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A SURVEY OF  
RACE RELATIONS  
IN SOUTH AFRICA  
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## POLITICAL PARTIES

### NATIONALIST PARTY\*

Trends in White party political thinking will not become clear until the provincial elections on 24 March 1965; but it would appear that the swing to the right has not been reversed. The Nationalists gained an increased majority at a by-election in November. A number of factors have been responsible for this: sabotage in South Africa and plans revealed at the Rivonia trial; the developments in states to the north, overseas criticism (often ill-informed) of the Republic; the country's expulsion, suspension, or withdrawal from a number of international agencies and sporting bodies; and, at the same time, the flourishing state of the South African economy and the comparative absence of labour unrest.

The main objectives of Dr. Verwoerd's policy for internal affairs are unchanged. On 23 April he said in the Assembly.<sup>(1)</sup> "We have set ourselves a clear objective. It is that we as a White nation which is settled here and which has developed . . . the country and brought prosperity not only for ourselves but also for the Non-Whites in our midst, will continue to exist in future as an independent autogenous nation".

Dealing with policy relating to Africans he said, "One either follows the course of separation, when one must accept the logical consequences right up to the final point of having separate states, or else one believes in the course of assimilating the various races in one state, and then one must also accept the eventual consequences — viz. domination by the majority . . . i.e. Black domination . . . There is no middle course except during a transitional period".

In another speech, in the Senate,<sup>(2)</sup> he made it clear that the progress towards independence would remain controlled.

He continued, "It would have been much easier for all of us (Whites) . . . if we could have continued . . . to govern the country as an undisputed White country in our possession . . . and treat the Bantu and the other Non-White groups as protected persons under our guardianship . . . But . . . meanwhile the situation in the world

\*Although the literal translation of the Afrikaans title "Die Nasionale Party" is "The National Party", the above, more customary, usage is followed because to the English-speaking reader the word "national", when applied to a political party, and particularly to a government, implies a coalition, usually formed in face of a crisis, of a number of diverse elements co-operating in defence of "national" interests. This gives a misleading impression of the party in power in South Africa.

<sup>(1)</sup> Hansard 13 cols. 4814-6, 4821, 4911.

<sup>(2)</sup> 5 June, Hansard 16 cols. 4690-2.

changed after World War II . . . it had the effect of emancipating States in Africa . . . We all had to take account of it . . . In our opinion we had to seek a solution in a continuation of what was actually the old course, namely, of separation. While, however, seeing separation in the light of the older arrangement as something that ends at a certain point, self-rule under the care of the guardian, we now had to . . . be prepared to carry that separation further".

"I am prepared to make an adjustment within my policy", Dr. Verwoerd emphasized, "but I am not prepared to sacrifice my nation by a process of adjustments against policy".

In the earlier speech he once more outlined his policy for the Coloured and Asian people. They would not be integrated into one multi-racial nation with a common parliament. But they would be given self-government in regard to matters which particularly affected them, and increasing opportunities for rendering service to their own people.

As will become clear in the pages that follow, on the international front the main plank in Dr. Verwoerd's policy is that there should be no interference from outside in the domestic affairs of sovereign states. He is determined not to be cowed by the world-wide condemnation of apartheid.

Dr. Verwoerd is trying to forge closer economic ties with Southern Rhodesia, Portuguese territories, and African states in South, East, and Central Africa. He announced in August<sup>(3)</sup> that he foresaw the development of a multi-racial Southern African "common market" in which none of the member nations would have political control of any of the others, but in which all would co-operate to their mutual benefit.

A crisis in South Africa's international relations may occur after the International Court gives its judgment on the South-West African case, probably during 1965.

To revert to the home front, many members of organizations that have been suppressed have come to believe that they will never succeed in securing fundamental changes in the apartheid policy by means of non-violent protests. They decided on sabotage to demonstrate the strength of their convictions. To counter this, each year since 1960 the Government has assumed still greater powers of arbitrary control. Part of its technique has been to equate criticism with lack of patriotism, and liberalism with revolutionary "communistic" planning. There has been a growing demand for conformity and blind loyalty to the State. After the station bombing White people who would normally condemn such expedients as detention for interrogation began to waver.

Yet, according to reports, there are a number of differences within the National Party itself. The debate over "petty apartheid"

(2) *Star*, 27 August.

recurred again during the year under review, the Nationalists in the south being said to favour the easing of petty restrictions while those in the north were reported to be insistent on the rigorous enforcement of all forms of apartheid. Later in the year it was reported that a group of "radicals" had emerged in opposition to the "reactionaries", the former objecting to the "smear" tactics of the others with whom it had become "an obsession to see and seek a liberalist or a Communist in every corner".<sup>(4)</sup> A small group of Nationalist politicians and prominent columnists has repeatedly given grave warnings of the dangers of economic integration which must, unless halted, lead to political integration. An important book written by Dr. G. D. Scholtz, editor of the *Transvaler*, 'n *Swart Suid Afrika?* appeared mid-year. Its theme is that the pattern of dependency on Non-White labour, developed from the very beginnings of present-day South Africa, has become ever more entrenched, and unless the Whites of the Republic emancipate themselves from this dependency, their children will pay with their blood for the destruction of White civilization. The *Transvaler* had a long leading article,<sup>(5)</sup> widely quoted, showing the numerical preponderance of Africans in all major industries, and urging the need "to get rid of the threatening stranglehold of the developed Non-White proletariat" and to eliminate the economic integration of the Bantu "which must of necessity lead to political integration and eventually political domination". The paper reverted to this theme<sup>(6)</sup> endorsing the call of a Nationalist Minister for the sacrifices needed to halt this process and warning of "the extremely detrimental consequences . . . when individuals are blinded by their own economic interests". This appeal does not, however, appear to have been endorsed by the majority of the leaders or their followers.

#### UNITED PARTY

In a speech at the Cape Congress of the United Party its leader, Sir de Villiers Graaff, said that a United Party Government would restore South Africa as one integral unit. It would "scrap the Bantustan plan". Africans would "again be considered a part of South Africa" and would be represented in Parliament by Whites, as they were previously. The United Party rejected the idea of one-man-one-vote. Sir de Villiers said. It would retain White leadership all over the country, and not only in certain parts. Each community, however, would have self-government in matters intimately affecting itself.<sup>(7)</sup>

At the same congress Major Piet van der Byl, M.P., stated that the United Party would change 80 per cent of the Govern-

(4) *Star* report, 31 October.

(5) 23 June.

(6) 8 August.

(7) *Rand Daily Mail*, 14 October.

ment's apartheid legislation, but would retain segregation where it was essential for the preservation of the White race and for political control of the country.<sup>(8)</sup>

An account was given in last year's *Survey* (page 2) of the United Party's policy of race federation.

### PROGRESSIVE PARTY

The policy of the Progressive Party was described in detail in previous issues of this *Survey*.<sup>(9)</sup> Briefly it believes that authority must be shared by all those fit to exercise it, irrespective of race. It stands for integration on the basis of a qualified franchise and an entrenched Bill of Rights; and its membership is multiracial.

In April it formed a first branch in an African township in the Cape (Guguletu, Cape Town), with an African chairman and committee.<sup>(10)</sup> Before that, branches had been formed in Soweto, Johannesburg.

The Party decided to put up a candidate, Dr. Oscar Wollheim, in the South Cape Coloured constituency in the Provincial elections to take place in March 1965.

According to the *Sunday Times*<sup>(11)</sup> the number of Coloured men on the voters' roll in the Cape dropped from 23,435 at the end of June 1963 to 9,839 after the general registration two months later. At the end of February 1964 there were 4,113 registered in the South Cape constituency. Then the Progressive Party began canvassing support and assisting Coloured men to enrol as voters. As a result, it is reported that 12,000 more had registered in the South Cape when the rolls closed at the beginning of November. Another 5,000 had registered in the North Cape constituency.<sup>(12)</sup>

Dr. Wollheim sought the permission of the Minister of Coloured Affairs (necessary in terms of regulations under the Rural Coloured Areas Act) to address a meeting in the Coloured Reserve of Genadendal on 12 September. Permission was refused. In his letter of refusal the Secretary for Coloured Affairs said it was Government policy that Coloured people, "without interference from White-controlled political parties should, through their own Coloured organizations, exercise their own choice to nominate . . . representatives in Parliament, the Cape Provincial Council, and the Representative Coloured Council". He stated that only the elected representatives of Coloured voters would be allowed into Coloured areas. This policy would apply to all White-controlled political parties.<sup>(13)</sup>

On 7 September, when addressing the Transvaal congress of the *Jagbond*, the Minister of Bantu Education accused the Pro-

<sup>(8)</sup> *Star*, 15 October.

<sup>(9)</sup> 1959-60 page 12; 1962 page 2.

<sup>(10)</sup> *Cape Times*, 17 April.

<sup>(11)</sup> 26 January.

<sup>(12)</sup> *Sunday Times*, 13 September, and *Sunday Express*, 1 November.

<sup>(13)</sup> *Rand Daily Mail*, 11 September; *Star*, 14 September.

gressive Party of interference in the Transkei and in Indian politics and of building up an organization to influence the election of the Coloured Council. (The Party leader, Dr. Jan Steytler, subsequently denied these allegations). The Progressives were dragging White differences into the Non-White arena, the Minister stated, which was an unsound and undesirable development. The Nationalists considered that Non-Whites should be kept out of the White political arena.

It was his personal opinion, said the Minister, that if need be, Progressive Party activities among Non-Whites would be curtailed by means of legislation.<sup>(14)</sup>

Next day, at the Transvaal Congress of the Nationalist Party, Dr. Verwoerd said, "We cannot allow that White parties meddle in the politics of the Bantu, Coloured, and Indians".<sup>(15)</sup>

A week later the S.A. Broadcasting Corporation departed from a scheduled programme to broadcast an anonymous talk condemning White participation in Non-White politics.

The *Star* pointed out<sup>(16)</sup> that, while the terms of the law left the matter open, the clear intention seemed to have been that Coloured people should be represented by Whites in the Provincial Council. It was specified in the relevant legislation that their parliamentary representatives must be White. If this was the case, how could White candidates conduct an election campaign in Coloured rural areas if they were not to be allowed to meet the voters?

Dr. Steytler said, in a Press statement,<sup>(17)</sup> that it was in terms of the Nationalists' own legislation that his party was campaigning among Coloured voters. The Nationalists, he maintained, feared that the Progressive Party would demonstrate, constitutionally, through the polling booth, that it commanded real support across the colour line. He said the Minister of Coloured Affairs had threatened Coloured people who supported the Progressive Party "with disastrous results".

Dr. Steytler challenged the Nationalists "to come into the open and fight fair. Let them put up candidates against ours on equal terms, without abusing ministerial powers in order to favour White supremacist candidates . . . For our part, we shall continue to make use of every legal method to advance our cause among all the people of our nation", he stated.

Referring to Dr. Steytler's denial of the allegations that the Progressives had interfered in the Transkeian elections and in the affairs of the Coloured and Indian Councils, the *Sunday Times* pointed out<sup>(18)</sup> that nothing could prevent Non-Whites from identifying themselves with the Progressives' point of view. Their

<sup>(14)</sup> *Star*, 8 September.

<sup>(15)</sup> *Rand Daily Mail*, 9 September.

<sup>(16)</sup> 14 September.

<sup>(17)</sup> *Rand Daily Mail*, 11 September.

<sup>(18)</sup> 13 September.

policy had largely been adopted by Paramount Chief Victor Poto's Democratic Party in the Transkei.

Sir de Villiers Graaff strongly condemned the Government's attitude. The United Party too, he said, would continue to make its policies known as widely as possible to all races, and to exercise its undoubted right to enlist support from all groups for these policies.<sup>(19)</sup>

According to the *Star*,<sup>(20)</sup> the Government intends introducing legislation prohibiting White-controlled political parties from playing any part in elections for Non-White bodies or representatives, and providing that only recognized Coloured parties may nominate candidates to represent Coloured people in Parliament and the Cape Provincial Council.

### LIBERAL PARTY

It was mentioned in last year's *Survey* that the activities of the non-racial Liberal Party had been impeded by Government action taken against numbers of its leaders. The National President, Mr. Alan Paton, was denied a passport, and severe banning orders had been served on the Deputy National President, a National Vice-President, and the Chairman of the Cape Division.

During 1964 such action against the Party was intensified. The National Chairman, Mr. Peter Brown, was served with a series of banning orders which, *inter alia*, prohibited him from attending gatherings, and thus made it impossible for him to function as chairman. He had been assisting Africans charged with various offences or displaced under "Black spot" removals: the banning orders prohibited his presence in a court of law except as a witness.

In a statement of protest Mr. Paton and the Acting National Chairman, Dr. E. H. Brookes, said, "At a time when the temptation to use extreme violence against authority is strongly felt by desperate and frustrated people, his (Mr. Brown's) wise moderation has been a source of strength to many . . . He is utterly opposed to the use of violence".<sup>(21)</sup>

Numbers of other leading Party members, including the national treasurer, Mr. Elliot Monjati, have been served with banning orders. As will be told in a later chapter, at least 15 members were arrested under the 90-day clause during July, and others subsequently. Some of them were charged later with sabotage and a number were convicted.

About 12 Liberals have been warned by magistrates, under threat of house arrest, to cease their political activities. Large

<sup>(19)</sup> *Sunday Chronicle*, 13 September.

<sup>(20)</sup> 18 September.

<sup>(21)</sup> *Rand Daily Mail*, 31 July.

numbers have had their homes raided by the police. The Natal Provincial Committee of the Party told the *Sunday Times*<sup>(22)</sup> that the police made threats, not only to party members, but in numerous cases to their wives or mothers, too, to the effect that the member would be taken into detention or be banished or deported unless he gave up Liberal Party activities. The home of one Party organizer was raided 12 times in a month. Party documents have been seized.

The Provincial Committee stated that a Liberal Party meeting without the presence of numbers of security police was something of a rarity. The names of those attending were sometimes taken, and copious notes or tape recordings made during the proceedings. Members of the public were, thus, intimidated, ceased attending, and in many cases resigned from the Party.

A call was made by the Provincial Committee for an independent judicial commission to investigate the political activities of the police and the Liberal Party.

The *Star* stated<sup>(23)</sup> that not only was a concerted propaganda campaign being directed towards the destruction of the Party, but by accident or design a clear association was being created in the public mind between the party and subversion. Mr. Paton said<sup>(24)</sup> that attempts were being made to strangle the Party, "to break without banning".

In a letter to the *Star* on 21 August Mr. Paton and Dr. Brookes wrote that the aims of their party were those of liberalism the world over. Since they did not believe in the colour-bar they stood for universal suffrage.

"We have completely repudiated force as the means of carrying out our policy", they stated. "If any Liberal should be found guilty of sabotage he will have sinned against his own party's principles as well as against the law of the land. Let this be clear to all and let this unequivocal statement give the lie to the attempts to 'smear' the Liberal Party". The Party demanded the resignation of any member who had taken part in sabotage.

### CONSERVATIVE REPUBLICAN PARTY

It was announced in May that a Conservative Republican Party had been formed under the chairmanship of Professor C. F. van der Merwe. It differed from the Nationalists on the question of independent Bantustans, and from the United Party on the latter's policy of race federation.

The new party believed in entrenched White Leadership, under one central government, it was stated. Coloured people

<sup>(22)</sup> 20 September.

<sup>(23)</sup> 14 August.

<sup>(24)</sup> *Sunday Times*, 2 August.

should be politically linked with the Whites, and the parliamentary representation of Africans by Whites should be restored.<sup>(25)</sup>

#### COLOURED AND INDIAN ORGANIZATIONS

The Coloured National Convention, Coloured People's Congress, Indian Congress, and Indian Organization continue in being, but during the past year little has been heard of their activities. In the case of organizations belonging to the Congress Group this is largely because numbers of officials are under restrictive orders.

(Other members of the Congress Group are the S.A. Congress of Trade Unions, described in the chapter on employment, and the Federation of S.A. Women. Both have been very severely handicapped by the arrest or banning of most of the leaders. Before being declared unlawful organizations the African National Congress and the Congress of Democrats were members, too.)

The Government-created Coloured and Indian Councils are described in a subsequent chapter.

The establishment of a Coloured People's Federal Party was announced in July. According to its manifesto it will seek to make the Coloured people independent and will encourage them to make use of the opportunities offered by the Government's policy of separate development. It aims at "weaning the Coloured people from inferior membership of the community into a new era where there will be full national co-existence and citizenship".

Among this party's leaders are members of the Union Council for Coloured Affairs. Its first national congress is planned for March 1965.<sup>(26)</sup>

#### AFRICAN ORGANIZATIONS

Descriptions have been given in previous *Surveys* of the banning of the African National Congress and the Pan-African Conference, the subsequent emergence of the Spear of the Nation and Poqo, and the banning, in turn, of these.

In the chapters that follow accounts will be found of the trials of members of these and other organizations, and of political refugees.

The ANC and PAC have offices in Dar-es-Salaam, London, and various other centres, which issue Press releases, send emissaries to the United Nations and to other countries, lobby for aid, and attend to refugees.

Leaders of the A.N.C.-in-exile are Messrs. Duma Nokwe, Tennyson Makiwane, Oliver Tambo, Robert Resha, Moses Kotane, and Arthur Letele.

<sup>(25)</sup> *Sunday Times*, 26 April.  
<sup>(26)</sup> *Sunday Times*, 26 April.

New banning orders, more restrictive than the previous ones, were served during May on ex-chief A. J. Luthuli, who was President-General of the ANC in South Africa before it was declared an unlawful organization. In terms of these orders he may not attend gatherings, or communicate with other banned persons, and his words may not be quoted. He was previously confined to the Lower Tugela district: now he may not enter Stanger, the only town in this district. During October ex-chief Luthuli was awarded a bronze medallion and a grant of \$5,000 by the Society for the Family of Man in the United States "for leading the fight against the apartheid policy of the Government of South Africa, always advocating firm and continued opposition by non-violent means".

Mr. Potlako Leballo, who is stated to have directed Poqo activities from Maseru in Basutoland, became unpopular with other PAC refugees there, led by Rhodes Gxoyiya, who considered him to be too dictatorial.<sup>(27)</sup> He left in August and flew to Ghana. For some time Mr. Nana Mahomo has been the PAC's representative in Britain, but he resigned in October because of differences of opinion with the Maseru-based group.<sup>(28)</sup> The PAC national treasurer, Mr. A. B. Ngcobo, has an office in Dar-es-Salaam.

More than 20 Poqo members were arrested in Maseru on 7 October: it was stated<sup>(29)</sup> that the police were investigating their political activities and were enforcing entry and residence regulations.

<sup>(27)</sup> *Star*, 29 November 1963.

<sup>(28)</sup> *Rand Daily Mail*, 27 October.

<sup>(29)</sup> *Ibid.*, 8 October.

Local officers responsible for detainees had discretion, he continued, in relation to the place of detention, the nature of the reading matter allowed, and recommendations for release.

The Minister added, later,<sup>(15)</sup> that 106 police stations and prisons had been used as places of detention.

### Purpose of detention

As stated earlier, it is laid down in the Act that the purpose of detention is to enable the police to interrogate detainees about offences or suspected offences in relation to sabotage or under the Suppression of Communism or Unlawful Organizations Act.

But a police sergeant is reported<sup>(16)</sup> to have said at the Rivonia trial that 52 people had been arrested in East London in connection with ANC activities. "I did not use the 90 days for questioning them. I merely used it to keep them in custody and to prevent interference from outside", he stated.

