly going to refer to girls. A girl may not have her identity card with her. She is approached by a person in authority and she is asked to produce it. As she does not have it with her, she is told to go to the police station within seven days. Now, most girls of that age have a definite fear of a police station, and to a nervous girl it may cause a mental upset. Then there is the case of the girl who may not be sixteen but who may be a very well-developed girl and who may look even seventeen. That girl can also be approached by a man in authority and be asked to produce her identity card. The girl will say she has no identity card and she may be subject to all manner of questions about herself and her home, and he may even suggest that he must accompany her to her home to prove her statements.

Then there is an even graver reason. It gives an opportunity for an unscrupulous man to approach a girl. There is laughter over there, Mr. Speaker. But I know these things do happen. An unscrupulous man approaches a girl of sixteen. He can pretend to be a person in authority and he can demand to see her identity card. That girl has not got it. He tells her she will have to go to the police station, and he also tells her that she must come with him at once. The police station may be many miles away or even non-existent. That girl would accompany the man and very grave and disastrous results may happen to her at the hands of an unscrupulous man. For these reasons, and because a girl of sixteen is only a child and has no legal status; she is not recognised in law as having full responsibility and has no vote until she is 21 years, I want to ask the Minister why he is inflicting this irritating clause on them. We must realise that students today have much to do. They have papers and books to carry; numerous papers and books, and why should a child of sixteen be burdened with an identity card?

I feel I am voicing the opinion of thousands of mothers in this land in what I am saying, and I also feel that if the opinion of the teachers of schools had been asked

they might have given the Minister the same objections. Because of this, Mr. Speaker, I wish to ask the Minister whether he will consider the deletion of the age of sixteen years, which has no effect whatsoever, and alter the age to 21 years. I want to do that because I feel that with this request I am doing a service to the children and a service to the thousands of mothers concerned.

Mrs. BERTHA SOLOMON: Mr. Speaker, I rise at this stage of the debate on this Bill because from the discussions I have heard the point that strikes me forcibly is that if ever there was a Bill put before this House that was irritating, useless and unnecessary, it is this particular Population Registration Bill. The hon. member for Hottentots Holland (Sir de Villiers Graaff), in his analysis of the reasons given by the Minister for the introduction of this Bill, made it quite clear that the only way in which those reasons can be made effective is by people all carrying their identity cards. Otherwise, if they don't, all the reasons he has given simply fall away. Take, for instance, the last one, with which the hon. member for Hottentots Holland dealt effectively, the suggestion that the identity card will be a means of checking impersonation at the polls. Before it can be used as a means to check impersonation at the polls, there can be no doubt about it that the voter will have to carry the identity card on him, and if he has to carry the identity card with him in order that it should be effective, what is it then if it is not a pass? And I think, Sir, the hon. the Minister will find that this pass will cause a lot of irritation in the countryside when he comes in fact to enforce this Bill. He may have succeeded in persuading his own colleagues on the Government benches in their own caucus that this identity card is an identity card and not a pass. But wait till those colleagues of his get back to their constituencies. Then let them put it to their constituents and they will find out what the reaction is. And when the Minister promulgates the Act and endeavours to enforce it, he is going to find out that he will have a load of trouble on his hands such as he never anticipated. Because if there is one thing the Afrikaner has always prided himself at being it is that he is an individualist and an independent fellow and to ask him to be regimented and to carry a pass is asking a good deal of him and the Minister will find that he has bitten off a good deal more than he can chew. That is from the point of view of irritation, but when we come to the women of this country, I think he will find, too, that the Afrikaner women, a great many of them, will resent most bitterly the fact that they will have to carry passes, and as I have heard it put myself, the White women will have to carry a pass and not their maids. The reason why the hon. the Minister does not insist on a passport for all the people, is the fact that he knows that he cannot enforce it in respect of Native women and he hopes that the European population can be more easily handled. Therefore we have this absurd differentiation, which destroys the whole character and the whole alleged purpose of this legislation. Unless you have a registration of the whole population this is certainly not a Population Registration Bill. So, Sir, I say that it is irritating and useless and I contend that it is unnecessary. We are not at the present moment, fortunately, facing a national emergency; there is, fortunately, also no necessity for food rationing; there is, fortunately, also no war in the immediate offing. For the Minister to say that he is taking these wide powers for a case of national emergency arising, is, I think, going a little far. Should an emergency arise, South Africa, like any other country, will be willing to be regimented, but until such emergency arises, this country will resent any regimentation of this sort. Moreover, it will be completely useless. The hon. the Minister himself must admit that it will be incomplete and useless. The hon. the Minister himself has said that one of the reasons why he wants this Bill is that it will help with social services and social insurance. Well, Sir, if the Government were to spend on social security the money which will be required to carry out this Bill, it would be of considerable value to the country.

The MINISTER OF THE INTERIOR: Oh, come!

Mrs. BERTHA SOLOMON: The hon. the Minister has said that it will cost somewhere in the neighbourhood of £500,000. I wonder what that £500,000 could do to assist poor people, for instance, by increasing the old age pensions? The Minister of Finance has told the country that as far as social services are concerned, all he is prepared to do under present financial conditions, is to hold the line. Well, that is the standpoint of the hon. the Minister of Finance, but on the other hand the Minister of the Interior is introducing legislation of this kind which is altogether unnecessary, which is irritating to the country and which will be even useless for the purposes which the Minister himself has given as the reasons for this Bill. Therefore there is no doubt that this Bill is unnecessary. It will open the door, too, for snooping and for the poison-pen letter writers and it will lead to a lot of unhappiness as far as people are concerned who only want to be let alone to lead a quiet, private life, and for what purpose? As far as I could follow the Minister's arguments, to my way of thinking all of them were pretty specious and inconclusive. The real reason suggested by hon. members on the other side is that it is going to implement the policy of apartheid. Well, if that is the case, if the

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identity card is going to be used as a means of access to sports grounds, access to various sections of the railways, etc., then members opposite cannot get away from the fact that if it is used for those purposes, the identity card is nothing else but a pass, yet I understand the Minister to insist that it is not a pass. I want to tell the hon. the Minister that he is going to irritate the constituents on the Government's side and this measure will not have the desired results. I want to suggest to the hon. the Minister, even at this late stage, that he should once more consider this Bill and see whether it is really desirable to go on with it and whether it would not be advisable to withdraw the Bill. The hon. member for Durban (Umbilo) (Mrs. Benson) has made a plea to the hon. the Minister for raising the age for children who will be compelled to carry the identity card. If I cannot persuade the hon. the Minister to withdraw the Bill, then I suggest that he should at least give the amendment of the hon. member for Durban (Umbilo) his serious consideration. Sixteen years is very young, sixteen is not an age at which people should be compelled to carry an identity card. They should not be compelled to carry such a card before reaching the age of majority. Then they are responsible for their own actions. And if the hon. the Minister insists on these identification cards, he should not enforce it on children at the age of sixteen. I suggest that the hon. the Minister might consider the plea of the hon. member, if he is not prepared to withdraw the Bill in its entirety.

*Prof. A. I. MALAN: The last two speakers have almost convinced me that they are honest in their concern about this Bill. But in that they differ entirely from most of the other speakers to whom we have listened. Whether that is due to the fact that these two speakers expressed themselves in moderate language I cannot say, but I am prepared to assume that they are really concerned about this matter; nevertheless I have to reply to what they have said, and I must say that the arguments they have used are very old arguments. This matter has been discussed here time and again and it has been particularly stressed that the object of registration is so important to the country and that we have before us an honest attempt to register the population of the country so that even those difficulties they have mentioned still justify our making certain sacrifices for the sake of the purpose which we are aiming at. In relation to the great object of this Bill their objections are of a more trivial nature. But if one had listened, particularly in the beginning of the afternoon, to the arguments that were used, one must have been concerned about one thing and that is the point of view or the attitude from which the Opposition generally approaches this matter. The hon. member for Germiston (District) (Mr. Strauss) did not manage to conceal his hostility, and even in his amendment he tried to show his hostility and I think he has succeeded in showing it. Even in his amendment he speaks of an "identity pass". It is certainly not out of order to call it that, but it does not show good taste just to apply a terminology which has something unpleasant attached to it. It was not in good taste to use such a terminology because it indicated that the hon. member wants to stir up the feelings of the House and of the public against this subject, though in principle he apparently could not raise any special objections to it. The hon. member apparently wants to lower it to a level where it can be ridiculed. I ask myself whether that is an approach of which one can be proud, and which is fair to a Government which is doing its best to carry out a great work. Yet, if it had stopped there, it would not have been so bad, but we know that today everything, or almost everything the Government does, is stigmatised as autocratic and as non-democratic. That is the slogan which hon. members nowadays use on every possible occasion about everything the Government does and it is also used in their newspapers today. It appears to be finding a good deal of support among that section of the public which is perhaps opposed to the Government. One wonders whether the reason may be that they regard everything connected with the Government through tinted spectacles of partiality and autocracy because, by doing so, they imagine that they can cast suspicion on the Government. Is that the reason why the Opposition today, with the exception perhaps of the last three speakers, has presented the whole subject through those spectacles to the public? The main point, which hon. members have been hammering is a display of hostility and we have heard expressions from hon. members, such as the hon. member for Troyeville (Mr. Kentridge), who spoke about a police State, the hon. member for Benoni (Mr. Lovell) read a quotation which, he said, was the true purpose of this Bill, viz., to get the Coloured people removed from the voters' rolls. The hon. member went further and spoke of the disgrace or the evil this would be and he finished up by saying that he doubted all the Government's motives in connection with this Bill. Now let me ask the hon. member whether in those circumstances he can be surprised at the fact that when he spoke last he received such a rebuff, as he says, from the Minister. I do not know what he said on that occasion, but if his remarks were made in the same spirit as his remarks this afternoon, then he should not be so sensitive if he gets a reply from the Minister which he regards as a rebuff, because he all but insinuated that the Government had evil intentions.

But let me come back to the hon. member for Germiston (District). He stated that this Government was autocratic and in that connection, for instance, he referred to the Government's action, the Government's attitude, in regard to passports. The hon. member for Germiston is a barrister and he knows better than any of us that these are administrative actions of the Minister's and that his attitude in regard to passports has nothing to do with autocracy, and that in actual fact he need not even have come to this House to inform the House what he had done, because he can do everything administratively; but the Minister has informed the House and he has told the House what he intends doing. There certainly is no evidence of autocracy. He can do it administratively in the same way as his predecessor did. The second argument, apart from the arguments calculated to create ill-feeling against the Government and to incite the public against the Government — the second group of arguments in connection with the Bill, is that administratively it will be impossible to carry it out. One is really astonished at the fact that so many members have devoted so much time to this argument. One would think, for instance, that a member like the hon. member for Pretoria (Sunnyside) (Mr. Pocock), who for years has not had anything to do with intricate departments of State, would least of all be able to judge what is administratively possible, what a big department of State can carry out successfully, or what it cannot. No one with any knowledge of administrative affairs is going to say that because some members cannot see how this Bill can possibly be carried out by a department specially equipped out that therefore it cannot be carried for the purpose. Some officials have been overseas and have studied the way the work is done in many countries. They have seen there how it is done, not with a population of 12,000,000 people but with a very much bigger population, and I feel that those hon. members and many others who state so glibly that administratively it cannot be carried out, do not expect a lot of weight to be attached to their arguments. But it does seem to me that if an individual starts on a campaign with the object of wrecking a particular project, even though he cannot find evidence to prove that it is a bad case, he will resort to arguments of that kind. You create feelings against it, you pretend that the difficulties in the way of carrying it out are too big and you point out that it is impracticable. The arguments may not be strong but they apparently are arguments which hon. members opposite regard as worth while. One thing which, according to hon. members opposite, is impossible is this question of identity cards. The hon. member for Pretoria (Sunnyside) particularly pointed out, or tried to point out, that this identity card is suddenly a different type of card from the other passes or cards which have to be carried or used. He said that it would be compulsory for everyone to carry this identity card and he also said that the carrying of the other passes was optional. The reply to that point is logical. It is compulsory to carry the other passes — not optional — if you want to benefit from them. If I want to use the train on my parliamentary pass, if I want to have the benefit of that pass, then I am compelled to have that parliamentary pass on me. But if there are occasions when my parliamentary pass cannot be of any use to me, I do not have to carry it. So it is optional, and the very same thing applies to my identity card. If someone wants to travel from here to Durban and he does not require the convenience of his identity card, he can leave it at home and, if he should be asked for it, he can take the trouble to get it. If there are privileges attached to the carrying of any pass or any identity card, it is obvious that the individual would be pleased to carry it on him, but it still remains optional because there are only few occasions when an individual will be compelled to produce his identity card. It is only optional. It is only compulsory if the individual wants to have the advantage of such a card. Man is like that, in spite of what the hon. member for Jeppes (Mrs. Bertha Solomon) has said. If he has to carry something which will be advantageous to him, he does not object. Has anyone ever met a member of Parliament who has objected to carrying his railway pass if he can enjoy a benefit by doing so? Then there is no objection. Let me mention another instance. For instance, I have here an identity card of a large business, a firm which has issued identity cards to its customers. There was a report about it in the "Cape Times" of the 30th March. The report says—

> The issue of identity cards by some big stores is reported to have started a controversy in Johannesburg where the practice has been introduced in certain circles. In Cape Town one of the leading stores has issued such cards to its customers . . .

And then they say—

> Only one of our 15,000 credit customers raised an objection.

Mr. ROBINSON: May I put a question to the hon. member? Was there any compulsion, or was it voluntary?

