

RACE RELATIONS

SURVEY

1989/90

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THE COVER

Photograph by courtesy of Eskom.

South Africa's state-owned electricity supply commission, Eskom, is the fifth largest utility in the western world in terms of installed capacity. It operates more than two dozen power stations in South Africa—although the vast majority of South Africans have no electricity in their homes. Last year Eskom announced its commitment to 'electricity for all'. This means bringing electricity to about 20m people, half in urban and half in rural areas, who do not have it. The process has already begun. Eskom hopes that by the end of the century the number of people

without electricity will have been halved.

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PREFACE

Perhaps a word of explanation is required about the use of roman numerals for the pages at the beginning of this Survey. The reason is that the first pages are written last. As each specialised chapter is written it must be paginated as soon as possible so that compilation of the index can begin and also so that it can be sent off to the printers. Only after this has happened is the 'Overview' compiled. This first section includes not only a bird's-eye-view of the period surveyed, but also as much of the most recent information as possible.

If the *Survey* were to be priced at what it costs to produce, a great many people who have come to rely on it would not be able to afford it. We therefore rely heavily on subsidies and this year, once again, a number of companies, trusts and other organisations, and individuals have made generous grants. All these are gratefully recorded on the acknowledgements page, which appears after this one.

The acknowledgements page traditionally thanks, on behalf of the writers, all the many people without whom this Survey would never appear. The writers, of course, can hardly thank themselves so I should like to say a special word of thanks to them. Each year I am amazed at both the breadth and the depth of the information they gather together and each year they seem to get better at doing it.

This is the seventh *Survey* that has been produced since I have been running the Institute and therefore acted as editor-in-chief. The number of people who have pointed out errors averages fewer than one a year. Considering the sheer bulk of this volume, the vast array of information that has to be gathered in, organised and written up—not to mention the speed with which this has to be done—makes this a remarkable track record. I should like to salute Carole Cooper, who acts as editor, Colleen McCaul, who manages the research team, and all our research officers listed with them on the title page, for yet another outstanding achievement.

JOHN KANE-BERMAN

Executive Director

South African Institute of Race Relations

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OVERVIEW

Eight developments dominated the period under review. First, steps were taken towards bringing Africans into the same Parliament as whites, coloured people and Indians. Second, Mr F W de Klerk replaced Mr P W Botha as state president. Third, political violence reached new heights—causing Mr De Klerk to warn that it could delay negotiations.¹ [¹ *The Citizen* 7 September 1990] Fourth, the erosion of apartheid continued. Fifth, South Africa became less isolated internationally, although various international economic sanctions remained in place. Sixth, South Africa left Namibia. Seventh, the economy moved into recession. Eighth, the African National Congress (ANC) provoked a debate about nationalisation.

The steps taken towards bringing Africans into Parliament consisted of discussions between the government and various black organisations with a view to preparing the ground for negotiations about a new constitution to replace the 1983 constitution. Substantial progress was made, although negotiations about the actual contents of a new constitution were not expected to begin before 1991. Efforts to pave the way for negotiations began in earnest in January 1989, when a committee was set up between the government and the KwaZulu administration to remove obstacles to constitutional negotiations between them. The chief of these was the continued incarceration of the best-known of ANC leaders, Mr Nelson Mandela. The chief minister of KwaZulu and president of Inkatha Yenkululeko Yesizwe (later renamed the Inkatha Freedom Party), Chief Mangosuthu Buthelezi, refused to hold constitutional discussions with the government as long as Mr Mandela and other political leaders remained in prison and were thus not given the same opportunity.

Shortly before he resigned in September, the state president, Mr Botha, held talks with Mr Mandela. On 2 February 1990, Mr De Klerk, who had become state president after a general election the previous September, lifted the bans on the ANC, the Pan-Africanist Congress (PAC) and various other organisations. A week or so later Mr Mandela was released from prison, subsequently being appointed deputy president of the ANC. Upon Mr Mandela's release Chief Buthelezi declared his willingness to

enter negotiations with the government. The government then began a series of talks with the ANC aimed at removing obstacles between itself and the ANC to constitutional discussion. Two formal agreements were reached. Following the first, the 'Groote Schuur Minute' of 2 May, the government lifted the four-year-old state of emergency everywhere outside Natal in June. The second, known as the 'Pretoria Minute' and signed in August, committed the ANC to the suspension of the 'armed struggle'.

In a subsequent advertisement the ANC said that suspending the armed struggle meant that it 'will not carry out any further armed actions and related activities such as the infiltration of armed cadres and weaponry'. The advertisement added that the 'armed struggle has not been abandoned' and that 'Umkhonto we Sizwe has not been dissolved'. Under a heading 'mass action continues', it said, 'Mass struggles have to continue in all spheres of our lives to achieve our objective of a united nonracial democratic and non-sexist society.'² [² *The Weekly Mail* 10 August 1990] Later in the month, after the deployment of additional troops to curb greatly intensified violence in Reef townships, the minister of defence, Mr Magnus Malan, attacked the ANC for its commitment to 'mass action'. I say this mass action is nothing other than mass mobilisation and it includes mass intimidation.' Mr Malan said that the ANC 'cannot practice peace and violence at the same time' and that the peace talks were not 'a free pass to anarchy'.³ [³ *Sunday Times* 26 August 1990]

In the middle of August the government formally invited the PAC to take part in talks about a new constitution. The president of the PAC, Mr Zephania Mothopeng, said that the invitation would be referred 'to all PAC structures and Africanist formations for discussion'. The organisation's general secretary, Mr Benny Alexander, said that they would 'take our own time' in replying to the invitation.⁴ [⁴ *Sowetan* 31 August 1990] At the end of the month, the National Party announced that it would open its membership to all races.⁵ [⁵ *The Citizen* 1 September 1990]

The liberalisation of the political process upon which the government embarked in February was followed by an unprecedented upsurge in political violence in various parts of the country. By the end of June the death toll in political conflict since the beginning of the year had reached 1 591, which was more than the figure of 1 403 for the whole of 1989. The total number of fatalities in political violence since its outbreak in September 1984 had reached 7 130 by mid year and by September 1990 was in the region of 8 000. About half of these had occurred in Natal in what was widely seen as conflict between the ANC and its allies in the United Democratic Front (UDF) and the Congress of South African Trade Unions (COSATU) on the one hand and Inkatha on the other. ANC spokesmen said that Inkatha 'impis' had driven out communities that had set up democratic structures and that 13 000 ANC supporters were living in refugee camps in the Pietermaritzburg area alone. They said that they had 'millions of affidavits' that police had given weapons to 'vigilante' groups. Inkatha said that 13 Inkatha refugee camps had been set up to assist people who had fled their communities after the ANC had urged its supporters to kill and 'marginalise' Inkatha and that ANC supporters had killed 106 Inkatha leaders over the past few years.⁶ [⁶ *Sowetan, The Star* 30 August 1990]

By August the ANC/Inkatha conflict had spread to the Reef and the death toll in this and other conflict

there in a single fortnight had reached 500, by far the greatest number in so short a period to date. Much of the conflict on the Reef appeared to have not only an ANC/Inkatha dimension but also a Xhosa/Zulu dimension. Many of the Zulus involved were hostel-dwellers who clashed with people living in ordinary township housing. Numerous accusations were made, particularly by the ANC, that the police were siding with Inkatha. These allegations were denied by the police and Inkatha claimed that the police were attacking it more severely than they were the ANC in their efforts to counter the wide-spread allegations of their partiality.

Nineteen-ninety also saw conflict in other parts of the country. An editorial in the *Sowetan* said that a low intensity war is going on between various organisations throughout the country'.⁷ [⁷ *Sowetan* 17 April 1990] In the eastern Cape conflict occurred between the ANC and the PAC, and between the ANC and the Labour Party.⁸ [⁸ *The Weekly Mail* 10 August 1990] There was also conflict between the ANC and the Azanian People's Organisation on the Reef, while ANC supporters and a number of homeland administrations in the Transvaal also clashed.

Conflict was, however, also attributed to factors other than political rivalry, among them high unemployment and poor living conditions. Clashes took place between so-called squatters and better-housed residents in certain areas and between strikers and alternative labour in others. Rival minibus taxi operators also clashed violently with one another. The organisers of stayaways and boycotts used violent coercion against other township people. Further deaths occurred when black town councilors were attacked. Much of the violence was attributed to black youths (see *Political Violence* below).

Numerous allegations were made against the police. A commission of inquiry, headed by Mr Justice Richard Goldstone, into the deaths of 18 people during political demonstrations in Sebokeng and other black townships in the Vanderbijlpark (Transvaal) area on 26 March 1990 found that police shooting had been 'indiscriminate'. Judge Goldstone found that of the 281 people shot and injured on that day, 127 had been shot from behind. The commission also criticised the organisers of the demonstration, but rejected police claims that their lives had been in danger.⁹ [⁹ *Sunday Times, Sunday Star, City Press* 1 September 1990]

A human rights group said that more than 200 people had been killed as a result, directly or indirectly, of police action against gatherings since Mr De Klerk's speech on 2 February 1990.¹⁰ [¹⁰ *The Weekly Mail* 31 August 1990] Mr Mandela said that every policeman in South Africa regarded every black person as a military target.¹¹ [¹¹ *Business Day* 16 August 1990]

The state president said in June that 69 police officers had been killed and 3 518 injured in the line of duty over the preceding 12 months. Killings of police officers had reached intolerable levels and endangered political reform, he said. The minister of law and order, Mr Adriaan Vlok, said that the police had been 'terrorised' in a campaign of violence directed against them. He said that 42 policemen had been killed and 403 injured in political violence in 1990 and that the homes of 522 policemen had been attacked.¹² [¹² *The Citizen* 16 August 1990] Black policemen were the main targets of attack. Mr Vlok

said that a planned, purposeful and co-ordinated attempt had been launched to discredit the police.¹³ [¹³ SABC television interview, 3 September 1990]

By the beginning of 1990 there had been fewer than 800 troops left in support of police in black townships, according to the deputy minister of defence, Mr Wynand Breytenbach,¹⁴ [¹⁴ *Business Day* 9 February 1990] as against between 5 000 and 8 000 in June 1987. However, as violence began to increase again there were calls from various quarters for the army to go back into the townships. In March the Natal region of the Black Sash, a white women's organisation that had previously been opposed to the deployment of troops in the townships, asked the state president to send the army into a township in Natal.¹⁵ [¹⁵ *Beeld* 21 March 1990] Residents of the township of Katlehong on the Reef also called for the South African Defence Force to be sent in.¹⁶ [¹⁶ *Saturday Star* 10 March 1990] Black township residents were reported to have cheered when defence force trucks carrying white troops moved into a Natal village near Pietermaritzburg.¹⁷ [¹⁷ *The Citizen* 2 April 1990] Additional troops were deployed in Natal when the state of emergency was lifted elsewhere.¹⁸ [¹⁸ *Sunday Times* 26 August 1990] Mr Malan said that there had been a significant change of attitude towards the security forces.¹⁹ [¹⁹ *The Citizen* 31 March 1990]

Towards the end of August, as violence reached new heights, the government declared a number of areas on the Reef to be unrest areas in terms of the Public Safety Act of 1953. The declaration gave security forces certain of the powers they had had under the state of emergency which had been lifted about ten weeks earlier. It was also announced that troops had once again been deployed in Reef townships.

According to the police there were 51 682 unrest-related incidents between September 1984 and April 1990. Mr Malan said in August that the tally of 11 000 incidents of violence so far in 1990 was greater than the total for the previous three years.

A total of 801 people had been murdered by the 'necklace' method or by burnings between September 1984 and the end of 1989, the police said.²⁰ [²⁰ *Sowetan* 21 August 1990] In the first seven months of 1990, another 48 people were necklaced.²¹ [²¹ South African Institute of Race Relations (SAIRR) Figures]

Nineteen-ninety also saw an increase in incidents of violence attributed to right-wing organisations. According to one analyst, the proportion of incidents of violence attributable to right-wing organisations had increased from roughly 1% in 1989 to between 4% and 7% in the first six months of 1990. Left-wing organisations were said to be responsible for most of the remainder.

The period under review saw continued steps towards the dismantling of discriminatory laws, in particular the repeal of the Reservation of Separate Amenities Act of 1953 and statements by Mr De Klerk that the Population Registration Act of 1950, in terms of which all South Africans are racially classified, would be repealed simultaneously with the enactment of a new constitution based on universal adult suffrage. The further desegregation of educational institutions was foreshadowed by an

announcement that provision would be made for certain white government schools to admit blacks. The desegregation of hospitals was also announced, along with the end of statutory apartheid in prisons. The government further said that legislation preventing adoption of children by parents of a different race group—section 40(b) of the Child Care Act of 1983—would be reconsidered.²² [²² *Sunday Tribune* 26 August 1990]

The period under review saw South Africa becoming less isolated internationally. Several foreign heads of government and heads of state held talks with Mr De Klerk either in Cape Town or in Windhoek at the time of the Namibian independence celebrations when that territory became a sovereign state on 21 March 1990. Subsequently Mr De Klerk travelled to Europe, where he was received by his counterparts in several countries. South Africa also improved ties with central and eastern European countries. Formal trade links were established with Hungary after a visit there by the minister of foreign affairs, Mr Pik Botha. The UDF said, ‘We are angry that the Hungarian government has officially received Mr Pik Botha. The meeting will have the effect of undermining the international campaign for the isolation of South Africa, a campaign which Hungary has always supported.’

The minister of trade and industry and tourism, Mr Kent Durr, visited the Union of Soviet Socialist Republics in August 1990. Following Mr Durr’s visit to Moscow it was reported from that city that a group of South African companies was to help clean up the aftermath of the explosion some years previously at the Chernobyl nuclear power plant. A Swiss-based subsidiary of De Beers Consolidated Mines signed an agreement with the government of the Soviet Union in terms of which the De Beers group would lend the Soviets \$1bn against the security of an equivalent amount of diamonds. The De Beers group’s London-based Central Selling Organisation would also have the sole right to market Russian diamond exports for five years. Following a visit to South Africa by a group of United Nations (UN) officials in June and their subsequent report to the UN General Assembly on changes in the country, the secretary-general of the UN, Mr Javier Perez de Cuellar, praised Mr De Klerk for ‘his bold and courageous policy’. Mr De Klerk was invited to visit President George Bush of the United States of America, and it was announced that he would do so at the end of September. The International Olympic Committee said that South Africa would probably be allowed to take part in the 1996 Olympic games.²³ [²³ *The Citizen* 5 September]

In what was seen as a step towards granting South African Airways the right to overfly Africa instead of going ‘round the bulge’ of West Africa to Europe, the airline was granted (although it did not exercise) landing rights in Rwanda.

During the whole of the period under review the government kept a tight rein on the economy, both to bring down the rate of inflation and generate a surplus on the current account of the balance of payments to help further reduce the country’s international debt. The main instrument of policy was high real interest rates: prime overdraft rate at the end of August 1990 was 21%, which was about seven percentage points above the inflation rate. By August 1990 the inflation rate, which had been in double digits for 16 years, had been brought down to 13%. The governor of the South African Reserve Bank, Dr Chris Stals, said that this was encouraging but that the rate was still too high in relation to those of South

Africa's main trading partners and export competitor countries.²⁴ [²⁴ Ibid 29 August 1990] The minister of finance, Mr Barend du Plessis, said at the end of August that the government's new economic policy, shortly to be made public, would ensure cheap electricity and transport and place South Africa in a position to 'export as never before'. Government spending would have to be constrained and people would have to accept that they could not have everything at previous standards. Red lights standing in the way of the country's achieving high growth rates were excessive wage demands and low productivity, he said.²⁵ [²⁵ *Business Day* 31 August 1990]

In his statement as chairman of the Anglo American Corporation of South Africa in July 1990, Mr Julian Ogilvie Thompson said that trade and financial sanctions had compelled South Africa to restrict its growth rate to 2% a year or less since 1985 in order to finance R21bn in international debt repayments over the preceding four years.