In the Assembly on 6 February<sup>(17)</sup> Mrs. H. Suzman, M.P., referred to this statement and to one by another officer to the effect that Section 17 was "a mighty weapon in the hands of the police". She maintained that the 90-day law was being used for purposes beyond those of obtaining information.

It was reported on 7 October<sup>(18)</sup> that five Africans who had been arrested in connection with a case of armed robbery were being detained under the 90-day clause. The Commissioner of Police confirmed this, but did not state whether the men concerned were suspected, also, of possessing information in regard to acts of sabotage, or whether it was suspected that the money had been stolen to assist saboteurs, or whether the 90-day provisions were now being invoked for new types of cases.

Two African 90-day detainees subsequently gave evidence for the State at the trial of four persons accused of robbery involving R219,000. They had been concerned in the buying and selling of dagga, they said. After the robbery they had been given R7,000, and were instructed to pay some of it to an attorney. A detective was asked by counsel whether the police believed that the two Africans had been politically active, but replied that his superiors had instructed him not to give information on this point.

### NUMBERS DETAINED

On several occasions questions were put to the Minister in Parliament about the number of 90-day detainees. On 21 January<sup>(19)</sup> he replied that from 1 May 1963, when Section 17

<sup>(15)</sup> Assembly, 28 January, Hansard 2 col. 397.

<sup>(16)</sup> *Rand Daily Mail*, 30 January.

<sup>(17)</sup> Hansard 3 col. 887.

<sup>(18)</sup> *Star*, 7 October.

<sup>(19)</sup> Assembly, Hansard 1 cols. 14-15.

came into operation, until the end of that year, 594 persons had been detained (28 White, 39 Coloured, 29 Indian, 498 African). Of these, 361 had been charged in court, 20 were still under detention, 5 had escaped, and 1 had died (as reported in last year's *Survey*,<sup>(20)</sup> Mr. Looksmart Solwandle Ngudle committed suicide in his cell on 5 September 1963). The remaining 207 persons had, presumably, been released.

Three days after the Minister had made this statement another African detainee, Mr. James Tyitya, hanged himself in his cell at Port Elizabeth.

Later, on 5 and 10 June, the Minister said in the Assembly<sup>(21)</sup> that 737 persons had by then been detained (143 of them since the beginning of the year). Of these people, 397 had been charged, and 39 were still under detention (37 African men, 1 African woman, 1 Indian man). Presumably the rest were 2 who had died, 5 who had escaped, and 294 who had been released.

According to information given by the Minister of Justice on 13 March,<sup>(22)</sup> of 682 persons detained, 61 had been held for more than 90 but fewer than 180 days, and 8 for longer than 180 days. Two pregnant women and more than 40 teenagers were amongst those detained.

During July and the three succeeding months there was a fresh wave of arrests, mainly of persons suspected of being members of the African Resistance Movement. The head of the Security Branch said on 12 October<sup>(23)</sup> that a total of just over 900 persons had by then been detained, of whom some 500 had appeared in court and about 300 had been released. (Apparently more than 160 had been arrested since the Minister's statement on 10 June). About 50 others were reported to have been arrested after 12 October.

Another detainee, who had been in detention for 65 days, committed suicide, on 9 September. He was Mr. Suliman Saloojee, who jumped out of a seventh-floor window at the police headquarters in Johannesburg while he was being interrogated by Security Branch detectives.

As so little official information was available the writer maintained records of 173 cases of detention that were reported in the Press from 10 June on: this figure does not include the 39 still being detained on 10 June. The persons not accounted for were probably Non-Whites. These 173 detainees included 74 Whites, 15 Coloured, 34 Asians, and 50 Africans.

<sup>(20)</sup> Page 51.

<sup>(21)</sup> Hansard 19 col. 7257; Hansard 20 col. 7696.

<sup>(22)</sup> Assembly, Hansard 8 col. 2971.

<sup>(23)</sup> *Star* of that date.

By 31 December 1964 the position was as follows:

	Whites	Coloured	Asians	Africans
Charged in court	32	7	6	6
Released ... ..	36	—	11	14
Apparently still in detention* ... ..	6	8	16	30
Died ... ..	—	—	1	—

(More persons than those mentioned in Press reports may have been released).

\*According to the Nationalist Press, 73 persons were still in detention on 8 January 1965, of whom 47 were to be charged and the rest released.

Because full information about the persons released is not available it is uncertain how many of the detainees were held for a second term of 90 days, but it would appear that about 60 may have been (excluding persons who were subsequently charged).

#### CONDITIONS OF DETENTION

Persons held in 90-day detention have been kept in solitary confinement.

The Minister of Justice said on 7 April<sup>(24)</sup> that, except for those on special diets, they receive the same food as ordinary prisoners of the racial groups concerned, but that they are allowed food from outside in reasonable quantities. Food given to African prisoners is based on tribal diets. (The authorities have not stated what food is given to persons who are detained in police cells).

As stated earlier, reading matter and writing materials may be withheld, and it seems that in very many cases they have been, except for a Bible.

Relatives of detainees may apply for permission to visit them, and such visits have in some instances been allowed when there were important family matters to discuss. Magistrates visit detained persons once a week, and district surgeons may be asked to see persons who are ill. The services of chaplains are denied, as are visits by legal representatives. Outside medical specialists have on some occasions been asked to see persons under detention when this was considered necessary by the district surgeon.

The Minister of Justice said on 10 June<sup>(25)</sup> that at his request the International Red Cross had sent a representative from Geneva to inspect prisons and places of detention in South Africa. This representative, Dr. Hoffman, had visited Robben Island, and had been given access, for private discussions, to every 90-day detainee. The Government had not as yet seen his report as it had first to be submitted to Geneva. Its terms have not been made public.

<sup>(24)</sup> Assembly, Hansard 11 col. 3743.

<sup>(25)</sup> Assembly, Hansard 20 cols. 7637-8.

#### FAMILIES OF DETAINEES

In the Assembly on 7 April<sup>(26)</sup> the Minister gave the assurance that relatives of persons taken into detention were informed as soon as they could be traced and/or as soon as the detainee furnished correct name and address. Earlier, on 21 January,<sup>(27)</sup> he had said that of the 39 juveniles (16 to 19 years of age) who had then been arrested under the 90-day clause, 25 had given false names and addresses.

But there continue to be complaints that relatives are not informed immediately, and are not told promptly where the detainees are being held, or their whereabouts if they are moved. Because she had received many letters and inquiries from anxious families (and because she wished to lessen the impact of the clause, which she had opposed strenuously). Mrs. Helen Suzman, M.P., applied for an interview with the Minister to discuss the fact that many detainees had been held for long periods without being brought before the courts, allegations of ill-treatment (see below), the question of their dependants, and other matters. *Inter alia*, the Minister said<sup>(28)</sup> he had given instructions that information should wherever possible be given promptly to relatives. He would investigate the individual complaints that Mrs. Suzman had brought to his notice.

Families of detainees, he continued, should write to him when they were in need of financial assistance, and he would refer their letters to the Social Welfare Department.

The only official assistance for which needy families qualify is that provided through poor relief schemes operated by different Government Departments for each of the four main racial groups. The Minister of Foreign Affairs said in a statement for overseas readers<sup>(29)</sup> that where necessary the police provided dependants with certificates testifying that the breadwinner was under detention, and relief was provided if such certificates were presented to a Bantu Affairs Commissioner (in the case of Africans) or other suitable authority.

But it would appear that many families have not been assisted. The Welfare Section of the Port Elizabeth Branch of the Defence and Aid Fund reported<sup>(30)</sup> that more than 300 Africans from that city had been arrested on political charges, and the families of nearly all of them were in dire need. This Fund was helping with the payment of rents, and Kupugani made fortified food available, but private funds were running low.

The Defence and Aid Fund (started after the 1960 State of Emergency), which operates in various centres, has been forced for

<sup>(26)</sup> Hansard 11 col. 3731.

<sup>(27)</sup> Assembly, Hansard 1 col. 21.

<sup>(28)</sup> *Rand Daily Mail*, 18 August.

<sup>(29)</sup> *South African Digest*, 26 December 1963.

<sup>(30)</sup> *Race Relations News*, September.



financial reasons to concentrate on securing and helping to pay for the legal defence of political prisoners. This is described later. It has helped to trace relatives of detainees and to find out where detained persons are being held. A special committee consisting of representatives of a large number of organizations was formed in Cape Town to assist needy dependants of arrested persons.

Towards the end of the year the World Council of Churches decided to make a grant of about R60,000 to be used for legal aid to political prisoners and assistance for their dependants.

## ALLEGED ASSAULTS ON DETAINEES

### Statements by the Minister

Questioned in the Assembly on 31 January<sup>(31)</sup> about complaints made to police officers alleging assaults by policemen or warders on 90-day detainees, the Minister of Justice replied that there had been 49 complaints, some lodged by a third party. In 12 cases the complainants had refused to make statements. Twenty-three allegations stated that a detainee had been hit and/or kicked, 20 that in addition electric shocks had been given, 3 that the detainee had been hit with a fist, 1 that he had been hit and had his arms twisted, and 1 that he had been hit, slapped, and threatened with a firearm. Of these complaints, 32 had thus far been investigated and none was found to be of substance.

Mrs. Helen Suzman maintained<sup>(32)</sup> that detainees were afraid to complain about assaults, since they were either in the hands of the very people who had assaulted them, or else, if they had been freed, they ran the danger of re-arrest under the 90-day clause. The United Party, the Progressive Party, and others urged the Minister to appoint a judicial commission of inquiry.

But on 11 March the Minister replied,<sup>(33)</sup> "I refuse to do so for the simple reason that no case has been made out for one at all." By then, he said, 686 persons had been detained and only 48 of them had complained of assaults. A few had made the complaints to visiting magistrates. "The others only complained after they were released and they were got hold of by the Defence and Aid Fund and the Black Sash . . . I had each one of these 48 complaints investigated and the papers were laid before the Attorneys-General and, with the exception of 4 which are pending, the Attorneys-General decided that there was no case at all to prosecute".

A prosecution was, apparently, instituted in at least one case, for the Minister added, later,<sup>(34)</sup> "In the case of the Eastern Cape

(31) Hansard 2 cols. 566-7.

(32) 22 January, Hansard 1 cols. 142-3; and 6 February, Hansard 3 cols. 882-5.

(33) Senate, Hansard 8 col. 2049.

(34) Col. 2148.

there was a prosecution and the people were found guilty and severely punished".

(Several policemen have been prosecuted during the year for assaults on prisoners who were not 90-day detainees. These cases are described in a subsequent chapter).

### Examples of complaints

#### (a) Mothapeng case

On 10 June Mr. Zephaniah Mothapeng, then serving a prison sentence, applied *in forma pauperis* in the Supreme Court, Pretoria, for leave to sue the Minister for R5,000 damages for wrongful arrest and detention. He alleged that while he was under 90-day detention, earlier, in the Pretoria Central Police Barracks, the police had punched and kicked him, trussed him in a sitting position, nearly suffocated him by placing a canvas bag over his head, and had then applied electric shocks.

The police filed an affidavit denying the allegations; but Mr. Mothapeng was granted leave to sue.

#### (b) Schermbrucker case

As mentioned earlier, during August Mrs. I. F. Schermbrucker applied to the courts for an order restraining the police from maltreating her husband, who was under 90-day detention, but her application did not succeed. Mr. Schermbrucker was not permitted to appear to give evidence.

The reason for her application was that she stated she had received a message from her husband, smuggled from gaol. He alleged that when taken to Police Headquarters in Johannesburg (The Grays) for interrogation he had been made to stand on one spot for 28 hours continuously, in the presence of 2 to 6 policemen. He fell twice; cold water was thrown over him and he was pulled to his feet. Threats were made that this treatment would be continued unless he replied to questions. He was tempted to commit suicide by jumping through the window; but decided instead to make a short statement.

On the day after she received this message she obtained permission to visit her husband to discuss urgent family matters, Mrs. Schermbrucker said. He was looking pale and exhausted, his hands trembled, and his eyes were blood-shot.<sup>(35)</sup>

Mr. Schermbrucker was, shortly afterwards, brought before the courts and, with others, was charged with having furthered the aims of the S.A. Communist Party (the trial is described later).

(35) Rand Daily Mail, 8 August.

(c) **Levy, Trehwela, and Gazides**

Three of the other accused at this trial, Mr. Norman Levy, Mr. Paul Trehwela, and Dr. Costa Gazides, made sworn affidavits alleging ill-treatment. When they appeared in the magistrate's court and later, in the Regional Court, the defending counsel asked the magistrates concerned to accept these affidavits, which related to the manner in which certain statements had been obtained by the three men while they were under 90-day detention; but on each occasion the magistrate refused, stating that he had no jurisdiction to hear such affidavits.

Mr. Levy alleged, in his affidavit, that during his 54 days of solitary confinement he was taken to the officer of the Security Branch in Pretoria and made to stand for 42 consecutive hours in a small square drawn on the floor, while teams of detectives in turn interrogated him. He was given food but had to eat it while standing. When he was allowed to go to the cloakroom he was able only to drag himself there in a crouched position. After he eventually agreed to make a short statement he was returned to the gaol; but a few hours later was pulled to his feet, taken to an office in the prison, and told that his statement had been inadequate. After 15 minutes of further interrogation he could no longer stand and was returned to his cell. Some days later, when the treatment was repeated, he agreed to make a statement.

Similar affidavits were made by the others. Mr. Trehwela said that on one occasion he was interrogated continuously for 69 hours, being allowed to sit for only about 12 hours of the time. He snatched a little sleep at intervals. After two further periods, of 40 and 35 hours respectively, he gave in and made a statement. Dr. Gazides mentioned periods of interrogation lasting for 43 and 40 hours during which he was made to stand in an 18 inch square and was threatened by shifts of policemen.<sup>(36)</sup>

(d) **Application to the Supreme Court**

On 20 October 9 ex-detainees, who had been charged and now had the status of awaiting-trial prisoners, together with the wife of detainee Paul Joseph (subsequently charged) applied to the Supreme Court, Pretoria, for a court order declaring these alleged methods of interrogation to be unlawful. Mrs. Joseph asked for an interdict restraining the police from maltreating her husband in the ways mentioned, saying she gravely feared that he might be tempted to commit suicide.

Each of the petitioners had filed an affidavit. The head of the Security Police in Johannesburg, Colonel J. G. Klindt, asked for a postponement to give him time to investigate the allegations

<sup>(36)</sup> *Sunday Times*, 13 September; *Rand Daily Mail*, 27 August; 10 September, 21 October.

made. He said the police had strict instructions never to assault prisoners. Mrs. Joseph's fears were unfounded, he added: two Government medical officers had examined her husband a few days earlier and had found no physical or mental abnormalities.

The other nine petitioners were Mr. Levy, Mr. Trehwela, and Dr. Gazides, and six other ex-detainees who had by then been charged in court (the trials are described later). All complained of being made to stand for long periods while being interrogated. It appeared that the four women included were allowed to rest at night, but they alleged that on occasion they had been made to stand for up to 13 hours during the day.<sup>(37)</sup>

(e) **Brooks and Kemp**

Some similar allegations were made by persons who had been under 90-day detention in the Cape. Mr. Alan Brooks and Miss Stephanie Kemp (who were eventually charged with sabotage) claimed damages totalling R6.000 from the Minister of Justice and two members of the Security Branch. Miss Kemp alleged that she had been interrogated continuously for 15 hours and during this period had been assaulted and knocked semi-conscious. Mr. Brooks said he had been punched and kicked, his ankles were twisted, and one of them was broken.<sup>(38)</sup>

(f) **Maharaj**

Mr. Sathyandranath Maharaj, convicted of sabotage, complained to the trial judge that he had been beaten and kicked by members of the Special Branch. This complaint was forwarded to the Attorney-General for investigation.

(g) **Lewin**

A police officer was charged with having assaulted Mr. Hugh Lewin, but was found not guilty.

At the time of writing the outcome of the other complaints had not been decided.

**MENTAL AND PSYCHOLOGICAL EFFECTS OF DETENTION**

On 8 December 1963, 60 leading psychiatrists, psychologists, and medical specialists in the Cape and Natal appealed to the Minister to abolish the system of detention in solitary confinement. Experimental studies in various countries of political prisoners subjected to this form of detention had indicated that the experience was associated with intense distress and the impairment of certain

<sup>(37)</sup> *Rand Daily Mail*, 21 October.

<sup>(38)</sup> *Rand Daily Mail*, 20 August and 10 October.

mental functions, they said. The exposure of individuals to this suffering for indefinite periods of time was no less abhorrent than physical torture. Scientific evidence existed which suggested that prolonged isolation might cause a disturbance of judgment to the point where the individual's testimony was no longer reliable.<sup>(39)</sup>

A specialist neurologist and psychiatrist, called upon as an expert witness in a sabotage trial in Cape Town during February, gave evidence on similar lines.<sup>(40)</sup> Suggestibility was increased in isolation, he maintained.

In cases heard during the year several judges treated with reserve statements that had been made by detainees. At the Rivonia trial Mr. Justice de Wet is reported to have said, "All the material witnesses were detained for questioning under the provisions of Section 17 of Act 37 of 1963, and were kept in solitary confinement until they were prepared to make a statement. The possibility must be borne in mind that suggestions made by the questioners were accepted, and that evidence was concocted to satisfy the questioners".<sup>(41)</sup>

Five Africans who were found guilty of sabotage at the Rand Criminal Sessions on 28 August 1963 appealed to the Appellate Division, and two of them succeeded in having their convictions and sentences set aside. Their counsel submitted that the State had failed to prove that their confessions had been freely and voluntarily made. The trial judge had refused to allow police officers to be questioned on allegations of ill-treatment. This contention was accepted: the Appeal Court ruled that the refusal to hear this evidence constituted an irregularity.<sup>(42)</sup>

Questioned in the Assembly on 21 January<sup>(43)</sup> the Minister of Justice said that five detainees had, while in detention, been examined by psychiatrists. All had been sent to mental homes for observation. Two of them were found to be normal, one escaped and said, in Dar-es-Salaam, that she had feigned insanity, and the remaining two were treated for mental disturbance and were subsequently certified sane.

As reported in last year's *Survey*,<sup>(44)</sup> Mr. L. S. Ngudle hanged himself in his cell on 5 September 1963. At the inquest, held in February, a Pretoria magistrate said that he had visited Ngudle three times, with an interpreter but out of earshot of the police. On the first two occasions Ngudle had nothing to say. On the third he complained that he had been assaulted to force him to make a statement, and said he had coughed up blood as a result. The magistrate reported this to the police. Next day he heard of Ngudle's death.

<sup>(39)</sup> *Ibid.*, 17 December 1963.

<sup>(40)</sup> *Star*, 7 February.

<sup>(41)</sup> *Star*, 11 June.

<sup>(42)</sup> *Star*, 24 September.

<sup>(43)</sup> Hansard I cols. 20, 22.

<sup>(44)</sup> Page 51.