*Prof. A. I. MALAN: If you want to buy anything in the shop you are compelled to have a card. I fail to see hon. members' objections. Here they say that this firm has issued 15,000 cards to credit customers and they say that only one has objected "because," he said, "we were playing into

the hands of the Government." Hon. members will see, therefore, and that is why I have referred to it, that when there is a benefit attached to the carrying of a card, of an identity card, whether it be a railway card or another card, which is of some use, then there is no objection. Hon. members have been talking in sentimental strain about the freedom of the women of South Africa, and the hon. member for Jeppes said that the Afrikaner woman was so independent that she would never be prepared to do such a thing and that it would be a humiliation to her. Those arguments may sound very well when you are stirring up your audiences, but if those arguments are used here in all sincerity then I feel that there is nothing in them. Let me conclude by saying that if we do not change our approach to this whole problem, if hon. members opposite refuse to concede that what is done by this side of the House in regard to population registration is an honest attempt to do something for the good of the country, if hon. members refuse to admit that when we try to classify the population, the object which we have in view is a good one, if hon. members refuse to admit that this is a service of the future; if the Opposition does not change its premises then they cannot expect any concessions from the Government when legislation of this kind is discussed. In my mind there is not the slightest doubt that the object of this Bill is to have a general population registration. The Government's honest intentions have been doubted. In my mind there is not the slightest doubt that it is the Government's object and the Government's intention to carry out this Bill. What Government would be so stupid to introduce legislation if it does not intend giving effect to it. If it is the Government's intention not to carry out this legislation it surely must eventually destroy the Government. Any reasonable person will realise that. For that reason I would be sorry if this kind of opposition were to continue from the other side of the House. I should be sorry if they were to continue libelling the Government continually and casting doubts on its sincere intentions in its legislation.

Col. JORDAN: A large number of reasons have been advanced in the course of this debate as to why this Bill should not pass on to the Statute Book. I propose to add or or two others. I propose, in the first instance, to examine in what circumstances and to whom girls of the age of sixteen may be required to show their pass; in what circumstances children at the age of sixteen may be accosted say by a strange policeman. Clause 14 of the Bill lays down what persons are authorised to demand the production of the pass. They fall into two categories; firstly, peace officers, and it is important, therefore, in consid[illegible] question as to whether a law in these terms ought to go to the Statute Book to consider, and for the country to know, what the definition of a "peace officer" is. Clause 14 of the Bill makes reference to Section 390 of the Criminal Procedure and Evidence Act of 1917. Now included in the definition of "peace officer" are such persons as—

> The superintendent, assistant superintendent, or a warder of any prison or gaol.

So the gentlemen who occupy that position — they may be estimable gentlemen indeed — are men who are accustomed to contact with the criminal classes in this country and they are to be accorded the privilege of accosting your daughter at the age of sixteen and demanding the production of a pass. In addition the definition includes—

> Any inspector of Natives or pass officer or any superintendent of a municipal Native location or his assistants.

Mr. ROBINSON: A pass officer?

Col. JORDAN: Yes; it seems to me particularly appropriate that there should be entrusted to a pass officer the duty of inspecting the passes of girls of sixteen and upwards and to other persons, whose normal function it is to call for and examine the passes of Natives! They are now to be entrusted with the duty of examining, not only the passes of our daughters of sixteen years of age and upwards, but of our wives and mothers, or our grandmothers — every European woman born in this country.

The MINISTER OF THE INTERIOR: Under the existing law the police may accost a child at the age of sixteen under certain circumstances.

Col. JORDAN: I am very grateful for that piece of information from the hon. the Minister but, whatever his powers may be, today he has no power at the moment to stop people and demand their identification cards. Now let me come to the circumstances in which the passes can be demanded from European women. I am not so much concerned, although I think it is objectionable in a country with a population of the racial diversity of this country to issue passes even to European males — I am not so much concerned about males, but I am concerned about the position of European women and the type of attention to which they may be subjected owing to the facilities extended to certain classes of persons to approach and molest them. That is why I am dealing with the type of person to whom these duties will be entrusted.

Business suspended at 6.30 p.m. and resumed at 8.5 p.m.

Evening Sitting.

Col. JORDAN: I had dealt with the question of the person who is called upon to produce his identity card, when the automatic adjournment for dinner arrived, and I was passing on then to deal with the circumstances under which the production of this pass can be demanded. Clause 14 lays down that a peace officer may call for the production of this pass in circumstances in which (a) he would be entitled to demand the name and address of the person to whom he proposes to devote this attention. Section 6 of Act No. 39 of 1926 inserts a new sub-section 3 in the Criminal Procedure and Evidence Act of 1917 and that is the sub-section to which specific reference is made in Clause 14. Sub-section 3 of Section 27 of the Act of 1917, as inserted by the Act of 1926, reads as follows—

> A peace officer may call upon—
>
> (a) any person whom he has power to arrest;
>
> (b) any person reasonably suspected of having committed any offence; and
>
> (c) any person who may in his opinion be able to give evidence in regard to the commission or the suspected commission of any offence,
>
> to furnish such peace officer with his full name and address.

So that the Bill, by incorporating in Clause 14 the provisions of the Criminal Procedure and Evidence Act, as amended by the Act of 1926, certainly provides very considerable scope for activity. We have to travel back from the Act of 1926 to the Act of 1917 to ascertain under what circumstances a peace officer may arrest, and that is to be found in Section 27 of the Criminal Procedure and Evidence Act of 1917. A number of grounds, upon which a peace officer may without any order or warrant arrest a person, are set out in that section but, perhaps, the one to which I might direct particular attention is sub-paragraph (f) of sub-section (1) of Section 27, which says —

> A peace officer may arrest any person being or loitering at any place at night under such circumstances as to afford . . .

Mr. SPEAKER: Order, order! May I ask whether these are new provisions which have been inserted since the Committee Stage or the Report Stage? May I draw the attention of the hon. member to the fact that the third reading is not the occasion to discuss the details of the Bill, which have already been passed by the House. We are now back to the Committee Stage or the Report Stage and that was never the intention of the third reading debate.

Col. JORDAN: With respect, Sir, may I make my submission as to the relevance of my point. My point is that at the third reading you do advance, not the grounds upon which you would attack the principle of the Bill at the second reading stage, but the grounds upon which you urge upon the Government that grounds exist in the shape of objectionable features in the Bill, which should, at the last moment even, deter the Government from placing the Bill upon the Statute Book.

Mr. SPEAKER: I am afraid I cannot agree. The details to which reference has been made by the hon. member cannot at this stage be remedied. The hon. member cannot move amendments, for instance, to the particular section to which he refers. I am convinced that it was never the intention of the third reading to go into all the details which have already been considered and I must ask the hon. member to confine himself to the contents of the Bill as a whole.

Col. JORDAN: I am dealing with the Bill as a whole, but my suggestion is that there is a feature of the Bill . . .

Mr. SPEAKER: Order, order! May I just quote for the hon. member's benefit May at page 543 —

> The procedure on the Third Reading of the Bill is similar to that prescribed on the Second Reading, but the debate is more restricted at the later stage, and is limited to the matters contained in the Bill, not to the details of the Bill.

We cannot have a further discussion on the details. In that case the debate would never end. I find that in the House of Commons the procedure now is that after the Report Stage the Third Reading is taken immediately. There is not even consideration of the Third Reading, and if we continue in this way it will make Parliamentary procedure impossible.

Col. JORDAN: I must naturally defer to any ruling that I have exceeded the scope that is permitted in a Third Reading debate, but my respectful submission is that anything that is laid down in any edition of May, subsequent to the eleventh edition, has no binding effect upon this House and, if the House of Commons has chosen to amend its procedure, until a similar amendment is introduced into our procedure, that of the House of Commons cannot bind us in any way.

Mr. SPEAKER: The procedure in this House has never been to have the discussion

on the Third Reading that we are having now. I am quite prepared to allow the hon. member to continue, but not to refer to the details of the Bill or to clauses which have already been passed by the House.

Col. JORDAN: Very well, Mr. Speaker, I will not refer to any numbered clause of this Bill or to any numbered section of any prior Act which is incorporated in the Bill by reference. I merely say this, that if hon. members opposite are prepared, for instance, to allow their daughters to have their passes demanded by peace officers, because they may, in his opinion, be loitering while they are waiting for a friend at night, that seems to me to be the introduction of such a degree of interference with liberty that it may be worth the hon. the Minister's while to consider whether upon that ground alone, if for no other, this Bill ought not to be withheld even at this stage, and, no matter what courage it requires, from the Statute Book of this country. I suggest that, in the circumstances in which these passes can be demanded and in view of the persons who can demand them, they are not only passes but may become tickets of leave and licence. I want to pass on to another point which, in my submission constitutes a reason why this Bill should not become law. The point has been taken, though I shall take it in another form and view it from another angle, by the hon. member for Germiston (District) in the speech he made, and I think that the hon. member for Germiston (District) would have been confronted with some difficulty had he not been able to refer in some measure to the detailed provisions of the Bill. But I propose, in making my point, not to refer to any detailed provisions, but to refer to the combined effect of a number of the provisions in this way. This Bill provides for the compilation of a complete population register, and, as you are aware, Sir — it did emerge in the course of the debate at the Report Stage — the hon. the Minister has taken power to exclude or exempt certain persons or classes of persons resident in any specified area from any specified provisions of the Bill. My suggestion is that that is a ground upon which it is legitimate to urge that this Bill should not become law in the absence of an undertaking given by the hon. the Minister that in Another Place he will move an amendment which will strip this Bill of one of its objectionable features. For the compilation of the register the direction of the director is that he shall compile it as soon as practicable. The hon. the Minister, at one stage through which this Bill has passed, argued — I remember almost his ipsissima verba — that no Government in its senses would attempt a simultaneous registration of twelve million people and on the basis of that argument, in my submission a wholly fallacious argument, the hon. the Minister argued that he was entitled to insert a safeguarding provision for himself which would enable him to apply this Bill to whatever people in South Africa he might choose to apply it, but not necessarily to the whole population of this country. If, in the first instance, the enabling clause gives him power to compile a population registration as soon as practicable that does not mean that you have to go like a bull at a gate and attempt to register twelve million people simultaneously. There is no need, therefore, upon the frame of that enabling clause, for the hon. the Minister to have taken these enormously wide powers which he asks Parliament to delegate to him, and I ask the hon. the Minister now to give an undertaking that he will, at the appropriate opportunity, in Another Place, move an amendment deleting these powers. I do not want to refer in detail to them but just to refresh the hon. the Minister's recollection — and I am speaking, of course, from recollection myself — I think he will find them in Clause 21 (1) (d) of the Bill. I propose to limit myself to the two points with which I dealt. The first is that of the objectionable provisions relating to the circumstances under which the pass can be demanded, and, secondly, as I say, the unnecessary taking by the hon. the Minister of powers for the conferment of which upon himself nothing but a wholly fallacious argument has been advanced. For these reasons I shall support the amendment moved by the hon. member for Germiston (District) and I hope that the hon. the Minister, even at this late stage, will consider the wisdom of not foisting upon the people of this country a measure which can do no more than give offence to every section of its population.

*Mr. MAREE: Before coming to the remarks which I would really like to make tonight I just want to refer to the report of the speech made here by the hon. member for Smithfield (Mr. J. J. Fouché) which appeared in the "Cape Argus" this evening. I just want to point out that in this report it says that the hon. member for Smithfield . . .

Mr. SUTTER: On a point of order; is the hon. member allowed to refer to a newspaper report in which comment is made on a debate which is now taking place?

*Mr. MAREE: Allow me to point out that I am not referring to the comment on the debate but only to the report of the speech made by the hon. member for Smithfield.

*Mr. SPEAKER: Order, order! The hon. member cannot do so if the report deals with the proceedings in this House. The hon. member is only allowed to say that such a report appeared.

*Mr. MAREE: Am I not allowed to point out that the report is wrong?

*Mr. SPEAKER: No.

*Mr. SUTTER: What has it got to do with this House?

*Mr. MAREE: Then may I put it like this: This afternoon it was very clearly indicated here in this House that it is the attitude of the United Party that they object to this Bill because there are certain provisions in the Bill which will make it impossible for persons who, because of Coloured blood in their ancestry, are not really Europeans, to be registered as Europeans in the population register. It was very clearly pointed out by the hon. member for Smithfield here in this House this afternoon that the definition of the word "European" is quite clear in this respect. It says that a "White person" means—

> A person who in appearance obviously is, or who by general acceptance and repute is a White person but does not include a person who, although in appearance obviously a White person, is by general acceptance and repute a Coloured man.

*Mr. SPEAKER: Order, order! Just allow me to point out to the hon. member that Rule 62 of the Standing Orders reads as follows—

> No member while debating shall read from a printed newspaper or book the report of any speech made in Parliament during the same Session . . .

He can refer to it—

> . . . nor read extracts from newspapers or other documents referring to debates in this House during the same Session.

He may refer to it and say that there is a wrong report in that newspaper but he is not allowed to read from it.

*Mr. MAREE: I was saying that the hon. member for Smithfield pointed out here very clearly that, according to this Bill, "White person" means a person who in appearance obviously is or who by general acceptance and repute is, a White person, and that is the important point because you will see that from the definition of "White person" or "Coloured" or "Native" the accent is always first of all placed on the appearance of the person and then afterwards, but equally important, on the fact that such a person usually passes for a European or a Coloured person or a Native, as the case may be. In tonight's "Cape Argus" there appeared a report of the speech made by the hon. member for Smithfield and in that report it is merely stated that a European will be identified according to his appearance and they made no mention whatever of the provisions referred to by the hon. member for Smithfield. I wish to state that it creates an entirely wrong impression and that is the impression which the other side of the House is trying to give the public, namely, that if a person has Coloured blood or if there is Coloured blood in his ancestry or if his appearance is not quite as white as the appearance of some of them then his position under this Bill has become entirely unsafe. Then he is at the mercy of people who can raise objections against his classification. But according to the Bill it is quite clear — and it is time that we should realise it and that the public should realise it — that the important aspect in a case like this is the question where such a person was normally classified by the community. That is the important point and if the community itself has classified a person under one category or group he will not be differently classified according to the population register.