Mr Mandela provoked widespread controversy when he talked after his release about possible nationalisation of mines, banks and other sectors of the economy. His remarks helped to generate discussion in government, business and other circles as to how best to meet the demands of blacks for a bigger share of the country's income and assets. A range of other black leaders expressed their views on economic issues. COSATU argued in favour of the possible re-nationalisation of industries that had been privatised and some black unions argued for the nationalisation of the mines. The PAC said that it would promote active state intervention in the economy. Inkatha said that it would not follow policies that had failed in the Soviet Union, but would proceed from the basic assumption of an 'enterprise-driven' economy which would redistribute economic opportunity. Business leaders expressed strong opposition to nationalisation.

The changes in South Africa took place at the same time as far-reaching changes in central and eastern Europe. Towards the end of 1989 and early in 1990 a number of communist governments in central and eastern European countries were overthrown or otherwise levered from power and in November 1989 the Berlin Wall separating West from East Germany collapsed. These changes evidently encouraged Mr De Klerk to take the steps he did take on 2 February 1990 when he opened Parliament. As Mr De Klerk put it in his opening speech, 'The year of 1989 will go down in history as the year in which Stalinist communism expired.' This, he observed, would 'weaken the capability of organisations which were previously strongly supported from those quarters'. In the same television news programme on 6 February the president of the Soviet Union, Mr Mikhail Gorbachev, announced the end of the Communist Party's monopoly of power in that country and the South African minister of constitutional development, Dr Gerrit Viljoen, predicted the end of the National Party's monopoly of power in South Africa.

The member of Parliament for Houghton, Mrs Helen Suzman, retired after 36 years upon the dissolution of Parliament prior to the general election in September 1989. In August 1990 she was elected president of the South African Institute of Race Relations.

Politics

During 1989/90 the government stepped up its reform programme under the leadership of Mr F W de Klerk after a general election on 6 September 1989. Restrictions on gatherings and protests were eased from September 1989, and in many cases permission was granted for marches and mass rallies to take place. In October the government released seven senior African National Congress (ANC) leaders and a senior Pan-Africanist Congress (PAC) leader. They had served prison sentences ranging from five to 26 years.²⁶ [²⁶ *The Star* 16 October 1989] The minister of constitutional development, Dr Gerrit Viljoen, said in November that the government hoped to make so much progress with reform that Africans would be able to vote in the next general election.²⁷ [²⁷ *The Citizen* 3 November 1989] In November Mr De Klerk announced that South Africa's beaches were open to all and that the Reservation of Separate Amenities Act of 1953 would be repealed as soon as possible.²⁸ [²⁸ *SA Foundation Review* January 1990] The act was repealed in June 1990.

In February 1990 Mr De Klerk asked the South African Law Commission to investigate ways of achieving balanced protection in a future constitution of the human rights of all South African citizens, as well as of the rights of collective units, associations, minorities and nations.²⁹ [²⁹ *The Citizen* 2 February 1990]

In his opening address to Parliament on 2 February 1990, Mr De Klerk made a number of announcements aimed at facilitating negotiations. These included the lifting of the bans on political organisations including the ANC, the PAC, the South African Communist Party (SACP) and a number of subsidiary organisations; the lifting of restrictions imposed in terms of the state of emergency on 33 organisations in February 1988, including the Azanian People's Organisation (AZAPO), the Congress of South African Trade Unions (COSATU) and the United Democratic Front (UDF); the release of political prisoners incarcerated for non-violent activities; the suspension of executions until Parliament had taken a final decision on various proposals about capital punishment; and the lifting of the media and education emergency regulations in their entirety.

Nine days later, a senior member of the ANC, Mr Nelson Mandela, was released after spending 27 years in prison. Following Mr Mandela's release, Mr De Klerk said that there could no longer be any doubt about the government's sincerity in creating a just dispensation based on negotiations. Mr Mandela committed the ANC to finding a peaceful solution to South Africa's conflict. A rally attended by about 120 000 people was held at First National Bank's Soccer City stadium near Soweto to celebrate the release of Mr Mandela.³⁰ [³⁰ *Ibid* 12 February 1990, *Business Day* 13 February 1990]

In May 1990 Parliament passed an Indemnity Act providing for indemnity against prosecution to be extended to people 'who in the process of conflict and in the pursuance of a cause, may have committed some or other offence'. This indemnity could be extended to people in jail, those awaiting trial and exiles wanting to return to the country.³¹ [³¹ *The Star* 8 May 1990] From April 1990 many exiled senior members of the ANC, Umkhonto we Sizwe and the SACP were granted temporary immunity from

prosecution in order to participate in negotiations, and returned to South Africa. In August the government withdrew the temporary immunity granted to three of the men on the grounds that they had not been behaving in a manner conducive to peace.³² [³² Ibid 20 August 1990]

The first official talks between the government and the ANC were held in May 1990 at Groote Schuur in Cape Town. As a result of the talks-about-talks, aimed at clearing obstacles to negotiations, a document called the 'Groote Schuur Minute' was signed by the ANC and the government. It committed both parties to negotiations and to resolving the climate of violence in the country.³³ [³³ *The Citizen* 4 May 1990]

In June 1990 Mr De Klerk announced the lifting of the state of emergency throughout South Africa, except in Natal and KwaZulu.³⁴ [³⁴ Ibid 28 June 1990] In July 1990 the deputy minister of constitutional development and planning, Mr Roelf Meyer, said that the government was committed to a pluralist concept of democracy not based on simplistic majoritarian principles. He said that the government rejected the winner-takes-all Westminster system, and advocated proportional representation. Mr Meyer argued that while there was understandable suspicion of the term 'group rights', in view of the legacy of blatant economic and racial discrimination left by apartheid, there had to be some structural provision in any future constitution for the protection of minorities.³⁵ [³⁵ Ibid 3 July 1990]

In August 1990 the government and the ANC held a second round of talks, in Pretoria, and another document, the 'Pretoria Minute', was signed. The Pretoria Minute committed the ANC to a suspension of armed action with immediate effect. It allowed for the phased release of political prisoners, as defined by an ANC/government working group, and the granting of indemnity to people according to guidelines formulated by the group, from 1 September and 1 October 1990 respectively. The process was to be completed by 30 April 1991.

Commenting on the ANC's suspension of the armed struggle, a member of the ANC's national executive committee, Mr Aziz Pahad, said that there was no specific agreement by the ANC for its cadres inside South Africa to hand over their weapons to the authorities.³⁶ [³⁶ *The Daily Mail* 10 August 1990] The SACP's general secretary, Mr Joe Slovo, added that the armed struggle would resume the moment it became clear that the government was not honouring its agreements.³⁷ [³⁷ *The Citizen* 8 August 1990]

In response to a government demand for a clear commitment from the ANC against mass actions such as rent and consumer boycotts, strikes and stayaways,³⁸ [³⁸ *The Star* 7 August 1990] Mr Mandela said that in the absence of proper mechanisms for people to voice their grievances and to express their political demands, they would be forced to resort to mass action.

Mass action had been prevalent throughout 1989/90. In June, July and August 1990 a number of areas were affected by consumer boycotts (see *The Economy and Business* below). On 2 July 1990 the ANC, COSATU and the UDF called for a national stayaway as part of a national week of action to protest against violence in Natal and to isolate Inkatha. The call was opposed, however, by organisations including AZAPO, the National Council of Trade Unions and the PAC, who said that they had not been

consulted and that they disagreed with the strategy chosen to deal with the violence in Natal. A co-president of the UDF, Mr Archie Gumede, also voiced his opposition to the stayaway, saying that he disagreed with the timing and that it would not end the conflict. Despite this controversy, approximately 3m workers supported the stayaway. The eastern Cape registered the highest absenteeism—approximately 80%, according to the director of the East London Chamber of Commerce. The South African Chamber of Business said that the stayaway cost approximately R750m in lost productivity.³⁹ [³⁹ *The Citizen*, *The Daily Mail* 3 July 1990, *Leader* 6 July 1990] In this, as in other stayaways, it was not clear to what extent ‘support’ was genuine rather than the result of intimidation and/or coercion (see below).

In July 1990 the SACP was relaunched as a legal party at a rally at First National Bank’s Soccer City stadium (mentioned above). The rally, attended by some 60 000 people, was the SACP’s first legal rally since being banned in 1950. Mr Slovo said that the SACP firmly supported a negotiated solution in South Africa. The SACP also had no secret agenda regarding socialism. ‘Both the SACP and the ANC accept a post-apartheid mixed economy in which there will be a major role for private capital, both domestic and foreign.’ Delivering a message of solidarity, Mr Mandela said that the ANC joined the SACP in celebration because the SACP had distinguished itself as an ally, sharing the common objective of national liberation, without seeking to impose its views on the ANC. He said that the ANC was not a communist party, but as a defender of democracy, it had fought and would continue to fight for the right of the SACP to exist. The SACP named its 22-member internal leadership group at the rally. It included Mr Slovo and the general secretary of the National Union of Metalworkers of South Africa, Mr Moses Mayekiso.⁴⁰ [⁴⁰ *Cape Times*, *The Star* 30 July 1990]

In May 1990, in what was considered a diplomatic breakthrough, Mr De Klerk visited nine European countries: Belgium, Britain, France, Greece, Italy, Portugal, Spain, Switzerland and West Germany. The tour was the biggest international tour undertaken by a South African head of government since the National Party came to power. Government sources said that irrespective of whether European leaders decided to maintain sanctions and pressure on the South African government, the tour was highly successful, and Mr De Klerk had been convincing about the government’s intention to usher in a new constitutional dispensation.⁴¹ [⁴¹ *The Citizen*, *The Star* 25 May 1990]

In February 1990 the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, said that Inkatha was ready to start serious negotiations with the government because Mr De Klerk had reached a point of no return in his moves away from apartheid, and had satisfied Inkatha’s preconditions for negotiations.⁴² [⁴² *The Natal Mercury* 9 February 1990] At its annual general conference in July 1990, Inkatha decided to transform itself into a political party. Inkatha said that it would use its existing membership to build an even larger, multiracial political force to ensure non-violent, constructive change in the new South Africa.⁴³ [⁴³ Press briefing, ‘The New Inkatha’, Ulundi, July 1990]

The period under review saw a number of developments in the fields of regional and local government. In May 1990 a joint statement by the minister of constitutional development, Dr Gerrit Viljoen, and the chairman of the KwaZulu/Natal Indaba, Dr Oscar Dhlomo, said that the pursuit of regional

constitutional options should be held in abeyance in view of impending national negotiations.⁴⁴ [⁴⁴ *The Natal Witness* 4 June 1990]

In June 1990 the KwaZulu and Natal Joint Services Act was passed by Parliament. The act allowed for the establishment, throughout the KwaZulu/Natal region, of joint services boards (JSBs) to deal with the provision of services on a regional basis. It replaced the Regional Services Council Act of 1985 as far as Natal and KwaZulu were concerned.⁴⁵ [⁴⁵ Memorandum on the objects of KwaZulu and Natal Joint Services Bill, KwaZulu and Natal Joint Services Bill, 1990] In August 1990 an advisory committee was appointed by the Joint Executive Authority of KwaZulu and Natal to inquire into and report on the proposed delimitation of JSBs for KwaZulu and Natal. Some of the JSBs were expected to be operational by 1991.⁴⁶ [⁴⁶ *The Natal Witness* 2 August 1990]

In August 1990 Mr De Klerk announced that a working group of representatives of central and regional government would be established to explore the path ahead for regional government as the country moved to its new constitutional dispensation (see *The Homelands* for details). The government was also committed to creating a new system of local government that was not based on race, according to a statement in May 1990 by the minister of planning and provincial affairs, Mr Henus Kriel⁴⁷ [⁴⁷ *The Star* 22 May 1990]

During the period under review, a number of black town councillors resigned from their posts, resulting in an increasing number of councils' being unable to function. In April 1990 some 300 wards were reportedly vacant countrywide. Government officials said that most of the resignations were the result of intimidation and violence. However, the UDF denied this. It said that the system of local government had been destined to collapse since its inception.⁴⁸ [⁴⁸ *Ibid* 2,25 April 1990]

Political Violence

In 1989 the number of incidents of insurgency decreased. According to the chief of the security police. Lieutenant General Basie Smit, incidents of insurgency had decreased from 281 in 1988 to 199 in 1989. Gen Smit suggested that the decrease was due to the shift in emphasis of the African National Congress (ANC) away from the armed struggle to constitutional negotiations.⁴⁹ [⁴⁹ *Business Day* 22 January 1990] However, the number of incidents of insurgency in the first three months of 1990 showed a marked increase over the 1989 monthly average of approximately 17. According to the University of Pretoria's Institute for Strategic Studies, there was a monthly average of 26 or 27 incidents in South Africa and the 'independent' homelands for the first three months of 1990.⁵⁰ [⁵⁰ *The Weekly Mail* 4 May 1990]

According to Gen Smit, there were 7 998 unrest-related incidents in 1989 compared with 5 028 in 1988 (a 59% increase).⁵¹ [⁵¹ *Cape Times* 22 January 1990] By 21 August 1990, the total for that year was 11 506.⁵² [⁵² *The Citizen* 27 August 1990]

During the period under review, there was also a significant increase in incidents of right-wing violence, including a number of attacks on civilian targets. According to a political and labour risk analyst, Mr Wim Boooyse, there were up to 45 extremist right-wing terrorist units operating in South Africa. He said it was clear that right-wing elements had gone over to 'armed propaganda'.⁵³ [⁵³ Ibid 6 July 1990] Speculation that right-wing groupings were being supported by members of the security establishment were strengthened with reports of theft from the military arsenals of the South African Defence Force (SADF) including hand grenades, mines and automatic rifles.⁵⁴ [⁵⁴ *Sunday Tribune* 22 July 1990] In July 1990 the deputy leader of the Boerestaat Party, Mr Piet 'Skiet' Rudolph, declared war on the government, the ANC and the South African Communist Party (SACP). Mr Rudolph, who was wanted by the police, said that innocent citizens were not the target of his militant grouping, the Orde Boerevolk (OB). He said that the OB's targets were those in government who wanted to place the land of the boer volk in the hands of their collaborators, the ANC and the SACP.⁵⁵ [⁵⁵ *The Daily Mail* 12 July 1990] In July 1990 there was a series of bomb attacks believed to be the work of right-wing groupings. A bomb exploded at a black taxi rank in central Johannesburg, injuring 27 people. At least ten suspects were arrested in connection with the bombing. Large arms caches, including plastic explosives, detonators and grenades, were also seized by police. A group calling itself the Wit Bevydingsieer claimed responsibility for the bomb and threatened that it would not be the last. It also threatened to assassinate the minister of law and order, Mr Adriaan Vlok, and the chief of staff of Umkhonto we Sizwe, Mr Chris Hani, if the arrested suspects were not released.⁵⁶ [⁵⁶ *The Star* 9 July 1990] A bomb exploded at the home of a National Party (NP) city councillor, Mr Jan Burger, and there was an explosion at the offices of the newspaper *Vrye Weekblad*.⁵⁷ [⁵⁷ *The Daily Mail* 9 July 1990] Two people were killed on the west Rand in bombings attributed to the right wing.⁵⁸ [⁵⁸ *The Citizen* 16 July 1990] A bomb exploded at the Bloemfontein offices of the NP.⁵⁹ [⁵⁹ *The Daily Mail* 23 July 1990] In August 1990, 13 people were seriously injured when a bomb exploded at a fast food outlet in Pretoria frequented mainly by blacks. A second bomb was discovered at a taxi rank nearby and diffused by police.⁶⁰ [⁶⁰ *City Press* 12 August 1990]

In February 1990 the existence of a covert SADF body operating under the name of the Civil Co-operation Bureau (CCB) was revealed. The CCB was alleged to have been involved in political assassinations of government opponents. In the same month a commission of inquiry into alleged police and army 'hit squads' and politically motivated violence was appointed under the chairmanship of Mr Justice Louis Harms. The inquiry was still in progress in August 1990. The Harms Commission decided in June not to call witnesses crucial to the 'hit squad' investigation, including the ministers of defence and of law and order.⁶¹ [⁶¹ *The Star* 26 June 1990] The CCB, implicated in 'hit squad' activity, was 'operationally disbanded' in July 1990. In August 1990 the chief of the SADF, General Jannie Geldenhuys, said that it had ceased operations and was in the process of being disbanded.⁶² [⁶² *The Citizen* 1 August 1990, *The Daily Mail* 3 August 1990]

According to statistics compiled by the South African Institute of Race Relations, there were 1 403 deaths in political violence in 1989. Measured in fatalities, 1989 was the worst year of political violence

in modern South African history. However, within the first six months of 1990, 1 591 deaths had already occurred in political violence. Of these, 1 212 deaths had occurred in Natal and 379 elsewhere. The number of deaths for the first six months of 1990 in areas excluding Natal (379) had more than tripled, when compared with the total 1989 figure (124) for areas excluding Natal. Many incidents of unrest occurred in the homelands in February, March and April 1990 (see *The Homelands*). However, Natal remained the area where most deaths occurred, with a monthly average of 202 for the first six months of 1990. Most of the violence in Natal was attributed to conflict between the ANC/United Democratic Front (UDF)/Congress of South African Trade Unions (COSATU) and Inkatha. There was, however, a 26% decrease in the number of deaths in Natal when comparing the first three months of 1990 (695) with the second three months (517).