The counsel appearing for Ngudle's relatives applied to lead evidence about police ill-treatment of 90-day detainees, but this was ruled inadmissible. A medico-legal expert who carried out the autopsy said he had found no evidence of ill-treatment; and the police denied that assaults had taken place. The presiding magistrate found that Ngudle's suicide had not been the result of any act or omission amounting to an offence on the part of any person.<sup>(45)</sup>

### PROTESTS DURING THE YEAR

Religious leaders in Cape Town, representing 19 Catholic, English-speaking Protestant, Jewish, and Moslem groups, signed a declaration condemning the 90-day clause and urging the Government not to re-promulgate it after its first year of operation expired at the end of June. During May and early June large public inter-religious services of "solemn petition" were held in Cape Town and Johannesburg. More than 60 leading Durban and Pietermaritzburg religious, political, and university personalities signed a similar petition to the Government; and clergy of 7 denominations in Port Elizabeth led their congregations in prayers for the removal of all unjust South African laws, especially the 90-day clause.

On the initiative of the National Council of Women, the Black Sash, and the Civil Rights League a meeting was held in Cape Town at which a 90-Day Detention Protest National Committee was formed, headed by Mr. J. Hamilton Russell and the Hon. A. van de Sandt Centlivres, an ex-Chief Justice. (Mr. Russell had, previously, collected many allegations of the ill-treatment of detainees by policemen and prison warders). This committee produced and distributed thousands of copies of a booklet entitled *Tyranny 90*, setting out the case against the renewal of Section 17. During September it made an urgent appeal to the Minister to give instructions that detainees should be more humanely treated.

For thirteen weeks in succession members of the Black Sash in Johannesburg stood in silent protest against the 90-day clause. Similar demonstrations were held by the Black Sash in Cape Town. The Johannesburg diocese of the Anglican Church decided in October to hold vigils in all its churches for 90 days on the theme, "The passion of South Africa and the compassion of Christ". It associated itself with pronouncements against the 90-day detention clause and acts of violence of any kind which had been made by various of the Anglican Bishops.

In June, 431 professors and lecturers at the English-medium universities signed a petition to the Minister urging him not to

<sup>(45)</sup> *Star*, 11 February.

retain the clause; and meetings of staff, students, and members of convocation at these universities, held in August, made earnest pleas for the detainees to be brought to trial or released with all possible speed.

#### SUSPENSION OF 90-DAY CLAUSE

The Minister of Justice announced on 30 November that the 90-day clause would be suspended from 11 January 1965.

### REFUGEES FROM SOUTH AFRICA

#### NUMBERS

Before proceeding to describe the trials of some of the 90-day detainees it is relevant to deal with the escapes of numbers of persons who would otherwise have been detained or prosecuted.

On 10 March the Minister of Justice said in the Senate<sup>(1)</sup> that by then 562 people who would have been charged with sabotage had fled the country. Estimates of those who left for military training abroad varied from 900 to 5,000: more than 150 of those who returned had been caught. On 10 June the Minister added<sup>(2)</sup> that the numbers of those leaving had dwindled recently. They were being financed from Peking, Moscow, Ghana, and certain circles in Britain, he alleged.

Soon after the Minister made this speech there was a fresh wave of escapes when the police began rounding up persons suspected of sabotage.

#### PROMINENT PERSONS WHO ESCAPED BEFORE 1964

It is mentioned in the first chapter that certain ANC and PAC leaders left South Africa when these organizations were banned in 1960. They set up offices abroad.<sup>(3)</sup> Other leaders of ANC, PAC, the Congress of Democrats, and other organizations escaped later when they were threatened with prosecution or were on bail, or when their activities had been severely curtailed through banning orders. Among these were Messrs. Anderson Ganyile and Patrick Duncan in 1962,<sup>(4)</sup> and, the following year, Dr. Kenneth Abrahams, and Messrs. Vivian Ezra, Arthur Goldreich, M. A. Harmel, Bob Hepple, P. J. Hodgson, R. Kasrils, Moses Kotane, J. Modise, Duma Nokwe, James Radebe, and Harold Wolpe.

#### REFUGEES IN SWAZILAND

Some of the South African refugees escaped to Swaziland where they were given temporary residence permits on condition that they took no part in the political life of that territory and refrained from planning violence against persons or property in other countries. A few men were unwilling to accept these conditions, but found it very difficult to leave Swaziland. As described

(1) Hansard B col. 1983.

(2) Assembly, 10 June, Hansard 20 col. 7663.

(3) See page 8.

(4) See 1962 Survey, page 17 and 24.

## OVERSEAS CONCERN WITH SOUTH AFRICA'S RACIAL POLICIES

### UNITED NATIONS

#### South Africa's Continued Membership

The Prime Minister said in the Assembly on 24 April<sup>(1)</sup> that the policy of South Africa was to remain a member of the United Nations as long as this was considered to be in the country's interests.

#### United Nations' resolutions in 1963

As reported in last year's *Survey*<sup>(2)</sup> in October 1963, by 106 votes to 1 (South Africa), the United Nations General Assembly passed a resolution stating that the situation in South Africa was seriously disturbing international peace and security. The Assembly called on South Africa to release all political prisoners immediately and unconditionally, and to put an immediate end to the trials of all those accused under the "Sabotage Act" and related legislation.

In December<sup>(3)</sup> the Security Council unanimously adopted a resolution which:

- (a) called on South Africa to cease forthwith the continued imposition of discriminatory and repressive measures;
- (b) called on South Africa to liberate all persons imprisoned, interned, or subjected to other restrictions for having opposed apartheid;
- (c) asked all member-states to refrain from supplying South Africa with military equipment, arms, ammunition, military vehicles, ordnance equipment, and materials that might be used to manufacture or maintain armaments for the enforcement of apartheid;
- (d) asked the Secretary-General to establish a group of recognized experts to examine methods of resolving the situation in South Africa through the full, peaceful, and orderly application of human rights and fundamental freedoms to all, regardless of race, colour, or creed; and to consider what part the United Nations might play in the achievement of that end.

(1) Hansard 13 col. 4900.

(2) Page 324.

(3) See 1963 *Survey*, page 325.

The Secretary-General was instructed to report back by 1 June 1964 on the extent to which the resolution had been put into effect.

Subsequently the General Assembly, by 99 votes to 2 (South Africa and Portugal), overrode strong South African objections in asking the Secretary-General to institute a scheme for the provision of international assistance for the families of persons persecuted for their opposition to apartheid.

The South African representative contended that no-one was prosecuted, let alone persecuted, merely for opposing his Government's policy of separate development. The resolution, he maintained, was a flagrant violation of Article 2 (7) of the Charter (which excludes the United Nations from interfering in the domestic affairs of a member-nation).

#### Appointment of Myrdal Group

In pursuance of the Security Council's resolution the Secretary-General U Thant, appointed a group to investigate methods of resolving the situation in South Africa. He appointed a Swedish diplomat, Mrs. K. Gunnar Myrdal, to be chairman and, as members, Sir Hugh Foot of Britain (rapporteur), Mr. Josip Djerdja of Yugoslavia, Sir Edward Okyere Asafu-Adjaye of Ghana, and Mr. Dey Ould Sidi Baba of Morocco.

After about two months Mr. Djerdja resigned, because he wanted to take a more vigorous line than the rest. He urged that the United Nations should take action under Article 7 of the Charter, which deals with threats to peace, breaches of peace, and acts of aggression. Decisions made by the Security Council under this Article are mandatory on member-states. But other members of the group hoped that the South African situation could be satisfactorily dealt with under Article 6, which is concerned with the peaceful settlement of disputes and does not empower the Council to make mandatory decisions.

U Thant announced in January that he had asked the South African Government to extend facilities enabling the group to examine the situation in the Republic at first-hand, in the context of the Security Council resolution; but the Government replied that this was "manifestly impossible".<sup>(4)</sup> Members of the commission went to London, instead, to meet South Africans living in Britain and others with an intimate knowledge of the South African scene.

#### Correspondence between Secretary-General and South Africa

Arising, too, from the General Assembly and Security Council decisions, on 27 March the Secretary-General, U Thant, addressed

(4) *Rand Daily Mail*, 7 February.

an appeal to the South African Government to "spare the lives of those facing execution or death sentences for acts arising from their opposition to the Government's racial policies".

In reply, the South African Ambassador to the United Nations stated that U Thant's appeal appeared to relate to the death sentences passed a few days before on Messrs. Mini, Mkaba and Khayingo.<sup>(5)</sup> These men, he said, had been convicted of deliberate murder, as well as of a number of acts of sabotage. No extenuating circumstances were found. All three had been given leave to appeal, thus the matter was *sub judice* at the time. (Their appeal, heard later, did not succeed).

The court's findings had been fully reported in the Press, the Ambassador continued. If U Thant had investigated the facts it would have been clear to him that there had been no question of the imposition of the death sentence purely because of opposition "to the Government's racial policies". The Secretary-General's intervention could be construed as casting suspicion on, or bringing into disrepute, the South African judiciary and the South African judicial processes. Disapproval was expressed of the way in which the Secretary-General had felt obliged, by the terms of the General Assembly resolution, to act without absolute impartiality.<sup>(6)</sup>

### Myrdal Group's Report

#### (a) Content

The report of the Myrdal study group was published on 20 April. Members stated they had no doubt that the cause of emancipation would prevail in South Africa. "What is now at issue is not the final outcome, but the question whether on the way the people of South Africa are to go through a long ordeal of blood and hate. If so, all Africa and the whole world must be involved. We believe that the cause of reason and justice . . . offers the only way and the last chance to avoid such a vast tragedy".

The group's suggested way of avoiding conflict was the summoning of a national convention, fully representative of the whole population of South Africa, to set a new course for the future. A prerequisite was an immediate amnesty for all opponents of apartheid. The South African Government should be invited to send a representative at once to discuss the composition and agenda of the convention with a special body, to be appointed by the United Nations. Representatives of the Opposition and of the unenfranchised South African majority should be invited to participate in the discussions.

<sup>(5)</sup> See page 86.

<sup>(6)</sup> Department of Information Press Release 95/64 K, 18 May.

The scope of the convention was for South Africans to decide; but the group made certain suggestions, including the introduction of a Bill of Rights incorporating the principles set out in the Universal Declaration of Human Rights. The Supreme Court should be empowered to declare null and void any enactment or executive action which violated the Bill of Rights. The adoption of the Scandinavian Ombudsman system might be considered, and specific functions might be given to the Opposition.

There was much to be said for a federal system of government, the group considered, on the basis of regional or national representation through a fully democratic franchise on a common voters' roll.

The convention would have to consider the method and timing of the removal of "a mass of restrictive and discriminatory legislation". At the same time, constructive plans would have to be made for a new social and economic structure. The educational system would have to be totally reorganized, the first targets being to provide free compulsory education for all as quickly as possible, and to extend secondary schooling so that it would be available to a growing proportion on the basis of merit.

The United Nations should give immediate help, the group recommended, by asking member-nations to provide scholarships for the training abroad of large numbers of South African engineers, lawyers, agronomists, administrators, teachers, and skilled workers. Foreign business interests and trading concerns in South Africa could exercise effective influence, especially by a "fair employment" policy.

When a fully representative system of government had been introduced and a peaceful and orderly transformation had started, a wide range of international assistance could be made available on request from South Africa. The International Labour Organization could help in the task of establishing trade unions for workers, irrespective of race, which were needed to help to transform labour from an unskilled, rootless, and hopeless migrant force into a stable and expanding asset for economic progress. The Food and Agricultural Organization could help with advice on establishing agricultural co-operatives and farmers' unions.

The group recommended that the Security Council should fix an early date by which the South African Government would be required to reply to an invitation to participate in discussions about preparations for a national convention. "If no satisfactory reply is received . . . the Security Council, in our view, will be left with no effective peaceful means for assisting to resolve the situation, except to apply economic sanctions", the group stated, the object of sanctions being to achieve a rapid transformation with a minimum of suffering and dislocation.

Piecemeal sanctions might defeat their own purpose, it was stated, merely leading to a hardening of attitudes. An embargo

on petroleum products and rubber could be more quickly decided upon and enforced than a ban on all imports, though a total ban would be effective more speedily.

The group recommended that a practical and technical study of the "logistics" of sanctions be made by experts in the economic and strategic fields.

(b) **Dr. Verwoerd's comments**

On 30 May Dr. Verwoerd said, in a statement released to the Press, "Although the members of the group are described as experts, their report consists to a large extent of a number of inaccuracies, distortions, and erroneous conclusions based on false premises". The report presented a distorted image of the situation in South Africa and was a "reprehensible example of *suppressio veri* and *suggestio falsi*". Dr. Verwoerd quoted statements made in the report to illustrate his remarks.

"For obvious reasons", he continued, "the South African Government can see no useful purpose in commenting on the detailed proposals for a national convention and its agenda".

The Government had informed the President of the Security Council, he said, "that its policy of separate development was not a denial of human rights and fundamental freedoms, or a policy of race domination — it was, in fact, the very opposite. The peoples of South Africa would, through separate development, attain freedom from domination and secure their human rights, freedoms, and equality".<sup>(7)</sup>

**Special Committee on Apartheid**

In a report to the General Assembly and the Security Council the United Nations' eleven-member Special Committee on apartheid urged that a brief time-limit be set for South Africa to comply with United Nations' resolutions. If South Africa did not comply within this period, the committee stated, new mandatory steps should be taken by the Security Council to force it to do so.

The chairman, Mr. Diallo Telli of Guinea, asked petroleum exporting countries to suggest steps for an effective oil embargo.<sup>(8)</sup>

The Committee appealed to all countries to use whatever influence they possessed to persuade South Africa to abandon its policies. It was reported in May<sup>(9)</sup> that the committee had written to the Pope appealing to him to intervene on behalf of "victims of the racial struggle" in South Africa. In reply, the Vatican Secretary of State said that the Pope "is not failing to use his good offices . . . to the end that the lives of the persons threatened

(7) Department of Information Press Release 99/64 K.

(8) *Star*, 30 March.

(9) *Star*, 13 May.

with capital punishment be spared and that the rights of human persons be respected".

**Security Council meeting in June**

Early in June the Ivory Coast and Morocco submitted a resolution asking the Security Council to appeal to the South African Government to renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid; to end forthwith the Rivonia trial; and to grant an amnesty to all persons already imprisoned, interned, or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial.<sup>(10)</sup>

On 9 June the Security Council passed this resolution by majority vote. Those in favour of it were Bolivia, China, Czechoslovakia, the Ivory Coast, Morocco, Norway, and the Soviet Union. The United Kingdom, United States, France, and Brazil abstained: the United States delegate had previously expressed the view that the Council should not take action which could be construed as interference in the judicial processes of a member state,<sup>(11)</sup> and Britain concurred. (The Rivonia trial was then in progress, and the appeal by Messrs. Mini, Khayingo, and Mkaba had not been decided).

The voting pattern differed radically nine days later.

On 18 June the Security Council passed a resolution, submitted by Norway and Bolivia, by 8 votes to nil, with 3 abstentions (France, the Soviet Union, and Czechoslovakia), in which the Council stated it was convinced that the situation in South Africa was continuing seriously to disturb international peace and security. It once again condemned the apartheid policy, and urgently appealed to the South African Government:

- (a) to liberate all persons imprisoned, interned, or subjected to other restrictions for having opposed the policies of apartheid;
- (b) to renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid;
- (c) to grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced, for their opposition to the Government's racial policies;
- (d) to abolish the practice of imprisonment without charges, without access to counsel, or without the right of prompt trial.

The Council voted to set up an expert committee, as proposed by the Myrdal group, to study the possibility and the practical and technical implications of measures which could be applied under

(10) *South African Digest*, 24 July.

(11) *Rand Daily Mail*, 10 June.



the Charter to induce South Africa to change her policies. This committee was to report by February 1965.

South Africa was given until the end of November 1964 to concur with the proposal to call a national convention.

France abstained from voting on the grounds of non-intervention in the affairs of member-states; and the Soviet Union and Czechoslovakia did so because they did not consider the resolution to be strong enough. The United States delegate, Mr. Adlai Stevenson, made it clear that although he had voted for the resolution his Government could not subscribe to the concept of automatically-applied sanctions if South Africa declined to convene a national convention.

Sir Patrick Dean (speaking for the British Conservative Government that went out of power five months later) pointed out that a pre-condition to the application of sanctions (under Article 39 of the Charter) was the existence of a threat to the peace, a breach of the peace, or an act of aggression. "Although the racial policies of the South African Government are, and rightly so, the subject of world-wide condemnation", he said, "it cannot be said with any certainty that such policies directly endanger the maintenance of international peace and security".

Britain would participate in the work of the expert committee, he stated, but in doing so it was in no sense committed, then or in the future, to supporting measures of coercion against South Africa. But he believed that the Security Council should be in a position to weigh all possible implications of the application of sanctions so that there would be no doubt as to what was involved.

#### Representations made after the Rivonia verdict

It was reported<sup>(12)</sup> that after the verdict in the Rivonia trial South Africa's Ambassador to the United Nations gave copies of the full judgment to the Secretary-General for circulation. In an accompanying letter he repeated remarks made in his earlier representations, to the effect that it was a perversion of the facts to state that people were being prosecuted or persecuted for having opposed the policy of apartheid. The Security Council's resolution was evidence of an attempt to distort the nature of the case against the defendants in the Rivonia trial, he said, and was unconstitutional in that it constituted interference in the judicial processes of a member-state.

The British Ambassador drew the attention of the South African Government to the widespread criticism in Britain of the length of the sentences passed, and to the desirability of reducing them. Dr. Verwoerd is reported to have replied that his Govern-

<sup>(12)</sup> *Rand Daily Mail*, 16 July.

ment would not be influenced by attempts to induce it to interfere with the processes of the law.<sup>(13)</sup>

The Prime Minister of Northern Rhodesia is reported<sup>(14)</sup> to have written to South Africa's State President expressing his distress at the severity of the sentences and asking the President to use his good offices to intervene in the interest of those concerned. Similar messages were sent to the State President and the Prime Minister by five other countries, including the Soviet Union, and by large numbers of overseas organizations and individuals.<sup>(15)</sup>

#### Steps taken by member-states after the Security Council's resolution

At its meeting in June the Security Council called for reports from member-states on steps taken by them, following the resolution.

In reply to a request for information by the Secretary-General, Britain replied that it had made it abundantly plain to the Government of South Africa that it deplored the absence of political means of expression for African leaders, and the arbitrary nature of the laws by which those arrested at Rivonia "had been brought to trial for their opposition to apartheid".<sup>(16)</sup>

The United States said that it had expressed the hope that South Africa would begin the process of creating an atmosphere in which all elements of the population could begin to talk together about their common future. It had pledged itself anew to lend assistance to efforts to reach a humane and just resolution of the pressing problems arising from the security trials, and the laws under which opponents of apartheid were being detained. It stated that it considered the apartheid policy created a situation charged with potential danger, not only for the people in South Africa, but also for peoples seeking harmony among the races throughout the world.<sup>(17)</sup>

The Soviet Union replied that it resolutely advocated the ending of the policy of apartheid. Twenty-one other countries stated that they had expressed their deep concern, and, in many cases, had urged South Africa to comply with United Nations resolutions.<sup>(18)</sup>

#### Renewed appeal for clemency

After the appeals of the three condemned Africans had been rejected U Thant wrote to the South African Government passing

<sup>(13)</sup> *Ibid.*, 28 and 29 July.

<sup>(14)</sup> *Ibid.*, 13 June.

<sup>(15)</sup> *Ibid.*, 2 October.

<sup>(16)</sup> *Ibid.*

<sup>(17)</sup> *Natal Mercury*, 22 May

<sup>(18)</sup> *Star*, 29 August.



on appeals for clemency by the African group of delegations at the United Nations, by the Special Committee on Apartheid, and by the Cairo Conference of Non-Aligned Nations. He added his own appeal.