But now I want to come to the amendment proposed here by the hon. member for Germiston (District) (Mr. Strauss). The hon. member for Germiston (District) spoke here in support of his amendment about the unnecessary irritation resulting from this Bill. Now I would like to ask that party tonight and I would like to ask the hon. member for Germiston (District) what is the cause of that irritation. What, according to them, will cause so much irritation to the people under this Bill? Is it because they will have to possess identification cards? Is it because they will have to possess identification cards with the additional advantage of always having some form of proof to show exactly who they are? Why do those members on the other side find it irritating to have a proof to show who they are? I know of only one type of person who finds it irritating or unpleasant to have a proof of his identity and that is a criminal. That is the only type of person I knew of before and I wonder whether I have now made the acquaintance of another type here in this House.

*Mr. TIGHY: That is a reflection on this side.

*Mr. SUTTER: You probably looked in the mirror.

*Mr. MAREE: Do hon. members on the other side find it irritating to have a card in their possession showing a photo of themselves?

*Mr. S. J. M. STEYN: A pass.

*Mr. MAREE: Do they find it irritating? Are there some of them or some of their

supporters who do not want to see what they look like themselves? What other objection can they have against it?

*Mr. S. J. M. STEYN: The Natives protected their wives against the pass; cannot you do the same?

*Mr. MAREE: We have come to know the hon. member for Alberton (Mr. S. J. M. Steyn) very well from his United Party newsletter. We have become very well acquainted with the sort of propaganda he is accustomed to make outside the House. We know that he is the person who also wants to give the non-Europeans of South-West Africa representation in this House. He should therefore keep absolutely quiet as far as these matters are concerned. But I want to ask the hon. members on the other side whether it is not true that their real objection to this Bill, the real cause of the irritation they see in it is the fact this Bill brings about a classification of the different sections of the population and that is something they do not want; it is something which they find irritating. I say they want no classification and that is what they have against this Bill. Only this afternoon the hon. member for Green Point (Maj. van der Byl) said here that the Bill creates a boundary line and once you have been placed on one side of the line it will not be so easy to get to the other side. What does that mean? Does it mean that they do not want a boundary line between the various racial groups so that there may be a constant process by which the Natives and the Coloured community can escape? Is that what they want, or do they want no boundary line so that members of the Coloured community can constantly escape and go over into the European community? I want to put it very plainly here tonight that I am unable to come to any other conclusion than this, that for political reasons and for political reasons alone those hon. members want no classification between Europeans and non-Europeans in South Africa. They do not want a classification. They want this state of affairs to remain as it is, this state of affairs described by their leader, the Rt. Hon. member for Pretoria (East) (Field-Marshal Smuts) as a position where we cannot classify what is unclassifiable. That is the position which they want to perpetuate because they want these Coloured people gradually to escape so that they can find their way into the European community. They want the Coloured woman to have her name on the same voters' roll as the European woman, as is the case in the Cape constituencies, so that they can get the votes. They want the numbers of those people who find themselves in the unhappy position between the Coloured community and the European community — I say those unhappy people because one cannot imagine an unhappier type of person — they want their numbers to increase so that they can augment their diminishing political following from the ranks of those people.

*Mr. TIGHY: Where did you read that?

*Mr. MAREE: Another argument put forward this afternoon in connection with the amendment proposed by the hon. member for Germiston (District) (Mr. Strauss) is that race relations in South Africa have deteriorated tremendously during the past two years. He said that the Nationalist Party Government was responsible for that deterioration in race relations. The hon. member for Green Point uttered the same nonsense. I cannot call it anything else. Not for one moment do I wish to aver that there has not been a deterioration of race relations in this country.

*Mr. TIGHY: So you admit it.

*Mr. MAREE: I admit that race relations have deteriorated but I want to tell the hon. member this, that it made no difference whether it was the Nationalist Party Government or the United Party Government which was in power. The cause of this deterioration in the relations between Europeans and non-Europeans in South Africa is to be sought further back than the victory of the Nationalist Party in 1948. The cause of this deterioration in the relations between Europeans and non-Europeans must be sought with the party on the other side. They are responsible for it because they put the non-Europeans into uniforms together wth the Europeans. They are responsible for the fact that the non-Europeans put on those uniforms and demanded the same rights and privileges as the Europeans when they returned. They know that this is true. They are also aware of the fact that their former deputy leader, the late Mr. Hofmeyr, stated on several occasions that he was in favour of Natives being represented by Natives in this Assembly.

*Dr. STEENKAMP: And your own leader also said so.

*Mr. MAREE: That is untrue. In that way the leaders of the United Party created a longing and an expectation among the Natives which they did not feel before. Those feelings were artificially cultivated among the Natives by that party, especially by the liberal element in that party.

*Mr. SPEAKER: I want to ask the hon. member what exactly that has to do with this Bill. The hon. member must confine himself to the Bill. We cannot have another second-reading debate now and this debate is going even further than a second-reading debate. We must now confine ourselves to the provisions of the Bill as they stand at

the moment, after the Committee Stage. We cannot have a second-reading debate all over again.

*Mr. MAREE: I shall proceed with the rest of my speech. I just want to point out that the hon. member for Germiston (District) mentioned the deterioration of the relations between Europeans and non-Europeans as one of the grounds for his argument and I merely wanted to submit that instead of such being the case, the provisions of this Bill will, on the contrary, contribute to the improvement of race relations in South Africa.

*Mr. SPEAKER: The hon. member must confine himself to the provisions of the Bill and not wander so far from the point.

*Mr. MAREE: So I want to state that this Bill, because for the first time in our history it enables the authorities in South Africa to tackle those important causes of racial friction in South Africa, will contribute to racial peace. The main cause of racial clashes in this country is the friction between the various sections of the population. There is social friction and if that social friction can be eliminated then we shall be able to bring about racial peace. If we do not eliminate and do away with social friction then it will indeed be the cause of racial clashes. Now this Bill for the first time opens a way to take steps by which we can eventually eliminate that racial friction and thus prevent racial clashes. For that reason I maintain that this Bill really lays the foundation for future racial peace in South Africa and therefore I wish to make an earnest appeal to members on the other side to consider the matter once more and not to allow themselves to be moved to panic by wild talk.

*Mr. TIGHY: With all due respect I wish to say that the hon. member for Newcastle (Mr. Maree) has lowered the standard of the debate to such an extent that even though I may exert myself to the utmost I shall not be able to maintain that standard. The hon. member dragged the name of a man like the late Mr. Hofmeyr through the mud here and I hope he will not blame me for saying that I cannot but treat his remarks with contempt. To drag the name of a man like Mr. Hofmeyr through the mud in the way it was done by that hon. member . . . [Interjections.]

*Mr. SPEAKER: Order, order!

*Mr. TIGHY: I am sorry, but I want to point out that I am not going to maintain the standard to which the hon. member for Newcastle has lowered this debate. We have now reached the last stage of this most difficult measure and one can understand that members are exhausted. It is not necessary to go into all the details of the arguments again. We are dealing with the last stage of this most difficult measure and allow me to say, with due respect to the Government, that it is probably one of the most unpopular measures that have ever been piloted through this House, as hon. members on the other side will still find out. They must not blame us for making use of this last opportunity of warning them against those aspects of the matter. There can be no doubt about it. They have used all sorts of arguments in an attempt to indicate that there has been an unnecessary commotion. I want to give them the assurance that the opposition they have experienced against the measure in this House is felt throughout this country. The opposition we saw here is a reflection of the feelings of the public out there. Hon. members on the other side do not realise that when this House is in Session its members are practically behind an iron curtain. They do not know what is happening in this country. Members on the Government side, because of their small majority, find it even more difficult to break away and to remain in touch with the people in our country. With due respect, I want to tell them that they do not realise what tremendous opposition there is against this measure outside the House and they must not blame us if at this last opportunity we make a plea that expresses the feelings of the public against this measure. I am doing so with due respect and in all sincerity.

Allow me to add this. Members on the other side will not perhaps agree with me now but when they go back after this Session they will find out that the general argument of the people out there amounts to this. We are passing through a period of post-war difficulties, they say; we are up against things; the course of events is unfavourable and here we have the members of Parliament spending hours and days and weeks on matters which at the moment are of no importance to us personally. Members on the other side will be surprised when they return home to find that this is the position. The Minister of the Interior may sneer but it will be of no avail. I shall give him a straight talk in plain Afrikaans. Members will be surprised when they go home by the manner in which they will be deluged with complaints about the shortage of food, about high prices, lack of employment and various other troubles. I challenge the Minister to deny that in the case of this Bill he has claimed priority for it above more important measures which should have come before the House. Why have other Bills been excluded in favour of this thing? Since we are living in these difficult times, Mr. Speaker, I ask whether it would not have been much better for this House, for the Minister and for members on the other side to devote their time

to things which are really of importance to the population of this country instead of devoting their time to idealistic dreams which are of no value.

*Mr. H. S. ERASMUS: Of importance to White South South?

*Mr. TIGHY: White South Africa. When the people starve, White South Africa also starves. That is the point. The people are starving. My contention and the contention of the Opposition is that this was the most inappropriate time to come forward with such idealistic measures. This is an idealistic dream which they are now trying to translate into reality or into words. If there had been a great crisis, if there had been an international crisis...

*Mr. SPEAKER: I must again ask the hon. member to confine himself to the provisions of this Bill. There is no reference in this Bill to an international crisis or anything of that nature.

*Mr. TIGHY: I bow to your ruling, Mr. Speaker, except to point out that if there had been an international crisis, the Minister might have been justified in introducing a measure of this kind because population registration might then have been necessary. National registration is the whole purpose that is mentioned in this Bill. Well, we have gone into this Bill; we have analysed it and I just want to point to a few details in that connection. Are we really dealing here with national registration? No, we are not. Here we simply have a bureau for nosey parkers, for busy-bodies and snoopers. We are simply giving scandalmongers an opportunity to slander other people. That is very clear from quite a number of clauses which I do not want to go into again. This is not the place for it. But the fact is that that is all this Bill is. It is not a question of national registration. It is a question of registration and of gathering information which is at the disposal of slanderers and scandalmongers. It is nothing else. If the Minister suggests that this Bill is what he alleges it is and what the Government pretends it is, then one would have expected that this would have been the sort of measure which would have incorporated certain details in connection with the European population as well as the non-European population to enable the Government to divide the population into certain categories, so that the Government, in broad outline, could gain some idea of the directions in which the various population groups could be used. That is not the position at all under this Bill. As a matter of fact, this Bill has more to do with the forebears of the people than with the people themselves. It has more to do with the family background of the person who is registered than with the possible contribution of that person to the welfare of his country in time of peace and in times of war. That is the position.

*Mr. H. S. ERASMUS: It is a family register.

*Mr. TIGHY: The member for Hoopstad (Mr. H. S. Erasmus) openly admits that it is a family register. In other words £500,000 of the State's revenue is to be invested in a family register which is to be drawn up for the Minister of the Interior. Yes, it is tantamount to a family register and not a national register in which only the necessary details are recorded with regard to every person. But when we go into the details of the Bill and consider the spirit of the Bill we find that it is nothing but a family register. This Bill, when it is placed on the Statute Book could have been of great use to the State. You are aware that we are living in a country with a very low national income. We shall have to see whether we can improve it. We shall have to classify our people and see whether we cannot use them to greater advantage. But this Bill will not assist us in that direction when it has been placed on the Statute Book. Surely for that purpose we do not need photographs, and why should we go to all this trouble and expense? No, the Minister has completely missed his object as far as this Bill is concerned. The object of the Bill is being ignored altogether; we are not achieving that object. You cannot hold it against this side if we warn the Government against a measure of this kind which is going to cost the State a great deal of money and which is not going to achieve its purpose. We were not against the establishment of a decent national register. Why do you want a measure which will create a bureau for slanderers and scandalmongers? No, we would be neglecting our duty if we did not object to the introduction by the Government of a measure of this nature. I want to proceed now to touch upon a very important matter that I want to bring to your notice. In spite of the fact that we are now dealing with the third reading, I say that this is a measure which is incomplete. I want to lay the Minister a wager that he will be back in this House in the near future to amend this legislation. It is true that this Bill was sent to a Select Committee. It has been passed by the House in all its stages and in spite of that this measure is not complete. As the hon. member for Hospital (Mr. Barlow) has said, it is a half-baked measure. There are great defects in this Bill. That old Afrikaans saying that is so often used is very apt in this case; there are so many loopholes in this Bill that one can make a complete turn in it with an ox-wagon. Is it fair on the part of the Minister to come before this House and to introduce a

Bill which has not been properly considered by him? In spite of the fact that this Bill was referred to a Select Committee, it returned from that committee incomplete. Reading the report of the Select Committee we cannot help being struck by the suspicion and the lack of confidence that was revealed by the Minister. When a Bill is sent to a select committee, the select commitee is expected to send the Bill back in decent shape. But throughout the deliberations of the Select Committee we find that the Minister behaved like a perverse mule. He did not seek the co-operation of the Opposition. He simply rejected everything that they proposed; he rejected all their suggestions for the improvement of this measure and to make it more acceptable. There is no doubt about that and he cannot deny it. I think the members of the Select Committee will confirm that that was the position. And I ask you, Mr. Speaker, as the highest authority in this House, whether it is fair towards this House to send a Bill to a select committee when we do not get the co-operation of the Minister in that Committee. He adopted a perverse attitude — like a donkey or a mule. What about the money that is being wasted? I hope my words will still echo in the Minister's ears when he comes back to this House to have the Bill amended. That would not have been necessary. Our objection is that the Minister has wasted the time of this House and that he has paid no attention to the suggestions of members on this side to place a complete Bill on the Statute Book. He cannot get away from that.