Tribal conflict and/or conflict between Inkatha and the ANC were factors in serious clashes outside Natal, mainly on the Witwatersrand, in July and August 1990. Clashes between alleged Inkatha and ANC supporters in the east Rand townships of Katlehong, KwaThema, Tokoza and Vosloorus; Kagiso (west Rand); Soweto (Johannesburg); and Sebokeng (Vaal Triangle) had claimed the lives of some 500 people by the end of August. The fighting was restricted mainly to hostels in these areas. Spokesmen for Inkatha and the ANC condemned the violence and called for peace. There were fresh calls for a meeting between Chief Buthelezi and Mr Mandela, but at the time of writing no such meeting had taken place.⁶³ [63 *The Citizen* 22 July 1990, 16 August 1990; *Sowetan* 6, 20, 21 August 1990; *The Star* 13 August 1990]

Clashes between black consciousness groups and other political groups, particularly those allied to the ANC, decreased during 1989 but re-emerged in 1990. In March 1990 there was violent conflict between the Azanian People's Organisation (AZAPO) and the UDF, mainly in the western Transvaal. In Bekkersdal, clashes between two youth groups, the Azanian Students' Movement (AZASM) and the Bekkersdal Youth Congress, affiliated to AZAPO and the UDF respectively, claimed the lives of seven people, mainly AZASM members. Senior members of AZAPO held peace talks with the deputy president of the ANC, Mr Nelson Mandela. There were few reports of clashes thereafter.⁶⁴ [64 *The Citizen* 20 March 1990]

In the first two months of 1990, violent clashes broke out between supporters of the Pan-Africanist Congress (PAC) and the UDF in the Uitenhage area (eastern Cape), claiming 19 lives. In February 1990 a peace accord was signed following the intervention of senior ANC and PAC leaders, Mr Raymond Mhlaba and Mr Japhta Masemola respectively.⁶⁵ [65 *City Press* 25 February 1990] In August there was conflict in Port Elizabeth between ANC and Labour Party supporters and 49 lives were lost.⁶⁶ [66 *The Citizen* 13 August 1990, *Business Day* 17 August 1990]

A PAC representative in the Old Crossroads settlement in Cape Town said in August that ANC representatives were using 'extreme intimidation and violence' to make people join their structures. The claim was made after shacks housing 200 people had been burnt down. An ANC/UDF spokesman denied the allegation: I think if individuals are fighting, the ANC cannot be blamed for the conflict.⁶⁷ [67 *The Daily Mail* 23 August 1990]

In July 1990 Mr Booyse said that there had been an 'astronomical' increase in right-wing violence over the two preceding months. He said that in 1989 between 0,2% and 1,25% of recorded incidents could be ascribed to the right wing, while this figure had risen to between 4% and 7% in the first six months of 1990. However, Mr Booyse said, the left (the ANC and the PAC) were probably responsible for between 85% and 89% of incidents, while the balance included 'system terror' and incidents from unknown perpetrators.

Mr Booyse said there had been 138 incidents of what he defined as 'revolutionary terror' between January and June 1990, 197 incidents of 'sub-revolutionary terror', and 6231 of 'agitational terror' in South Africa (excluding the 'independent' homelands).

The first category involved 'the use of systematic tactics to terrorise victims with the objective of bringing about revolutionary change', and included incidents such as limpet-mine, commercial-explosive, and hand-grenade attacks, as well as those in which AK-47s and other rifles were used. The second category involved violence for political motives and for more limited goals, such as attacks with petrol bombs on black town councillors' homes, while the third included 'incidents of intimidation aimed at disrupting the social order'.⁶⁸ [⁶⁸ Ibid 7 July 1990]

In evidence before the Harms Commission in August 1990, the commanding officer (public relations) of the South African Police (SAP), Major-General Herman Stadler, said that between 1 January 1976 and 30 April 1990, 1 412 'terror deeds' had occurred in South Africa: 433 attacks targeted the SAP, 60 the SADF, 36 legal institutions, 224 state institutions, 315 economic targets, 336 civilian targets, and eight unspecified targets. There were 240 fatalities, and 1 350 people had been injured in these incidents. Based on confessions given by people held in police custody, articles in publications, trial testimonies and statements, the ANC had accepted responsibility for most of these deeds, he said.⁶⁹ [⁶⁹ *Business Day* 21 August 1990]

Gen Stadler said that there had been more than 51 000 incidents of unrest between September 1984 and May 1990, which left 1 244 people injured and 4 529 dead. (Figures compiled by the South African Institute of Race Relations gave a much higher total of some 8 000 deaths between September 1984 and September 1990.) Gen Stadler told the commission that 801 people had been killed and 178 injured as a result of necklacings and burnings between September 1984 and December 1989.

Between September 1984 and December 1989, 20 581 buildings had been damaged in unrest, at a cost of R128m. Over the same period damage estimated at R164m had been done to 29 032 motor vehicles.⁷⁰ [⁷⁰ *The Daily Mail* 21 August 1990]

During the period under review there were numerous reports of intimidation and the use of coercion for political purposes in various parts of the country. Some of these are detailed below.

In February 1990 it was reported that commuters who had gone to work despite a call for a stayaway had

been attacked with sjamboks and other weapons on their return home to the Tembisa township on the east Rand.⁷¹ [⁷¹ *The Citizen* 6 February 1990] At the time of a rally in honour of Mr Mandela at Soccer City, it was reported that there had been a spate of hijackings of black minibus taxis, evidently to take people to the rally.⁷² [⁷² *Business Day* 14 February 1990] Mr Mandela condemned the hijackings and the setting alight of vehicles.⁷³ [⁷³ *The Star* 14 February 1990]

In March, it was reported that gangs of youths calling themselves 'comrades' and claiming to be opposed to the privatisation of township housing were visiting the new owners of housing auctioned off after being repossessed from defaulting previous owners and ordering them to leave.⁷⁴ [⁷⁴ *Saturday Star* 3 March 1990] In an editorial in the same month, the newspaper *City Press* reported that 'children as young as ten years old were being recruited by old men to make petrol bombs and attack the homes and taxis of rival groups'.⁷⁵ [⁷⁵ *City Press* 11 March 1990] Later in the month, after the deaths of ten people in the Venda homeland, police were reported to have blamed escalating violence on left-wing forces allegedly using witchcraft to mobilise people.⁷⁶ [⁷⁶ *Sowetan* 16 March 1991]

Following stayaways called to mark the 30th anniversary of the Sharpeville killings on 21 March 1960, it was reported that barricades had been set up in several Natal townships to prevent buses from taking commuters to work, and that cars had been stoned and set alight. In Atteridgeville, a township near Pretoria, one person was shot when youths also sought to stop people from going to work. From Bloemfontein it was reported that doctors had been prevented from reaching a hospital.⁷⁷ [⁷⁷ *Ibid* 22 March 1990] Six people were reported to have died during the stayaway. From Vanderbijlpark (Transvaal) it was reported that 'comrades' had prevented children from going to school'.⁷⁹ [⁷⁹ *The Citizen* 15 May 1990]

An official of the Democratic Party (DP) in Virginia in the Orange Free State said in May that a consumer boycott was being enforced by intimidation. He said definite proof of intimidation of ordinary citizens existed, and quoted an incident in which a DP member was forced to drink a bottle of milk she had bought and then eat the plastic container. 'We also know of a man in Virginia who was forced to swallow the entire bottle of tablets he had bought at a chemist. According to our information the man died afterwards from the overdose.'

At the end of May it was reported that five boys and three girls in Carletonville (west Rand) had been accosted by 'comtsotsis' in a classroom. One of the victims said: 'One of the boys was hit on his ear with a brick. The ear was almost severed, and hung loosely while he bled profusely. One of the interrogators ordered him to tear it off and eat it. There was nothing else he could do so the boy tore off and ate his ear. After a while the interrogators decided all their hostages' ears should be severed to make them look alike. I could not believe it, but one of them produced a blade and they came for us. One by one, they cut off bits of our ears and ordered us to eat them. We did.'⁸⁰ [⁸⁰ *City Press* 27 May 1990]

In July it was reported that domestic workers in Johannesburg had been threatened with death if they

refused to join a protest march.⁸¹ [⁸¹ *The Weekly Mail* 20 July 1990] It was also reported in July that an opinion poll among black adults about their political leanings had excluded Natal (including KwaZulu) and parts of the Transkei because interviewers there had been physically threatened.⁸² [⁸² *Sowetan* 24 July 1990] It was reported towards the end of August that a stayaway in Bloemfontein had resulted in several firms' having large-scale absenteeism as workers feared for the safety of their homes after the houses of people who had tried to go to work were stoned. Staff who did get through the barricades were fearful of what they would find when they returned home later. The township roads were littered with stones and other obstacles as groups of youths gathered to ensure that workers heeded the ANC/UDF/COSATU alliance's call for a massive stayaway to protest against the 'continued detention' of its leaders, including leaders of the SACP.⁸³ [⁸³ *Ibid* 24 August 1990]

There were numerous reports during the year of the involvement of black youths in political action. It was argued by some that the youths were out of control and by others that they were being used by older people.

The minister of constitutional development, Dr Gerrit Viljoen, said that the continued use of rhetoric about armed struggle was causing problems by enabling young people to justify their use of violence in the townships.⁸⁴ [⁸⁴ *The Argus* 18 April 1990] On several occasions ANC leaders called for discipline. In an address at an ANC rally in Cape Town in April, the general secretary of the SACP, Mr Joe Slovo, said: It is you, the youth, the young lions, who have and are still prepared to struggle in the face of death, who refuse to bow down before race domination, who made it happen.⁸⁵ [⁸⁵ *The Citizen* 30 April 1990]

Earlier in the month the South African Youth Congress (SAYCO) had called on all youth to join the ANC and had declared Chief Buthelezi 'an enemy of the people'. SAYCO issued a call to: 'Mobilise, organise for the final offensive! All youth to the battle! All youth to the frontline!'⁸⁶ [⁸⁶ *New Nation* 20 April 1990] A SAYCO advertisement in June called on youth to 'build and strengthen the fighting formations of the people, the ANC, SACP, COSATU, and Umkhonto we Sizwe'. SAYCO also called for youths to 'occupy their fighting trenches, the universities, colleges, and schools'.⁸⁷ [⁸⁷ *Sowetan* 8 June 1990]

At the 'Conference for a Democratic Future', organised by the ANC and the UDF at the University of the Witwatersrand (Johannesburg) in December 1989, a call was issued 'to mobilise our forces, to organise and intensify the struggle'. Objectives included launching mass-based campaigns, working towards the dismantling of 'puppet structures' of local government and initiating a process leading to the dismantling of all 'bantustans'.⁸⁸ [⁸⁸ *Indicator SA* 12 December 1989]

Early in 1990 political upheaval flared up in all four of the 'independent' homelands, as well as in Gazankulu and Lebowa in the Transvaal. An official of the UDF, Mr Patrick Lekota, said: 'Our people in the bantustans have learnt from their counterparts in the urban areas who have brought down the councils in wave after wave. They have learnt that these administrations can only be removed by mass action.'⁸⁹ [⁸⁹ *New Nation* 16 March 1990] The chief minister of Gazankulu, Professor Hudson Ntsanwisi, said

in February after disturbances in that area that he was ‘concerned at the degree to which children and youths in general can intimidate the entire community’.⁹⁰ [⁹⁰ *Sowetan* 28 February 1990]

In March it was reported that the mayor of Tokoza on the east Rand had resigned from the town council after his shop had been boycotted, customers assaulted by youths, and his house set alight by a mob.⁹¹ [⁹¹ *The Star* 2 March 1990] It was reported in April that 61 black councillors had recently resigned from black local authorities as a result of intimidation, violence, and other pressures.⁹² [⁹² *Ibid* 2 April 1990] *The Star* reported that about 10% of the black councillors in the Transvaal had resigned as a result of pressure from extra-parliamentary organisations which demanded the abolition of all apartheid structures. The newspaper also said, They live behind barbed wire. Their cars are petrol-bombed, their houses stoned. Some have suffered gruesome deaths at the hands of angry mobs.⁹³ [⁹³ *Ibid* 4 April 1990] *Business Day* reported how a 75-year-old town councillor had apparently shot and killed himself after firing shots at a group of youths who stoned him and surrounded his home near Newcastle in Natal. Police said that his body had then been dragged from the house while youths set fire to his home, a motor cycle, two cars, two mini-buses, and a garage, and plundered shops owned by the councillor.⁹⁴ [⁹⁴ *Business Day* 25 April 1990] On the same day *The Star* reported that resignations by black town councillors had reached ‘crisis proportions’, as a result of what it called ‘sustained political pressure from extra-parliamentary groups’.⁹⁵ [⁹⁵ *The Star* 25 April 1990] In August it was reported that the mayor of Alexandra (Johannesburg) had resigned because her home had been attacked six times with petrol bombs since February.⁹⁶ [⁹⁶ *The Citizen* 10 August 1990]

Intimidation was also reported in black education. Addressing the KwaZulu Legislative Assembly towards the middle of the year, Dr Oscar Dhlomo, then KwaZulu’s minister of education and culture, said school activities in a significant number of circuits in KwaZulu/Natal had been totally disrupted as a result of a campaign spearheaded by ‘comrades’ to intimidate and murder principals and teachers in KwaZulu/Natal in a bid to force them either to over-enrol in their schools or to allow the formation of illegal student councils. He said that ‘national academic genocide’ was being committed by people who ‘do not have their own children in the schools they are disrupting. Their children are in elite private schools in this country and overseas... The enslavement they are visiting upon a generation of young people is many times worse than what apartheid has done during the past 42 years of National Party rule’.⁹⁷ [⁹⁷ *Ilanga* 21 June 1990]

A newspaper reporter, Mr Jon Qwelane, quoted teachers and principals as saying they had lost control to ‘representatives of a particular teachers’ organisation allegedly acting in tandem with a particular students’ organisation’. According to Mr Qwelane, ‘What the teacher organisation’s “reps” say almost always passes for law; teachers and principals say they disobey at their own peril. Decisions are allegedly taken elsewhere and then presented at a teachers’ meeting as a fait accompli. Pupils are being “used” by some teaching staff, invariably active members of the teachers’ organisation, to enforce unpopular dictates.’