In a Note published in reply, the South African Ambassador to the United Nations said that his Government had "no intention whatsoever of answering the communications regarding the pleas". He recalled that he had, "fully dealt with" the merits of the matter in another letter, and continued, "The facts enunciated in that letter are further highlighted by the latest example of political opportunism. It is a matter of particular regret to the South African Government that the Secretary-General has once again seen fit, in the last paragraph of his letter on October 9, to associate himself with the political vendetta against South Africa, more particularly in view of the existence of so many problems at present posing a very real threat to the peace of the world.

"I have the honour to state further that the South African Government would be interested to learn in what other cases the Secretary-General of the United Nations has seen fit to address representations to a member Government concerned in relation to the judicial processes of that member State, what the circumstances were and what were the reactions of the member Government concerned".<sup>(19)</sup>

The three men were executed on 6 November. Protests were made by the United Nations Special Committees on Apartheid and on Colonialism, and by organizations and people in many parts of the world. Morocco complained to the Security Council that the executions endangered international peace and security.

South Africa's representatives again pointed out that the men had been found guilty of murder, with no extenuating circumstances.

#### Subsequent developments

On 20 November South Africa informed the Secretary-General that it rejected the resolution passed by the Security Council in June. The Republic's Foreign Minister stated that it was difficult to conceive of a more far-reaching example of an attempted intervention in matters falling within the domestic jurisdiction of a sovereign member of the United Nations.

#### ANTI-APARTHEID COMMITTEE IN LONDON

The Anti-Apartheid Committee in London arranged an international petition supporting the General Assembly's resolution calling on South Africa to release all political prisoners immediately

<sup>(19)</sup> *Rand Daily Mail*, 27 October.

and unconditionally, and to put an immediate end to the trials of those accused under the "Sabotage Act" and related legislation.

The secretary of this committee, the Liberal M.P. Mr. Jeremy Thorpe, announced on 13 June that this petition had been signed by 91,691 individuals and representatives of organizations with a membership totalling 258,592,293 persons. His committee had sent telegrams to the Pope and to the heads of the "Big Four" Powers, he said, asking them to intercede against the sentences in the Rivonia case, and to ensure the implementation of the General Assembly's resolution.

The Anti-Apartheid Committee maintained a vigil outside South Africa House for some days when the sentences were passed, and held a rally at Trafalgar Square, preceded by a march from the Marble Arch.<sup>(20)</sup>

#### LONDON SANCTIONS CONFERENCE

##### The conference

A Sanctions Conference was held in London from 14 to 17 April, convened by Mr. Ronald Segal, with Mr. Mongi Slim (the Tunisian Foreign Minister) in the chair. It was financed mainly by independent African states. Papers were read by a number of prominent people from the West. There were about 250 delegates and observers from 40 countries, including the Soviet Union and China.

In a pre-conference article published in *The Observer* Colin Legum and Anthony Sampson said, "The case for intervention . . . is that South Africa maintains a tyranny which is exclusively racial, which inflames racial feelings throughout the world, and by its very existence constitutes a threat to peace. It exacerbates and epitomizes the racial division of the world which both sides alike most dread".

The conference divided into five commissions to consider the strategic, political, economic, legal, and other implications of sanctions.

One of its findings was that, "The continued frustration of the wishes of the majority of nations may lead to a breakdown of the United Nations, to alignments on a colour basis, and to extreme crisis on a world scale".

The delegates decided that total economic sanctions against South Africa were feasible and practicable. To be applied effectively a naval blockade would be required, needing 4 to 7 aircraft carriers and 30 to 100 other ships. Economic help would have to be given to the High Commission Territories. Possible costs were worked out. Mr. Brian Lapping, who gave a paper on oil sanc-

<sup>(20)</sup> *Cape Times*, 13 June.

tions, said afterwards that the report on the conference did not touch on the difficulties that would be encountered in imposing sanctions, but these had been discussed and the conference felt that they could be overcome.<sup>(21)</sup>

#### Dr. Verwoerd's comments

Talking of the Sanctions Conference in the Assembly on 19 May<sup>(22)</sup> Dr. Verwoerd said, "We must regard these matters soberly . . . I do not believe that sanctions of the kind threatened will ever be able to be applied to South Africa. In the first place, something like that has never succeeded yet . . . In the second place, South Africa . . . is fortunate in being blessed with a wealth of natural resources. If something like that were to happen we could keep going for a long time. We are busy building up our own industries and particularly diversifying them, so much so that we are becoming self-supporting in many important respects . . . It now appears that many industries which were formerly considered to be uneconomic can in fact be economic if they are developed properly . . .

"People are also realizing, in the third place . . . that sanctions . . . result in more harm than good to the people whom they want to assist. In the fourth place South Africa is of too much value to most of the countries in the world who count. South Africa is too valuable as a provider of raw materials, of gold and other minerals, and . . . as a market for other countries".

Dr. Verwoerd maintained that behind the "boycott agitations" were "leftist elements, often communist-inspired and financed . . . A psychological war is being waged against us".

#### COMMONWEALTH PRIME MINISTERS' CONFERENCE

In the final communiqué issued at the end of the Commonwealth Prime Ministers' Conference in London, on 15 July, it was stated, "The Prime Ministers re-affirmed their condemnation of the policy of apartheid practised by the Government of the Republic of South Africa.

"Some Commonwealth Prime Ministers felt very strongly that the only effective means of dealing with the problem of apartheid was the application of economic sanctions and an arms embargo.

"It was recognized, however, that there was a difference of opinion among Commonwealth countries as to the effectiveness of economic sanctions and as to the extent to which they regarded it as right or practicable to seek to secure the abandonment of apartheid by coercive action of whatever kind.

<sup>(21)</sup> *Rand Daily Mail*, 15 and 18 April; *Star*, 5 May.  
<sup>(22)</sup> Hansard 17 col. 6240.

"But the Prime Ministers were unanimous in calling upon South Africa to bring to an end the practice of apartheid, which had been repeatedly condemned by the United Nations and was deplored by public opinion throughout the world".

#### SUMMIT CONFERENCES IN AFRICA

The Organization for African Unity (OAU) Conference of Foreign Ministers of 32 member-states, held in Lagos during March, passed a resolution calling for "the necessary steps to be taken to refuse any aeroplane or ship going to or from South Africa the right to fly over territories of member-states or utilize their ports or other facilities"<sup>(23)</sup> This resolution was submitted to the Africa Summit Conference of heads of states, held in Cairo from 17 to 21 July.

The Summit Conference called on all African states to close their seas and skies to South Africa. It urged oil-producing countries to refuse petroleum shipments. It decided to set up a bureau within the secretariat of the OAU in Addis Ababa to co-ordinate plans for an effective boycott. This bureau was to study and recommend ways in which the African countries which were dependent on trade with South Africa could be compensated if they joined a boycott. (Presumably it will also study the implications of denying air space or shipping facilities to countries operating services to or from South Africa; this matter is dealt with later).

According to reports by Mr. Anthony Delius,<sup>(24)</sup> Prime Ministers Jomo Kenyatta and Milton Obote said that if apartheid were not ended by sanctions it could cause a race war which would spread up Africa and beyond, and would lead to a polarization of peoples in a world where well over two-thirds of the inhabitants were Non-Whites. Speakers appreciated that only South Africa's main trading partners could make a boycott succeed.

The attitudes of African states which are dependent on trade with South Africa are described later.

A summit conference of 47 non-aligned nations was held in Cairo during October. It called for sanctions against South Africa, and urged all states to break off diplomatic relations, to prohibit aircraft and ships from proceeding to and from South Africa, and to discontinue all road and rail traffic with the Republic.

#### BRITISH COUNCIL OF CHURCHES

The British Council of Churches appointed a working party of 28 people to prepare a report on "the future of South Africa", and the responsibilities of Britain in this regard.

<sup>(23)</sup> *Rand Daily Mail*, 2 March.  
<sup>(24)</sup> *Ibid.*, 22 July.

The working party considered that it was a Christian responsibility to become involved with the sins and sufferings and aspirations of all mankind. After considering the religious and moral implications of the philosophy of separation they concluded that a policy based on this philosophy was a blasphemy against the Holy Spirit.

The Rev. S. P. Freeland wrote in the *Sunday Times* (22 November) that the motivation of the report of the working party, published in November, was clearly set forth. It was to help individual Christians in the United Kingdom to pray intelligently and to pass political judgment responsibly on a problem which affected the whole world; to guide the British Council of Churches in its corporate responsibility to the United Kingdom Government; and to enable the Council to take right action within the fellowship of the world-wide Church.

Recognizing the weight of world opinion against the apartheid policy the group attempted, *inter alia*, to analyse some of the plans for action that had been discussed in various quarters, and the factual situation. The report stated, "Once the protective ring of buffer states has been breached subversive elements (whose training has already begun) will increasingly be passed across the frontiers. There will be a risk of increasing para-military involvement of the Eastern and Western blocs with the real possibility of world conflict to which a magnified Congo-type situation could lead. Action by the United Nations is called for, not least because a race war, once started, could scarcely be confined to the African continent. This bell could toll for us all".

The working party went on to discuss the arguments of those who call for sanctions. Members felt that a decision to impose sanctions in order to protest against apartheid would be weak in international law. But this would not be the case if the object were to enforce a United Nations' decision on South-West Africa, if the International Court should hold that the General Assembly was legally qualified to exercise supervisory functions over that territory, and if South Africa refused to comply with demands then made.

If sanctions were imposed these would have to be enforced by a naval blockade, the working party said. The resultant economic distress in South Africa might probably lead to internal disorders, and United Nations officials might then have to be flown out to confer with the authorities. Should this be resisted, a United Nations expeditionary force might have to be landed to prevent chaos.

But after this discussion the report stated, "It is not for the churches of Jesus Christ to advocate a policy of total sanctions . . . We oppose the matter instinctively. We shrink from forcing our judgments on others, however much we may think the other

person's view is wrong. Economic sanctions are a form of police action".

Various alternatives to the apartheid policy were discussed. The group emphasized that it was for the South African people, not outsiders, to make the choice, but it suggested certain fundamental principles to be borne in mind.

So far as Britain itself was concerned the group stated that while it could not advocate sanctions, neither could it agree with a policy which combined verbal denunciation of apartheid with practical encouragement of it.

It suggested that the British Government might consider:

- (a) cutting the flow of new capital investment in South Africa and making Britons who hold South African shares pay surtax on their dividends;
- (b) totally prohibiting the export to South Africa of all weapons and their spare parts;
- (c) ending the advantages of sterling area membership for South Africa;
- (d) insisting on visas for holders of South African passports;
- (e) consulting with the United States with a view to inviting members of the European Common Market and Japan to set up a special licensing committee for trade with South Africa;
- (f) discouraging permanent emigration to South Africa.<sup>(25)</sup>

At its meeting on 20 October, the British Council of Churches did not endorse any of the specific recommendations of the Working Party's report, but commended the report to member churches. "While not regarding economic sanctions at this stage as likely to lead to a satisfactory solution of the South African problem", the Council urgently requested the British Government to consider measures to prevent giving encouragement to apartheid. It resolved to lay the report before the Foreign Secretary and seek discussion with him and, finally, to keep matters dealt with in the report under review. (*Pro Veritate*, 15 November.)

#### SANCTIONS ALREADY IN FORCE OR THREATENED

##### Representations for the breaking off of relations

As reported in the 1962 issue of this *Survey*<sup>(26)</sup> at the end of that year the United Nations General Assembly, by majority vote (67 to 16, with 23 abstentions) passed a far-reaching resolution asking member-states:

- (a) to break off diplomatic relations with South Africa, or to refrain from establishing such relations;

<sup>(25)</sup> From reports in the *Star*, 21 October; 4, 6, and 7 November; *Rand Daily Mail*, 24 October; *Sunday Times*, 22 November.

<sup>(26)</sup> Page 230.

- (b) to boycott all South African goods, and to refrain from exporting goods, including arms and ammunition, to South Africa;
- (c) to close ports and airports to South African ships and aircraft;
- (d) to refrain from allowing their ships to enter South African ports.

Those who opposed the resolution made it clear that while they disapproved of South Africa's racial policies they did not agree with the imposition of sanctions.

In the following year, largely as the result of discussions initiated by the Scandinavian countries, references to sanctions in United Nations resolutions were much less sweeping. In December 1963 the Security Council's resolution referred to armaments only: it asked member-states to refrain from supplying South Africa with military equipment, arms, ammunition, military vehicles, ordnance equipment, and materials that might be used to manufacture or maintain armaments for the enforcement of apartheid. As stated earlier, in June 1964 a committee was set up by the Security Council to examine the possibility and practical and technical implications of sanctions.

The Afro-Asian states have for long been urging the adoption of stronger measures than those to which the West was prepared to agree. In May 1963 the Organization for African Unity called upon all African States to sever diplomatic and economic relations with South Africa, to close their ports and airports to South African ships and aircraft, and to ban over-flights of aircraft belonging to South Africa. The African Summit Conference held in July 1964 urged, in addition, that oil-producing countries should refuse to send supplies to South Africa. It deferred decision on a proposal by the Foreign Ministers concerned that any aeroplane or ship going to or from the Republic should be refused facilities.

In November 1963 the Trusteeship Committee, by majority vote, called on member-states to cease supplying South Africa with oil and oil products. Similar recommendations have been made on several occasions by the Special Committee on Apartheid.

### Airways and Shipping

It was reported in last year's *Survey*<sup>(27)</sup> that most of the African states did decide to ban over-flights by South African aircraft and to refuse port facilities to her ships, and that, as a result, the Republic decided that its flights to Europe would be routed round the "bulge" of West Africa, via either Luanda or Brazzaville and Las Palmas. About 900 miles was added to each trip.

(27) Page 328.

Early in 1964 the South African Airways (SAA) announced that it would not accept air freight destined for any country that had been engaged in boycott or threatened boycott activities against the Republic unless the goods were accompanied by an import permit from the country concerned. Seventy-one countries were included in a provisional list sent to cargo agents.<sup>(28)</sup>

In a recent annual report of the East African Airways it was stated that the discontinuation of its service to South Africa in October 1963 had resulted in the break-up of a quadripartite pool consisting of the BOAC, SAA, Central African Airways, and East African Airways. Arrangements then had to be made for the conclusion of new agreements covering services between East Africa, Europe, and Britain. A reduction in revenue resulted.<sup>(29)</sup>

Because of the threat to close ports to vessels trading with South Africa the shipping lines concerned have had to give thought to the future. It is reported that the Japanese have split their services so that ships proceeding to the Republic do not call at other African ports. East Africa would be hard hit if the ban were enforced, as about two-thirds of the ships docking at Mombasa and other ports there are on the South African run, and these same ships transport East African exports of coffee, sisal, cotton, and other goods. It seems possible that, faced with a choice, many companies would decide to by-pass East African ports. Of interest is the fact that in November, Kenya, Uganda, and Tanzania established a shipping line which is to start monthly services to Europe, initially with three cargo liners each of up to 10,000 tons.<sup>(30)</sup>

It is stated<sup>(31)</sup> that the overseas air traffic market to and from South Africa was in March worth about R40-million a year, of which foreign carriers earned about R25-million. The local representative of Lufthansa announced early in the year<sup>(32)</sup> that this line would continue to operate services to and from South Africa. If denied over-flying rights in other African territories it, too, would fly round the "bulge" or resort to similar devices. The decisions of the other companies involved have not been announced: they are the BOAC, Pan-American World Airlines, Alitalia, KLM, UTA, Scandinavian Airlines, Sabena, and El Al.

### Arms

Following the Security Council decisions mentioned above the United States announced that it expected to stop all sales of military equipment to South Africa by the end of 1963. Existing contracts for strategic defence equipment suitable for use against

(28) *Rand Daily Mail*, 29 February.

(29) *Sunday Times*, 19 July.

(30) *Star*, 17 November.

(31) *Ibid.*, 2 March.

(32) *Sunday Times*, 15 March.

external threats would, however, be honoured. The embargo might be revised if the interests of the world community required the provision of material in a common defence effort.

Britain and France decided in 1963 to cut off supplies of weapons that could be used for suppression, but to continue selling equipment that might be needed for strategic defence against outside aggression. Britain added that it would also supply any arms that it considered were needed for the joint British-South African protection of the shipping route round the Cape, in terms of the Simonstown Agreement.

It was reported in December 1963<sup>(33)</sup> that the embargo was being carried out almost completely by Czecho-Slovakia, Belgium, and Western Germany. Italy would supply practically nothing larger than .22 ammunition. Japan had never exported arms to South Africa. Supplies could still be obtained from other countries, for example France, Spain, and Finland.

On 13 March Mr. Harold Wilson, leader of the British Labour Party, urged the then Conservative Government to supply no arms to South Africa except those specified in the schedule to the Simonstown Agreement of 1955, i.e. certain ships which the Republic undertook to purchase by 1963.

South Africa placed a firm order with the Hawker Siddeley Company in Britain for 16 Buccaneer strike reconnaissance aircraft required for seaward defence, at a cost of some R40-million. The first was due to be delivered early in 1965. The Republic had an option on the purchase of 14 more of these aircraft, plus spares. Part payment was made after the approval of the British Government, required for armament contracts made by British firms, had been given.

On 14 November, a few weeks after the Labour Government came into power, Dr. Verwoerd stated from a public platform that if Britain prevented the export of the Buccaneers he would cancel the Simonstown Agreement. In terms of this Agreement, the Simonstown base was handed over to South Africa, and the Republic undertook to maintain and develop it, provide alternative bases elsewhere, and, in the event of a war involving Britain, to make these bases available to Britain and her allies, under a Commander-in-Chief from the Royal Navy.

Three days after Dr. Verwoerd's statement Mr. Harold Wilson announced a total embargo on the supply of arms to South Africa. This would apply immediately to all sporting arms and ammunition that could be used for internal purposes. Other existing contracts would be allowed to run out; but the question of the Buccaneers was still under review. Nothing in this statement, he said, involved a breach of the Simonstown Agreement.

<sup>(33)</sup> *Star*, 20 December 1963.

On 25 November Mr. Harold Wilson announced in the House of Commons that South Africa would get the 16 Buccaneer naval jet bombers and that his Government would sanction the shipment of spares for the Buccaneers as and when required. He was advised, he stated, that the existing contract did not involve "an extension for a further 14". Mr. Wilson stated that no further South African contracts would be entered into. (*Rand Daily Mail*, 26 November.)

The following day Dr. Verwoerd welcomed the announcement that the Buccaneer contract was being fully honoured, stated that it was immaterial that the option to purchase 14 more was not to be retained, and that immediate action with regard to the Simonstown Agreement had been avoided. Further exchanges would be conducted through diplomatic channels. (*Star* 26 November.)

South Africa can itself now manufacture any light arms and ammunition required for purposes of internal security, and it plans to establish an aircraft factory.

#### Oil

The Republic is highly dependent on imports of oil. In a paper read to the Institute of Race Relations in January 1964<sup>(34)</sup> Mr. Leo Katzen said that 90 per cent of South Africa's requirements of motor spirit and an even larger proportion of its other oil requirements were derived from outside sources. Oil was then being obtained mainly from the Middle East because this was the cheapest and most convenient source; but if Middle Eastern countries placed an embargo on supplies South Africa could fairly easily buy elsewhere (albeit at a slightly higher price) unless a total blockade were imposed. And South Africa had fairly substantial reserves.