This is a bad Bill in every respect. It is incomplete and it is so full of loopholes that one can make a complete turn in it with an ox-wagon. We find that this Minister and this Cabinet are in the habit of lightly placing Bills on the Order Paper without having considered them thoroughly. They do not consider them properly, and when the Bills are then referred back in this House so that the Opposition can help to knock those Bills into proper shape, they behave in this perverse way. We are now dealing with the third reading, and I want to say, with all due respect, that this Bill cannot stand the test of the searchlight, and still less the interpretation of the superior court. The Minister will have the same experience in this case that he had in connection with passports. It will be thrown out; and is that fair towards this House? The Minister may look at me with a catlike expression on his face. He will still regret this. I do not want to pursue this point, however. This measure will be placed on the Statute Book and it will be incomplete.

Now I want to deal with another aspect. The object of this Bill is to establish population registration or a national register. Throughout all the stages up to the present moment we have not yet been able to find out from the Minister whether we will really have population registration. We feel that we must revert once more to the position of Native women. We do not know whether this really will be national registration, in other words, whether there will be registration of the entire population or only of a section of the population. When we use the time of this House to analyse and to place on the Statute Book a measure of this kind, we expect that its provisions will be put into effect. But neither in the second reading debate, nor on the Select Committee, nor in the Report Stage, have we had any assurance from the Minister that the provisions of this Bill will be carried out. As a matter of fact, he adopted all sorts of evasive tactics to avoid the issue, and up to the present stage this House has not had any assurance from the Minister that this registration will be a national registration in the true sense of the word. I am convinced that the members in the Other Place will not be able to persuade the Minister to agree to those things for which we have pleaded in this House. We want clarity with regard to the Minister's intentions. I do not want to go into details, except just to point out that in one place the Minister has closed the door, but in another place he has opened the sluice-gates again. We know the history of Clauses 2 and 21. In Clause 2 the door is closed, but in Clause 21 the sluice-gates are opened. There is no doubt about that.

This is the last word I want to say with regard to this Bill . . .

*HON. MEMBERS: Hear, hear.

*Mr. TIGHY: I know that those hon. members are not anxious to hear these things, but we must say these things, because the people must hear the truth and we want them to know that we tried to improve this Bill. This Bill is full of defects, and with all his evasive tactics the Minister will not get away from that. He cannot hold it against this side of the House and against the country that we cannot come to any other conclusion. One section of the population will have to carry this pass and another section will not carry it. Another aspect in regard to which the Minister is not clear is the question of registration as against the identity pass. His own supporters have misconstrued the position. Let me put to the Minister the definition given by van Dale of the word "pas" (pass). He says that a pass is an official document for travelling purposes, designed to establish the identity of the bearer. The Minister now says that these cards are simply identity cards. In other words, according to van Dale, they are also passes. I do not want to take up any more time. The fact of the matter is that members on the other side know what it means and they have allowed themselves to

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be misled by their own Minister. They will have to bear the responsibility for it.

*Mr. SPEAKER: Order, order! I just want to point out to the House that I have deliberately allowed the debate to progress so far. I think hon. members will agree with me that if that is the object of a third reading debate, then the sooner the third reading is abolished the better it will be. We are having a full discussion here on the most minute provisions of the Bill. We are not only having a second reading debate, but more than a second reading debate. If that is the intention then we must carry on in this way, but if we are to have this full discussion on the third reading, I really do not think that hon. members would support the procedure of this House. I have deliberately allowed these repetitions. One speech after another has consisted of repetition. It cannot be otherwise; from the nature of things there must be repetition. The Chair does not feel happy in allowing this. I must ask hon. members not only to assist the Chair, but to assist the House so that we may at least try not to make the procedure completely ridiculous.

*Mr. TIGHY: Mr. Speaker, you know that I always bow to your ruling, except that I want to point out that there has been a misunderstanding. In conclusion I would point out to the Minister that if this measure is placed on the Statute Book the Minister will have even greater powers. This Minister is known for the fact that he seeks more and more power. We know how he acted in connection with the administration in respect of passports. He interned citizens of South Africa and in terms of this Bill he can now intern people in their own homes. We regard this measure as too dangerous in the hands of this Minister, and we have had no satisfactory reply to our questions. When we view this measure against the background of other measures which have been passed and measures which may still be piloted through this House, can the Minister then hold it against us that we feel perturbed and that in these measures we see the downfall of democracy in South Africa? We have reached the last stage of democracy and if we continue to take away and to white-ant the powers of Parliament one after another, we will find ourselves in this position in the near future, that the great power of democracy, our Parliament, will be nothing but a caricature of what is actually a dictatorship in this country.

Mrs. BALLINGER: I feel that before the third reading is passed, I should register my final protest against the passing of this Bill. In doing so, I hope, Sir, you will have no fault to find with me. I do not propose to set out again the grounds that I have advanced on other occasions. I do not propose, for instance, to repeat what I said in the course of the Committee Stage about the provisions of this Bill as they affect the Native population. I have registered my protest particularly in that regard, but at this point, I wish to state emphatically that I feel that the whole sense of this Bill runs entirely counter to the whole spirit of the two main European stocks in this country. I think it not only runs entirely counter to the whole spirit of these two stocks, but it also runs counter to the good taste of these two stocks. When I say that I have in mind two aspects of this Bill, the two aspects which have been put in the foreground by the hon. member for Germiston (District) (Mr. Strauss) in the amendment which he has moved and which I am fully prepared to support. I refer of course to the actual conditions of the registration proper, and in the second place to that novel importation into this Registration Bill of a system of third party objectors to the racial classification of the members of this community. I underline the fact that this is an unusual importation into a Registration Bill. It is not to be found in any of the measures which the hon. the Minister has commended as the prototypes of this sort of legislation; it is not in fact the sort of thing that could happen in a homogeneous society; it is only a thing that could be invented in a complex society like ours, and invented without due regard to the real dangers inherent therein. I say that in both these regards, this measure runs counter to the whole spirit as well of the Afrikaans-speaking as of the English-speaking people in this country, and I am amazed that the members of the party who sit behind the hon. the Minister of the Interior should be prepared to back him in this type of legislation. I am amazed. It is so contrary to the whole of their history, to the whole of their attiude to government, and I am perfectly sure that once this measure has been put into operation, their sense of that contradiction will make this law in effect a dead letter. I want to deal first of all with the second aspect of the case, the importation into this Registration Bill of this system of publicising racial classification and this invitation to the members of this community, to spy upon and to betray one another. This is a system which I feel every single decent member of this community — and I regard most of the members of this community as decent — will revolt against in practice.

Mr. G. F. H. BEKKER: Especially during the war.

Mrs. BALLINGER: Oh, I am in a very secure position in this regard. This particular type of legislation doesn't affect me at all. I am in no danger. I am not talking for myself, but I am thinking of members in this House who represent a longer tradition

in this country than I do and whose friends may be involved in this situation.

An HON. MEMBER: Why?

Mrs. BALLINGER: You can answer that question for yourself. This is the sort of legislation which the good taste of this country will not accept. [Laughter.] Well, I must say that when I use that term, I am not referring to members over there. When I am referring to "good taste", I am not referring to them, although I believe that after the Session, their spirit will revive and they will remember my remarks and endorse them. But the country will not accept this thing. It belongs to the sort of society which we have repudiated wherever we have seen it. We have said emphatically in this country that we are not going to belong to the type of society that divides family against family, brother against brother, that raises every man's hand against every other man. It is an importation from a stock to which we do not belong and which we repudiate. That is one point. I am only saying what I think and hon. members can think about it what they like but I want to have it on record that that is what I believe, that South Africa will not accept this kind of legislation. Now I turn to the question of this registration legislation generally. There is no essential argument against registration as such and it is perfectly true that registration is now the practice in a considerable number of countries, but it is a fact that this country through all its history has resisted, has resisted very emphatically any attempt by government to put it in leading strings. The Afrikaner community itself, their whole history, is made up of opposition to attempts of governments to retrict, to curb and to confine them. They haven't even got the tradition of accepting government control that the English stock in this country has. That is why they went on their Great Trek. Their whole history is a history of opposition to efforts to restrict them, to force them into all these leading strings of a restricted society, and at the present moment they are only supporting this proposition because their Minister has brought it forward. They have accepted it as a matter imposed upon them by a Minister who loves this sort of thing.

Mr. VISSER: What distortion.

Mrs. BALLINGER: It is not distortion, it is a fact. If this hon. Minister had not proposed this type of legislation, it never would have come out of the minds of the people who sit behind him. I am perfectly certain about it.

Mr. A. STEYN: You are talking nonsense.

Mrs. BALLINGER: No, I am not talking nonsense, I am approaching this thing from the angle of South African tradition, and I know that it will not work. It is no good hon. members coming forward saying so many women in their constituencies have said that they are prepared to carry this pass. Of course. The party struggle is on at the moment, and party passions will make all sorts of people accept things in a spirit of party loyalty. But party loyalty is not going to carry this thing through. The people will object to this type of legislation, to this type of control, to this system of regimentation, to this systemisation that is being imposed on South Africa, rooted in a tradition which is not our tradition and which we cannot support. Those are my grounds for opposing this Bill. I would have opposed it, of course, in any case because of its second feature, the importation of this registration card with all that it implies, and the informer basis of the registration card. But I am opposed to registration as such because I don't think it is good for this country; that is, registration such as this. Registration that is linked to a system of social security, registration that has been linked to a system of social services, yes, that is something I could have understood. But registration for the sake of registration, I can see no justification for at all. And when I say "registration for the sake of registration" I mean it. What does the Government hope to gain by this Bill? What is it going to gain by this Bill? I have looked at it from every possible angle and I can see no answer. If it is, as is firmly believed by the United Party, an attack on the Coloured voters, that party can disfranchise the Coloured people without all this formidable machinery. They do not require a Registration Bill of this kind to disfranchise the Coloured voters. You can even have your system of informers, as you have under the Electoral Act. You do not require all this colossal machinery. What on earth does the Government think it is going to gain with this legislation? What does the Minister of the Interior think he is going to gain? We have not had one single explanation why they want this. We have not had one justification for this Bill. Therefore, Sir, I think I am quite justified in registering my emphatic protest against the imposition of this type of legislation on this country, with all the cost involved, with all the encouragement to bad faith and bad principle which is implied in its terms, and to register our protest that our legislative machinery should be in the hands of a Minister who can think of no better way of using it than to introduce measures of this kind.

Mr. DAVIS: I want to take up a few minutes of the time of the House to draw attention to what I regard as a very serious feature of the Bill in its present form. The Bill provides in Clause 2 that there shall be a population register. The long title of the Bill provides that it makes provision for the

compilation of a register of the population of the Union and Clause 3 provides that the register shall be compiled by the director from the census returns plus other information which he may have at his disposal. Now on the face of those provisions it would appear that the intention of this Bill is to create a population register and to issue identity cards to the whole population of the Union, but under the provisions of Clause 21, the Minister is entitled to say: I will only apply the provisions of this Bill to a single province; he can go further than that; he can say: I am only going to apply the provisions of this Bill to the Eastern Province; so that he can carve out according to his political requirements such a portion of the Union as he thinks suits his particular purpose. Now that seems to me a very serious defect in this Bill from the point of view of the public at large. We know, or we suspect on this side of the House, that the main object of this Bill is to create a population register and to insist on the carrying of identity cards in those areas where there are large numbers of Coloured people registered, so as to enable him to enforce the Immorality Law Amendment Act and the Mixed Marriages Bill. That is, I believe, one of the main objects. So if that is so, Mr. Speaker, it seems to me that the Minister has done very little to camouflage his intentions and this gross defect in the Bill should be remedied, and the hon. member for Natal South Coast (Mr. Mitchell) has proposed from this side of the House that the provisions of the Bill should not be enforced against the population until registration has been received by every magistrate in the Union. That would have ensured that there would have been a Union-wide registration and that the provisions in respect of identity cards would have been enforced throughout the Union. Instead of that — that particular amendment was not accepted by the Minister — the basic defect in this Bill still remains and it enables the Minister at his sweet will and in accordance with the dictates of his political party to insist only on those parts of the Union being subject to the terms of the Bill which he thinks are necessary. I submit that this House should very seriously consider whether under those circumstances it is prepared to allow a Bill of this nature to go forward as the will of the country. I therefore consider that the Minister should hesitate even at this stage before enforcing that provision, unless he is prepared to remedy that defect in Another Place.