A headmistress said, 'We have been thoroughly intimidated and we know it. We are not sure what is happening, who is running the schools, and whether we are coming or going. We are even afraid to speak out, because we will be called "sell-outs" and "reactionaries" and be dealt with mercilessly.'⁹⁸ [⁹⁸ *Sunday Star* 1 July 1990]

Another form of intimidation was that of black journalists. A number of black journalists made this allegation at various discussions organised by the South African Institute of Race Relations. During one such discussion in the first few months of 1990, four journalists lamented the fact that they could not express views that were openly critical of the various black organisations in South Africa or individuals because there was a fear that they would be victimised if they did. One recalled a time when he had visited an area near Tzaneen in the northern Transvaal. When it was discovered that he represented the *Sowetan*, he had a tyre put round his neck and he was threatened because he was perceived as being pro-black consciousness. Another, Mr Kaizer Nyatumba, said that black journalists bore a great responsibility to report matters as objectively as possible. That meant they should be able to question leaders freely. 'But if you do that now they "give you a call" and give you all sorts of labels.' The black journalists said liberation movements expected them to sing their praises and not to ask sensitive questions of their leaders, whereas white newspapers 'can go to someone like Mandela and question him about very sensitive things' without fear of repercussions.⁹⁹ [⁹⁹ *Race Relations News* April 1990]

Mr Thami Mazwai, senior assistant editor of the *Sowetan*, told a conference organised by the Institute in June that 'the battle for the control of the media continues. Because the government succeeded in getting sectors of the press as its apologists it has become commonplace for all organisations to try and do the same'. He said reporters were expected to ignore news concerning 'certain organisations' while highlighting that of others. They were also expected to publish the atrocities of the one and ignore those of the other. Criticising class boycotts and 'necklacing' was considered taboo. He told the conference that a boycott of the *Sowetan* had been announced after one of the newspaper's journalists had been accused of publishing a story that 'sowed division'. Mr Mazwai said pressures like this led to the most vicious form of censorship, that of self-censorship. Mr Mazwai said the *Sowetan* was not prepared to abdicate its responsibility as a newspaper. Mr Arthur Konigkramer, managing director of an Inkatha-owned company which publishes the newspaper *Ilanya*, said that a 'well-orchestrated campaign' of intimidation had caused the paper's circulation to drop by more than 20 000 copies, from a peak of nearly 148 000 in September 1989. Distribution trucks had been held up, while gangs of 'faceless people' had threatened to burn down shops that sold the newspapers, he said.¹⁰⁰ [¹⁰⁰ *Business Day* 31 July]

Mr Konigkramer also said that people who had bought the newspaper in defiance of the campaign against it had been forced to eat it.

Security

During the period under review South Africa began to cut back on the manufacture and purchase of arms. The defence budget for 1990/91 was effectively reduced, one reason being the ending of hostilities in Namibia and Angola. In January 1990 the South African Defence Force (SADF) announced a variety

of clits in expenditure and the building of the SADF's proposed R250m headquarters in Pretoria was 'indefinitely postponed'.

In December 1989 national service was cut from two years to one, with effect from 1990. In January 1990 it was announced that the period of community service for religious objectors was to be halved and that non-religious objectors (in jail) would be able to benefit from the remissions policy available to other prisoners. Suicides by national servicemen dropped by one third in 1989 (as compared with 1988).¹⁰¹ [¹⁰¹ *The Star* 18 May 1990]

In February 1990 there were 800 SADF troops in African townships (as against 5 000 to 8 000 in June 1987). Most were in Natal, dealing with the widespread conflict in the area. An SADF spokesman said in April 1990 that the violence in Natal and the extended citizen force call-up could be a drain on the SADF's resources, and could become an even heavier burden because of the halved period of national service.¹⁰² [¹⁰² *Eastern Province Herald* 24 April 1990] The minister of defence, Mr Magnus Malan, announced in April 1990 that individual camps for citizen force and commando members were to be extended from 30 to 60 days, as a result of violence in Natal and elsewhere.¹⁰³ [¹⁰³ *Cape Times* 19 April 1990] In June 1990 the army promised that it would not withdraw its presence in Natal until stability had been restored.¹⁰⁴ [¹⁰⁴ *The Citizen* 6 June 1990] In August 1990 the SADF was called in to restore peace in Old Crossroads township (Cape Town) as a result of conflict there.¹⁰⁵ [¹⁰⁵ *Ibid* 3 August 1990]

Mr Malan said in May 1990 that two SADF members were killed in military operations in 1989.¹⁰⁶ [¹⁰⁶ *The Weekly Mail* 25 May 1990]

A conscientious objector and Anglican priest, the Rev Douglas Torr, was sentenced in June 1990 to one year in jail for refusing to serve in the SADF.¹⁰⁷ [¹⁰⁷ *Sowetan* 2 August 1990] Two other objectors, Messrs David Bruce and Charles Bester, were released from prison after their cases went on appeal.¹⁰⁸ [¹⁰⁸ *Eastern Province Herald* 5 July 1990] The Appellate Division of the Supreme Court in Bloemfontein found in June 1990 that the Defence Amendment Act of 1983 did not prescribe a mandatory sentence for objectors, paving the way for their releases.¹⁰⁹ [¹⁰⁹ *The Star* 23 June 1990] An End Conscription Campaign spokesman said in August 1990 that there were more than 1 300 political and moral conscientious objectors in South Africa.¹¹⁰ [¹¹⁰ *Sunday Times* 5 August 1990]

It was reported that 70 people had died as a result of contact with the electrified fences on South Africa's northern and eastern borders since their erection.

In November 1989 the dismantling of the national security management system was announced and joint management centres were to be replaced by joint co-ordinating committees. The State Security Council was downgraded to cabinet-committee status.

As at November 1989, 285 people were on death row and 52 people had been executed since January 1989. Lawyers for Human Rights said that 42 death sentences had been handed down in 1989 for political offences in South Africa, including the 'independent' homelands. In February 1990 all executions were suspended until Parliament decided on new proposals on capital punishment. There were 79 political prisoners on death row at the time. The Criminal Law Amendment Act was passed in July 1990, removing terrorism from the list of capital offences, except in times of war. It also did away with the compulsory imposition of the death penalty and granted an automatic right of appeal against the death sentence.¹¹¹ [¹¹¹ *The Citizen* 28 July 1990]

According to the government, as at December 1988 there were 353 prisoners serving sentences for crimes against the security of the state. A number of political prisoners were released during the period under review, notably five treason trialists who had spent four-and-a-half years in prison on trial in Delmas (Transvaal), and a group of eight men including an African National Congress (ANC) leader, Mr Walter Sisulu, who were unconditionally released in October 1989.

In February 1990 the state president, Mr F W de Klerk, announced that people who were in prison because they belonged to banned organisations would be released. At least 14 people were released that month, including a leader of the ANC, Mr Nelson Mandela, after 27 years' imprisonment. The ANC published a draft report listing 750 names of those it regarded as political prisoners. It estimated that 3 000 political prisoners were being held.

The state of emergency was re-imposed in June 1989, along with restriction orders on many of the estimated 500 people restricted under general or specific emergency regulations. A total of 557 people were thus restricted as at 31 January 1990. The number of emergency detainees declined in 1989, partly because of releases after a nationwide hunger strike held by detainees. More emergency detentions occurred in 1990.

In February 1990 some of the emergency regulations were lifted; the ANC, the Pan-Africanist Congress and the South African Communist Party (SACP) were unbanned; restriction orders on 33 organisations and 374 people were rescinded; and the state president gave notice of his intention to terminate the state of emergency as soon as possible.

In June 1990 the four-year-old state of emergency was lifted everywhere in South Africa except Natal.¹¹² [¹¹² *Business Day* 8 J June 1990]

By the end of the period under review no one was banned under the Internal Security Act (ISA) of 1982 or the emergency regulations. There were detentions under the ISA and emergency regulations, however. As at August 1990 there were 83 people being held in detention under the ISA.¹¹³ [¹¹³ *The Weekly Mail* 3 August 1990]

The South African Police (SAP) faced a morale crisis in 1989 and there were many resignations over

low salaries and working conditions. In January 1990 SAP members were promised a better deal and in March the minister of finance, Mr Barend du Plessis, announced a package for the improvement of conditions of service. The prisons and police services saw the formation of the Police and Prisons Civil Rights Union (POPCRU) under Lieutenant Gregory Rockman. There were subsequent dismissals and suspensions of POPCRU members.

The SAP paid out R2,7m in compensation as a result of police misconduct in the 1988/89 financial year. There was consistent reporting in the period under review of alleged police misconduct. Allegations of police brutality made by Lt Rockman received much attention. A judicial inquiry into police conduct in March 1990 in Sebokeng (Vaal Triangle) was continuing in August 1990. A commission of inquiry into alleged police and army 'hit squads' and politically motivated violence chaired by Mr Justice Louis Harms was appointed in February 1990 following allegations by former policemen of the existence of such units (see *Political Violence* above).

By February 1990 there were over 300 political trials still in progress. There were a number of trials under security legislation, with the so-called Yengeni terrorism trial seeing the acquittal of eight of the 14 accused because their alleged confessions were deemed to be invalid. Three Yengeni trialists had been released on bail in August 1990 after being in custody for almost three years. The confession of trialist Jenny Schreiner was re-tendered by the state despite the defence's intention to dispute it and its withdrawal by the state in 1989.¹¹⁴ [¹¹⁴ *Cape Times* 2 August 1990]

In August 1990, in the Witwatersrand Local Division of the Supreme Court (Johannesburg), Mr Jerry Richardson, former coach of the Mandela United football team (the team acted as bodyguards for Mrs Winnie Mandela, wife of Mr Mandela), was sentenced to death for the murder of an activist, Stompie Seipei, aged 14 years, in January 1989. He was also sentenced to a total of 18 years' imprisonment on charges of kidnapping, attempted murder and assault. The court heard that Mr Richardson and others had kidnapped four youths, including Stompie, from the Methodist manse in Orlando (Soweto) and had taken them to Mrs Mandela's house in Diepkloof (Soweto), where Stompie was accused, inter alia, of being a police informer. A witness and one of the four kidnapped youths, Mr Kenneth Kgase, testified that they had been assaulted while being kept captive at Mrs Mandela's house. Mrs Mandela had participated in the assaults, sjambokking and punching the youths.¹¹⁵ [¹¹⁵ *The Citizen* 4 May 1990] On the night of 1 January 1989, Stompie, who could not eat or write as a result of the assaults, was taken from the manse by Mr Richardson and was never seen again. Mr Kgase also testified to having been present when Mr Richardson stabbed a Mr Andrew Ikangeng with the blade from a pair of garden shears.¹¹⁶ [¹¹⁶ *The Star* 4 May 1990] Mrs Mandela was not called as a witness.

In handing down the sentence, Mr Justice B O'Donovan, sitting with two assessors, said that the murder was particularly brutal and that Stompie was 'hardly more than a child'. He said, 'The murder was the culminating event after prolonged ill-treatment. When Stompie was removed from the Mandela household, he was already severely injured. The murder was obviously premeditated.'¹¹⁷ [¹¹⁷ *Ibid* 8 August 1990] In terms of the revised law on hanging, the case will automatically go on appeal to the Appellate

Division of the Supreme Court.

Commenting on whether Mrs Mandela would be charged in connection with the kidnapping and murder of Stompie, a spokesman for the office of the attorney general of the Transvaal, Mr Klaus von Lieres und Wilkau, said that political considerations would play no part in the decision. Towards the end of September Mrs Mandela was charged in the Soweto Regional Court on four counts of kidnapping and four of assault with intent to do serious bodily harm. The trial was postponed to February 1991.¹¹⁸ [¹¹⁸ *Sunday Star* 12 August 1990, *The Indicator* 23 September 1990]

In April 1990 the minister of justice, Mr Kobie Coetsee, announced that he was to introduce legislation which would end the compulsory separation of races in prisons.¹¹⁹ [¹¹⁹ *Cape Times* 28 April 1990] In May 1990 an Indemnity Act was passed, allowing the government to grant temporary immunity or indemnity to political exiles or to halt political trials. This paved the way for negotiations with the ANC (see *Politics*).¹²⁰ [¹²⁰ *The Star* 18 May 1990] In July 1990 a member of the ANC national executive committee and of the SACP, Mr Mac Maharaj was detained under the ISA. His detention followed those of two other senior ANC and Natal Indian Congress members (see *Politics* above).¹²¹ [¹²¹ *The Daily Mail* 26 July 1990]

The police said in August 1990 that a total of 42 policemen had been murdered and 403 injured in unrest-related violence since the beginning of the year. Since January there had been 1 223 attacks on policemen and police patrols. A total of 522 police homes and families had been attacked, while 1 805 police vehicles were either destroyed or damaged. The police said that the number of attacks against police had increased over the past three months, black policemen being the main targets of attack.

‘Policemen become targets because they are the first line of defence and stand in the way of revolutionaries,’ a police spokesman said.¹²² [¹²² *Sowetan* 28 August 1990]

Population, Settlement and Housing

According to the Bureau for Market Research at the University of South Africa, the total population of South Africa (including the ten homelands) in 1990 was: Africans, 28 258 000; Asians, 978 000; coloured people, 3 244 000; and whites, 5 052 000.