Kuwait banned oil exports to South Africa early in 1964, but it appears that the major oil companies in the Republic import less than 1 per cent of their supplies from that country.<sup>(35)</sup>

Questioned in the Assembly on 21 April<sup>(36)</sup> the S.A. Minister of Mines said that the Geological Survey section had been instructed to give priority to investigations relating to natural oil and to the granting of assistance to private concerns that had been granted prospecting rights in various parts of the country.

In discussions with the Federated Chamber of Industries during August<sup>(37)</sup> the General Manager of the South African Railways Administration, Mr. J. P. Hugo, said that his administration had decided against the wide-scale use of diesel locomotives, useful as these would be, because of the threats to boycott oil supplies.

<sup>(34)</sup> RR 1/64.

<sup>(35)</sup> *Star*, 4 March.

<sup>(36)</sup> Hansard 13 cols. 4601-2.

<sup>(37)</sup> *Rand Daily Mail*, 20 August.

It was reported in September<sup>(38)</sup> that the oil resources of Angola have by no means been fully surveyed or exploited. A Belgian-backed company, Petrofina, had invested about R53.7-million in developing deposits in the north part of the territory, but because of a world glut the rate of development had been comparatively slow and the Portuguese authorities were dissatisfied. It was said that the South African firm Federale Mynbou (which merged in 1964 with General Mining) was negotiating for oil concessions in Southern Angola, and might, in addition, apply to take over Petrofina's interests.

### General Merchandise

In the paper quoted above Mr. Leo Katzen said that by the end of 1963 about 25 countries had declared official boycotts against South Africa: with the exception of the British West Indies and British Guiana these countries were all in Africa or Asia. In most cases the boycott had been confined to not buying South African exports, while the sale of goods to South Africa continued. The most significant of the boycotters in terms of trade were Malaya, Ghana, Nigeria, the British West Indies, Kenya, and the Philippines.

If all these boycotts became completely effective, Mr. Katzen said, the loss of trade to South Africa would be about 4.5 per cent of the value of her exports. In actual fact the loss between 1959 and 1962 was about 1.7 per cent of exports excluding gold, or 1 per cent if gold were included. This was partly because some of the boycotts were of only recent origin, but was also because not all of them had been very effective. There had been some voluntary consumer boycotts, but these had not had, and were unlikely in the future to have, more than a marginal effect on South Africa's exports.

Since Mr. Katzen's paper was written other countries have imposed boycotts: Pakistan, Uganda, and Zanzibar. Nigeria announced that it will no longer cash postal and money orders issued in South Africa. But other countries such as Communist China and Japan have increased their trade, and numbers of those who state that they support boycotts have considerable under-the-counter dealings — so far as Asia is concerned, often through Hong Kong. Official statistics in South Africa no longer give details about trade with each country in the East, and instead have the one heading "Asia", in case exposure would compel certain states to end these dealings.

Mr. Katzen pointed out, however, that even if every country in the world that has threatened boycotts (i.e. with the exception of Britain, the United States, Canada, Western Europe other than

<sup>(38)</sup> *Star*, 23 September.

Scandinavia, Japan, Hong Kong, Aden, Australia, New Zealand, Portuguese colonies in Africa, and Southern Rhodesia) imposed a complete boycott, the percentage decline in South African trade, based on 1962 figures, would be 19.0 per cent of imports and 10.1 per cent of exports.

These figures indicated, Mr. Katzen said, how very dependent South Africa was on a relatively small number of important markets. In 1962 three-quarters of her exports went to Britain and another 9 per cent to the United States.

South Africa constituted an important market, too, importing R361-million worth of goods from Britain in 1963.

At the request of the Special Committee on Apartheid the United Nations Secretariat prepared a report on foreign investments in South Africa.<sup>(39)</sup> In 1962 these totalled about R301,450,800. Britain held about 60 per cent of them. The value of private British investments in the Republic (excluding insurance and banking) represented 7 per cent of all British overseas investments, and were her fourth largest, exceeded only by those of British firms in Canada, Australia, and the United States.

American investors had the second largest holdings in South Africa — 11 per cent of the total foreign investments in the Republic, and 1 per cent of those of the American total. Next in value were the holdings of international organizations, France, Switzerland, the Rhodesias, and Belgium-Luxembourg.

### DIPLOMATIC REPRESENTATION IN AFRICA, AND PROPOSED COMMON MARKET

#### Suggestion by Dr. Kaunda

During 1963 South Africa severed its last official link with Black Africa when it recalled its Consul-General and his staff from Nairobi, shortly before Kenya became independent. The only diplomatic and consular ties it retains in the continent are with Southern Rhodesia and the Portuguese territories.

On the eve of the elections shortly before Northern Rhodesia (now Zambia) became independent, Dr. Kenneth Kaunda announced through the Press that he would be prepared to exchange envoys with South Africa on condition that his diplomats enjoyed the same rights and treatment in the Republic as South African diplomats would expect in Zambia.<sup>(40)</sup>

#### Dr. Verwoerd's views

This announcement was not made through recognized diplomatic channels and Dr. Verwoerd apparently did not reply. But

<sup>(39)</sup> *Rand Daily Mail*, 30 September.

<sup>(40)</sup> *Star*, 15 January.

in the Assembly on 23 April he said,<sup>(41)</sup> "It must be very clear to representatives of other countries in South Africa that while we shall act in their countries in accordance with their customs, we . . . expect them to act in South Africa in accordance with South Africa's customs".

On the following day<sup>(42)</sup> he pointed out that under Dr. Malan's Government the Nationalists "had gone as far as to appoint someone who was going to be a travelling ambassador in Africa". Dr. Verwoerd said he maintained that since South Africa had so many neighbouring states and it was "impractical to have representation in all . . . a sensible method would be to appoint a travelling ambassador who, when any problem presented itself, would be available to visit the country concerned. In the same way it would be sensible on the part of the Black States, when they have dealings with us in connection with some matter or other, to pay us a visit through one of their Cabinet Ministers who is best informed on the subject so that the particular matter can be ironed out . . . That is the form in which a beginning can at least be made".

It was mentioned in the previous *Survey*<sup>(43)</sup> that in September 1963 Dr. Verwoerd proposed that if the inhabitants of the High Commission Territories so wished South Africa would act as their guardian, allowing them to develop to independence along the lines being followed in the Transkei. He repeated these remarks in the Assembly on 21 January,<sup>(44)</sup> adding, "The Government has adopted the realistic attitude that South Africa no longer claims the incorporation of these territories . . . We want to have the best possible relations for the sake of our common safety and economic interests".

#### Views of Southern African leaders

In spite of the pressure being exercised on them by African states further to the north, leaders of certain states nearer to the Republic appreciate the extent of their economic dependence on South Africa. Mr. Seretse Khama, likely to be first Prime Minister of Bechuanaland, pledged economic co-operation in a speech made during August.

Mr. Q. M. Malapo, representing the Basutoland Congress Party in London, said,<sup>(45)</sup> "We are going to have to live with South Africa, whether we like it or not. Our geographical position makes sure of that. It is, therefore, vitally important that we get busy as soon as possible laying the foundations of satisfactory relations with the Republic". After interviews with Dr. Seth Makotoko,

<sup>(41)</sup> Hansard 13 col. 4831.

<sup>(42)</sup> Col. 4901.

<sup>(43)</sup> Page 123.

<sup>(44)</sup> Hansard 1 col. 59.

<sup>(45)</sup> *Rand Daily Mail*, 16 April.

president of the Marema 'tlou Freedom Party, and senior officials of Mr. Ntsu Mokhehle's Congress Party, and officials of the Basutoland National Party, a correspondent of the *Star* wrote on 13 October that it was clear that, whichever party won the forthcoming elections, an independent Basutoland would want to establish full diplomatic relations and economic co-operation with South Africa.

At a meeting of the United Nations General Assembly on 2 December Dr. Hastings Banda said that, while a major pre-occupation of any African power must be the ending of colonialism, Malawi could not cut its ties with South Africa, Rhodesia, or Mozambique without damage to its economy. It would adopt "a policy of discretionary neutralism". (*Rand Daily Mail*, 3 December).

Mr. Moise Tshombe of the Congo stands, too, for a pragmatism in African politics which has made him a "stooge of neo-colonialism" in the eyes of other African leaders. In mid-1964 Dr. Verwoerd sent him an aircraft full of medical supplies, and turned a blind eye to the enlistment of South Africans in Mr. Tshombe's White mercenary forces.

President Kaunda of Zambia is reported to have studied the effects of cancelling inherited trade agreements with South Africa. He is anxious for a rail link with Tanzania which would make him less dependent economically on Southern Rhodesia and the Republic. But on 25 October he said that some way would have to be found of looking after the affairs of 40,000 South Africans in Zambia.<sup>(46)</sup>

#### Proposed "common market"

On 27 August Dr. Verwoerd announced<sup>(47)</sup> that he foresaw the development of a multi-racial Southern African "common market" in which none of the member-nations would have political control of any of the others, but in which all would co-operate to their mutual benefit.

While most African states were implacably hostile towards South Africa, he said, there was another group "who are opposed to our policy but are willing to co-operate with us economically".

In October the Governments of South Africa and Portugal concluded agreements providing for closer economic relations between the Republic and Angola and Mozambique; and earlier, in February, representatives of private business interests set up a South Africa-Portuguese Economic Institute to promote industrial and trade ties.

During the Southern Rhodesian constitutional crisis in October Dr. Verwoerd urged political leaders there not to countenance

<sup>(46)</sup> *Star*, 26 October and 3 November.

<sup>(47)</sup> *Star*, 27 August.



interference from Britain or any other country. His remarks were made, he said, only because he felt he should give encouragement to a friendly neighbour.<sup>(48)</sup> A new trade agreement between South Africa and Rhodesia, providing for the lowering of tariff barriers, was concluded on 30 November.

#### SOUTH AFRICA'S MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS

South Africa left UNESCO more than 10 years ago. In 1963 she resigned from the Commission for Technical Co-Operation in Africa, and was expelled from the Economic Commission for Africa after having withdrawn from a session of the body.

#### Food and Agricultural Organization (FAO)

At a meeting of the FAO in December 1963 Ghana moved that the constitution of the Organization be amended to make it possible for a member-state to be expelled. This motion failed to obtain the necessary two-thirds majority; but the conference then decided to exclude South Africa from any African regional meeting.

A few days later Mr. Eric Louw, the then South African Minister of Foreign Affairs, sent a letter to the FAO's Director-General in which he stated that the decision mentioned constituted acquiescence by the conference in the political victimization of a member-state, and was completely contrary to the scientific and technical aims and functions of the FAO. In view of this he gave notice of South Africa's withdrawal.

As from the date of the handing over of the letter, Mr. Louw said, South African co-operation with the FAO would cease. The Onderstepoort Veterinary Research Institute would no longer serve as a world reference centre on behalf of the FAO for certain diseases. South Africans would withdraw from various FAO panels of experts and study groups; and no further technical assistance would be provided through the FAO.

South Africa would, however, extend and develop collaboration in the scientific and technical fields with individual States on a direct bilateral basis.<sup>(49)</sup>

#### International Labour Organization (ILO)

It was reported in last year's *Survey*<sup>(50)</sup> that at its 1963 conference the International Labour Organization invalidated the credentials of the South African workers' delegate; that shortly afterwards the Governing Body decided to exclude the Republic

<sup>(48)</sup> *Sunday Express*, 1 November.

<sup>(49)</sup> *South African Digest*, 26 December.

<sup>(50)</sup> Page 330.

from membership of certain industrial committees; and that it set up a special committee on South Africa.

This committee drew up a proposed programme for the elimination of apartheid in labour matters in South Africa. It drafted a declaration calling upon the Republic to renounce the policy of separate development and to repeal all legislative and administrative measures inconsistent with the terms of its programme. And it formulated two resolutions, suggesting that the ILO should be empowered to expel or suspend any member that was expelled or suspended by the United Nations, and to suspend from conferences any country found by the United Nations to be persistently pursuing by its legislation "a declared policy of racial discrimination such as apartheid".

South Africa wrote to the Director-General of the ILO rejecting the proposed programme and accusing the Organization of unwarranted interference. The committee's report was based on a wrong understanding of the policy of separate development, it was stated. This policy was not devised, as the committee seemed to think, to maintain discrimination, but to remove it by a process of separate evolution of the constituent peoples of the Republic.<sup>(51)</sup>

But at a meeting held directly after this letter had been delivered the ILO's Governing Body approved the suggested changes in the constitution, for submission to the Organization at its conference in June. The resolution dealing with suspension from conferences was adopted by 32 votes to 14, with 2 abstentions; most of the Western nations, including the United States and Britain, and the Commonwealth countries, were against it.<sup>(52)</sup>

The South African Government then decided to withdraw from the Organization. The Minister of Labour said in the Assembly on 11 March<sup>(53)</sup> that a statement to that effect had been handed to the Director-General. The Republic would retire of its own free will rather than allow itself to be forced out, which was the clear intention. In view of the denial to South Africa of its basic rights as a member, the South African Government did not consider itself bound by the provisions of the constitution in terms of which two years' notice of termination of membership must be given. All obligations to the Organization would be regarded as having been terminated, including the obligation with regard to South Africa's financial contribution for the current year.

(According to the *Rand Daily Mail*<sup>(54)</sup> this contribution was to have been R89,000. Only part of it had been paid).

The Director-General replied that South Africa was not entitled to terminate its obligations to the ILO unilaterally.

<sup>(51)</sup> *Star*, 13 February; *Rand Daily Mail*, 14 February.

<sup>(52)</sup> *Star*, 15 February.

<sup>(53)</sup> *Hansard* 8 cols. 2803-6.

<sup>(54)</sup> 12 March.



Notwithstanding South Africa's move, the conference held in July adopted the proposed constitutional changes by 253 votes to 24, with 35 abstentions. In addition, it unanimously approved a declaration condemning "the degrading, criminal, and inhuman racial policies" of the Government of South Africa, and called upon the Government to renounce these policies without further delay.<sup>(55)</sup>

The Trade Union Council of S.A. decided to send its president, Mr. Tom Murray, to attend the conference as an observer. On his return he said<sup>(56)</sup> that the increasing prejudice among world labour movements was frightening. Nothing in South Africa's favour was believed, and nothing against the Republic, "no matter how far-fetched", was disbelieved. His Council would invite Western trade union leaders to visit the country and see conditions for themselves.

At its first meeting after the conference the Governing Body of the ILO instructed the Secretary-General to make recommendations on measures which should be adopted to bring apartheid to an end. In addition, he was told to ask the South African Government to furnish annual reports on its laws and practice regarding ILO conventions dealing with freedom of association, penal sanctions, the abolition of forced labour, and the elimination of discrimination in employment and occupation.<sup>(57)</sup>

In his annual report to the General Assembly, published on 20 November, the Secretary-General stated that he had advised the ILO's Governing Body that South Africa had the right to participate in meetings of all United Nations bodies until its principal organs decided otherwise.

#### World Health Organization (WHO)

At a meeting of the World Health Organization held in Geneva during March certain African states submitted a resolution to the financial and legal committee asking the Organization's executive committee and Director-General to draw up proposals, for submission to the following conference, for the amendment of the constitution to provide for the suspension or expulsion of a member who violated the WHO principles and whose official policy was based on racial discrimination. A further resolution called on the WHO to withdraw the voting rights of the South African delegates with immediate effect.

Delegates from Britain, the United States, New Zealand, France, Japan, and other countries opposed the resolutions on the ground that, while they condemned apartheid, nevertheless political decisions were a matter for the United Nations, not for technical

<sup>(55)</sup> *Forward*, August.  
<sup>(56)</sup> *Sunday Express*, 19 July.  
<sup>(57)</sup> *Forward*, op. cit.

specialized agencies. Nevertheless, when the resolutions were submitted to the WHO Assembly the first was passed by 63 votes to 22, with 1 abstention, and the second by 66 votes to 23, with 6 abstentions. A British move to have the vote subjected to a two-thirds majority as "an important matter" was rejected.

The leader of the South African group denounced the resolutions as "a violation of the spirit of the constitution", and added, "My Government has instructed its delegation to withdraw forthwith" (from the conference).<sup>(58)</sup>

A few days later Professor James Gear, who serves on several WHO committees, said it would be a great pity if South Africa left the organization. The association had been of mutual benefit, although South Africa had perhaps contributed more than it had received. Its contribution towards combating diseases such as malaria, relapsing fever, bilharzia, plague, and typhus fever had world-wide significance. Much of the vaccine for smallpox, polio, rabies, and other diseases had been produced in South Africa and provided to other African countries either free or at a reduced price. There was a continual exchange of medical information between South Africa and the WHO. "Every advance in medicine in our country has been made with mankind in view, and not in consideration of a man's colour or creed", Professor Gear said.<sup>(59)</sup>

On 26 March Dr. Verwoerd announced in the Assembly<sup>(60)</sup> "Since the Government of the Republic of South Africa is not committed to any single pattern of action when opposing this vendetta in world organizations, but is guided by the circumstances relevant to each particular case, it has decided not to withdraw voluntarily from membership of the World Health Organization, in spite of the provocation which so rightly led its delegation to leave the meeting at which the unjustifiable decision was taken.

"The Government's decision to maintain its right of membership for as long as is within its power to do so, and to seek to regain its full rights, flows from two main considerations. Firstly it has, and will always have, a duty and the capacity to co-operate in providing health services to humanity, and does not wish to withdraw itself of its own free will from this particular means of doing so. Secondly, and in this respect the situation is different from the position in other organizations where other decisions were taken, most Western nations, and others similarly opposed to the injection of extraneous political issues, did their utmost to prevent the regrettable action taken against South Africa, and these nations must therefore be given the opportunity and encouragement to reverse the decision and to re-establish the non-political and technical character of the World Health Organization".

<sup>(58)</sup> *Star*, 12 March; *Rand Daily Mail*, 18 and 20 March.  
<sup>(59)</sup> *Rand Daily Mail*, 23 March.  
<sup>(60)</sup> *Hansard* 10 cols. 3706-7.

At a meeting held in May the Executive Board of the Organization rejected resolutions aimed at the expulsion of South Africa.

### Universal Postal Union (UPU)

South Africa was a founder member, through the old South African Republic, of the Universal Postal Union, in 1875, and in 1948 it participated in the African Postal Union agreement. It contributed R13,784 to the expenses of the UPU in 1963-4.<sup>(61)</sup> The constitution of this Union provides for expulsion only for violations of international postal agreements.

At a conference of the UPU in Vienna during June delegates from certain African states declared themselves insulted by the presence of South Africans, contested the right of a "minority government" to be represented, and demanded the expulsion of delegates from the Republic. This declaration was interpreted as a resolution, and was passed by 58 votes to 30 with 26 abstentions. The South African group, led by the Postmaster-General, Mr. A. J. Botes, was then asked to leave. Mr. Botes at first declined to do so but, after a private discussion with the chairman, agreed to leave under protest and under escort.

The South African Government protested to the Director of the International Bureau of the UPU, stating that the action taken had been flagrantly unconstitutional.

Mr. Botes flew home for consultations with the Minister of Posts and Telegraphs. The situation was confused. It was not clear whether South Africa had been expelled from the UPU, or whether the delegation had merely been expelled from the conference. Moreover the resolution had been passed by fewer than half of the 122 members of the conference.

A new world postal convention was being discussed at the conference. An Afro-Asian motion for the deletion of a clause stating that all member-countries of the United Nations were automatically members of the UPU was defeated when the Western delegations demanded a secret ballot.