Mr. WILLIAMS: Like the hon. member for Cape Eastern (Mrs. Ballinger) I feel that I cannot allow this measure to reach its final stage without registering my emphatic protest that the Government should see fit to introduce a measure of this nature at this stage. The Government has failed to produce one single reason why this Bill should be necessary at this stage. We know that it has run through all its stages and has now emerged at the final stage and I hope, Mr. Speaker, you will allow me to oppose it as it is drafted now. In my opinion, it emerges in a more obnoxious and pernicious form than ever before. For that reason I want to oppose it. Now I want to ask the hon. the Minister whether in his reply to this debate he will give us the real reasons why the Government has found it necessary to introduce this measure. In that connection my mind goes back to a couplet: "'Whom the Gods wish to destroy, they first make mad." Surely this Government has bordered on insanity when they asked us to give credit to some of the reasons they have put forward here for the introduction of this measure. Take, for instance, their argument that the Afrikaner women in particular will be proud to carry such a thing as a registration pass. Can they ask us, in all seriousness, to accept that? Is it not sheer madness to ask the country to accept that?

Mr. VISSER: What do you know about the Afrikaner women?

Mr. WILLIAMS: I know quite a lot about the Afrikaner women and I am saying that it is sheer madness in regard to this measure to ask us to accept that argument. There is the hon. the Minister of Finance. He promised the country a shock some time ago. He said we should be prepared for a shock. That shock was the rising expenditure, the rising cost of Government. What is happening now? It is sheer madness to come along and propose a measure which is entirely unnecessary at this stage and which will involve the country in all this additional expenditure, probably £500,000, possibly it may be more. For what purpose? Is the purpose purely political? Is it for one reason only and is that for the purpose of isolating the Coloured vote so that the Government may in good time implement their promise to the electorate and remove the Coloured voters from the common roll? Is that the reason behind this Bill? Is the country being asked to provide all this money for that purpose? Is that the real reason behind it? Why should the Government waste the time of the country and this House when we know that there are very many more urgent and necessary measures which the Government should give its time to at the moment. What about the rising cost of living, what about the economic position, what about unemployment, what about housing? Those are the things the Government should be devoting its time to and spending its money on. Not measures of this nature which are entirely unnecessary. Therefore, at the end of this debate, I want to register my emphatic protest that the Government should come along with such a measure at this stage.

Mr. MITCHELL: I also feel that as the debate is now nearing its end that I also want to register my very strongest protest against the general principle of this Bill. You will remember, Sir, the occasion when the late Gen. Hertzog stated that the Coloured people were afraid that when once segregation of Natives had taken place, they would also be segregated. This Bill makes provision for that. This classification is in fact a segregation of the Coloured people. The whole matter which the late Gen. Hertzog forecast is now coming into being, and, Mr. Speaker, in a matter of this kind where the honour of the European is at stake, I feel that everyone of us, even if it is only for a minute or two, should rise in our places and express our disagreement with the principle which is underlying this measure. But, Sir, the Coloured people, relatively small in numbers and with relatively limited political power in the country, may be unable to deal with the Government for passing a measure of this kind and putting it on the Statute Book, but I want to tell the hon. the Minister that in spite of the spirit of levity in which he has treated this section from time to time, that the White women of South Africa will break this Government because of this Bill. They will never submit to the indignity which is being placed upon them whatever the men may do, and the men, Sir, are going to object, but it is the women who will break the Government. We have got a proud history. The hon. the Minister, I understand, is a Transvaaler, he was born in the Transvaal and brought up in the Free State. There is our history which shows those Voortrekkers a part of our history, in the northern provinces developing that savage country, those ruddy pioneers — would they ever have dreamt that today a South African Government, composed for a large part of people who themselves come from the Transvaal and the Free State, would come and put a measure like this on the Statute Book, a measure to compel our people, young and old, to carry an identification pass, an emblem which has been an emblem of servility in the whole of the history of South Africa since the first White people settled here some 300 years ago? What would those rugged pioneers, men and women, have thought if it had ever been suggested to them a short number of years ago that the people from their provinces would come forward and stand up in the eyes of White South Africa and say: "We feel that our women will be proud to carry an identification pass of this nature"?

I register my protest, nothing else can avail. The Government has made up its mind that come what may, it is going to steamroller this measure through Parliament. We register our protest. We say that this is a shame and a black shame which is being placed upon the European inhabitants of South Africa by this Government and we say that this thing will overtake them and it will overtake them through the hands of the women of South Africa.

*Mr. HAYWARD: This Bill which will pass through its first stage in this House within a few hours, affords further evidence of the Minister's intention to regiment everything in this country and it is one of the steps towards turning South Africa into a police State, governed by a Minister like the Minister of the Interior. This is not a national register, because it is not the intention at all to register the entire population under this Bill. From this point of view it is nothing but a pass. As the hon. member for Johannesburg (West) (Mr. Tighy) has quoted, van Dale also says that an identity certificate is a pass. The Minister talks about an identity card but according to the best linguistic authority it is nothing but a pass. It has been stated here that the costs connected with the application of this measure will amount to £500,000, but that is only the beginning. The buildings alone that will have to be erected, in which all these documents and registers are to be kept will probably cost £500,000, and I maintain that we have no moral right to waste £500,000 on something that is quite unnecessary while there is unemployment at the present time, while there are many people today who are starving, and while there are many people who are ill and who cannot get the necessary attention. We have no moral right to do this sort of thing. Every measure which is piloted through the House by this Minister is today viewed with suspicion not only by this side of the House but by the entire population outside, because throughout the aim of his legislation is to vest the Minister with more power than any previous Minister has ever possessed. Secondly, all the legislation that he has put through has, to a great extent, if not completely, eliminated the courts of law. In many respects you are no longer entitled to appeal to a court of law, the Minister alone has the final say. Thirdly, the Bill aims at strengthening the Nationalist Party Government and to obtain a firm grip on the people of South Africa. In the main this Bill is directed against the Coloureds and many members opposite have admitted that fact. Every one of them will be registered and they will be impoverished and exploited to the utmost. I say that every section of the population will be regimented and placed into compartments. The Nationalist Party may try to do that but the people of South Africa will not swallow it and at the first available opportunity this Government will be kicked out. And that Minister will bear the greatest responsibility for it. Let the Minister carry on; let him use the steamroller; I merely say that he will be sorry for it.

*Mr. SPEAKER: I am sorry that it is necessary for me to say this; I do not think

this has ever come from the Chair, but I merely want to say that if the debate continues in this way, with these repeated repetitions, I want to say from the Chair that I would be prepared to accept the closure of the debate.

Mr. ROBINSON: As hon. members on this side of the House have indicated, we are now protesting in the closing stages of this debate against this measure as it has been finally drawn up and presented to the House. But there is one particular aspect which arises that I would like to bring to the notice of the hon. the Minister and that is the point that was dealt with briefly by the hon. member for Umbilo (Mrs. Benson) earlier this afternoon. Young persons of the age of sixteen, and particularly young girls, in terms of this Bill, are obliged to register, and in terms of Section 9 of the Act the responsibility is placed upon these young people of seeing that they registered. It is their responsibility, and the plea which the hon. member made this afternoon to have the age limit increased to 21 years is a plea which I would like to endorse and to support. I trust that the hon. the Minister, when this Bill goes to Another Place will give consideration to these representations and see to it that these young persons who long before the age of majority — most of them are still at school; in fact nearly all of them are still at school — will be required to register and to accept responsibilities under this law as it is now to be enacted, are relieved from this obligation. This has been a long and, from the point of view of the Opposition, a tedious fight against the measure which is now about to pass through its third reading in this House. We have dealt with every possible aspect of the Bill. We have struggled to persuade the Minister to see the light of day in respect of this very contentious matter, but he has steadfastly refused to do so, and thus we are as an Opposition unable by virtue of our present minority, to alter the present position but I can promise the Minister this, through you, Sir, that when the day comes that the United Party is restored to power, I have little doubt, as hon. members on this side of the House have already indicated, that this Bill and other measures that have been introduced by the Minister, will either be thrown out in their entirety or suitably amended to conform to the wishes of the vast majority of the people of South Africa. The Opposition in this measure have done their very best in a most reasonable fashion to persuade the hon. the Minister to change his attitude. He has not been prepared to listen and so once again South Africa will have foisted upon its shoulders a measure which is impracticable and incapable of being carried out. With that final protest I would say to the hon. the Minister that between now and the Other Place I urge on him to change this measure to something that is fairer and more workable.

Mr. A. H. J. EATON: I think, having regard to the seriousness of this Bill and the long time this House has debated it and the fact that this House had an all-night sitting on this Bill and having regard to its effect on this country, this House faces this occasion with solemnity and gloom. I think if the hon. the Minister were able to appreciate the spirit of the people he will realise that the passing of this measure is a calamity for the country.

I want to deal with a new aspect, having regard to the overall aspect of this Bill. I have been trying to work out mathematically how this Bill will be applied and the time it will take to put it fully into operation, and working it out on the basis that a 5 per cent. registration is possible per annum, this Bill will not have general enforcement for twenty years. That is a point that has not been stressed in this House. I raise it at this late hour because it has a very great and definite bearing on the administration of this Act. I would ask the Minister this: In passing legislation in this House, is it not for application to and enforcement on the whole of the people immediately? Can you have piece-meal application of legislation? That is a pertinent point to put to the Minister, the overall position of having legislation enforced on a piece-meal basis; and if we accept the fact that registration and the issuing of identity cards is not possible generally within a year of the promulgation of this legislation, then, Sir, it becomes piece-meal in its application, and therefore it becomes piece-meal in its legislative effect. That is a fair point and I think the Minister should face up to it. Whether he wishes to evade that issue, I am going to challenge him and say this: Although we accept him as being outstanding as a legal luminary, is the position not that this point has a great bearing on the legislation, whether having been promulgated it can only be put into effect piece-meal. If that is so, then it becomes a piece-meal Act, and this will become known as the Dönges Piecemeal Legislation. I am taking this thing seriously

Mr. SPEAKER: Order, order! The hon. member does not seem to be taking it very seriously, judging by his language — talking about "the Dönges Piece-meal Legislation".

Mr. A. H. J. EATON: I am just giving it the designation that is usually applied to important legislation. It is not unusual to couple the name of the Minister in charge of any important measure with that Act. We usually refer to the Merriman Act, and so on. That is done when a man puts through a piece of legislation which is important, and I do not think the hon. member who said

"hear, hear" a moment ago, appreciates the position that if this is a great piece of legislation, then it is a great thing to have your name associated with it.

I then come back to the position that if you can only apply this legislation in a piece-meal way on the basis of an application of 5 per cent. per annum, that is to say, 600,000 people per year will have to be registered, then it will take twenty years. What sort of Act is this going to be? How proud we will be of South Africa when it is spread over these long years and when from day to day people will not know where they stand.

The MINISTER OF THE INTERIOR: Why 5 per cent?

Mr. A. H. J. EATON: I am saying that I think administratively you will not be able to handle more than 600,000 people per annum.

The MINISTER OF THE INTERIOR: But surely you have no right to say that? What ground have you for saying that?

Mr. A. H. J. EATON: When you consider the amount of work involved, which I do not want to go into now, then anyone who has to do with great numbers of people can visualise what will happen.

The MINISTER OF THE INTERIOR: This is being done by people who know something about it.

Mr. A. H. J. EATON: When I discussed one of the clauses in Committee, the Minister interjected: "That will be left to those who administer the Act". Well, Sir, that is a very easy way out. Our job is to deal with policy and when we have dealt with the policy for Heaven's sake let it be practicable and practical, so that when you hand the measure over to your officers you know that you are not asking them to do the impossible.

The MINISTER OF THE INTERIOR: We are not doing that.

Mr. A. H. J. EATON: Then I must come back to this point. Surely the Minister must contemplate that this can only become effective over a long period of years. Even if it is five years that it will take to register all the people, then I must put this to the Minister, that in that period of five years, you will have a certain number of people registered anually in order to bring this measure into general application. You will have not only your officials to administer the Act, but you will have the police who will ask people to produce their identity card in order to find out whether they are complying with the provisions of the law and you will have thousands of people who will not be in possession of their cards, because those cards cannot be issued to them in this limited period. This is a fair question, and it is not a question that this House should lightly dismiss by saying that it is an administrative measure, because, in the end, this House must take the responsibility for passing legislation that can be applied and that is practicable. I hope the hon. the Minister, if he does reply, will deal with that aspect, because it worries me. I do not want my constituents to be registered piecemeal. Is that going to be the method? The Minister has run away from this question because he has not given us a blue-print of the administration nor his own idea. We have sent this matter to a Select Committee, and how did it return to us? I say that the way that Bill was returned to us from the Select Committee is a disgrace to that Committee.

Mr. SPEAKER: Order, order! The hon. member cannot reflect on the Select Committee.

Mr. A. H. J. EATON: I am sorry.

*Mr. SERFONTEIN: Mr. Speaker . . .

Mr. SPEAKER: The hon. member may carry on.

Mr. A. H. J. EATON: I am grateful to you, Sir, for allowing me to carry on because I would like to complete my speech, since I am dealing with a very important aspect of this Bill when it becomes law. I will sit down now if the Minister will reply to the points I have made. Having regard to the meagre information we have in regard to the administration of this Act, I say that we are worried. I will sit down now if the Minister will tell me in his reply that I can go back to my constituency . . .

The MINISTER OF THE INTERIOR: Well, give me a chance.

Mr. A. H. J. EATON: Well, then I will sit down.

Mr. S. J. M. STEYN: Mr. Speaker . . .

*Mr. SERFONTEIN: The discussion on this Bill has already lasted nearly seventy hours.

*HON. MEMBERS: That is still too little.

*Mr. SERFONTEIN: Hon. members opposite say it is still too little. I want to refer to a spectacle we have witnessed here this evening, a spectacle which does not redound to the credit of this House.

Mr. MITCHELL: That is a reflection on the Chair.

*Mr. A. H. J. EATON: The Minister wants to reply.

*An HON. MEMBER: Why then did the hon. member for Alberton (Mr. S. J. M. Steyn) jump up again?