The minister of home affairs, Mr Gene Louw, said in Parliament in May 1990 that the Population Registration Act of 1950, which provided for race classification, was unacceptable, totally inflexible and ‘undoubtedly discriminatory’. He said that the government wished to repeal it ‘as soon as possible’. He said, however, that a moratorium on the act was impossible, and it could not be repealed immediately as it formed part of the ‘ongoing constitutional debate’. In the interim, his department would try to apply it with as much compassion as was humanly possible.¹²³ [¹²³ *The Citizen* 15 May 1990]

In July 1990 the South African diplomatic mission in Finland said that it had received more than 6 000 applications for immigration from citizens of the Soviet Union in the previous months. The South African ambassador in Finland, Mr Johannes Letter, said that he was 'amazed' that so many Russians had chosen to apply to his mission, as he had previously had no applications. He added that 90% of the applications were from people with few qualifications, who stood little chance of acceptance. It was also reported that some 30 000 east Europeans had addressed enquiries about emigration to the South African embassy in Vienna (Austria).¹²⁴ [¹²⁴ *Business Day* 19 July 1990]

In July 1989 the Department of Local Government, Housing and Works (white own affairs) announced that it would appoint 70 officials countrywide to investigate complaints from the public about contraventions of the Group Areas Act of 1966 in white group areas. The officials would be based at 'notification points' in the major cities. 'Valid' complaints would be referred to the department, which would attempt to find alternative housing for offenders. Only if offenders refused to be reset-tied would the department resort to prosecution.¹²⁵ [¹²⁵ *The Citizen* 19 July 1990] In November 1989 it was reported that many of the posts remained unfilled. In the southern Transvaal region alone, only four of the 22 posts had been filled.¹²⁶ [¹²⁶ *The Star* 14 November 1989] The minister of the budget and local government in the House of Assembly, Mr Amie Venter, said in Parliament in March 1990 that since their appointment in July 1989, group areas officials had investigated 1 249 alleged contraventions of the Group Areas Act. He added that no criminal charges had been laid subsequent to these investigations.¹²⁷ [¹²⁷ *Business Day* 16 March 1990]

In November 1989 the first four free settlement areas were announced by the government. They were Country View (Midrand), Warwick Avenue Triangle (Durban), Windmill Park (east Rand) and Zonnebloem, formerly District Six (Cape Town). In April 1990 the minister of planning and provincial affairs, Mr Hernus Kriel, announced that 14 further areas were to be investigated by the Free Settlement Areas Board.¹²⁸ [¹²⁸ *The Citizen* 19 April 1990]

In April 1990 the state president, Mr F W de Klerk, said in Parliament that the Group Areas Act and the Black Land Act of 1913 would be replaced, possibly in 1991, by 'new, non-discriminatory measures'. He maintained that 'any reforms with regard to the usage of land will have to take into account the principles of free enterprise, security of tenure and vested property rights'. It was necessary that any land reform be preceded by consultation with all affected groups, Mr De Klerk said. 'However, this does not mean that we have to wait for a new constitution before we are able to make progress. Preliminary findings indicate that we may be able to act sooner.'¹²⁹ [¹²⁹ *Business Day* 20 April 1990]

The South African Housing Trust said in January 1990 that the shortage of housing in South Africa (including all ten homelands) was 3,4m units. These figures were calculated assuming an average of 6,5 persons per household, and then deducting existing housing stock from the total required by an estimated African population of 28m.¹³⁰ [¹³⁰ Kelly J, *Social and Economic Update 10*, January-June 1990 (SAIRR)]

In October 1989 the Urban Foundation announced a loan guarantee scheme which would enable banks

and building societies to extend home mortgage finance to lower-income groups for the first time. The scheme comprised a fund to enable the private insurance industry to provide cover for home loans between R12 500 and R35 000. It was estimated that about 264 000 African families would be able to buy homes of their own as a result of the loan guarantee scheme. Whereas previously only 10% of Africans could afford to buy their own homes, the figure would now be increased to 43%.¹³¹ [¹³¹ *The Star* 5 October 1989]

By the end of 1989 some 700 000 houses in African townships in South Africa (excluding the ten homelands) had been electrified. In May 1990 an Eskom spokesman estimated that it would cost about R6bn to lay on the supply of electricity to about 20m people in the country who did not have electricity.¹³² [¹³² *Business Day* 11 May 1990]

The director of policy analysis at the Development Bank of Southern Africa, Dr S F Coetzee, said in October 1989 that there were about 7m informal settlers (also known as squatters) in South Africa (including the ten homelands). Of this number, between 1,6m and 2,4m informal settlers lived in the Pretoria/Witwatersrand/Vereeniging area.¹³³ [¹³³ *The Star* 26 October 1989]

In July 1990 the publicity secretary of the southern Transvaal branch of the United Democratic Front (UDF), Mr Ronnie Mamoepa, announced that the UDF was to start a countrywide campaign to occupy disused land and empty flats designated for use by whites in order to provide housing for homeless black families, including informal settlers.¹³⁴ [¹³⁴ *Business Day* 17 July 1990]

The announcement was criticised by the South African Police, which said that the UDF was using innocent informal settlers 'in the frontline of what could lead to a confrontation'. A police statement called on the UDF to allocate its funds to more constructive purposes, such as providing housing in 'demarcated areas' for the homeless. Although the African National Congress initially criticised the UDF announcement, it said later that it supported 'the democratic initiative to provide homes for our homeless people'.¹³⁵ [¹³⁵ *The Citizen* 17, 20 July 1990]

Later in the month, the UDF threatened to settle informal settlers on land in District Six (Cape Town), which had formerly been occupied by the coloured community. The threat was seen as an attempt to stop the building of luxury housing in District Six by a private developer, Ilco Homes. Following the UDF's announcement of its intention to occupy the land, Ilco Homes said that it would meet UDF representatives to discuss the use of the land. The UDF then withdrew its threat.¹³⁶ [¹³⁶ *Business Day* 27 July 1990] No further plans for the occupation of land or housing had been implemented by the UDF at the time of writing.

The chairman of the Central Witwatersrand Regional Services Council, Mr John Griffiths, said in June 1990 that plans had been approved for the development of two new towns on the Witwatersrand. A new town, to be known as Rietfontein, would be developed on 8 900ha of land south of Ennerdale

(Johannesburg). It would provide 90 000 low-cost houses and accommodate 600 000 people. Mr Griffiths said that Rietfontein would be developed ‘nonracially’, although it was expected that most of its residents would be African. Unlike Soweto, the planning of Rietfontein made provision for industrial and commercial development. Mr Griffiths said that the provision of land and services for the town would cost the council R1,2bn. He added that the Vaal Triangle Regional Services Council planned to develop an adjoining area at Stretford, which would provide housing for an additional 600 000 people.¹³⁷ [¹³⁷ Ibid 20 June 1990]

Mr Griffiths also announced the development of 10 000ha west of Soweto, mainly for medium-cost housing, which would provide up to 30 000 houses.¹³⁸ [¹³⁸ *Sowetan* 21 June 1990]

In his book *From Town to Township*, published by the South African Institute of Race Relations in June 1990, Mr Mauritz Moolman said that Regional Services Councils (RSCs) were demonstrating that services could be provided more efficiently if they were shared across racial lines, thereby proving that local authorities based on race were impractical. He found that in the metropolitan areas, particularly in the Transvaal, RSCs were spending most of the levy income on upgrading black areas. Mr Moolman believed, however, that it was unlikely that RSCs would be able to eliminate backlogs in townships. ‘They are constrained by limited income, the overall state of the economy and their limited access to loan funds’.¹³⁹ [¹³⁹ Moolman M, *From Town to Township* (SAIRR), June 1990]

Mr Kriel said that as a result of the rent boycott, R764m was owing in rent, service charges and other levies to African local authorities as at the end of 1989.¹⁴⁰ [¹⁴⁰ *Hansard* (A) 14 q cols 1149-1160, 4 May 1990]

In July 1990 Mr De Klerk met the four provincial administrators and members of their executive committees in Pretoria to discuss the rent boycotts in African townships. A statement issued afterwards said that the government would end bridging finance to African local authorities on 31 August. The government urged communities which had not paid rent to ‘take purposeful steps to recommence payment’. It warned that otherwise, services to such communities could be cut off.¹⁴¹ [¹⁴¹ *The Star* 20 July 1990]

Later in the month, it was announced that the Soweto City Council, the Soweto People’s Delegation and the executive committee of the Transvaal Provincial Administration had agreed to form a ‘technical committee’ which would attempt to resolve the rent boycott in Soweto. The committee would look into the writing off of rent and service arrears of R570m, the upgrading of municipal services, the setting of affordable tariffs, the transfer of ownership of rented houses and the establishment of a common fiscal base for Soweto and Johannesburg. The committee was expected to report back to its constituent organisations on 9 August with firm proposals.¹⁴² [¹⁴² Ibid 30 July 1990]

In the same month Mr Kriel announced that funds for subsidising the purchase of homes by first-time African home owners had been exhausted, and that the government had therefore decided to limit such subsidies. He said that as from 2 July, African households which earned more than R2 000 per month

would no longer qualify for housing subsidies. (The cut-off point for whites to qualify for a housing subsidy was a household income of R3 500 per month.)¹⁴³ [¹⁴³ Ibid 14 July 1990]

The general manager of the South African Permanent Building Society, Mr Denis Creighton, said that thousands of prospective first time African home owners could be affected by the government's cut in its subsidies. About 40% of present applicants would not qualify for the subsidy because of the new limits, he said. He also expected the building industry to be adversely affected, with the possibility of losses totaling millions of rands. The managing director of Rabie Property Developers, Mr John Rabie, said that the government had effectively 'wiped out' 80% of the building market.¹⁴⁴ [¹⁴⁴ *The Star* 14 July 1990, *Business Day* 20 July 1990] The Urban Foundation said that the government should consider re-orientating its subsidy policy. It said that it was unacceptable that Africans be treated differently to other racial groups participating in the scheme, or that the government change its policy without a phasing-in process.¹⁴⁵ [¹⁴⁵ *Business Day* 17 July 1990]

In July 1990, following discussions between Mr Kriel and the National Association of Home Builders, Mr Kriel announced that the government had decided to augment the fund for subsidies for first-time African home owners by R20m. He added that the ceiling on African subsidies would be amended, and that subsidies would now be available to all households earning less than R3 500 per month (as was the case for whites).¹⁴⁶ [¹⁴⁶ *Saturday Star* 4 August 1990]

The Homelands

The ten homelands budgeted for total expenditure of just over R12bn in 1989/90, a 23% increase on the previous year. In addition to grants to the South African Development Trust of R638m, various government departments allocated a total of R8,5bn to the ten homelands in 1989/90, some 70% of their budgeted expenditure.

By March 1989 the size of the ten homelands was more than 17m hectares, approximately 14% of South Africa's surface area. By February 1990 the government had almost completed consolidating the homelands.

There were a number of successful campaigns by the residents of various communities incorporated, or about to be incorporated, into the homelands in 1989/90. In May 1990 the minister of development aid, Dr Stoffel van der Merwe, said that 'any land occupied by communities will not be incorporated in the self-governing territories without the agreement of the lawful inhabitants'.

Following the unbanning of various political organisations on 2 February 1990 and the release from prison of a senior member of the African National Congress (ANC), Mr Nelson Mandela, on 11 February 1990, there was an upsurge of violence and protest action in a number of homelands. In Bophuthatswana, a wave of protests and violence left some 30 people dead and hundreds injured in

clashes with the police in the space of five weeks. Many protest marches, work stoppages, petitions and memoranda had as their central theme a demand for Bophuthatswana's re-incorporation into South Africa, coupled with socio-economic demands. The president of Bophuthatswana, Chief Lucas Mangope, said that the homeland would remain 'independent' and that the ANC would never be allowed to mobilise support in the homeland. He declared a state of emergency in March 1990. Bophuthatswana was the only area of South Africa where bans on the ANC and other organisations were not lifted.

The Ciskei declared a state of emergency in two districts in October 1989 and in the districts of Mdantsane and Zwelitsha on 2 February 1990. Many people were injured and some died in clashes with the Ciskei Police during protest actions. On 4 March 1990 Chief Lennox Sebe's administration was overthrown in a coup by Brigadier Joshua Gqozo, the intelligence chief of the Ciskei Defence Force. After the coup, looting and burning of stores, factories and buildings continued for two days in Mdantsane and surrounding industrial areas causing damage estimated at R 130m. About 27 people died in the violence and the new administration declared a state of emergency. The military, administration began freeing political detainees and held meetings with the United Democratic Front (UDF). On 30 April 1990 it unbanned various organisations including the ANC, UDF, South African Communist Party (SACP) and Pan-Africanist Congress (PAC).

Gazankulu was affected by serious disturbances between February and April 1990. Youth congresses and educational and other organisations were formed after 2 February 1990. Protests involved school boycotts and a week-long stayaway involving all civil servants and many factory workers in February in support of educational demands and the resignation of the chief minister, Professor Hudson Ntsanwisi. The majority of MPs petitioned Professor Ntsanwisi to convene a special legislative assembly session to discuss calls for his resignation and the unrest, but he refused. Civil servants staged a second stayaway with the same demands in March and April, lasting six weeks. Professor Ntsanwisi initiated talks with senior UDF and ANC leaders, including Mr Mandela, in late March and it was agreed that the situation in the homeland needed to be normalised and that civil servants should end their stayaway. The Gazankulu Youth Congress called off school boycotts on 23 April and civil servants had ended their stayaway by 18 April.

Venda experienced political upheavals in 1989 and 1990. The 1989 upheavals and school boycotts were related to ritual murders that residents believed were committed by people in positions of authority in the homeland, and to boycotts of 'independence' celebrations. A state of emergency was declared in August 1989. In late January and February 1990 some 20 people died in Venda in political violence, stayaways and unrest associated variously with ritual killings, the release of Mr Mandela, demands for the resignation of the Venda cabinet and Venda's reincorporation into South Africa, and pay demands by civil servants. On 19 February 1990 a general strike by all civil servants except police, soldiers and nurses began over pay in Venda. Teachers went on strike a few days later. The Venda administration unbanned the ANC, PAC, SACP and Venda Independent Party on 10 March 1990. Three days later it announced that a referendum would be held to determine whether citizens of Venda were in favour of reincorporation into 'South Africa'. Police stopped work on 26 March and again on 3 April demanding higher wages and the resignation of the commissioner of police. General T R Mulaudzi. He resigned following the second stoppage. Nurses and prison warders also joined the civil service strike briefly on 3

April demanding pay increases. All civil servants returned to work on 4 April 1990 after the cabinet undertook to give salaries urgent attention. On 5 April 1990 the Venda administration was overthrown in a coup by the second-in-command of the Venda Defence Force, Lieutenant Colonel Gabriel Ramushwana. He imposed a state of emergency. He said that a referendum on reincorporation was not necessary because all South Africans were working towards that goal. He met Mass Democratic Movement (MDM) leaders and they set up a working committee to define the term 'political prisoners' and to find ways to end the state of emergency. The MDM turned down an invitation to serve on Col Ramushwana's Council for National Unity.

There were other civil service strikes in the homelands in 1990. In mid-March 1990 staff at the GaRankuwa magistrate's court in Bophuthatswana went on strike for higher pay. Nurses at a hospital in Mdantsane (Ciskei) went on strike in April 1990 in support of demands for better pay and working conditions. In March 1990 court officials in QwaQwa, including magistrates and prosecutors, went on strike over pay. In May 1990 some 10 000 civil servants in QwaQwa went on strike, crippling essential services. Other workers were also on strike, including some nurses.

Gazankulu, KwaZulu and Lebowa held elections in January, February and April 1989 respectively.

The Ciskei released eight political prisoners in late 1989 and early 1990. The Transkei released six political prisoners in 1989 and a further six in February 1990, The Transkei stayed all executions in October 1989 and suspended all political trials in February 1990. It announced that security legislation was being reviewed. The Transkei unbanned 30 organisations in 1989, and unbanned its remaining seven banned organisations including the ANC, Congress of South African Trade Unions, PAC and SACP, in February 1990.

KaNgwane decided to disband its Inyandza Youth Movement by December 1990 to allow its members to join the ANC Youth League. In April 1990 the Lebowa People's Party led by Lebowa's chief minister, Mr Nelson Ramodike, announced that it would disband and join forces with any political organisation prepared to accept its members. Various ANC rallies were held in the Transkei from October 1989.

In 1989/90 the constitutional future of the homelands became a matter for debate, as did the role of heads of homeland administrations in negotiations about a new constitution. Most of the non-independent homeland leaders called in 1989/90 for the dismantling of the homeland system, and, with the exception of the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, aligned themselves broadly with the ANC. The Transkei military administration spearheaded demands for the reincorporation of the four 'independent' homelands into 'South Africa' from October 1989. The new military administrations in the Ciskei and Venda, following the coups there in March 1990 and April 1990 respectively, were not hostile to the idea of reincorporation and held meetings with the MDM. The Bophuthatswana authorities, however, remained opposed to reincorporation demands.