Mr. Botes returned when the new constitution was before the conference for adoption. Again the Afro-Asians demanded South Africa's expulsion but this time, when the voting was again by secret ballot, their resolution was rejected by 58 votes to 56, with 3 abstentions.

The conference excluded South Africa's name from the list of countries eligible to sign the constitution; but Mr. Botes said that his government would probably simply advise the headquarters of the UPU that it adhered to this constitution.

<sup>(61)</sup> Minister of Posts and Telegraphs, Assembly 16 June, Hansard 21, cols. 8237, 8239.

South Africa lodged an appeal against the view, held by some delegates, that in terms of the first resolution mentioned it had been expelled from the UPU. The conference then agreed by majority vote that there had been no legal basis for the expulsion of the South African delegation, that South Africa had in fact never been expelled from the UPU, and that her continued membership had at no stage been affected in any way.<sup>(62)</sup>

### International Telecommunications Union (ITU)

A conference of 51 African, Asian, and European member-nations of the ITU was convened by the ITU in Geneva during October, with the object of helping the African countries to develop broadcasting by drawing up a medium-frequency plan. The South African delegate, Mr. W. L. Browne, said that his country had been prepared to give up three or four wavelengths.

On the opening day Algeria moved that the delegates from South Africa and Portugal be excluded. In spite of protests from British and Western European delegates that the action was out of order it was put to the vote, and was passed by 27 votes to 9, with 13 abstentions. As Mr. Browne and the Portuguese representative, Mr. Vieira, refused to leave, on the ground that the resolution was illegal, the chairman (from Guinea) adjourned the session.

When the conference reassembled next day Mr. Browne and Mr. Vieira were present. The Africans and Asians all walked out in protest. The British delegate then stated that the vote taken on the previous day had been completely outside the competence of the conference. Britain, Belgium, France, Spain, Luxembourg, Italy, and Holland then walked out too, accompanied by the South African and Portuguese delegates. As only the Communist delegates were left, the conference was again adjourned.

At the next session the African and Arab delegates were back, but the Western European countries remained out, and their delegates decided to return home.

The deputy secretary-general of the ITU, Dr. M. B. Sarwate, suggested that the meeting be renamed the "ITU Regional Committee for Africa"; but after much wrangling this proposal was rejected. Dr. Sarwate then said that the ITU could not continue to sponsor the meeting. If it were to continue the countries still represented would have to pay for all conference services, such as interpreters and secretaries. Maintaining that the decision to exclude South Africa and Portugal had been contrary to the ITU convention, the officials withdrew.

<sup>(62)</sup> *Sunday Chronicle*, 7 June; *Rand Daily Mail*, 12 and 19 June and 8 July; *Star*, 7 and 10 July and 8 August; *Sunday Express*, 12 July.

As the countries present refused to pay for the expenses the meeting was suspended, after resolving to complain to the ITU about the "illegal behaviour" of the secretariat.<sup>(63)</sup>

#### United Nations Conference on Trade and Development

A conference aimed at increasing world trade and strengthening the economy of under-developed nations was convened by the United Nations in Geneva, and opened in March. Again the Afro-Asian-Soviet blocs protested against the presence of South African and Portuguese delegates, made plans for their ejection, and walked out when they spoke. But these manoeuvres were apparently dropped after the president of the conference, who was the United Arab Republic's Minister of Finance, pointed out that the conference had no legal right to expel anyone since all were the guests of the United Nations.

#### World Student Christian Federation

After the World Student Christian Federation had deplored the failure of the Students' Christian Association of S.A. to "dissociate itself in word and act" from the policy of apartheid, and had urged sanctions against the Republic, the South African body decided to withdraw its affiliation.<sup>(64)</sup>

#### International Organizations of which South Africa is a member

South Africa retains its membership of the United Nations, the International Bank for Reconstruction and Development, the International Finance Corporation, the International Civil Aviation Organization, the International Monetary Fund, the International Atomic Energy Agency, the Inter-Governmental Committee for European Migration, the Southern African Regional Committee for the Conservation and Utilization of the Soil, the Universal Postal Union, the World Meteorological Organization, the World Health Organization, the General Agreement on Trade and Tariffs, the Southern African Air Transport Council, and the International Office of Epizootics.<sup>(65)</sup>

<sup>(63)</sup> From reports in the *Rand Daily Mail*, and *Star*, 14 and 20 October.

<sup>(64)</sup> *Rand Daily Mail*, 2 October.

<sup>(65)</sup> As listed in the *State of South Africa, 1964* (Da Gama Publications).

## THE POPULATION OF SOUTH AFRICA, AND MEASURES TO DETER INTERMINGLING

### SIZE OF THE POPULATION

According to official estimates, at the end of June the total population of South Africa had risen by nearly 1½ million since the last census in September 1960. The figures were as follows:

	Males 1964 (Est.)	Females 1964 (Est.)	Total 1964 (Est.)	Total 1960 (Census)
Whites ... ..	1,661,000	1,674,000	3,335,000	3,088,492
Coloured ... ..	843,000	860,000	1,703,000	1,509,258
Asians ... ..	262,000	258,000	520,000	477,125
Africans ... ..	5,989,000	5,926,000	11,915,000	10,927,922
<i>Totals</i> ... ..	<u>8,755,000</u>	<u>8,718,000</u>	<u>17,473,000</u>	<u>16,002,797</u>

Between September 1960 and June 1964 the White population increased by about 8.0 per cent, the Asian and African by 9.0 per cent, and the Coloured by about 12.8 per cent.

The Minister of Coloured Affairs said in the Assembly on 17 April<sup>(1)</sup> that the Coloured population included about 96,000 Malays and 20,000 Griquas.

### GEOGRAPHICAL DISTRIBUTION OF COLOURED AND AFRICAN GROUPS

#### Coloured

Quoting from a recent document of the Scientific Research Division of the Department of Education the Minister of Coloured Affairs added that although most of the Coloured people were still resident in the Cape (namely 1,330,000, or 88.1 per cent of the total), the Coloured populations in the other provinces were increasing rapidly. As against an increase of 35.5 per cent in the Cape during the period 1951-60, the Coloured population of the Transvaal grew by 44 per cent, of Natal by 43.7 per cent, and of the Free State by 76.1 per cent. It would appear, the Minister said, that many Coloured people were leaving the Cape to settle in the Northern Provinces and South-West Africa.

<sup>(1)</sup> Hansard 12 cols. 4503-4.

## OTHER AFRICAN AFFAIRS

## BANTU LABOUR ACT

The Bantu Labour Act, No. 67 of 1964, consolidated laws relating to African labour. No changes were introduced. The Native Labour Regulation Act of 1911, as amended, was repealed.

## URBAN BANTU COUNCILS

The Urban Bantu Councils Act was described in the 1961 issue of this *Survey*.<sup>(1)</sup> These councils will replace Advisory Boards in areas where the local residents so wish, will have both elected and appointed members, and may be granted wider powers than the Boards possess.

Initially the scheme was opposed in many urban areas, for example Cape Town, Port Elizabeth, and Johannesburg, where Africans have held out for direct representation on municipal councils. Urban Bantu Councils were established at Benoni and at Thabong, near Welkom, in 1963.

During 1964 plans for setting up such bodies were discussed in Durban and other centres. The Johannesburg Advisory Boards were reported to have requested that a single Urban Bantu Council for the whole area be established. It does not appear, however, that the scheme has progressed very far in the country generally.

It was announced in October<sup>(2)</sup> that a fully-fledged African town council, with its own mayor and town clerk, is to be established at Tlhabane, on the outskirts of Rustenburg.

A model set of regulations for Urban Bantu Councils was issued by the Department of Bantu Administration and Development during the year.

## INFLUX CONTROL

## Rate of growth of Africans in urban areas

Discussing influx control generally, the Deputy Minister of Bantu Administration and Development told the Assembly<sup>(3)</sup> that the rate of growth of Africans in urban areas was 4.1 per cent per annum between 1936 and 1946, 5.1 per cent up to 1951, and 4.2 per cent a year between 1951 and 1960.

(1) Page 119.

(2) *South African Digest*, 23 October.

(3) 15 May, Hansard 16 cols. 6086, 6090.

The actual numbers in urban areas may have increased, he said, but the rate of growth has decreased because of influx control and also because many employers have raised wages, improved the productivity of the working force, and consequently need fewer workers. The ratio between African employees and Whites in all types of employment in White areas, including farms, has decreased too. The Deputy Minister said that in 1954-55 there were 193 Africans for every 100 White workers in these areas. This ratio decreased to 180 in 1957, 172 in 1959, 169 in 1961, and 168 in March 1963.

## Numbers of Endorsements Out

The Minister of Bantu Administration and Development, answering a question in the House, said that the following numbers of Africans had been endorsed out from 1956 to 1963:

Benoni	...	...	9,432
Bloemfontein	...	...	5,839
Boksburg	...	...	18,685
Brakpan	...	...	6,746
Cape Town	...	...	19,314 (1959—1963)
Carltonville	...	...	3,504
Durban	...	...	108,558
East London	...	...	18,898 (men 1958-63, women 1962-63)
Germiston	...	...	25,103
Johannesburg	...	...	85,073
Kimberley	...	...	5,468
Klerksdorp	...	...	25,007
Kroonstad	...	...	1,862
Krugersdorp	...	...	9,063
Pietermaritzburg	...	...	6,935
Port Elizabeth	...	...	18,859
Potchefstroom	...	...	6,240
Pretoria	...	...	17,036
Roodepoort-Maraisburg	...	...	8,814
Springs	...	...	23,487
Uitenhage	...	...	1,400
Vereeniging	...	...	27,883
Welkom	...	...	11,520

This is a total of 464,726 endorsements out from 23 major towns. The Minister added that endorsement out of an urban area did not necessarily mean immediate return to the Bantu homelands. Where vacancies existed in non-prescribed areas or in other prescribed areas, such employment was offered by the district labour bureau. (Hansard 10, Col. 3541.)

### Influx control in the Western Cape

The Government has appointed a committee of members of the public, an inter-departmental committee, and a number of district committees, in connection with its plan to remove Africans gradually from the Western Cape.

According to the Minister of Bantu Administration and Development<sup>(4)</sup> 1,070 African men and 2,033 women were endorsed out of the Cape Town municipal area during 1963, and 359 men and 301 women were sent out of the Cape Divisional Council area. Yet the *Sunday Chronicle* reported on 3 May that within the previous five months 2,250 African men had been introduced into Cape Town to meet the needs of expanding commercial, industrial, and building undertakings. The Minister said on 5 May<sup>(5)</sup> that during 1963 labour bureaux recruited 3,864 Africans in the Transkei for work in the Western Cape. During the first three months of 1964 there were 3,511 such recruitments.

Consequently the actual numbers of African men employed in Cape Town have not varied greatly. In the speech quoted earlier the Deputy Minister said<sup>(6)</sup> that there were 32,153 at the end of December 1962, 31,317 a year later, and 33,244 at the end of April 1964.

But the nature of the Western Cape African labour force is changing: it is becoming more migrant in character. As Dr. Oscar Wollheim has pointed out,<sup>(7)</sup> this must result in a loss of efficiency and productivity. Very often men endorsed out and sent to the Ciskei or Transkei were again recruited there and allowed to return: the Africans themselves had to pay for the travelling involved. Furthermore, Dr. Wollheim said, the disparity between men and women was increasing. In 1964 there was the "sociologically horrifying" ratio of 7 men to 2 women in the Cape Peninsula. Without the steadying influence of their wives and families frustrated men could easily turn to crime, Dr. Wollheim said.

During the year large numbers of Africans were endorsed out of Paarl, but many stayed on illegally because they had nowhere else to go. Some of them were prosecuted repeatedly. The Cape Western Region of the Institute of Race Relations sent a deputation to the Chief Bantu Affairs Commissioner to urge that the Government and the Paarl municipality should accept responsibility for re-settling Africans who were ordered to leave.

It is reported<sup>(8)</sup> that in rural areas of the Western Cape, French Hoek for example, farmers are experiencing a labour shortage because Coloured workers have been leaving for better

<sup>(4)</sup> Assembly, 28 January, Hansard 2 cols. 403-4.

<sup>(5)</sup> Assembly, Hansard 15 col. 5442

<sup>(6)</sup> Hansard 16 col. 6092.

<sup>(7)</sup> *Rand Daily Mail*, 26 May.

<sup>(8)</sup> *Cape Times*, 18 June.

paid jobs. The farmers have applied for African labour instead.

As described elsewhere in this *Survey*, there is a high rate of unemployment among Africans of the Ciskei. The Government plans to develop border industries there to absorb the people needing work instead of allowing them to migrate to the Western Cape. The Railways and Harbours Administration has recruited Coloured men from the Transkei for work at the Cape Town docks.

### Influx control on the Witwatersrand

The Minister of Bantu Administration and Development stated<sup>(9)</sup> that 14,799 African men and 4,851 women were endorsed out of the Johannesburg municipal area during 1963. No information is available indicating the numbers who were allowed to enter this area.

The United Party, various Reef municipalities, the Joint Bantu Advisory Boards, the Institute of Race Relations, and others have urged that the Witwatersrand should be regarded as a single unit for influx control purposes, since the municipalities adjoin one another. A factory that is moved to a new site just across a street may as a result fall under another local authority, and complications in regard to the registration and housing of African workers ensue. The Africans may be unwilling to continue working in the factory, for this would jeopardise their urban residential qualifications.

But the Deputy Minister said on 18 May<sup>(10)</sup> that the Government was not prepared to agree to the suggested arrangement.

### Settlements for Africans sent back to Bantu areas

In reply to a question in the Assembly<sup>(11)</sup> the Minister said that there were 19 settlements in Bantu areas where Africans endorsed out of urban areas or dismissed by farmers could go to live. These settlements catered, too, for landless Africans in the Reserves. Six of them were in Natal, 3 in the Ciskei, 1 in the Transkei, 8 in the Transvaal, and 1 in the Free State. In the majority of cases work was available near at hand in White towns or border industries.

Africans going to these settlements could build their own homes or live in Departmentally-built houses, he said. In needy cases the whole or part of the rent and service charges were remitted.<sup>(12)</sup>

<sup>(9)</sup> Assembly, 28 January, Hansard 2 cols. 403-4.

<sup>(10)</sup> Assembly, Hansard 17 col. 6172.

<sup>(11)</sup> 19 May, Hansard 17 cols. 6217-8.

<sup>(12)</sup> In terms of Regulation 46 (5) of Chapter 2 of Proclamation R293 of 1962.

**Black Sash forum**

During June the Black Sash held a two-day fact-finding forum in Johannesburg on "The Adverse Effects of Migratory Labour on African Family Life". A special issue of the journal *The Black Sash*, entitled "Let No Man Put Asunder", was produced containing papers given at the forum on the historical, legal, administrative, economic, and social aspects of the migratory labour system.

**FOREIGN AFRICANS**

The Minister stated in the Assembly on 10 April<sup>(13)</sup> that 80 foreign Africans were repatriated during 1963 via the Nigel depot — 35 to Nyasaland, 18 to Portuguese East Africa, 13 to Southern Rhodesia, 8 to Northern Rhodesia, and 6 to Tanganyika. None was married to a South African woman. There were, at the time, 5 men at Nigel awaiting repatriation. Statistics in respect of direct repatriations by district offices were not available, the Minister said.

It was reported early in 1964<sup>(14)</sup> that according to a Government Labour Commission there was a shortage of about 22,500 African workers on sugar estates and farms and plantations owned by Whites in Zululand. This shortage had been aggravated by the fact that when Shangaan labourers from Mozambique went home on holidays the South African authorities refused to allow them to return. Of some 65,750 Africans employed on these farms and estates, 30,000 were from Mozambique. Most of the remainder had been recruited from Pondoland (Transkei) because Zulus were not interested in agricultural employment.

The Director of Bantu Labour, Dr. F. F. S. J. van Rensburg, announced in April<sup>(15)</sup> that in order to ease the shortage the status of Shangaans who had entered the country illegally would be legalized for 18 months.

A significant circular was issued by the Department of Bantu Administration and Development on 10 November<sup>(16)</sup> after talks between the Portuguese and South African Governments on the treatment of Portuguese nationals in the Republic. Officials were instructed that the Department desired them to prefer no criminal action against Africans from Portuguese East Africa who had failed to obtain documents such as temporary immigration papers or permits under the Urban Areas Act or Bantu Labour Regulations. When such people were found they should be referred to the nearest representative of the Curator of Portuguese Africans.

<sup>(13)</sup> Hansard 11 cols. 3988-9.

<sup>(14)</sup> *Natal Mercury*, 6 February and 18 March; *Rand Daily Mail*, 13 April.

<sup>(15)</sup> *Rand Daily Mail*, 10 April.

<sup>(16)</sup> *Ibid.*, 28 November.

Africans from Mozambique who were permitted to take up employment in South Africa must be finger-printed, the circular stated. Identity documents would be issued by the Bantu Reference Bureau to those not in possession of them. Portuguese Africans already working in non-prescribed areas would be allowed to continue working for their present employers for not more than 18 months, provided they received permission from the Portuguese Curator. (With very few exceptions, foreign Africans are prohibited from working in prescribed areas).

It was stated that Africans who entered the Republic clandestinely after the date of the circular would be permitted to remain and take up work in a non-prescribed area provided the Curator was willing and employment was available.

Officials were instructed to adhere to this new policy until 31 December, and were told that a new comprehensive circular dealing with foreign Africans was to be issued.

**RESIDENT DOMESTIC SERVANTS**

It was mentioned in last year's *Survey*<sup>(17)</sup> that in terms of the Bantu Laws Amendment Act of 1963 not more than one domestic servant per private householder will be exempted from living in a Bantu residential area unless the local authority gives special permission. The Minister may impose a total prohibition on the accommodation of Africans by householders.

These provisions of the Act have not yet been put into effect.

**AFRICAN ATTORNEYS IN JOHANNESBURG**

The Department of Bantu Administration and Development again drew the attention of the Johannesburg City Council to its directive that African business and professional men must move out of the "White" urban area to the townships. Pending the provision of suitable accommodation in the townships, African attorneys are to be permitted to obtain special temporary group areas permits to enable them to occupy their present offices in the city.<sup>(18)</sup> The Transvaal Provincial Congress of the Progressive Party condemned the government directive, pointing out that enforced removal to the townships would deny African lawyers the most convenient if not the only access to their clients and prevent them from using their offices for service of court processes as the law requires that such offices must be situated within a three-mile radius of the Magistrate's Court — a provision which excludes any office in a Johannesburg African township.

<sup>(17)</sup> Page 126.

<sup>(18)</sup> *Race Relations News*, May.

## AFRICAN TRADERS IN URBAN AREAS

The terms of a Departmental circular restricting the activities of African traders in urban Bantu townships were described in last year's *Survey*.<sup>(19)</sup> During February the Deputy Minister granted an interview to 55 representatives from various centres of the African Chamber of Commerce. He told them that there was no intention of forcing them to go to Bantu homelands, but that no trader in an urban township would be permitted to occupy more than one stand. A trader could, however, hold any number of licences in respect of this one stand.