*Mr. SERFONTEIN: The spectacle to which I refer is this: that one member after another gets up on that side and says repeatedly that this is the end of the debate; then another member gets up and says that it is the end of the debate and so it went on. There seems to be only one underlying motive and that is to carry on the debate until the Minister will have no opportunity to reply to it because they know from experience what effect the Minister's speech may have on a debate of this kind. In the circumstances I move—

That the Question be now put.

*Dr. VAN NIEROP: I second.

*Mr. STRAUSS: That is very weak.

*Mr. S. J. M. STEYN: You have no confidence in the Minister's reply.

Mr. ROBINSON: He is afraid to reply.

*The MINISTER OF THE INTERIOR: I did get up to reply.

*Mr. MITCHELL: He knows he cannot reply.

The House divided:

AYES—63:

Abraham, J. H.	Havenga, N. C.
Bekker, G. F. H.	Hertzog, A.
Bekker, H. T. van G.	Hugo, P. J.
Bezuidenhout, J. T.	Klopper, H. J.
Botha, P. W.	Labuschagne, J. S.
Brink, W. D.	Le Roux, P. M. K.
Brits, G. P.	Le Roux, S. P.
Conradie, D. G.	Liebenberg, J. L. V.
Conradie, J. H.	Loock, J. H.
Deysel, A. J. B.	Loubser, J. A.
Diederichs, N.	Loubser, S. M.
Döhne, J. L. B.	Louw, E. H.
Dönges, T. E.	Ludick, A. I.
Du Pisanie, J.	Luttig, H. G.
Du Plessis, P. J. C.	Malan, A. I.
Du Plessis, W. C.	Malan, D. F.
Erasmus, H. S.	Maree, W. A.
Erlank, A. E.	Mentz, F. E.
Eyssen, S. H.	Mostert, D. J. J.
Faurie, W. H.	Nel, M. D. C. de W.
Fouché, J. H.	Olivier, P. J.
Fouché, J. J.	Oost, H.
Fullard, G. J.	Papenfus, S. F.
Potgieter, J. E.	Van den Berg, M. J.
Sauer, P. O.	V. d. Heever, D. J. G.
Schoeman, B. J.	Van Heerden, D. P.
Scholtz, D. J.	Van Niekerk, J. G. W.
Steyn, A.	Visser, de V.
Steyn, G. P.	Warren, S. E.
Strydom, J. G.	Wilkens, Jacob.
Uys, D. C. H.	

Tellers: J. J. Serfontein and P. J. van Nierop.

NOES—56:

Abbott, C. B. M.	Hughes, T. G.
Allen, F. B.	Jordan, R. D. P.
Ballinger, V. M. L.	Kentridge, M.
Bekker, P. B.	Lovell, L.
Bell, R. E.	Mitchell, D. E.
Benson, E. A.	Moore, P. A.
Bloomberg, A.	Mushet, J. W.
Bowker, T. B.	Oppenheimer, H. F.
Butters, W. R.	Pocock, P. V.
Christie, J.	Robinson, A. E. P.
Cull, J. A.	Shearer, V. L.
Davidoff, H.	Smit, D. L.
Davis, A.	Solomon, B.
Delport, G. S. P.	Solomon, V. G. F.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Steyn, C. F.
Frielinghaus, H. O.	Steyn, S. J. M.
Gale, D. J.	Strauss, J. G. N.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Sutter, G. J.
Hayward, G. N.	Tighy, S. J.
Henderson, E. J. W.	Trollip, A. E.
Henwood, B. H.	Van Coller, C. M.
Hepple, A.	Van der Byl, P. V. G.
Higgerty, J. W.	Waterson, S. F.
Hopewell, A.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Motion accordingly agreed to.

Question put: That all the words after "That", proposed to be omitted, stand part of the motion.

Upon which the House divided:

AYES—63:

Abraham, J. H.	Dönges, T. E.
Bekker, G. F. H.	Du Pisanie, J.
Bekker, H. T. van G.	Du Plessis, P. J. C.
Bezuidenhout, J. T.	Du Plessis, W. C.
Botha, P. W.	Erasmus, H. S.
Brink, W. D.	Erlank, A. E.
Brits, G. P.	Eyssen, S. H.
Conradie, D. G.	Faurie, W. H.
Conradie, J. H.	Fouché, J. H.
Deysel, A. J. B.	Fouché, J. J.
Diederichs, N.	Fullard, G. J.
Döhne, J. L. B.	Havenga, N. C.

Hertzog, A.	Olivier, P. J.
Hugo, P. J.	Oost, H.
Klopper, H. J.	Papenfus, S. F.
Labuschagne, J. S.	Potgieter, J. E.
Le Roux, P. M. K.	Sauer, P. O.
Le Roux, S. P.	Schoeman, B. J.
Liebenberg, J. L. V.	Scholtz, D. J.
Loock, J. H.	Steyn, A.
Loubser, J. A.	Steyn, G. P.
Loubser, S. M.	Strydom, J. G.
Louw, E. H.	Uys, D. C. H.
Ludick, A. I.	Van den Berg, M. J.
Luttig, H. G.	V. d. Heever, D. J. G.
Malan, A. I.	Van Heerden, D. P.
Malan, D. F.	Van Niekerk, J. G. W.
Maree, W. A.	Visser, de V.
Mentz, F. E.	Warren, S. E.
Mostert, D. J. J.	Wilkens, Jacob.
Nel, M. D. C. de W.	

Tellers: J. J. Serfontein and P. J. van Nierop.

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Davidoff, H.	Smit, D. L.
Davis, A.	Solomon, B.
Delport, G. S. P.	Solomon, V. G. F.
Eaton, A. H. J.	Steenkamp, L. S.
Eaton, N. G.	Steyn, C. F.
Frielinghaus, H. O.	Steyn, S. J. M.
Gale, D. J.	Strauss, J. G. N.
Gay, L. C.	Stuart, W. H.
Gluckman, H.	Sullivan, J. R.
Graaff, de Villiers.	Sutter, G. J.
Hayward, G. N.	Tighy, S. J.
Henderson, E. J. W.	Trollip, A. E.
Henwood, B. H.	Van Coller, C. M.
Hepple, A.	Van der Byl, P. V. G.
Higgerty, J. W.	Waterson, S. F.
Hopewell, A.	Williams, H. J.

Tellers: A. W. S. Mortifee and C. M. Warren.

Question affirmed and the amendment dropped.

Motion accordingly agreed to and the Bill read a third time.

KLIPFONTEIN ORGANIC PRODUCTS CORPORATION BILL.

Second Order read: House to go into Committee on Klipfontein Organic Products Corporation Bill.

House in Committee:

On Clause 3,

Mr. MUSHET: I wish to move the following amendment—

> At the end of paragraph (b) to add "if in the opinion of the Minister such product, material or substance, is not manufactured in the Union in sufficient quantities or at competitive prices".

In a subsequent clause the Minister is himself proposing an amendment giving effect to this principle. He is doing that, as he told us the other day, in deference to representations made to him by the manufacturers.

Mr. BELL: On a point of order, we cannot hear anything that is going on.

The CHAIRMAN: Order, order!

Mr. MUSHET: I was saying that this is an extension of the principle involved in the amendment which is to be moved by the Minister himself in a subsequent clause. He informed us the other day that in deference to certain representations made to him by the manufacturers, he was prepared to make this amendment, and I think that having conceded the point in a subsequent clause he ought to concede it in this clause also and I have much pleasure in moving this amendment.

Mr. DAVIDOFF In the first place I would like to refer to the Minister's proposed amendment and I would like him to explain it to this Committee.

Mr. BELL: He has not moved his amendment yet.

The MINISTER OF ECONOMIC AFFAIRS: In view of the fact that the hon. member for Vasco (Mr. Mushet) has moved an amendment which contains the same words as my amendment to Clause 3 (c), I will now move my amendment as printed on the Order Paper—

> To omit all the words after "Union" in line 40, to the end of paragraph (c), and to substitute "and on the instructions of the Minister, to undertake the manufacture of any product required for the health or welfare of the public or in the interests of the State and which in the opinion of the Minister is not manufactured in the Union in sufficient quantities or at competitive prices".

The hon. member for Vasco suggests that in view of the fact that I have moved an amendment to Section 3 (c) which contains the same wording as the amendment he has

moved to sub-section (b) it would be logical for me to accept his amendment. I wish to point out, however, that the two cases are entirely different. The amendment moved by me deals with "products manufactured for the health or welfare of the public or the manufacture of which may be in any way in the interests of the State". When I was approached by representatives of the chemical industry, it was pointed out by them that that particular clause was rather wide, and that it went further than was envisaged in either (a) or (b) of Clause 3. After discussion with the representatives I felt that perhaps there was some ground for their contention, and I then agreed to move this amendment. The hon. member for Vasco now wants me to apply the same principle to sub-section (b), but I have to point out that (b) deals only with "the manufacture of chlorine, or any product, material or substance in the production, manufacture or processing of which the use of chlorine is involved". That is something entirely different from what is provided in (c). Chlorine is the basis of the whole Klipfontein factory. It is the essential part of this Bill. I pointed out in the second reading debate that chlorine was also the basis for the manufacture of poison gas. In those circumstances I submit that there is a very substantial difference between (b) and (c), because (b) deals with the basic product, the product on which the whole Klipfontein factory is based, and which is an essential part of this Bill. In those circumstances I regret that I am not able to accept the amendment.

Mr. MUSHET: I quite agree with the Minister that chlorine is, as he says, the raison d'etre of the factory, but the point is that from chlorine, as he is well aware, there are many products being made today, and it would be granted of course, that in the case of chlorine, the Minister's decision would be already given, but it is the derivatives that may be manufactured from chlorine that we are anxious about and as the Minister knows, and as this Committee knows, the by-products or the extension of products that can be made from chlorine are simply tremendous. I do not know if that is so, but I have been told that, at the present moment, something like 700 different products can be made from chlorine. As chemical science develops, perhaps in a year's time, there may be a thousand, and so it goes on ad infinitum. In those circumstances, I do not think the Minister is giving away anything there at all. I do not think that the factory itself need fear that the Minister will interfere with their progress and their development, but I want to make that point perfectly clear that we can understand the fact that chlorine is the basis of these by-products, and it is the possibilities and the potentiality of products manufactured from chlorine to which we think the Minister should give this concession, as in the amendment that he moved.

The CHAIRMAN: May I ask the hon. the Minister whether he is moving the other two amendments also?

The MINISTER OF ECONOMIC AFFAIRS: I thought we could wait until we got to that particular part of the Bill. It seems to me that it would be more logical to deal with it there. Section 3 is divided into a number of sub-sections. My other amendment refers to sub-section (j). If, however, it would be more convenient, I will now move the whole amendment as printed. I move accordingly—

> To omit all the words after "Union" in line 40, to the end of paragraph (c), and to substitute "and on the instructions of the Minister, to undertake the manufacture of any product required for the health or welfare of the public or in the interests of the State and which in the opinion of the Minister is not manufactured in the Union in sufficient quantities or at competitive prices"; in line 17, page 5, after "(j)", to insert "subject to the approval of the Minister"; and in lines 29 and 30, to omit "for the benefit of the employees of the corporation or".

Meanwhile, we are discussing only sub-section (b) referred to by the hon. member for Vasco.

Mr. BELL: I am sorry the Minister cannot see his way clear to accept this amendment. If we examine the amendment what I want to point out is this that the amendment moved by the hon. member for Vasco (Mr. Mushet) does not apply to the manufacture of chlorine as such. It has been carefully drafted to apply purely to products materials or substances referred to in that clause, but not to the manufacture of chlorine as such; and apart from that fact, this amendment is not designed to prohibit the company from manufacturing any of these products, materials or substances, which are derivatives from chlorine but merely to safeguard the situation. The hon. member for Vasco has pointed out that a very large number of products are derived from chlorine, and in this amendment we follow very carefully the wording of the Minister's own amendment to the next paragraph, paragraph (c), and we ask that derivatives from chlorine should only be manufactured with the approval of the Minister on two conditions, that an article is not manufactured in the Union in sufficient quantities or at a competitive price. If the market is there, there should be no difficulty whatever in the Minister giving his approval, so that the factory as such would not be limited in its scope. But there may be people already manufacturing

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Natal. Well, under present conditions that position has changed, and a good deal of that spirit now finds its way into the other provinces, and especially into the Cape Province where it is used in connection with the distillation of liqueurs and gins. But it was never the intention that this rebate should be given if it was possible to export this spirit from Natal to other provinces. There is no longer any reason for the retention of this rebate, the reasons which obtained originally have long disappeared, and we are now bringing the position of Natal into line with that of the other provinces.

Mr. MUSHET: Does it affect the position as far as industrial alcohol is concerned?

The MINISTER OF FINANCE: No, those duties remain the same. I move, Sir.

Mr. C. M. WARREN: Mr. Speaker, I do not know whether I can bring this matter up at this particular stage or not — I know it cannot be relevant at this stage — but I would like to draw the hon. the Minister's attention to the anomaly that exists as far as this petrol tax is concerned. He knows for himself that the Cape is very heavily taxed in respect of the land tax, which is also devoted to the construction of roads. This, in effect, is a double tax on the whole of your ratepayers on the land property tax in the Cape as well as having to contribute the additional 3d. that is now demanded in this particular Bill. I do not know of a remedy for this anomaly, but I would like to draw the Minister's attention to the fact that it is imposing a distinct hardship on the whole of the Cape ratepayers.