In June 1990 the Transkei administration published draft referendum regulations in a national Sunday

newspaper calling for comment before 30 September 1990.¹⁴⁷ [¹⁴⁷ *The Daily Mail* 25 June 1990] The central government said that reincorporation was one of the options available to the ‘independent’ homelands and that their constitutional future was a matter for negotiation. The state president, Mr F W de Klerk, said that the door was open to the heads of the ‘independent’ homeland administrations to negotiate a constitution for South Africa. Independence’ was no longer considered a worthwhile option for the non-independent homelands, Dr Van der Merwe said in May 1990.

On the question of the non-independent homelands’ role in negotiations, the government said that their place at the negotiating table was assured. The minister of constitutional development and planning, Dr Gerrit Viljoen, said in October 1989 that the heads of the administrations of these homelands had submitted themselves to democratic elections in the past and had established themselves as ‘experienced authorities who obviously have a large and important role to play as influential participants in the negotiating process’.

Except for Chief Buthelezi, and the chief minister of QwaQwa, Chief K Mopeli, the chief ministers of the non-independent homelands decided not to attend planned talks with Mr De Klerk on 5 April about the negotiation process, after the ANC met them to address the question of pooling the resources of all anti-apartheid forces. The government claimed that they had been intimidated by the ANC although they denied this. Chief Buthelezi made it clear that when he negotiated, it would be as president of Inkatha and not as chief minister of KwaZulu.

The five chief ministers attended talks with Mr De Klerk on 18 June 1990, however, after a meeting with the ANC three days before. They had also met the ANC in May 1990 to explore the necessity for consultations about forming a broad political front for constitutional negotiations. The five chief ministers expressed their support for the ANC.

In July 1990 an ANC delegation led by Mr Mandela met the chief ministers and delegations from all the non-independent homelands, except KwaZulu, to discuss the future of the homelands. The chief minister of KwaNdebele, Prince James Mahlangu, said that he expected that KwaNdebele would be disbanded and that its leaders would support the ANC in constitutional negotiations. Mr Mopeli told the ANC that QwaQwa wanted to remain a regional government in a federal South Africa. The Lebowa delegation foresaw Lebowa’s retaining some form of regional government but said that this would be determined by the outcome of negotiations. Professor Ntsanwisi told the ANC in August 1990 that he expected homeland leaders to be among the parties to constitutional negotiations.¹⁴⁸ [¹⁴⁸ *Business Day* 1 August 1990]

On 10 August 1990 Mr De Klerk and various cabinet ministers met representatives of the non-independent homelands and the coloured and Indian ministers’ councils in Parliament as well as the four provincial administrators, to discuss proposals regarding the negotiation process, the status and future of the non-independent homelands and the future of local government in South Africa.¹⁴⁹ [¹⁴⁹ *The Citizen* 9 August 1990] The meeting decided to set up a working group of representatives of central and regional government to discuss concepts of regional government. Mr De Klerk said that the group would also

explore steps to be taken in the event of the substitution of existing second tier constitutional structures (homelands and provinces) by a new system. The non-independent homelands would continue to exist and function in their present form until their future was decided. The group was also to consider the composition of a negotiating forum and the identification of representatives. A joint statement after the meeting said that the decision to set up a working group was based on the acceptance of the probable necessity in the future to accommodate the diversity of regional interests in South Africa, therefore, devolution of power to regional government should be seriously considered. The joint statement said that it should be possible for political organisations with recognised support to take part in the negotiation process through their representatives.¹⁵⁰ [¹⁵⁰ Ibid 11 August 1990]

Health and Welfare

Health services in South Africa in 1989 and 1990 continued to be administered by 18 separate health departments (including those of the ten homelands). The Department of National Health and Population Development, which was responsible for national health policy in the white-designated areas and the six non-independent homelands, said in May 1990 that ‘extensive measures to co-ordinate, and eliminate duplication of, health services’ did not mean that it was considering the amalgamation of the various departments under a single health authority.¹⁵¹ [¹⁵¹ *Business Day* 17 May 1990]

In March 1989 a total of 44 provincial hospitals were transferred from the control of the provincial administrations to that of the Department of Health Services and Welfare (white own affairs). They were the first hospitals to come under an own affairs administration. According to research by the South African Institute of Race Relations, the transfer continued a trend in which facilities previously administered by the provinces, which were general affairs administrations, were being transferred to own affairs administrations.

The remaining 246 provincial hospitals were opened to all races on 16 May 1990. Provincial ambulance services were also desegregated on the same day. The minister of national health and population development, Dr Rina Venter, told a press conference that the decision to desegregate the facilities had been taken owing to a surplus of 11 700 beds in white hospitals and an estimated shortage of 7 000 beds in black hospitals. However, Dr Venter warned that empty beds would be made available only if funds became available. According to an article in *Business Day*, it would cost an additional R700m a year to operate formerly ‘white’ hospitals at full capacity.¹⁵² [¹⁵² Ibid 25 May 1990]

On 17 May 1990 the minister of health services, welfare and housing (white own affairs), Mr Sam de Beer, said that he fully supported Dr Venter’s policy announcement, and that the superintendents of white own affairs hospitals would henceforth give preference to patients who, irrespective of race group, could furnish ‘prima facie proof of being members of the community serviced by a hospital.

Allocations for spending on health in the 1990/91 budget amounted to over R7bn. This represented approximately 10% of the total budget and an increase of 9% over the 1989/90 figure of R6,5bn.¹⁵³ [¹⁵³

Kelly J, *Social and Economic Update 10-*, *Hansard* (EPC-R) 17 col 9390, 16 May 1990] Addressing Parliament in May 1990, Dr Venter said that South Africa (excluding the 'independent' homelands) was spending well over 5% of the gross national product (GNP) on health services already, and the provision of health care might be limited in the future. Dr Venter also said that primary health care would henceforth have to be given priority.¹⁵⁴ [¹⁵⁴ *Ibid* cols 9383- 9394, 16 May 1990]

According to research on health expenditure in South Africa (including all ten homelands) by Professor R E Dorrington and Ms D E McIntyre of the University of Cape Town, disproportionate spending; among race groups meant that 'although health care expenditure. amounted to approximately 5,7% of GNP in 1987, the proportion spend on whites is equivalent to between 13% and 14% of GNP, while that spent on Africans is equivalent to from 3% to 3,5% of GNP which is well below the World Health Organisation's target of 5% '.

According to the Department of National Health and Population Development, at least 17 people had died of the Acquired Immune Deficiency Syndrome (AIDS) in South Africa (excluding the 'independent' homelands) between January and 21 June 1990. The total number of cases of full-blown AIDS recorded by the department between 1982 and 21 June 1990 was 430.¹⁵⁵ [¹⁵⁵ *Business Day* 19 July 1990] This meant that 44 new cases were recorded between 24 April and 21 June 1990. Figures by the department showed that 25 children had been diagnosed as AIDS-sufferers in the eight-year period. However, doctors at Baragwanath Hospital (Johannesburg) said that they had seen 30 pediatric AIDS cases between July 1989 and July 1990. Ten of the children had died in that period.¹⁵⁶ [¹⁵⁶ *Ibid* 19 July 1990, *Sowetan* 20 June 1990] In May 1990 the department estimated that 55 000 people in South Africa (excluding the 'independent' homelands) had been infected with the human immune- deficiency virus (HIV), which causes AIDS, by the end of 1989.¹⁵⁷ [¹⁵⁷ *The Citizen* 10 May 1990] In an article published in the *South African Medical Journal* in April 1990, two doctors researching the spread of AIDS in South Africa, Dr G Padayachee and Dr R Schall, estimated that, taking into account an overall HIV infection prevalence doubling time of 8,5 months, between 45 000 and 63 000 African people between the ages of 15 and 49 years had been HIV- infected at the beginning of 1990. They predicted that these numbers would rise to between 119 000 and 168 000 by the end of 1990.¹⁵⁸ [¹⁵⁸ Padayachee G and Schall R, 'Short-term Predictions on the Prevalence of Human Immune Deficiency Virus Infection Among the Black Population in South Africa', *South African Medical Journal*, vol 77 no 7, April 1990]

It was reported in July 1990 that more than 40 children under the age of one year had died of malnutrition, exposure and poverty-related diseases in the Cape Flats since the beginning of the year. In the same month, it was also reported that while the incidence of tuberculosis was on the decrease nationally, it was still increasing in the western Cape.¹⁵⁹ [¹⁵⁹ *The Citizen* 23 July 1990]

According to the minister of home affairs and of communications, Mr J C Botha, infant mortality rates for 1988 were 62 for Africans, 58 for coloured people, about 17 for Indians and 13 for whites: The figure for Africans was provisional, Mr Botha added.¹⁶⁰ [¹⁶⁰ *Hansard* (A) 6 q col 514, 15 March 1990]

The government announced that it would scrap its bread subsidy in February 1991. The decision was generally seen as an indication of its firm intention to scrap all food subsidies once value added tax replaced general sales tax on 1 October 1991.¹⁶¹ [¹⁶¹ Various newspaper reports] The minister of agriculture, Mr Jacob de Villiers, said that the state was in the process of developing alternative methods of assistance which would deal with the problem of poverty more effectively than did existing subsidies.¹⁶² [¹⁶² The Citizen 19 June 1990]

In May 1989 the chief director of welfare services, Dr Wallace Stevens, had said that racial parity in pension payments would cost the government an additional R5bn and was hardly likely under present circumstances.¹⁶³ [¹⁶³ *Financial Mail* 9 June 1989] In June 1990, however, the deputy minister of finance, Dr George Marais, told the press that old-age pensions might be equalised 'sooner than you think'.¹⁶⁴ [¹⁶⁴ The Citizen 15 June 1990]

Old-age pensions for all races in the white-designated areas and the non-independent homelands were increased by R25 a month from 1 April 1990. The increase was widely condemned as being inadequate.¹⁶⁵ [¹⁶⁵ Various newspaper reports] The new monthly pensions were as follows: African, R175; coloured and Indian, R225; and white, R275.

Education

Education in South Africa in 1989 and 1990 continued to be administered by 15 separate major education departments. Its provision was defined as an own affair and racial separation was enforced in pre-primary, primary and secondary institutions (schools, teachers' training colleges and technical colleges) administered by the Department of Education and Culture (white own affairs) and the Department of Education and Training (DET), which controlled the education of Africans in the white-designated areas. However, the coloured and Indian education authorities continued to admit pupils of other race groups under certain conditions, and universities and technikons were free to admit students irrespective of race, although the students still belonged predominantly to one or other race group. In June 1989 white tertiary institutions were allowed to admit black students to residences if they wished. Some had already done so.

Private schools were allowed to admit pupils of all races, and a substantial number of these received a subsidy from the Department of Education and Culture (white own affairs) in 1989, on condition that their enrolment consist of 50% plus one white pupils. Whether this proviso was in fact adhered to by all schools receiving subsidies was uncertain, especially since the legislation on the subject was unclear. A regulation amending the Private Schools Act of 1986 at the end of June 1990 clearly stipulated that just over half the pupils registered at white private schools had to be white. The department pointed out in the face of criticism that the regulation also allowed the head of education to deviate from the regulation in special cases 'if this was deemed necessary'.¹⁶⁶ [¹⁶⁶ *The Star* 17 July 1990] Various acts passed in 1989 consolidated the provision and administration of white education as an own affair.

The **Educational Institutions Emergency Regulations**, proclaimed on 9 June 1989 in terms of the Public Safety Act of 1953, were lifted following the state president's opening address to Parliament in February 1990.

In March 1990 the minister in charge of white education, Mr Piet Clase, said that his department was considering introducing two additional models for the provision of education. According to the first of the models, white state schools would be able to apply to become private schools and decide which pupils to admit, but subject to existing education legislation. They would be financed 'on a more substantial basis than that which currently applies to private schools'. The second model would allow a school and the community it served to 'authorise the admission of pupils' from other race groups. Such pupils would have to be 'in a position to benefit from the education at the school' and their admission ought not to 'disrupt the nature and character of the school', Mr Clase said. The minister also said that either model would be implemented only with the approval of a high percentage of the parents of all enrolled white pupils. He defined the high proportion as '90% for example'.¹⁶⁷ [167 Media Statement by Mr P J Clase, Minister of Education and Culture, Administration: House of Assembly, 23 March 1990] The two models were referred to various white educational bodies for comment by 15 June 1990. At the time of writing, Mr Clase had not made any statement concerning their implementation.

There were over 9m pupils of all races at schools in South Africa (including all ten homelands) in 1988. Of this number, 78% were African, 9% were coloured pupils, 3% were Indian and 10% were white. Some 76% of African pupils and 73% of coloured pupils were in primary school, while the proportions of Indian and white pupils in primary school were 60% and 57% respectively. Just over 2,7% of African pupils and just under 2,7% of coloured pupils were in standard 10, in contrast to 5,8% of Indian pupils and 7,7% of white pupils.

Of the R1 1,6bn budgeted for education in South Africa (including the 'independent' homelands) during the 1989/90 financial year, 45% was allocated to African education (as opposed to 43% the previous year), 12% to coloured education, 5% to Indian education, and 38% to white education (compared with 40% the previous year). The total budgeted allocation for education showed an increase of 23% over the 1988/89 budget of R9,4bn. (These figures exclude allocations to the DET, which was unable to provide a racial breakdown.) The minister of national education, Mr F W de Klerk, said in April 1989 that the government would be unable to implement a ten-year plan, which he had announced in 1986, for greater parity in education. Sanctions and disinvestment, coupled with poor economic growth, had made the plan almost impossible. About 6% of the gross domestic product would have been spent on education in the 1989/90 financial year and the current state of the economy made it difficult to find affordable strategies for the clearing of backlogs in African and coloured education.

In February 1990 the National Education Co-ordinating Committee (NECC) said that the government would have to triple its annual education budget to equalise resources and pupil/teacher ratios in African and white schools. The executive director of the Institute for Educational Research at the Human Sciences Research Council, (HSRC) Dr J Engelbrecht, estimated that school education would cost the

country R37bn in 1990/91 if the white per capita expenditure were extended to black pupils.

Per capita education expenditure (including capital expenditure) on pupils in the white-designated areas in 1988/89 was as follows: African, R765; coloured, R1 360; Indian, R2 227; and white, R3 082. Information on per capita spending in the homelands was not obtainable from the majority of homeland administrations. According to Professor James

Moulder of the University of Natal (Pietermaritzburg), enormous disparities existed between the per capita spending on African children outside and those in the six non-independent homelands. Using audited education figures for 1986, Professor Moulder showed that while per capita spending on white pupils had been four times as great as that on African pupils in the white-designated areas, it had been nine times as great as that on pupils in KwaZulu.¹⁶⁸ [¹⁶⁸ Department of National Education statistics, compiled and analysed by Professor James Moulder, Department of Philosophy, University of Natal, 1990] The ratios of relative spending on education for white and black pupils in 1920 and 1945 were 10,4 to 1 and 10,9 to 1 respectively.¹⁶⁹ [¹⁶⁹ *The South and East African Yearbook and Guide*, (Union Castle Line, 1948 edition)]

Education was the largest single item in the 1990/91 budget-almost a fifth of total spending. The allocation for African education outside the homelands increased by 26% over the previous year. The amounts budgeted for coloured, Indian and white education rose by 25%, 37% and 21% respectively.

The minister of education and development aid, Dr Stoffel van der Merwe, said that there had been a shortage of over 60 000 classroom places at primary schools and almost 100 000 at secondary schools in March 1989. These statistics applied to permanent classrooms in DHT schools, he added.¹⁷⁰ [¹⁷⁰ *Hansard* (A) 4 q cols 210-211, 27 February 1990]

There was still no compulsory education for African pupils by 1990. According to official figures, there were over 1m children between the ages of seven and 16 years not attending school in South Africa and the non-independent homelands as at March 1987. Research conducted by the Education Policy Unit at the University of Natal concluded that more than 1m children in Natal alone had not been to school in 1989.