## RIGHTS AND STATUS OF AFRICAN WOMEN

It was reported in the 1962 issue of this *Survey*<sup>(20)</sup> that the Minister intended instituting a departmental enquiry into the legal rights and the status of African women. He said in the Assembly on 11 February that this had not yet been done.<sup>(21)</sup>

## STATE EXPENDITURE ON BEHALF OF AFRICANS

According to the Report of the Controller and Auditor-General for 1962-63<sup>(22)</sup> the direct expenditure by the State on behalf of Africans during that year (excluding loan funds spent on housing) was:

Department	General Administration R	Social services R	Capital expenditure R	Total R
Bantu Administration and Development	7,588,744	8,648,176	23,512	16,260,432
S.A. Native Trust ...	3,154,587	1,731,160	17,743,892	22,629,639
Bantu Education	913,878	31,851,004	1,072,744	21,579,315
Education, Arts and Science	8,425	78,452	2,857	89,734
Health	14,569	6,377,847	—	18,650,727
Labour	261	106,157	—	106,418
Coloured Affairs <sup>(23)</sup>	—	10,110	—	10,110
Housing	414	250,119	—	250,533
Other departments <sup>(24)</sup>	193,061	—	—	193,061
	<u>R11,873,939</u>	<u>49,053,025</u>	<u>18,843,005</u>	<u>79,769,969</u>

(19) Page 149.

(20) Page 116.

(21) Hansard 4 col. 1093.

(22) R.P. 58/1963.

(23) Presumably for Africans in Coloured institutions.

(24) Contributions under Services Levy, and registration fees.

## COLOURED AND ASIAN AFFAIRS

## COLOURED PERSONS' REPRESENTATIVE COUNCIL ACT

No. 49 OF 1964

## Terms of the Act

## 1. Constitution of the Council

This Act provides for the establishment of a Coloured Persons' Representative Council with 46 Coloured members, 30 elected and 16 nominated by the State President. Of the nominated members 2 must be Malays, 2 Griquas, and the rest must represent the provinces: 8 from the Cape, 2 from the Transvaal, and 1 each from Natal and the Free State.

Before the first election there is to be a general registration of voters, who are defined as Coloured persons (men and women) who are South African citizens over the age of 21 years<sup>(1)</sup> and not subject to disqualifications such as conviction for certain offences or mental disorder. (The disqualifications listed are substantially the same as those laid down for White voters). It is not rendered compulsory for qualified Coloured persons to register as voters.

There are to be 18 electoral divisions in the Cape, 6 in the Transvaal, and 3 each in Natal and the Free State. In general the provisions of the Electoral Act apply to the conduct of elections and the registration of voters: there are a few exceptions. Prospective candidates, for example, will be required to deposit R60 as security, as compared with R200 required for Whites under the Electoral Act. The electoral officer is not required to submit lists of changes in the voters' roll to political parties other than those parties to which only Coloured may belong and of which all the office bearers are Coloured. (The Minister of Coloured Affairs made it clear in the Assembly<sup>(2)</sup> that White-controlled or mixed political parties would not receive such lists).

To qualify for election a candidate must be a registered voter and must have resided in the province in which he intends standing for two years prior to the date of the election. Persons "listed" under the Suppression of Communism Act will not be eligible. Nominated members must have the same qualifications except

(1) The qualifying age for White voters is 18 years.

(2) 20 April. Hansard 13 col. 4538.



that, although being eligible to register as voters, they need not necessarily have registered. (The Minister said<sup>(3)</sup> that he would naturally satisfy himself in regard to the qualifications of persons he nominated). Members will normally hold office for a period of five years. Allowances to be paid to them will be determined by the State President.

The Chairman of the Council will be elected by members from amongst their ranks.

## 2. General Powers of the Council

The Council will have power:

- (a) on request, to advise the Government in regard to all matters affecting the economic, social, educational, and political interests of the Coloured population of South Africa;
- (b) to make recommendations to the Government on such matters, through the Minister of Coloured Affairs, or to make recommendations in regard to any planning calculated, in the Council's opinion, to promote the best interests of the Coloured population;
- (c) generally to serve as a link and means of contact and consultation between the Government and the Coloured population.

The Minister and Secretary for Coloured Affairs will have the right to attend any meeting of the Council and to take part in proceedings, but will not have the right to vote.

After securing the approval of the Minister of Coloured Affairs, who must consult the Minister of Finance, the Council will have the right to acquire and dispose of property and to appoint employees. It may establish a pension scheme for its servants.

The Council will prepare annual estimates of expenditure from moneys appropriated for the purpose by Parliament. These estimates will require the Minister's approval. Public servants may be seconded temporarily by the Republic to assist in administrative matters.

## 3. Legislative Powers

The State President may by proclamation confer upon the Council the power to make laws on certain matters as these affect the Coloured people: the matters specified are finance, local government, education, community welfare and pensions, and Coloured rural areas and settlements.

But no proposed law may be introduced into the Council except with the approval of the Minister of Coloured Affairs,

<sup>(3)</sup> Col. 4565.

granted after consultation with the Minister of Finance, and of the Administrators-in-Executive.

The Minister of Coloured Affairs said in the Assembly<sup>(4)</sup> that basic legislation on all the matters concerned had already been passed by Parliament and could not be altered by the Council.

Bills passed by the Council must be submitted through the Minister to the State President, who may either assent, withhold his assent, or refer a bill back to the Council for "further consideration in the light of such information and advice as may be given".

Acts to which the State President has assented will be published in the *Gazette*. Such an Act will have the force of law "as long as and as far only as it is not repugnant to any Act of Parliament".

## 4. Executive Committee

There will be an Executive Committee consisting of five members of the Council: four elected by the Council, but the fifth, who will be chairman, appointed by the State President. The chairman may not also hold the office of chairman of the Council as a whole.

The Executive Committee will carry out the functions of the Council when the latter is not in session (except for enacting legislation), and will deal with finance, local government, education, community welfare and pensions, and Coloured rural areas and settlements, in so far as these matters affect Coloured people. The chairman will be responsible for finance, and the responsibility for each of the other matters mentioned will be assigned to a member of the Executive.

Through the mediation of the Minister of Coloured Affairs Executive Committee members will have direct access to any Cabinet Minister.

The Minister and the Secretary for Coloured Affairs will have the right to attend Executive Committee meetings, but will have no vote. Voting will be confidential: any member who discloses information about it may be removed from office by the Minister.

## 5. Freedom of speech

The Act provides that, subject to the provisions of the proposed Act and any regulations made thereunder and of any standing rules and orders adopted by the Council, "there shall be freedom of speech and debate in the Council".

Members will not be liable to any legal proceedings by virtue of anything they say at Council meetings, except that this provision

<sup>(4)</sup> Col. 4693.



"shall not relieve a member of the Council of liability in respect of anything said or done by him in regard to the Senate, the House of Assembly, a provincial council, a court of law, or a statutory body or a member thereof, or an officer of the public service, in respect of which he would, but for the said provisions have been liable".

Explaining this clause, the Minister said<sup>(5)</sup> that Council members would, at meetings, be permitted to say that they "disagreed" with Government Departments or officials, or that they thought an official course of action had been "unfair"; but they would not be permitted, under a cloak of privilege, to make libellous statements or to use defamatory language about officials. The Coloured people were not experienced enough to be granted absolute privilege, the Minister maintained.

He added<sup>(6)</sup> that the Council would itself decide when it wished to sit in camera and when it would hold public sittings.

#### 6. Union Council for Coloured Affairs

As from the date that the first Representative Council assumes office, sections of the Separate Representation of Voters Act of 1951 in terms of which the Union Council for Coloured Affairs was established are repealed.

The Act authorized the State President, in the meanwhile, to extend the period of office of members of the Union Council for one year at a time.

This was done on 2 October, in terms of Proclamation No. 251.

#### Parliamentary debate on the Bill

During the debate in the Assembly the Minister of Coloured Affairs gave the assurance<sup>(7)</sup> that the Government did not intend doing away with the existing representation of Coloured and Indian people of the Cape by four elected White representatives in the Assembly and by two in the Cape Provincial Council. There would be a separate voters' roll for the purpose of these parliamentary elections, he said.

He rejected<sup>(8)</sup> the argument advanced by some members of SABRA and others that because the Coloured people are nearer to the Whites than are other Non-White groups and have no homeland of their own they should gradually be absorbed into the White community, and that a start should be made with political integration. This would "open the door for the urbanized Bantu", he said. Moreover, there were about 350,000 Coloured

<sup>(5)</sup> 16 April, Hansard 12 col. 4351-2.

<sup>(6)</sup> Col. 4613.

<sup>(7)</sup> Cols. 4352-3.

<sup>(8)</sup> Hansard 11 cols. 3995-6.

men and women who could qualify for the franchise. If they were placed on a common roll with the Whites they would be able to dominate a number of constituencies because they were concentrated in certain areas: this would destroy good relations between the groups. The Minister rejected any suggestion that Coloured people should be represented by Coloured in parliament.

The object in providing for nominated members of the Council, the Minister said,<sup>(9)</sup> was to be able to draw in Coloured professional or business men who would not be prepared to enter the ordinary political arena, but who would be prepared to contribute advice drawn from their own experience. The chairman of the Executive Committee would be nominated rather than elected because the Government would have to be sure that he was a capable man who could handle money. His would be a practically full-time office.<sup>(10)</sup>

The administration of matters to be assigned to the Executive Committee would gradually be separated from the Coloured Affairs Department and handed over. Coloured officials were already being trained to this end. The process would probably "stretch over a period of years".<sup>(11)</sup> Legislative powers, too, would only gradually be conferred on the Council. "They will have to show signs of initiative, of a sense of responsibility, of a willingness to serve".<sup>(12)</sup>

The registration of voters would be voluntary, the Minister said,<sup>(13)</sup> for otherwise penalties would have to be provided for people who failed to register. Many eligible persons were illiterate and uninterested.

On behalf of the United Party Mr. J. M. Connan moved that the Bill be read that day six months.<sup>(14)</sup> It was another step on the road of separate development, he said, and might lead to the emergence of a separate Coloured nationalism. Furthermore, it gave the Coloured people the trappings of power without the reality. The Coloured Representative Council would have less power than the Transkeian Legislative Assembly. And there was not even the hypothetical moral justification for the measure (which had been advanced in the case of the Transkeian Bill) that the people concerned would one day attain independence in a homeland of their own. Mr. Connan asked whether the Coloured people as a whole had been consulted — not just the Union Council (which had a majority of members nominated by the Government).

Mrs. Suzman (Progressive Party) said<sup>(15)</sup> Coloured people knew that no representative council could ever take the place of

<sup>(9)</sup> Hansard 12 col. 4457.

<sup>(10)</sup> Hansard 13, col. 4638.

<sup>(11)</sup> Col. 4639.

<sup>(12)</sup> Hansard 11 cols. 4000-1.

<sup>(13)</sup> Hansard 12 col. 4520.

<sup>(14)</sup> Hansard 11 col. 4003, Hansard 12 cols. 4085-90.

<sup>(15)</sup> Hansard 12 col. 4205.

participation in the election of representatives on a common roll to the body that actually made the laws fundamentally affecting people's lives.

All four Coloured representatives opposed the Bill and stood for the full representation of Coloured people in Parliament on a common roll with the Whites. Mr. A. Bloomberg described the measure<sup>(16)</sup> as a "link in the Prime Minister's grandiose scheme of developing the Coloured people as a separate population entity". These people were part and parcel of the Western civilization of South Africa, he said. He pointed out how little real power was offered to the Representative Council. Mr. G. S. Eden maintained<sup>(17)</sup> that with very few exceptions Coloured people were against the Bill, and rejected the policy of separate development. These assertions were confirmed by Mr. C. Barnett.<sup>(18)</sup>

Mr. M. W. Holland<sup>(19)</sup> welcomed the extension of the Coloured franchise to the northern provinces and to women; but he, too, stressed that Coloured people wanted to have full citizenship in the land of their birth.

#### Other comments on the Bill

The Chairman of the Union Council for Coloured Affairs, Mr. Tom Swartz (a Government-nominee), said that he had accepted the Bill as constituting a sound beginning in the granting of increased powers and opportunities to Coloured people.<sup>(20)</sup>

The Institute of Race Relations prepared an analysis of the Bill (RR 22/64) which was distributed to Members of Parliament and others, and it issued a statement (RR 35/64) in which it reiterated its view that the communal representation of groups tends to perpetuate and emphasize differences; and that such representation can be no effective substitute for common citizenship and the direct participation by Non-Whites in central and local government.

#### Council chamber

It was announced in the *South African Digest* on 17 July that a council chamber for the Coloured Representative Council and office buildings were to be erected at Bellville South in the Cape, near to the University College of the Western Cape.

<sup>(16)</sup> Cols. 4097-4103.

<sup>(17)</sup> Cols. 4111-3.

<sup>(18)</sup> Cols. 4190-5.

<sup>(19)</sup> Cols. 4317-22.

<sup>(20)</sup> *Cape Times*, 22 May.

#### NATIONAL INDIAN COUNCIL

##### Conference held in December 1963

In response to personal invitations by the Minister of Indian Affairs more than 100 persons, representing a cross-section of the Indian people of South Africa, met at Laudium, Pretoria, on 10 and 11 December 1963, to discuss the Government's proposal that a National Indian Council be established, which could serve as the mouthpiece of the Indian people, and with which the Government could consult on matters affecting Indians.

In his opening address the Minister said<sup>(21)</sup> that for many years the Government's followers had believed that the Indians were a foreign people who should go back to their countries of origin. It was part of his task to lead such people to the belief that the Indians were in South Africa to stay. Feelings of animosity had been increased by the action of certain Indian "passive resisters, Leftist agitators, and fellow trouble-makers". Because of "agitation, intimidation, and internal strife" democratically-elected leaders of the Indian community could scarcely be found. The Government had, thus, selected persons to invite to the conference.

The Minister outlined plans for a National Indian Council, which could pave the way for an eventual democratically-elected council. Initially it would consist of nominated members, and would be consulted by the Government on such matters as:

- (a) how the Council could be developed into an elected body with powers to legislate on and administer matters pertaining to the Indian community;
- (b) how to improve educational facilities and how to give Indian educationalists improved opportunities of advancement;
- (c) how to establish local government for Indians in their own towns or residential areas;
- (d) how to give Indians a greater share in industrial development, and how to create more employment opportunities;
- (e) the establishment of Indian-run hospitals and the care of the aged and infirm.

The Minister warned the conference, "If the required co-operation is still withheld it will not mean that I shall refrain from going ahead with the task entrusted to me. But I shall do so as I see fit and nobody will be entitled to accuse me then of taking matters into my own hands without first having consulted you".

After long discussions the conference resolved to accept the establishment of a National Indian Council as an interim measure

<sup>(21)</sup> *Star*, 10 December 1963.

"until such time as it becomes expedient for the Government to improve the present pattern of representation". The initiative in appointing the members would be taken by the Minister. They would be drawn from South Africa on a provincial basis to represent the various interests of Indians. The Council, so constituted, would continue to serve "until such time as the community is able to elect representatives on accepted democratic norms".

The conference made a special plea to the Government asking that, pending the creation of the Council, it should "stay its hand on all adverse matters presently affecting the Indian community".<sup>(22)</sup>

### Demonstrations in Pretoria

On the day preceding the opening of the conference Special Branch officers raided the offices of a Pretoria Indian and confiscated 750 leaflets which stressed the plight of Indians in the Transvaal under the Group Areas Act and other legislation, and were to have been distributed next day.

Several hundred Indian women from numerous centres in the Transvaal had previously written to the Prime Minister stating that they had no confidence in the ability of the Minister of Indian Affairs to redress their grievances, and requesting an interview with the Prime Minister himself at the time of the conference. They assembled at the Union Buildings, Pretoria, each bearing a letter to the effect that the ruthless application of apartheid was causing grave concern to their people.

The police tried to prevent the women from leaving the buses in which they had arrived, but many succeeded in doing so. When they found that the gates leading to the offices of Cabinet Ministers were locked women threw their letters through the bars of the gates, and there apparently was some shouting and singing. According to reports, more than 24 policemen, with about 10 dogs, then scattered the women. One of them fainted when a police dog seized her sari.<sup>(23)</sup>

### Appointment of first National Indian Council

On 3 February the Minister of Indian Affairs announced<sup>(24)</sup> the names of 21 prominent members of the Indian community whom he had appointed as members of the first Indian Council. By virtue of their occupations they represented such interests of the community as religion, education, welfare services, sport, business and finance, industry, and labour, and they were drawn from 3 towns in the Cape, 4 in the Transvaal, and 9 in Natal.

<sup>(22)</sup> Department of Information Press Release 226/63 (P) of 11 December 1963.

<sup>(23)</sup> *Rand Daily Mail*, and *Star*, 10 December; *Pretoria News*, 10 December, 1963.

<sup>(24)</sup> Department of Information Press Release 13/64 (K) of 3 February, and statement by the Minister, Assembly 11 February, Hansard 4 cols. 1099-1100.

The conference had recommended that the Council should have 25 members, the Minister said, but he had left 4 vacancies in case it transpired that certain sections or interests deserved wider representation than could be foreseen.

As a temporary and administrative arrangement, and in order to maintain co-ordination, the Secretary for Indian Affairs would initially act as chairman of the council.

At a speech made in Pietermaritzburg on 14 August the Minister suggested the formation of local advisory councils to work in close touch with National Council members.

### First meeting of the provisional Council

The first meeting of the provisional National Indian Council was held in Cape Town from 23 to 25 March. According to a Press release by the Department of Information,<sup>(25)</sup> the Minister of Indian Affairs, in an opening speech, insisted that the Council's demands would have to be "reasonable, responsible, and realistic". The Government, he said, would not deviate from its policy as a result of irresponsible and extreme demands by persons who were antagonistic to its objectives.

Considerable attention was devoted to procedural matters, after which the Council presented "certain views on group areas". (This matter is dealt with later in this *Survey*). The Minister of Community Development is officially reported to have said, in reply, that no Indian would be required to vacate his residence unless alternative accommodation was available; that he would see to it that no Indian trader of the present generation would be deprived of his livelihood as a result of group areas legislation; and that proven cases of hardship would receive his personal attention.

According to the official Press release, members of the Council were given the opportunity of explaining to the Minister of Indian Affairs "various difficulties confronting the Indian community".

### Views of Indians

Indian leaders have been very much divided in opinion as to whether or not the establishment of the Council should be supported. There was (as indicated above) a campaign to prevent the initial conference from taking place.

Opponents, whose views have been expressed by the S.A. Indian Congress and by Mr. A. M. Moolla, president of the S.A. Indian Organization,<sup>(26)</sup> felt that the acceptance of the Council would destroy their hopes of ever being granted direct representa-

<sup>(25)</sup> No. 60/64 (K).

<sup>(26)</sup> *Natal Mercury*, 16 December 1963; *Rand Daily Mail*, 5 February.

tion on governing bodies, and that the Indian community's legitimate aspirations could never be met in terms of a policy of separate development. The Government, they pointed out, had shown no signs of repealing legislation such as the laws dealing with group areas and job reservation, which bore harshly upon Indians.

But other responsible leaders (after much heart-searching in most cases) accepted appointment to the Council, or endorsed such action, because this offered a direct opportunity of putting the views of the Indians to the authorities, fighting for better opportunities and the removal of injustices, and demanding material concessions. They decided to accept the opportunity offered and to try to build upon it.

In most cases it was not an easy decision. Three Durban members of the Council, for example, who were invited by the Merebank Indian Ratepayers' Association to address a meeting, faced personal attacks and jeers.<sup>(27)</sup>

#### LOCAL GOVERNING BOARDS

As described in the 1962 *Survey*<sup>(28)</sup> a 1962 amendment to the Group Areas Act empowered the Minister of Community Development after consultation with the Administrator of the Province concerned to establish consultative or management committees in any Indian or Coloured group area, or areas. Certain executive powers will gradually be conferred on management committees.