*Mr. S. E. WARREN: I just want to say a few words about this. I would like to thank the Minister most heartily for the steps he has taken in connection with spirits. I wish to give him the assurance that we, as wine farmers, find it very difficult to compete in that sphere. The sugar spirits which they distill is usually what is left over, what they cannot get out of the sugar, and it costs them practically nothing, whereas the wine farmers have to carry on their farming activities in order to get the spirits. All that is being done is to take away the rebate. But I would like to submit a request to the Minister while we are dealing with this matter. In Rhodesia where they have no excise legislation they are also making brandy and whisky today from spirits imported from Portuguese territory. I just want the Minister's Department to keep an eye on that development. It is not real brandy and it is not real whisky but it does a great deal of harm to our wine and brandy industries. It harms our market in Rhodesia and it has an adverse effect on our wine industry. The Rhodesians are nationalists; they drink the liquor because it is made there but it does a great deal of harm to our industry. I just wanted to say these few words in passing and I can further discuss the matter privately with the hon. the Minister.

*The MINISTER OF FINANCE: I shall go into the matter referred to by the hon. member for Swellendam (Mr. S. E. Warren). At the moment I do not know how matters stand but I shall bring it to the notice of the Excise Department and we shall go into it.

As regards the point raised by the hon. member for King William's Town (Mr. C. M. Warren), he has raised a very important matter. It is a matter which affects our Constitution. Personally I have always been surprised why the good people of the Cape Province are so attached to their divisional council system that they are putting up with what my hon. friend calls a penalisation of the Cape taxpayer. But they want it so. There are many advantages accruing from this system, and they want to retain it, and I personally think . . .

Mr. C. M. WARREN: Tell us why we should make our own roads when all the other provinces are having them made for them.

The MINISTER OF FINANCE: We are treating you in exactly the same way as far as road services are concerned as the other provinces, but in addition under the divisional council system you claim the right also to tax your own people further for road construction. My hon. friend knows, of course, that I have co-operated with my friend the Minister of Transport in connection with the introduction of a type of special road of which the Cape is this year going to get the benefit, a proportion of the Road Fund will be devoted not only to the construction of national roads but also to a certain type of special road.

Mr. C. M. WARREN: May I ask a question?

The MINISTER OF FINANCE: Yes.

Mr. C. M. WARREN: Would you at some future date consider the advisability or not for using the petrol tax for the construction and maintenance of all roads?

The MINISTER OF FINANCE: No. My hon. friend will see that at the moment even the proceeds of this additional tax will only enable us over a period of years to complete the programme of national roads. In addition to that very large amounts have to be found by other means by the provinces to which the Union Government, of course, contributes 50 per cent. for further roads in this country. Any petrol tax which the public would approve at the moment would

not be sufficient for the construction of all roads in the Union at present. Of course, when we have completed our national road programme in a few years' time, I hope, more funds will be available for the construction of other types of roads.

Motion put and agreed to.

Bill read a second time.

House in Committee:

Clauses and Title of the Bill put and agreed to.

House Resumed:

The CHAIRMAN reported the Bill without amendment.

Bill read a third time.

RAILWAYS AND HARBOURS APPROPRIATION BILL.

Sixth Order read: House to go into Committee on Railways and Harbours Appropriation Bill.

House in Committee:

Clauses, Schedule and Title of the Bill put and agreed to.

House Resumed:

The CHAIRMAN reported the Bill without amendment.

The MINISTER OF TRANSPORT: I move—

That the Bill be now read a third time.

Mr. C. M. WARREN: I object.

Bill to be read a third time on 19th June.

POPULATION REGISTRATION BILL.

Seventh Order read: Population Registration Bill, as amended by the Senate, to be considered.

Amendments considered.

In Clause 10,

Mr. MITCHELL: The amendment here, Mr. Speaker, deals with "every person other than a Native whose name is included in the register", and sub-section (2) says—

> Any permanent change in the ordinary place of residence of a Native from one district to another shall be notified to the director by such person and in such manner as may be prescribed.

The effect of this amendment is that it changes the emphasis from the person who actually has to make the notification of the permanent change in the ordinary place of residence. I hope that the hon. the Minister is going to give us a little information about it. We are not here dealing with Europeans or Coloureds, we are dealing with Natives, and the amendment now makes it very clear. I have no doubt that the amendment was moved in this form to make it clear that the emphasis is where the Government desire it, and that is on the power by regulation to place the responsibility upon some unnamed person to notify any change in the permanent address of a Native from one district to another. In the case of other than a Native where there is any change of a permanent address of any person the law lays down who has to notify that change. It is quite clear. The law is definite on that point. Everybody else knows who has to notify the change except in this particular case where Natives are concerned, and they are far and away the biggest portion of the population in the Union. In due course regulations will be promulgated to say who has to notify change of address. I am sorry that the hon. member for Wonderboom (Mr. Nel) is not here. He is one of the members on the other side who is acquainted with the conditions under which these Natives live. But let us face the position. Here are 8½ millions of these people, and we pass an Act and say, There will be placed upon somebody the obligation of notifying the change in the ordinary address when a Native moves his domicile, "and it shall be in the manner to be prescribed", that is prescribed by regulation. There are hundreds of thousands of these people moving their domicile year by year, month by month, week by week, hundreds of thousands of them, and there is nothing in the Bill at the moment to indicate what form is to be adopted for notification of change of address. Who is to have the respnsibility of doing it? A regulation will be issued. No, Mr. Speaker, I have previously brought attention to the fact that in this matter we are legislating for 8½ million people in respect of whom there are probably not even 1,000 who even know that this Bill has been brought before Parliament. They have not the faintest idea of what is before Parliament. They do not know what is taking place, they do not know how their future is being tied up in respect of a measure of this kind, and now where their own advisers are concerned and where those of them who are qualified because they are able to read and write could take a measure of this kind and study it, they are quite unable to advise their fellows, or to do anything at all to indicate in what respect restriction is going to be placed upon them. They will merely be told that one of these days there will be a regulation gazetted, and that will throw the respon-

sibility—with criminal sanctions—upon some person unspecified to notify changes of address of millions of people, and those millions of people do not know what is happening, they know nothing about it at all. Here, Sir, is surely something which above all other things in this Bill is calculated to make criminals of vast numbers of people.

Mr. Speaker, I want the hon. the Minister to tell us what he has in his mind. Surely the hon. the Minister has got something in his mind, and I say quite frankly that the hon. the Minister is going to say that he will throw the responsibility, if he can, on the employer of the Native, if the Native is employed. That is what the hon. the Minister is intending to do, to put the onus on the employer to notify the change of address. And if it is not on the employer, then he is going to make it either on the headman or some authority of that kind. We have already pointed out the dangers of this measure; it is quite incapable of being applied. But out of sheer stubbornness of heart the Government are going to drive the thing as far as they can until it completely breaks down because of its ineffectiveness, and one of the matters in respect of which it will become completely ineffective and break down is on this very question of the change of address of the people concerned. I go further, I say that in regard to the previous portion of this clause the Europeans, the population other than Native, will not be able to comply with it — and they will not do it. There will be untold numbers of European and Coloured people who will never notify their change of address. But at any rate they do know and they are in a position to find out what the law is, and they may pin the responsibility upon a person. But in respect of these millions of Natives we are to pass this thing in this nebulous kind of way, so that nobody knows until some regulation is published in the course of time. We want to know what the Minister has in his mind so that we can deal with it. This is a back-door method of getting something on to the Statute Book, of getting a regulation, which has never been debated in Parliament. The Minister knows that this thing is full of holes, it is shot to pieces with holes from beginning to end, and the Minister instead of coming forward with an open proposal and giving us a chance to criticise him, he is going to issue a regulation which will never see the light of day in this House, and the people chiefly concerned — the Natives — will never be given the opportunity to criticise him or to put their views before the authorities.

I say, Sir, that I think the hon. the Minister should get up and tell us straight and plain what he proposes to do in terms of the powers which the Government seeks to have conferred upon the Governor-General — which is the Cabinet — to make regulation in respect of this matter, because I think it is most unjust and most unfair in respect of matter of this kind that where we are dealing with 8½ million people the law should not determine clearly and explicitly upon whom the onus is to rest. That would be the essence of justice in a matter of this kind, that the people concerned should know that the law is placing the onus upon them and that they have got to discharge that onus.

The MINISTER OF LABOUR (for the Minister of the Interior): Mr. Speaker, I do not know why the hon. member has generated all this heat. This matter has been very fully discussed on several previous occasions. This amendment is merely a change in the phraseology, that is all. Originally it was "as in the manner and by the person prescribed"; it will now read, if this amendment is adopted, "by such person and in such manner as may be prescribed".

Mr. MITCHELL: What is the difference?

The MINISTER OF LABOUR: There is no difference in principle or in method.

Mr. MITCHELL: Why change it?

The MINISTER OF LABOUR: It is exactly the same thing, but it is much clearer phraseology, and the hon. member should know that you cannot possibly have provisions in this Bill stating definitely in regard to Natives who is responsible for reporting their change of address. It must of necessity be done by way of regulation. It may be prescribed, for instance, that certain employers will have to notify the change of address of their Native workers. It may also be done by certain Native Commissioners. Certain Native registry offices may be utilised. There are different ways of notifying change of address, and that is why it is necessary that it must be prescribed by regulation. But the amendment itself is merely a change in the phraseology.

Amendment put and agreed to.

In Clause 13,

Mr. WARING: I would like to talk on this amendment, because it is showing up a feature of this Bill which, when we pointed it out to the hon. members on that side of the House, we were told that our interpretation was quite incorrect and that it was the intention of this Bill to cover the whole of the population. I am not talking without my brief. I have gone through Hansard, and I want to read out sections of it to show exactly what took place during the Committee Stage with regard to this point.

On the 4th May I put this point to the Committee of the House. I said—

> First of all, I want to ask the members of the Committee whether they are in principle agreeable to accept the fact that the European woman must carry a pass and that the Native woman need not carry a pass. Does the hon. member for Smithfield (Mr. J. J. Fouché) agree with that?

The hon. member said—

> No, I do not.

When I then accused hon. members and said there was a humbug going on I was asked to withdraw, and I withdrew that word. Then, Sir, the Minister of the Interior went on to say that the intention is to—

> . . . extend the provisions of this Bill to those parts of the population which had been excluded under Clause 2.

Which had been excluded under Clause 2. What was excluded under Clause 2 were the Native women. And then he went on to say that he—

> . . . intelligently anticipated the political abuse that was going to be made of a form of words by an Opposition which is so bankrupt that it has nothing else to catch hold of but small things of this character.

That is, trying to play about with words. No, Sir, I want to point out that this Bill has come back from the Senate with an amendment — I put it to the hon. member for Gordonia (Mr. J. H. Conradie) who interrupted me on that occasion, and the hon. the Minister of Labour — it has come back with an amendment which shows up this fact completely. I am not a lawyer, but I will put the case on its merits. [Interruptions.] You don't want to hear it, you don't like it? This amendment has come out of the Other Place as the result of an amendment moved by the United Party . . .

An HON. MEMBER: You are putting your foot into it.

Mr. WARING: I am quite prepared to put my foot into it. In line 49 it says "his name" and the amendment is the addition of the words "and sex". This clause has to do with the particulars that have to be on an identity card. If the hon. member for Smithfield (Mr. J. J. Fouché), who was on the Select Committee with me, will study sub-section (2) he will see that it says—

> If the person referred to in sub-section (1) is a white person or a Coloured person and is not an alien or a person referred to in sub-section (4), the identity card issued to that person shall contain the following particulars and no other particulars in relation to that person whatsoever.

I stress the words "that person". What does it say? It says "his name and sex" and the other points have to be on the identity card. And then sub-clause (5) which has been amended and which refers to a Native in sub-clause (4) which was excluded from sub-clause (2) says—

> If the person is a Native, the identity card issued to him . . .

To "him", not "that person"—

> . . . shall contain the following particulars and no other particulars in relation to him whatsoever, namely . . .

Now the emphasis is on "him." The first one is on "that person" because it covered both the male and the female, and the first point is that the original Bill had "his name". It did not refer to the female, it had "his name", and when we said on this side of the House that under this Bill a European girl of 16 years and over would have to have an identity card or pass but a Native woman need not, it is borne out by the amendment which has been accepted. The hon. member for George (Mr. Botha) — and I am going to read out what he said — got very annoyed about it, he said that we were distorting the whole picture, that the Minister could under Section 22 include the people who were excluded in sub-section (2). He could have included them only for registration but not for a pass or identity card, because it was specifically stated in the legislation as introduced. I want to show how the case was put up by this side of the House and that it was an absolutely correct case. Our interpretation was quite correct and I want to ask the hon. member for Smithfield to follow me and to say whether my interpretation is not quite correct. I know that under the Interpretation Act the masculine includes the feminine unless the contrary appears. But here the contrary appears. In the top portion of the section it refers specifically to persons and specifies that the name and sex must be stated, and therefore, when it speaks of his name and sex, it includes the female. But in section 5 only the word "his" name is used. It does not mention sex, and the correct legal interpretation is that in this case it only means the masculine. When we debated this matter, the hon. member for George (Mr. Botha) said—

> This Bill, however, is intended for the entire population. That was the original purpose.

That was his reply to the case put by this side of the House, and the hon. member for Smithfield said that he definitely wanted it to apply to the whole of the population. I say that according to the wording of the clauses originaly, it was specifically not intended to cover Native women, not only in section 2, but also under section 22 native women could not be included to come under the provisions of section 13.

Mr. J. J. FOUCHE: The Minister made the position very clear.