According to Market Research Africa's latest *All Media and Products Survey*, almost a fifth of South Africans over the age of 16 had never been to school. Of those who had attended school, 25% had not completed primary school, 19% had completed secondary school and 1% had a university degree. Only one in 100 adults in the rural areas had any post-matriculation education, compared with four in 100 in urban areas. The figures included all race groups and all ten homelands.¹⁷¹ [¹⁷¹ *Business Day* 3 July 1990]

In a document entitled 'A Strategy and Programme for Education Renewal', which was released at the end of June 1990, the Ministry of National Education said that the criticism which continued to be levelled at the system of education in South Africa centered on six major complaints:

- the present system of education enjoyed little support among the majority of South Africans, who found its ‘purported racial base as expressed in ethnically separate education departments unacceptable’;
- educational programmes were not relevant to learners or eventual employers;
- the structural changes effected since 1984, which had been aimed at streamlining education, had in fact contributed to a bloated educational bureaucracy that hampered change;
- the system of education had failed to come up with a strategy for solving the problem of accommodating ever-increasing numbers of pupils and students over the next two to three decades;
- current patterns of financing education were not equitable, and insufficient progress was being made towards creating equal educational opportunities for all; and
- the utilisation of fixed assets was inconsistent. It was ‘far beyond acceptable norms’ in some cases and ‘dramatically lower than these norms’ in other cases.¹⁷² [¹⁷² *The Sowetan* 2 July 1990]

The document also stated that the ministry had appointed 20 working groups to investigate ways of achieving ‘a more cost-effective education for South Africa’. In May 1990, the minister of national education, Mr Gene Louw, had said that the working groups would be investigating the following, among other things:

- the educational, financial and managerial advantages and disadvantages of the present education model;
- the creation of structured linkages between formal and non-formal education, to enable learners to move between these systems and to facilitate private sector involvement in the provision of education;
- distance education as an alternative in the provision of school education and as a compensatory device for in-service education;
- the phasing out of overlapping between university and technikon programmes, and the reduction of a large number of distinct courses and programmes at these two types of institution;
- finding a solution to the high cost of university and technikon studies by means of a loan scheme for students;
- phasing in the full funding of the subsidy formula for universities;

- the ‘adaptation’ of entrance requirements for university and technikon education. (According to statements by the minister and by the Committee of University Principals in the first half of 1990, these were to be raised);
- general policy on programmes for teacher training;
- the ‘optimal’ utilisation of resources for teacher training colleges;
- the updating of projected manpower needs for purposes of educational planning;
- a new basis for determining the remuneration of educators; and
- norms for building cost-effective classrooms and school buildings.

Dr Louw also said that his ministry’s examination of the future funding of education would involve the ‘consideration of additional models for the provision of education and the greater autonomy of educational institutions’.¹⁷³ [¹⁷³ Media statement by Mr Gene Louw, Minister of National Education, 18 May 1990]

According to the June document, this would include models for the privatisation of education and for parental contributions to teachers’ incomes.¹⁷⁴ [¹⁷⁴ *The Citizen* 30 June 1990]

The June document also stated that the feasibility of adopting standard 7 as an alternative point of departure from school would be investigated.¹⁷⁵ [¹⁷⁵ *The Citizen* 30 June 1990]

Research conducted by the Institute for Educational Research at the HSRC during 1989 showed that parents from all race groups were largely in agreement concerning a number of issues. Most respondents felt that more emphasis should be placed on teaching the history of all ‘population groups’, that provision should be made for the study of the cultures of other groups in the teaching of various subjects such as languages and geography, that secondary school pupils should be made aware of political trends in South Africa, and that contact between pupils of the various groups should be encouraged through cultural and sports events. Respondents were also generally in favour of the more equitable funding of education. The majority supported the idea that multiracial schools should be financed to the same extent as government schools. Nearly all respondents felt that schools for the different race groups should be financed uniformly.

Nevertheless, the unconditional statement that children from different race groups ought to be taught in the same schools and classrooms was opposed by a majority of white respondents (64%), while 91% of Africans, 87% of coloured people and 81% of Indians were in favour of full integration.

On the other hand, 51% of white respondents gave a negative response to the statement that pupils of different race groups should be educated in separate schools, highlighting uncertainties about the

desirability of integrated or separate schools.

Respondents were considered to have been realistic concerning the financial implications of formal education: just over 79% of Africans, 52% of coloured people and almost 60% of Indians and whites felt that parents should make a bigger financial contribution to their children's education.

Three quarters of African respondents agreed with the statement that schools adequately prepared pupils for the world of employment. The corresponding percentages for coloured, Indian and white respondents were 49%, 62% and 41% respectively. Since the majority of the future school population would consist of African pupils, and taking into account the manpower needs of the country, 'much will have to be done to convince people of the necessity for a more balanced education system', the institute stated.¹⁷⁶ [176 *South Africa Foundation Review*, July 1990]

African education was severely disrupted in the first half of 1990, owing to widespread stayaway actions by pupils and teachers' strikes. The first four months of 1990 saw widespread protests by African teachers in both the white-designated areas and various homelands. A strike of 6 000 teachers from Soweto and Alexandra (Johannesburg), which began on 5 March 1990 and spread to other parts of the Transvaal and to the northern Cape, lasted for a month and involved close on 12 000 teachers.¹⁷⁷ [177 *Sowetan* 6 March 1990, *Financial Mail* 13 April 1990, *The Star* 19 April 1990] Numerous demands were submitted to the DET in the course of these protests. They centered on the state of African education and teachers' working conditions. The DET estimated that 10 303 of 47 232 schooldays at 492 secondary schools had been lost through the non-attendance of pupils and/or teachers during the first half of the school year. The 1990 matriculation results were expected to be even worse than those of the preceding year.¹⁷⁸ [178 *Business Day* 17 July 1990] At the beginning of June 1990, the DET said that schooling in Soweto (Johannesburg) had ground to a virtual standstill, that officials of the department had no access to schools, and that the role of teachers and principals had been reduced to that of 'spectator'. The DET's director for the Johannesburg region, Mr Feet Struwig, described the situation as a 'collapse of authority on an unprecedented scale'. He blamed it on the inability of pupils' and teachers' organisations to engage in sustained, constructive dialogue with DET representatives.

Teachers at coloured schools in the Transvaal went on strike on 1 June 1990, blaming what they said was the repeatedly late payment of salaries. It was alleged that some teachers had not been paid for several months.¹⁷⁹ [179 Numerous newspaper reports] However, some of the demands submitted by coloured teachers also related to policies governing education in South Africa.¹⁸⁰ [180 *Ibid*] The strike lasted almost six weeks.

In June 1990 the white Teachers' Federal Council (TFC) announced that it was severing ties with the minister of national education, Mr Gene Louw, because the minister had met representatives of the NECC, the National Teachers Unity Forum and the Congress of South African Trade Unions (COSATU). The TFC said that it failed to see why Mr Louw had thought it necessary to discuss the state and future of education in the country with an unrecognised teachers' body whose express aim was not

to co-operate with the government.¹⁸¹ [¹⁸¹ *Business Day* 8 June 1990] On 25 July the TFC met Mr De Klerk. After the meeting, it said that it would resume its links with Mr Louw.¹⁸² [¹⁸² *The Citizen* 26 July 1990]

In the middle of July 1990, the National Teachers' Unity Forum, which was said to represent about 200 000 teachers in 13 affiliated teachers' associations, called on teachers and pupils to observe a one-day national 'sit-in' to highlight the crisis in South African education. The day was spent discussing educational issues and was reported to have been successful, particularly in coloured and Indian schools in the Transvaal.¹⁸³ [¹⁸³ Various newspaper reports] The forum was a precursor of the South African Democratic Teachers' Union, which was to be launched in October 1990 following an initiative in which COSATU played a role.¹⁸⁴ [¹⁸⁴ *The Leader* 27 July 1990]

In the first half of 1990, constant criticism was levelled at the DET for failing to supply sufficient textbooks to schools for African pupils.¹⁸⁵ [¹⁸⁵ Various newspaper reports] In July 1990 the government announced that it would allocate R8m to meet shortfalls of textbooks in DET schools.¹⁸⁶ [¹⁸⁶ *The Sowetan* 12 July 1990] In the same month, the DET said that 30 000 unused secondary textbooks worth about R250 000 had been discovered in 19 schools around Johannesburg. Mr Struwig said that although no one could be blamed for the books not having been distributed, there was a management problem at school level. He also said that 280 000 textbooks valued at R7m had not been returned by pupils at the end of the school year in the DET's Johannesburg region during the past five years. The fact that the unused textbooks were mostly for standards 6 to 9 would have enabled the DET to focus its attention on books for standard 10 pupils, Mr Struwig said.¹⁸⁷ [¹⁸⁷ *Business Day* 18 July 1990; *The Citizen* 17 July 1990; Information supplied telephonically by Mr Peet Struwig, Department of Education and Training, Johannesburg Office, 13 August 1990]

The **Education Laws (Education and Training) Amendment** Act of 1988 provided for some positive changes to legislation governing farm schools (see *1988/89 Survey* pp267–69). However, Dr Van der Merwe said in March 1990 that provisions for parents' representation on the governing bodies of state-aided farm schools had not been put into operation, 'because it was realised that it would cause problems in practice'.¹⁸⁸ [¹⁸⁸ *Hansard* (A) 7 q cols 554-555, 20 March 1990]

Social Segregation

In November 1989 the state president, Mr F W de Klerk, requested that local authorities desegregate all remaining beaches reserved for a specific race group. By the end of 1989 all beaches had been opened to all races.¹⁸⁹ [¹⁸⁹ *The Star* 17 November 1989]

There was considerable progress in 1989 and 1990 with the desegregation of municipal facilities in South Africa's larger cities. In March 1989 the swimming pools in Port Elizabeth were desegregated. The Johannesburg City Council said in September 1989 that it would open all swimming pools and recreation centres in the city to all races with immediate effect. The bus service in Johannesburg was

desegregated in February 1990. In December 1989 the Bloemfontein City Council announced that it had decided to open all municipal facilities, including buses, libraries, parks and swimming pools, to all races.¹⁹⁰ [¹⁹⁰ Ibid 18 March 1989, 27 September 1989, 20 March 1990; *Sowetan* 18 February 1990, 22 December 1989]

The Pretoria City Council agreed to desegregate its bus service, libraries and a swimming pool in March 1990. However, although the municipal libraries were desegregated, people who lived outside the city's municipal boundaries were subsequently expected to pay R50 deposit before being permitted to use library facilities. As most Africans fell into this category and few were able to afford this fee, the libraries remained in practice reserved for whites.¹⁹¹ [¹⁹¹ *The Natal Witness* 5 July 1990]

In a number of towns controlled by the Conservative Party (CP) there were attempts in 1989 to reintroduce segregation of open facilities. Africans and coloured people boycotted businesses in Boksburg (east Rand) and Carletonville (west Rand) in protest against segregation of facilities by these towns. The consumer boycott in Boksburg was reported to have led to the closure of at least nine businesses in the town and the substantial loss of trade by others. The boycott in Boksburg was called off in November 1989 after Mr De Klerk announced that the government was to repeal the Reservation of Separate Amenities Act of 1953 during 1990.

In March 1989 it was reported that the consumer boycott in Carletonville had led to local businessmen losing up to 80% of their trade. In September 1989 Mr Justice C F Eloff ruled in the Transvaal Provincial Division of the Supreme Court in Pretoria that the Carletonville Town Council had acted male fide in reserving its parks for whites. The segregation of the park was declared null and void. The council subsequently took down all 'whites only' signs in the town and the consumer boycott ended.¹⁹² [¹⁹² *Business Day* 25 September 1989]

In March 1990 Mr Justice S W McCreath ruled in the Pretoria Supreme Court that the decision of the Boksburg Town Council to segregate its facilities had been 'grossly unreasonable'. He said that a local authority had to exercise its powers in the interests of the municipal area as a whole and that it should not act unreasonably so that its decisions proved to be in bad faith. He set aside the council's decision to reserve its lake and tennis courts for whites.¹⁹³ [¹⁹³ *The Weekly Mail* 30 March 1990]

In July 1990 an overwhelming majority of members of the three houses of Parliament passed the Discriminatory Legislation Regarding Public Amenities Repeal Act, which repealed the Reservation of Separate Amenities Act. The only dissenting party was the CP, which said that the new act would 'destroy whites' right to self-determination'.¹⁹⁴ [¹⁹⁴ *The Star, Sowetan* 20 June 1991!]

The minister of planning and provincial services, Mr Hernus Kriel, said that the Reservation of Separate Amenities Act was 'basically discriminatory' and that its repeal would remove one of the major stumbling blocks to negotiations. He believed that the repeal would facilitate South Africa's return to the international community. The repeal meant that proprietors of amenities could face prosecution under common law if they continued to discriminate racially.¹⁹⁵ [¹⁹⁵ *The Citizen* 12, 19 June 1990]

Mr Desmond Lockey MP (Labour Party) said that the repeal of the act was ‘a great day in the lives of many South Africans who have suffered humiliation in the past. It is a step in the direction of restoring the human dignity and civil rights of all South Africans’. A co-leader of the Democratic Party, Dr Zach de Beer, said that the repeal would ‘contribute significantly to the creation of the right climate for negotiations’.¹⁹⁶ [¹⁹⁶ *The Star* 1 June 1990]

Sport

In January and February 1990 an unofficial British cricket team toured South Africa. The tour elicited protests in every town in which it played, most of which were organised by the National Sports Congress, which was aligned with the Mass Democratic Movement. On 14 February 1990 the director of the South African Cricket Union, Dr Ali Bacher, announced that the ‘rebel’ cricket tour would be shortened ‘to show the union’s support for the dramatic political changes’ announced by the state president, Mr F W de Klerk, in Parliament earlier in the month. However, it was alleged that the African National Congress (ANC) had intervened to urge the curtailment of the tour, as Mr Mandela had been released from prison several days previously. The ANC was allegedly anxious that the tour and the protests which accompanied it should not exacerbate the atmosphere of tension which would accompany the release of Mr Mandela.¹⁹⁷ [¹⁹⁷ *The Citizen* 14 February 1990]

In April 1990 the president of the International Olympic Committee (IOC), Mr Juan Antonio Samaranch, said that despite the political changes in South Africa earlier in the year, the country would not be readmitted immediately to international sport. He added that the country could be readmitted only ‘with the consent of other African nations. Other African countries have to make the first step and we will then follow’. Mr Samaranch said that the IOC would form a commission to ‘seek an African solution to the problem’.¹⁹⁸ [¹⁹⁸ *Ibid* 28 April 1990]

The president of the Association of National Olympic Committees of Africa, Mr Jean Claude Ganga, said in June 1990 that the readmission of South Africa to international sport depended on the eradication of apartheid and the grouping of South African sports bodies into nonracial organisations.¹⁹⁹ [¹⁹⁹ *The Weekly Mail* 15 June 1990]

In August 1990 the executive chairman of the London-based South African Non-Racial Olympic Committee, Mr Sam Ramsamy, visited South Africa for the first time in 18 years. During his visit he held discussions with a wide range of sports organisations, including the Confederation of South African Sport, the South African Congress on Sport, the South African Amateur Athletics Union and the South African Rugby Board. Mr Ramsamy said that he had come to South Africa with the intention of talking to all organisations involved in Olympic sports, regardless of their racial composition. He added that he had met no animosity from any group he had spoken to, and that his discussions with other groups had been extraordinarily interesting and very, very encouraging for the future of South African sport’.²⁰⁰ [²⁰⁰