The Minister of Community Development said on 28 March<sup>(29)</sup> that the provincial administrations had, at their request, been granted authority to administer the enabling Act by introducing ordinances. All four of them had introduced the necessary legislation. The local governing bodies, he added, would need financial help from the "mother" councils and from Government institutions; and Coloured and Indian officials would have to be trained.

A three-year diploma course in public administration is to be started at the University College of the Western Cape in 1965 to train Coloured municipal officials.<sup>(30)</sup>

Consultative Committees have been established or planned in the following areas:

##### *Coloured*

Cape: Vryburg, Fraserburg, Prieska, Moorreesburg, Fort Beaufort, Aliwal North, Victoria West, Richmond, Piketberg;

Transvaal: Reiger Park (Boksburg), Eersterus (Pretoria), Alabama (Klerksdorp).

<sup>(27)</sup> *Rand Daily Mail*, 27 April.

<sup>(28)</sup> Page 122.

<sup>(29)</sup> *Cape Times* of that date.

<sup>(30)</sup> *Ibid.*, 31 July.

##### *Indian*

Transvaal: Laudium (Pretoria), Lenasia (Johannesburg), Primindia (Brits).

Management Committees have been set up or are in the process of formation in the following areas:

##### *Coloured*

Cape: Parow, Mossel Bay, Paarl, Goodwood, Bellville;  
Transvaal: Johannesburg.

The Coloured Management Committee in Johannesburg will control certain of the affairs of Coronationville, Bosmont, Riverlea, Newclare, and Western Township. The present committee is a caretaker one with nominated members (one of the five men appointed by the Administrator refused to serve), and has the task of compiling a voters' roll for the election of a more widely representative committee.

Early in the year the Cape Town City Council made representations through the Administrator urging the Government not to proceed with the creation of management committees in its area. It pointed out that for a century Coloured people had played a direct and active part in the municipal government of the city. (As mentioned in the 1962 *Survey*,<sup>(31)</sup> no further Coloured or Asians will be registered as municipal voters after consultative committees have been established. Persons already on the common voters' roll at that date will retain the municipal franchise while they continue to possess the prescribed residential and other qualifications).

The Administrator of the Cape informed the Cape Town City Council, in reply to its representations, that unless it agreed to co-operate in the establishment of consultative or management committees the provincial authorities would itself set up such bodies.<sup>(32)</sup> Thus coerced, the City Council decided by majority vote to invite the various ratepayers' associations in Coloured areas of the city each to submit a panel of three names from which the Council could select its nominees to the proposed management committees: in terms of the Ordinance the local authority concerned has the right to nominate one member of each committee, and in the initial stages the rest are nominated by the provincial administration and the Minister. The Administrator may make nominations on behalf of a local authority that does not avail itself of its right.

It was reported that of the 13 ratepayers' associations that were invited to submit names only two did so:<sup>(33)</sup> at least six of these bodies refused on the ground that they were opposed to

<sup>(31)</sup> Page 123.

<sup>(32)</sup> *Cape Times*, 11 February.

<sup>(33)</sup> Assembly, 14 April, Hansard 12 col. 4205.

separate representation. The City Council then decided not to nominate anyone.<sup>(34)</sup>

Little progress has been made in the Free State or Natal. The Natal Provincial Executive Committee has set up a standing committee to investigate and accelerate the establishment of "local affairs committees" in Coloured and Indian areas of the province.

According to the *Natal Mercury*<sup>(35)</sup> the Durban City Council's Economy and Efficiency Committee decided in June to cut down on the provision of civic amenities at the Chatsworth Indian housing scheme because, the committee considered, it was against the interests of Durban ratepayers to provide assets which would be handed over to a local Indian council.

A different attitude was adopted in Aliwal North, where the Town Council decided to build a R18,000 civic centre for its Coloured people to mark the establishment of a consultative committee.<sup>(36)</sup>

In Tongaat, on the north coast of Natal, a local affairs committee has been set up with the aims of enabling Indian residents to play a larger part in the management of civic affairs, and of improving the existing cordial relations between the Town Board and its ratepayers. This committee has two White members nominated by the Town Board and seven Indian members elected by the Ratepayers' Association. The chairman and vice-chairman elected by the committee (a White man and an Indian, respectively) will be invited to participate in public meetings of the Town Board and the activities of certain of its committees.<sup>(37)</sup>

#### RURAL COLOURED AREAS

Descriptions have been given in previous issues of this *Survey*<sup>(38)</sup> of the Coloured reserves and mission stations, which are scattered areas, mainly in the Northern and Western Cape, with a total area of approximately 2,000,000 morgen. As at the end of 1961 these areas had a population of 31,106, of whom 6,534 were registered occupiers. There were 3,485 permanent dwellings.

The Official Estimates of Expenditure<sup>(39)</sup> for the year ending 31 March 1965 show that R440,000 is provided from Revenue Account for the development of Coloured areas, as compared with R421,700 the previous year. As before, R1,000 is set aside from the Loan Vote for advances to settlers and management boards; but there are additional amounts of R24,000 for surveying plots and R300,000 to be advanced to the Coloured Development Corporation.

<sup>(34)</sup> *Cape Times*, 15 February and 23 May.

<sup>(35)</sup> 13 June.

<sup>(36)</sup> *The Friend*, 16 July.

<sup>(37)</sup> *Natal Mercury*, 27 October.

<sup>(38)</sup> 1961, page 140; 1962, page 127.

<sup>(39)</sup> R.P. 1 and 44/1964, Revenue Vote 43 and Loan Vote P.

The Minister of Coloured Affairs said on 9 June<sup>(40)</sup> that his Department was hoping to plan Coloured areas in such a way that only *bona fide* farmers would remain on the land. Twenty-three townships were being planned to accommodate other people, who would have to come on to the labour market. Many of the residents of the reserves were already employed outside.

The Department was providing for a further 248 boreholes, the Minister said, and 2,500 miles of fencing, 30 dams, 400 miles of contour banks, the irrigation of another 1,500 morgen of land, and the planting of 530 more trees.

On another occasion<sup>(41)</sup> the Minister announced that during the year ended 30 September 1963 the Coloured Development Corporation granted loans to 46 Coloured persons and to 15 companies, to the total value of R466,860. During the next three months 14 persons and 9 companies received loans totalling R228,070.

According to the annual report of this Corporation, loans were made for the establishment of retail shops, dry cleaning businesses, and repair and maintenance shops. The Corporation had acquired a quota in the crayfish export market on behalf of Coloured fishermen and was floating a company for the purpose, the share-holders being the Corporation and individual Coloured men.<sup>(42)</sup>

In reply to a question in the Assembly on 17 April<sup>(43)</sup> the Minister of Agricultural Economics and Marketing said that during 1963, 29 Coloured farmers were assisted by the Land Bank, the average amount being R1,052. Others received assistance in terms of the State Advances Recoveries Act: separate statistics relating to Coloured farmers were not available.

During October the State granted new diamond concessions in Namaqualand, giving these to the Coloured Development Corporation in Coloured areas and, elsewhere, to small private White companies and individuals. No individual Coloured applicants were successful: the Minister of Mines said<sup>(44)</sup> the Diamond Development Advisory Committee had probably considered that these applicants lacked the necessary capital and "know-how". Leases were granted to the Corporation on condition that it contracted with consortiums or companies listed by the Minister, in return for five per cent of the profits made by these companies.

The Corporation had provided the initial capital of R200,000 for the establishment of the Spes Bona Bank in the Athlone Coloured township, Cape Town. The Secretary for Coloured Affairs is serving on the Board of Directors together with two Coloured and two White businessmen. Coloured people will be

<sup>(40)</sup> Assembly, Hansard 20 cols. 7522, 7524.

<sup>(41)</sup> Assembly, 31 January, Hansard 2 cols. 543-4.

<sup>(42)</sup> *Star*, 17 March.

<sup>(43)</sup> Hansard 12 cols. 4421 2.

<sup>(44)</sup> *Rand Daily Mail*, 26 October.

trained to run this bank, and once it has proved a success its share capital will be offered to the Coloured community.<sup>(45)</sup>

#### INDIAN LAWS AMENDMENT ACT, No. 43 OF 1964

The Indian Laws Amendment Act straightened out an administrative difficulty in regard to the powers of the Minister of Indian Affairs to make regulations dealing with the voluntary repatriation of Indians. The Minister said<sup>(46)</sup> that he did not intend to alter existing regulations. It legalized the dissolution of certain Indian marriages which had been dissolved according to an incorrect procedure: the magistrates concerned had used a handbook that was misleading, the Minister explained.

The remaining section of the Act gave legal sanction to the practice of not registering Indian child marriages, involving boys under 18 or girls under 16 years of age. This sanction, which previously existed, lapsed when an Act of 1935 was repealed in 1962. The new Act empowered the Minister to give assent in exceptional cases.

He said<sup>(47)</sup> that child marriages were gradually dying out, but the Government thought it inadvisable to prohibit them. The partners to such marriages often did not co-habit for some years: it was, in fact, a contravention of the Immorality Act to co-habit with a girl under 16 years of age unless the couple's marriage had been approved and registered.

Questioned about repatriation, the Minister said that during the previous year 12 Indians had availed themselves of the assisted repatriation scheme. An amount of R6,000 had been provided for this scheme on the current Estimates.

#### NATURALIZATION OF INDIANS

Replying to a question in the Assembly on 9 June<sup>(48)</sup> the Minister of the Interior said that 301 Indians were granted certificates of naturalization during 1963. They had previously been stateless persons (born in the Native States of India).

(In a memorandum submitted to the Department of Indian Affairs during October 1962<sup>(49)</sup> the Institute of Race Relations urged that stateless Indians be granted South African citizenship).

#### RESEARCH

During 1963 the National Bureau of Educational and Social Research established a special section to undertake social research into matters affecting the Coloured and Indian peoples of South Africa.

<sup>(45)</sup> *South African Digest*, 2 October.

<sup>(46)</sup> Assembly, 29 April, Hansard 14 cols. 5184-5.

<sup>(47)</sup> Cols. 5197-8.

<sup>(48)</sup> Hansard 20 col. 7485.

<sup>(49)</sup> R.R. 146/1962.

## GROUP AREAS AND HOUSING

#### RESPONSIBLE DEPARTMENTS

It is mentioned in a previous chapter that certain agencies concerned with group areas have been placed under the new Department of Planning: these are the planning division, previously under the Department of Community Development, and those activities of the Group Areas Board which relate to the planning of group areas and the control of permits before proclamations are issued.

Other agencies have been transferred to the Department of Housing — the administrative section of the Department of Community Development, and the administration of sections of the Group Areas Act which deal with proclaimed group areas, future group areas, border strips, and "16 *bis* areas" in which development has been frozen pending a proclamation.

#### CERTAIN PROVISIONS OF THE GENERAL LAW AMENDMENT ACT, No. 80 of 1964

*Inter alia*, the General Law Amendment Act of 1964 empowered the Group Areas Development Board to develop not only proclaimed areas but also any part of a controlled area. The powers of the courts to enforce ejection orders were increased.

#### OCCUPATION OF LAND OR PREMISES

Important proclamations relating to group areas machinery were republished in a *Government Gazette Extraordinary* of 3 April (No. 762), and new lists were issued relating to the categories of persons who may be exempted from restrictions on the occupation of land or premises by disqualified persons in group areas and specified and controlled areas.

#### FINANCING OF DEVELOPMENT OF GROUP AREAS AND HOUSING

In the Estimates of Expenditure from Loan Account for the year ending 31 March 1965<sup>(1)</sup> an amount of R21,945,000 was provided as an addition to the capital of the National Housing Fund (R305,000 more than in the previous year), and an amount

<sup>(1)</sup> R.P. 8 and 44 of 1964, Vote K.

## EMPLOYMENT

### THE GENERAL ECONOMIC SITUATION

In its Annual Economic Report, issued on 19 August, the S.A. Reserve Bank said, "From an economic and financial point of view the year ended June 1964 was one of the best ever experienced in South Africa. As expected, the economic upswing continued into its third year."

The Minister of Finance said in his Budget Speech<sup>(1)</sup> that after allowing for changes in the price level the increase in the real gross national product in 1963 was about 9 per cent, compared with 7 per cent in the previous year.

An account is given later of the resultant decrease in unemployment and of increasingly acute manpower shortages, primarily of professional, managerial, and technical personnel and of skilled workers, but also of workers in semi-skilled occupations which have hitherto conventionally been reserved for Whites.

Following a meeting of the Economic Advisory Council in February the Prime Minister said the general feeling had been that prosperity would continue during the rest of the year, but that the rate of further development would not be as high as it was in 1963.

### NATIONAL INCOME AND PER CAPITA INCOMES

According to a news release by the Bureau of Statistics on 2 March, the net domestic product<sup>(2)</sup> (geographical income) for the year ended 30 June 1963 was R5,481-million, representing an increase of 8.9 per cent over the previous year. The increase from 1960-61 to 1961-62 had been 5.6 per cent.

Of the net domestic product for 1962-63, R3,076-million, or 56.1 per cent, represented salaries and wages, employers' contributions to staff funds, and payments in kind such as food, clothing, and quarters.

The net national income<sup>(3)</sup> for 1962-63 was estimated to be R5,070-million: an increase of 9.8 per cent over 1961-62 (as against a 6.6 per cent increase the previous year).

(1) Assembly, 16 March, Hansard 9 col. 3032.

(2) The net domestic product is the total remuneration accruing to the factors of production (capital and labour) for their participation in the current production of goods and services within the country.

(3) The net national income is the net domestic product plus income accruing to factors of production owned by its normal residents but employed outside its frontiers, less the income accruing to factors of production owned by foreigners but employed within its frontiers.

From 1961-62 to 1962-63 the national income at constant prices (real income) increased by approximately 8.5 per cent (4.6 per cent previous year); and the income per head of population increased by 5.9 per cent (2.1 per cent previous year).

Various estimates have been made of the share of the national income that accrues to Non-Whites. The Bureau of Statistics informed the Institute of Race Relations on 14 May that the net national income for 1961-62 was R4,617,400,000. The Bureau estimated that, of this, the earnings of all Non-Whites, including payments in kind, was R1,250,000,000. For Africans only the figure was R1,000,000,000, or about 21.7 per cent of the total.

In a letter to the Institute of Race Relations the Minister of Bantu Education said, "The Bantu's contribution to the national income at present is R1,085,000,000 per annum, or equal to 23 per cent thereof."

The Standard Bank of S.A. told the Institute of Race Relations that estimates of Non-White earnings are mere conjecture. Recent estimates placed the ratio of the spending power of the Whites to that of Non-Whites at 4 to 1. Working on this assumption the Bank gave the following figures:<sup>(4)</sup>

	1961-62	1962-63
Net national income ... ..	R4,617,000,000	R5,070,000,000
Share per capita (all races) ...	R277.51	R297.09
Estimated total income of Non-Whites ... ..	R923,400,000	R1,014,000,000
Estimated per capita income of Non-Whites ... ..	R68.3	R73.39
Estimated per capita income of Whites ... ..	R1,160.41	R1,248.00

The Non-White per capita income in various years at constant prices, adjusted to 1953 values, was:

	R	Percentage increase over previous year
1950 ... ..	56.35	
1960 ... ..	54.06	
1961 ... ..	55.26	2.2
1962 ... ..	56.72	2.6
1963 ... ..	59.91	5.6

The estimated total income of Non-Whites in various years was:

(4) Some of the calculations are by the writer, based on the figures supplied by the Standard Bank.



## LIQUOR

## SUCCESS OF LIQUOR AMENDMENT ACTS

The Liquor Amendment Acts of 1961, 1962 and 1963, and the Bantu Beer Act of 1962, were described in relevant issues of this *Survey*. They removed restrictions on the purchase and possession of liquor by Non-Whites.

The Minister of Justice said in the Senate on 10 March<sup>(1)</sup> that these measures had been a success. He compared the number of convictions of persons of all races for liquor offences for the six-month period 1 January to 30 June 1962 (just before the restrictions were removed) and the corresponding period in 1963:

	<i>First six months of:</i>	
	1962	1963
Drunkenness ... ..	32,783	30,560
Illegal possession of Bantu beer ... ..	31,339	16,039
Illegal possession of other liquor ... ..	7,323	1,088
Illegal possession and sale of yeast ... ..	623	244
Sale without licence ... ..	428	344
Other offences ... ..	6,256	3,569

A breakdown of the total number of convictions for all liquor offences in 1960 and 1962 is:<sup>(2)</sup>

	White	Coloured and Asian	African
<i>Persons under 17 years</i>			
1960 ... ..	25	137	649
1962 ... ..	33	112	491
<i>Persons aged 17—20 years</i>			
1960 ... ..	661	3,073	6,401
1962 ... ..	526	2,530	4,250
<i>Persons 21 years and over</i>			
1960 ... ..	10,825	45,584	133,261
1962 ... ..	7,728	36,088	75,509

As will be noted, the number of convictions of African adults in 1962 was only a little over half the 1960 figure.

In a letter to the Institute of Race Relations dated 20 August the Secretary for Justice wrote: "Since it is generally known that the supply of liquor to Non-Whites under the laws passed during 1961 and thereafter has not presented any difficulties worth mentioning and that the whole scheme is running smoothly, it was

(1) Hansard 8 cols. 1971-2.

(2) From figures given by the Minister of Justice, Assembly, 11 February, Hansard 4 cols. 1125-6.

not considered worth while referring to the matter again in the Department's annual report for 1963".

## BANTU BEER

It is reported from both Johannesburg and Durban that sales of Bantu beer have increased, although stronger types of liquor are now available to Africans.<sup>(3)</sup>

The Bantu Laws Amendment Act, No. 42 of 1964, rendered it an offence for any person to sell Bantu beer powder to anyone other than a local authority or anyone licensed or authorized to sell Bantu beer (bottle stores, authorized associations of Coloured persons or Asians, etc.). Local authorities may sell this powder.

A Bantu beer research fund is to be established, financed mainly by a levy on the sale of Bantu beer by local authorities.

## LIQUOR LICENCES

Various Coloured and Indian hotel and bottle-store proprietors have been granted liquor licences; but Africans are apparently being granted such licences in the African "homelands" only. The African owner of an hotel in Soweto, Johannesburg, was informed by the licensing board that if he wanted to sell liquor he must establish an hotel in a Reserve.<sup>(4)</sup> Licences to sell to Africans in urban areas have been granted to local authorities, mines, and other employers of large numbers of Africans, rather than to Africans themselves.

## PROFITS

Local authorities have to pay 80 per cent of the net profits they make to the Department of Bantu Administration and Development for use in the general interests of Africans. The remaining 20 per cent must be spent on social or recreational amenities or social welfare services for Africans, or, subject to certain conditions, on housing schemes. Profits from municipal sales of Bantu beer accrue to the local authorities and must be spent by them in a similar manner to their share of other liquor profits.

The Deputy Minister of Bantu Administration and Development said in the Assembly on 27 February<sup>(5)</sup> that the Vanderbijlpark, Springs, and Potchefstroom municipalities were making some money available from their share of liquor profits for development in the Bantu homelands. (Most other local authorities spend profits for the benefit of urban Africans in their areas of jurisdiction).

(3) *Star*, 13 February, and *Natal Mercury*, 21 February.

(4) *Rand Daily Mail*, report, 15 April.

(5) Hansard 6 col. 2135.