Mr. WARING: The Minister said he knew that the Bill would be distorted; that it was his intention to include Native women under section 22, and he more or less accused me of political trumpery. The point is that the Minister excluded Native women under section 2, and he never intended to use section 22 to cover them, because he could not include them under that section. I have just explained that Native women could not be included under section 22. There was no provision under which they could be made to carry identity passes. That is the point. Members opposite try to shout us down. They told us we were talking rot. Now the Minister has accepted this amendment which was moved in the Other Place in order to make this Bill cover female Natives as well. I know we will get a lot of excuses again.

Mr. S. M. LOUBSER: Move an amendment that they should be taken out again.

Mr. WARING: The point is that this side of the House knew their facts and the other side did not. They had only one argument and that was to try to shout us down. If our argument was wrong in this House, then I want to know from the Minister why he accepted the amendment in the Other Place. It was accepted because the Minister found out that our interpretation was correct and that section 2 could not be used to cover Native females in order to apply this Act to them as far as the carrying of identity passes was concerned. He could not force them to give the particulars required under the Act. We know members opposite will try to run away from this again. They are in a difficulty. This side of the House is not prepared to create this impossible position in the country that every European woman over sixteen would be forced to carry an identity pass whereas Native women would be excluded. It is only as a result of the efforts of the United Party that we were saved from this impossible situation. Our position was that if we had to have identity cards, then every woman in the country had to carry them and not only the European women while the Native women were excluded. We did not want the Minister to tell us that he was excluding them under one section, but that he would include them under another section, because we pointed out that he could not include them under that section. Now it is quite clear that that would have been the position and that the Minister would have got out of his responsibility in this way, if it had not been that this amendment was accepted in the Other Place.

Mr. LUDICK: [Inaudible.]

Mr. WARING: The hon. member for Lichtenburg (Mr. Ludick) is an inveterate interrupter and he showed by his interruptions that he could not believe that his Minister intended this sort of thing. He did not go into it. We went into the matter. We saw this unsatisfactory feature in the Bill. We told the Minister that the carrying of an identity card would apply to the white woman and not the Native woman. He refused to accept our interpretation, and now by accepting this amendment in the Senate, he has shown that we were quite correct.

The MINISTER OF LABOUR: Mr. Speaker, I hope the hon. member for Orange Grove (Mr. Waring) has enjoyed his little political flurry. He tried to provoke members on this side to join in the debate. But fortunately they know all his contentions are made with that end in view.

Mr. WARING: You said that before.

The MINISTER OF LABOUR: Yes, and I will say it again. The hon. member contends that we never had any intention of registering the Native women.

Mr. WARING: No, I did not say that, Mr. Speaker, on a point of explanation, I said specifically that they could be registered, but under Section 13 they would not be forced to carry identity cards with all the particulars on them. The population register would cover the whole population, but identity cards would be excluded under Section 13 as far as the Native women were concerned.

The MINISTER OF LABOUR: As far as I can recollect, the gravamen of the charge of the Opposition in the second reading debate and in the Committee Stage was that it was never the intention of the Government to register Native women.

Mr. WARING: No, to carry passes.

The MINISTER OF LABOUR: They brought that in as an afterthought. They said that because the Native women could not be registered, they would not be required to carry identity cards. That was what they said. This amendment which has been made to this particular clause, is an absolutely

insignificant amendment which resulted from an omission in this particular clause. Clause 2 is very definite in regard to the registration of the whole of the population. Clause 2 states that the whole of the population will be registered. If the hon. member turns to Clause 7, he will see the particulars required for insertion in the register, and they include the name and the sex of the Native. And as regards the identity card it was merely an omission that the sex was not included. But what purpose would there be in registering all the Native women and then not issuing them with identity cards? Surely that would be stupid. The difficulty is not the issuing of the identity cards, but the difficulty which will be experienced will be in registering the Native women. It has no significance whatsoever, and if the hon. member is under the impression that he can make a little political capital out of this, he is welcome to do it.

*Mr. S. J. M. STEYN: I do not think we can allow the Minister to get out of the difficulty so easily with this misrepresentation of the attitude which the Opposition has consistently taken throughout the discussion of this Bill in this House before it was sent to the Other Place. Throughout the discussions it has been the attitude of the Opposition that this Bill which is now receiving its final consideration here, is nothing but a pass law. Throughout the discussions we submitted that point of view to the Minister of the Interior and we warned him that he was committing an act of injustice towards the European women in South Africa, particularly in view of the fact that according to the original Bill he was prepared to make this pass law applicable to the Europeans and not to the Native women.

*Mr. SPEAKER: I have to point out to the hon. member that the only thing that can now be discussed is the amendment inserted by the hon. Senate, namely, that the words "and his race" be inserted after the word "Native." We cannot now have a general discussion on the Bill again.

*Mr. S. J. M. STEYN: I thank you for drawing my attention to it, Mr. Speaker. Perhaps I should just have introduced my remarks in a different way. The point is that the Other Place found it necessary to move this amendment because if the Bill had been passed without it, it would not have been possible to issue passes to the Native women as well. Now the hon. the Minister of Labour has replied to the hon. member for Orange Grove (Mr. Waring) stating that our objection originally referred to nothing but the question of registration. I was in the process of bringing the hon. the Minister back to earth. I can remember that on a previous occasion I put a question to my hon. friends on the other side by way of an interjection. I asked them whether they could remember that the Minister of Native Affairs had tried to introduce passes for Native women but that the Native men objected so violently that he abandoned the idea. When we pointed out to the Minister of the Interior, on the evidence of his own Bill and before the Other Place had moved this amendment, that under this Bill he would be issuing passes to European women but not to Native women, he said that we did not understand his point of view and that we were misrepresenting it. I do not want to stress the matter unnecessarily but it is only right that members on the other side should realise — and they must please realise this — that they should give more attention to the attitude of this side and not follow their Minister blindly, that they should themselves take the trouble taken by the Other Place to make a study of the Minister's legislation and then decide on the grounds of their own conclusion whether our criticism is justified or not. At the moment they are acting over there like a lot of yes-men who are satisfied with everything the Minister does.

*Mr. SPEAKER: What the hon. member is now saying there has nothing to do with this amendment. The hon. member is now busy with general discussion and not with the amendment moved by the hon. the Senate. He has already had the opportunity to offer general criticism and to criticise the other side of the House as strongly as he wished. At the moment he must confine himself to the amendment of the hon. the Senate, namely, whether it is a reasonable amendment or not and whether this Assembly should accept it.

*Mr. S. J. M. STEYN: Well, Mr. Speaker, then I shall close by saying how glad I am that the hon. the Senate has noticed the negligence of those members on the other side and that it has put this matter right. Then I also want to express the hope that in future they will do their duty in this House and not leave it to the hon. the Senate to correct their mistakes.

*Mr. HAYWARD: The way the hon. member has now put it here, the amendment made by the hon. the Senate is a fair one. I just want to quote the original Clause 2 to show that our Opposition, in view of the amendment now made, has been proved to be well founded. When this Bill was read for the second time here, Clause 2 read—

> There shall, as soon as practicable, after the fixed date, be compiled by the Director and thereafter maintained by him, a register of the population of the Union, excluding all Native females and all Native

males who have not yet attained the age of 18 years.

Enough said.

Amendment put and agreed to.

Remaining amendments in Clauses 1 and 7, the omission of old Clause 12, the new Clause 12 and amendments in Clause 21 put and agreed to.

COMPANIES AMENDMENT BILL.

Eighth Order read: Second reading, Companies Amendment Bill.

The MINISTER OF ECONOMIC AFFAIRS: I move—

That the Bill be now read a second time.

Mr. Speaker, this Bill is like an item on a musical programme by special request. I agreed to put the Bill on and the Cabinet agreed to take it now, because there is an arrangement with the Opposition that this Bill will be regarded as an agreed measure and that in fact there will be no discussion on it. This Bill deals with an amendment in view of the Companies Act (Amendment) Bill.

In reply to a question this morning, I explained why the Companies Bill could not be introduced this Session, because it had not yet been completed. I also said that Bill would be published in the "Gazette" during the recess. So that hon. members and those interested will become fully acquainted with it. This Bill is in accordance with the interim report of the Commission on the Amendment of the Companies Law This Commission brought out an interim report and suggested that in the meantime as an interim measure a Bill of this nature should be introduced pending the introduction of a consolidating measure.

Briefly, as explained in the White Paper, the purpose of this Bill is, as was reported and recommended by the Commission, to abolish distinctive numbering of shares; and, secondly, to provide the necessary means whereby a share could be traced in case it were lost or stolen. The Gold Producers' Committee of the Chamber of Mines and also this Commission pointed out that an enormous amount of work is entailed in transfer offices in keeping track of the numbers, and they considered that it was entirely unnecessary work that could quite usefully be done away with.

They also point out that in England it has also been abolished and numbers of our shares are dealt with on the market in London, and it necessitates two different systems to transfer houses there. In all the circumstances no good purpose is served by maintaining this, and we have therefore come forward with this interim measure before the main amending Bill is introduced next Session.

Motion put and agreed to.

Bill read a second time.

House in Committee:

Clauses and Title of the Bill put and agreed to.

House Resumed:

The CHAIRMAN reported the Bill without amendment.

Bill read a third time.

DAIRY INDUSTRY CONTROL AMENDMENT BILL.

Ninth Order read; House to go into Committee on Dairy Industry Control Amendment Bill.

House in Committee:

On Clause 6,

The MINISTER OF AGRICULTURE: I wish to move the amendment standing in my name—

To omit paragraph (f) of the proposed new sub-section (1) and to substitute the following new paragraph:

(f) if he sells foodstuffs or supplies foodstuffs to any other person in the course of his business, add to or mix with margarine, or cause or permit to be added thereto or mixed therewith, any butter or any colouring substance.

Mr. WARING: I will be glad if the Minister can briefly give us his interpretation of the new clause proposed. The old clause mentions any premises on which food is being sold, and the new clause mentions those who sell food, and so on. Is it an extension which is contemplated?

The MINISTER OF AGRICULTURE: No, it is exactly the same thing. We have only improved the wording.

Amendment put and agreed to.

Mr. WARING: I think representations have been made to the Minister in regard to the sale of margarine in bulk to bakeries and confectioneries, and I would like to ask him whether he has considered those representations and whether he is prepared to meet the interested parties in that respect.

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The MINISTER OF AGRICULTURE: I am afraid I cannot accept that because it would mean that the manufacturers of oils and fats who do not produce margarine, would be placed at a disadvantage as against the factories that have a licence to produce margarine.

Mr. WARING: In this regard I want to remind the Minister, although I cannot discuss it now, that we have moved an amendment, or rather, have an amendment on the Order Paper in regard to a later clause, to the effect that the registration should be open. If that is accepted, no disadvantage will be caused to any oil expressor or manufacturer, because they can all apply for registration. I also want to put this point to the Minister, that margarine may be a better fat for the bakers and confectioners to use than the oils and fats they get from the oil expressers at present. I do not say that is the case, but it may be so. I would like to know from the Minister whether he will be prepared to consider the matter on those lines, because if our later amendment is accepted, then his argument will not apply.

The MINISTER OF AGRICULTURE: Even if the registration is allowed to anybody who applies, we still have the case of those oil expressers who cannot manufacture margarine. The objection I have still holds good.

Clause, as amended, put and agreed to.

On Clause 7,

The MINISTER OF AGRICULTURE: I move—

In line 49, after "does" to insert "not".

Agreed to.

Clause, as amended, put and agreed to.

On Clause 8,

The MINISTER OF AGRICULTURE: I move—

In line 65, page 7, to omit "more" and to substitute "less"; in line 28, page 9, to omit "twenty-five" and to substitute "twenty-four"; and in lines 34 and 35 and in lines 36 and 37, respectively, to omit "square, face measurement" and to substitute "in height".

Amendments put and agreed to.

Mr. WARING: I wish to ask the Minister if this clause describes the reading specifications which represent the maximum that can be allowed. I have no technical knowledge of this subject, but I understand that according to the tintometer test it is not possible to do it so accurately that there should not be a certain amount of tolerance, and that it was suggested from the technical point of view that there should be an allowance of 0.5 degrees tolerance under this particular clause.

The MINISTER OF AGRICULTURE: This is the clause that makes provision for all the ingredients.

Mr. WARING: The tintometer test is one of the tests applied. I understand that representations were made to the Minister on the technical aspect and I should like to know whether he can give me any information.

Clause, as amended, put and agreed to.

On Clause 17,

Mr. WARING: I would like to move the amendment standing in my name on the Order Paper—

To omit all the words after "Act" in line 25 to the end of paragraph (a) and to subsitute "unless such factory complies with such conditions as may be prescribed"; to omit paragraph (b); and to omit all the words after "(a)" in line 41, to the end of paragraph (c).

I want to put to this Committee again the case which was put to the House during the second reading debate of this Bill by various members on this side of the House. This clause deals with the registration of margarine factories. Sub-clause (a) of this clause reads as follows—

The Minister may—

(a) prohibit the registration under the principal Act as a margarine factory of premises not so registered on the date of commencement of this Act, or attach such conditions to the registration of any margarine factory as he may deem fit.

We have submitted in this amendment that the Minister may have the power of registration but that this registration should take the form of registration granted to such factories as comply with the conditions which may be prescribed. I think that is a reasonable amendment. The point is that we can see no reason why there should be a limitation on the registration of new factories. The hon. member for Kroonstad (Mr. A. Steyn) and other hon. members served on the Commission of Inquiry with regard to the Marketing Act, and one of the recommendations that was put forward by the Commission was that the Commission found that this monopolistic practice was not based on healthy, sound lines. It said that the