The Citizen 8, 10, 13 August 1990]

The president of the South African National Olympic Committee, Mr Johan du Plessis, said after discussions with Mr Ramsamy that Mr Ramsamy had given South Africa a new vision of the road ahead. There is a new spirit of goodwill among the different sports bodies, and we now believe that if we do what is necessary, international competition is waiting for us.’²⁰¹ [²⁰¹ Ibid 13 August 1990]

The Economy and Business

According to the Central Statistical Service (CSS), real economic growth as measured by gross domestic product (GDP) increases was 2,1% in 1989, compared to 3,7% in 1988. The South African Reserve Bank said that the growth rate for 1989, although lower than that for 1988, had still exceeded significantly the average expansion of the economy in the period 1980 to 1989.²⁰² [²⁰² South African Reserve Bank, *Quarterly Bulletin*, March 1990]

First National Bank said that during 1989 the South African economy had continued to adjust in accordance with the objectives of government policy. An important feature of 1989 had been the turnabout in financial trends from mid-year onwards. Net foreign reserves, which had declined to R400m by June 1989, had improved by nearly R1bn by the end of the year. The inflation rate, as measured by the consumer price index, peaked in June and thereafter eased by nearly 1% by the end of 1989, to end the year at 14,7%. The rand strengthened by some 7% from its levels on foreign exchange markets earlier in the year. In December 1989 the commercial rand was trading at 39 American cents.²⁰³ [²⁰³ First National Bank, *Business Brief*, April 1990]

In June 1990 the governor of the South African Reserve Bank, Dr Chris Stals, said that the country would repay foreign debt of about \$2bn (R5,2bn) in 1990 ‘reasonably comfortably’. About R3,4bn of the debt was due in the first six months of 1990. ‘The position has been considerably improved by the excellent buildup in gold and foreign exchange reserves during the first quarter,’ Dr Stals said. Smaller repayments during the second half of 1990 would enable South Africa to strengthen reserves ‘substantially’ during that period.²⁰⁴ [²⁰⁴ *Business Day* 4 June 1990]

In March 1990 the Trust Bank said that the cost of economic sanctions and disinvestment to South Africa since 1985 was as follows: loss of foreign exchange, \$16bn; loss of total production, \$32bn; loss of gross domestic product, \$8bn; and loss of jobs, 500 000.²⁰⁵ [²⁰⁵ *Newsweek* 26 March 1990]

Dr Stals said in February 1990 that the main emphasis of monetary policy had been switched to the curtailment of inflation. ‘The attack on inflation must be on a broad front, spearheaded by restrictive monetary and fiscal policies. [These] policies are making their contribution to lower price increases and will continue to do so, but whether inflation will fall further will depend largely on wage increases. If wages continue to rise at the high levels experienced in recent years, then not only will inflation

decelerate at a much slower pace, but unemployment will also increase,' he added.²⁰⁶ [²⁰⁶ Volkskas Bank, *Economic Spotlight*, February 1990]

The August 1990 issue of *Economic Monitor*, published by the United Building Society, said that the South African recession was likely to continue into the second half of 1991, because of the government's determination to bring down the inflation rate. The director general of the South African Chamber of Business, Mr Raymond Parsons, said in the same month that it had previously seen the recession as 'light', but that there was now evidence of a deeper recession. 'The landing will be less soft than previously anticipated,' he said.²⁰⁷ [²⁰⁷ *Business Day* 9 August 1990]

There were further moves towards privatisation in 1989/90. The Conversion of Iscor Act was passed on 17 May 1989, enabling Iscor to be converted into a public company in terms of the Companies Act of 1973.²⁰⁸ [²⁰⁸ *The Citizen* 14 April 1989] Iscor shares were sold on the stock market on 2 October 1989, realising R3,7bn.²⁰⁹ [²⁰⁹ *Business Day* 10 November 1989] In line with plans to commercialise the South African Transport Services (SATS) with a view to privatisation, SATS was converted into a tax-paying company called Transnet on 1 April 1990 (see *Transport*).

During his budget speech in March 1990 the minister of finance, Mr Barend du Plessis, announced that a special social fund of R2bn would be set up to 'overcome the backlog in the socio-economic development' of Africans. This amount was a transfer of the surplus on the previous year's budget. It was later made known that the fund would be augmented by a further R1bn from the proceeds of privatisation. Some R1bn would be used to eliminate backlogs in education and to acquire land for African urbanisation. The remaining R2bn would constitute a private fund managed by the honorary chairman of the Urban Foundation, Dr Jan Steyn, and administered by a board of trustees appointed by the government. Decisions about the use of the fund would be made in consultation with community leaders and representatives of the private sector. On 16 July 1990 the R2bn was transferred to the Independent Development Trust.²¹⁰ [²¹⁰ *The Star* 15, 17 March 1990, 3 April 1990]

Extensive debate about the form of a post-apartheid economy followed the legalisation of the African National Congress (ANC) in February 1990. Much of the debate focused on the respective merits of a free market or a regulated economy, with particular emphasis on nationalisation.

The general secretary of the ANC, Mr Alfred Nzo, said in February 1990 that the ANC realised that nationalisation was not the panacea for all the problems in the economy. He felt, however, that nationalisation was the only way to redistribute wealth, which was heavily concentrated in the hands of some whites.²¹¹ [²¹¹ *The Citizen* 7 February 1990] The president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, believed that talk of nationalisation was 'fatal' and that there was a large 'groundswell demand' for a responsible free enterprise system that could produce jobs and create wealth.²¹² [²¹² *The Natal Mercury* 27 March 1990] The general secretary of the Pan-Africanist Congress (PAC), Mr Benny Alexander, said that his organisation believed in active state intervention in the economy and

state control over natural resources.²¹³ [²¹³ *Business Day* 5 June 1990]

In August 1990 a meeting was held in Durban between the National African Federated Chamber of Commerce and Industry (NAFCOC) and the ANC.²¹⁴ [²¹⁴ *Sunday Times* 5 August 1990] It was reported that NAFCOC had decided to work closely with the ANC in the building of a new South Africa. Although black businesses acknowledged the benefits of the free enterprise system, NAFCOC said that there was a 'third way' which existed between a free enterprise system and a centrally planned economy. An economic commission was established by NAFCOC in order to survey a cross section of people and organisations on the question of a new economic order in South Africa. The chairman of the commission, Professor Wiseman Nkuhlu, said that the solution would lie neither in capitalism nor in socialism. He said that black businessmen favoured state intervention in the economy in order to accelerate black empowerment and redress the inequalities created by apartheid. The deputy president of NAFCOC, Mr A S Nkonyeni, said, 'We could consider a black-biased, apartheid-in-reverse law which guarantees a percentage of government tenders for black contractors.'²¹⁵ [²¹⁵ *City Press* 5 August 1990]

The process of deregulation and deracialisation of business continued during the period under review. In 1989, 20 central business districts were proclaimed open trading areas, compared to 35 in 1988, 29 in 1987 and 31 in 1986.²¹⁶ [²¹⁶ *Hansard* (A) 14 q cols 1139-1143, 4 May 1990] In a proclamation gazetted on 22 December 1989 the state president, Mr F W de Klerk, suspended most restrictive licensing provisions in the four Provincial Licensing Ordinances, in terms of the Temporary Removal of Restrictions on Economic Activities Act of 1986.²¹⁷ [²¹⁷ *Black Enterprise* March 1990] The proclamation simplified the provision of traders' licences. Industrial entrepreneurs of all races were allowed to buy land on a freehold basis; build, lease or buy factories; and operate industries in a previously white industrial area, Alrode South (east Rand), in terms of a proclamation gazetted on 23 March 1990.²¹⁸ [²¹⁸ Proclamation no 52, *Government Gazette*, no 12364, 23 March 1990; *Black Enterprise* July 1990]

Following a spate of estimates of the size of the informal sector, the CSS conducted its own survey. According to its findings, informal sector activities, which are unrecorded in official statistics, were worth the equivalent of 7,3% of total GDP.

May 1990 saw the formal launching of a new business organisation, the South African Chamber of Business (SACOB), the result of a merger between the Association of Chambers of Commerce and Industry of South Africa and the South African Federated Chamber of Industries. Mr Raymond Parsons was appointed director general of SACOB.²¹⁹ [²¹⁹ *Business Day* 17 May 1990, 25 January 1990]

In July 1990 De Beers Centenary in Switzerland announced its intention to lend the Soviet Union \$1bn and in return to secure the exclusive rights to sell all Soviet rough diamond exports for the next five years through the De Beers Central Selling Organisation (CSO) in London. The contract was said to be worth \$5bn.²²⁰ [²²⁰ *Ibid* 26 July 1990] It was reported that for the first time in nearly 30 years, the Soviet Union had openly associated itself with commodity dealings which were linked to a South African

company.²²¹ [221 *The Star* 26 July 1990] A stockpile of Soviet diamonds worth \$1bn would be delivered to the CSO as collateral for the loan.²²² [222 *Business Day* 26 July 1990] The deal would enable De Beers to deal directly with the Soviet Union and thus to increase its control over the diamond market.²²³ [223 *The Star* 26 July 1990]

The government commissioned a panel of 14 experts to evaluate the regional industrial development policy (RIDP) in South Africa. The report of the panel was published in July 1990.²²⁴ [224 *Report of the Panel of Experts on the Evaluation of the Regional Industrial Development Programme as an Element of the Regional Development Policy in Southern Africa*] The panel found that the RIDP had serious structural shortcomings. Its achievements in facilitating self-sustaining growth, promoting an urban-industrial base and achieving coherent regional development were limited. The programme had been costly and incentives were also found to have been ineffective, to have created economic inefficiency and not to have stimulated the optimal distribution of industries.

The panel made recommendations for the restructuring of the regional development policy and the RIDP so that self-sustaining growth would be promoted and an integrated southern African economy developed. These recommendations included the promotion of market-related approaches to development and problem-specific industrial incentives.

In August 1990 it was reported that the government was relinquishing control over the sorghum beer industry and that a new black-controlled sorghum beer company had been launched.²²⁵ [225 *Sowetan* 9 August 1990] The new company, National Sorghum Breweries, took over from the Industrial Development Corporation of South Africa on 1 July 1990.

The period under review saw black consumer boycotts taking place in Boksburg (east Rand), Carletonville (west Rand), the eastern Transvaal, the Vaal Triangle and Welkom (Orange Free State). Reasons for the boycotts included the reinstatement of racial segregation of facilities in conservative towns and right-wing attacks on blacks. Many white businesses were severely affected by the boycotts.²²⁶ [226 *Business Day* 14 May 1990]

In April 1990 the National Union of Mineworkers (NUM) announced that businesses in Welkom would be boycotted because of alleged intimidation of blacks by white vigilante groups. The NUM said that since 21 March 1990, when a NUM member had been killed by right-wing whites, black people had not known peace and security.²²⁷ [227 *The Citizen* 26 April 1990] The boycott, which started on 7 May 1990, caused large trading losses for white businesses. The president of the Welkom Chamber of Commerce and Industry, Mr Graham Lloyd, said on 13 May 1990 that more than R7m had already been lost because of the boycott.²²⁸ [228 *Business Day* 14 May 1990] Negotiations were planned in order to resolve the boycott peacefully.²²⁹ [229 *Ibid*]

On 16 May 1990 two white men were killed and 12 Africans injured in a clash between mine officials and miners outside the number one shaft at the President Steyn mine.²³⁰ [²³⁰ *The Star* 23 May 1990] A day later the police and the South African Defence Force (SADF) were called in to maintain law and order. The shaft was closed and a meeting took place between the NUM, the SADF and the minister of law and order, Mr Adriaan Vlok. The township of Thabong was sealed off after the stoning of vehicles by youths, the throwing of petrol bombs and the killing of an ex-councillor of Thabong.²³¹ [²³¹ *Ibid*]

In July 1990 the Congress of South African Trade Unions (COSATU), the United Democratic Front (UDF) and the South African Youth Congress (SAYCO) called for a boycott in protest against 'repressive measures' by the Vereeniging and Vanderbijlpark town councils.²³² [²³² *Ibid* 16 July 1990] A statement issued by the Vaal Boycott Committee (southern Transvaal) listed several incidents involving harassment of black leaders and the banning of meetings and protest marches as reasons for the boycott.²³³ [²³³ *Ibid*] The boycott was expected to continue until 'the Vereeniging and Vanderbijlpark town councils recognise the right of every citizen to protest'. Other demands were for a nonracial town council with a single tax base, the halting of the demolition of squatter shacks by the Vanderbijlpark Town Council, the election of leaders to a constituent assembly which would negotiate a new South Africa, and an end to police harassment.²³⁴ [²³⁴ *Ibid*]

The boycott began on 16 July 1990 and included the towns of Meyerton, Sasolburg, Vanderbijlpark and Vereeniging.²³⁵ [²³⁵ *The Citizen* 17 July 1990] It was reported that Indian traders were badly affected by the boycott.²³⁶ [²³⁶ *Ibid* 21 July 1990] COSATU refused a request by Indian businessmen for an exemption.²³⁷ [²³⁷ *Ibid* 20 July 1990]

In August it was reported that the Vaal Triangle boycott could end on 19 August 1990 following the Vereeniging Town Council's decision to allow peaceful protest marches through the town.²³⁸ [²³⁸ *Ibid* 9 August 1990] A COSATU spokesman said that a march had been planned for 18 August 1990 and if it proceeded peacefully, without provocation from the police, then the boycott would be suspended in Vereeniging, Sasolburg and Meyerton. He said, however, that the consumer boycott would continue in Vanderbijlpark if the town council did not make an attempt to meet the boycott committee.²³⁹ [²³⁹ *Ibid*]

The ANC organised a consumer boycott from 26 July in white towns in the eastern Transvaal to protest against right-wing violence.²⁴⁰ [²⁴⁰ *The Citizen, Business Day* 26 July 1990] Demands included the disarming and prosecution of Afrikaner Weerstandsbeweging members and 'other right-wing lunatics'; the repeal of the Arms and Ammunition Act of 1969; the scrapping of separate tax bases for local authorities; the establishment of nonracial municipalities in the eastern Transvaal; the right to hold protest marches; and the end to harassment of taxi owners.²⁴¹ [²⁴¹ *Business Day* 26 July 1990]

A counter boycott was planned by the Lowveld Business Club, whose chairman, Mr Louis Badenhorst, said that wholesalers of groceries, petrol and other commodities would be urged not to sell them in African townships.²⁴² [²⁴² *The Star* 25 July 1990]

In August a decision was taken to suspend the consumer boycott after a meeting was held in Nelspruit between the ANC boycott committee, the South African Police and the Eastern Transvaal Business Association. The association said that it had been resolved that every person or organisation had the right to hold peaceful protest marches.²⁴³ [²⁴³ *The Citizen* 9 August 1990] It was also agreed that local liaison committees would be established in all towns. The boycott committee undertook not to reinstate the boycott unless negotiations and consultations failed.²⁴⁴ [²⁴⁴ *Ibid*]

Labour Relations

During the period under review union opposition to the Labour Relations Amendment Act of 1988 continued. The two main black union federations, the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU), sought the support of the main employer body, the South African Consultative Committee on Labour Affairs, in drawing up proposed amendments to the Labour Relations Act (LRA) of 1956 to be submitted to the minister of manpower. After protracted negotiations between the federations and the employer body, an agreement was signed between the three parties in May 1990 and handed to the minister of manpower for incorporation into the legislation. However, opposition by certain employers and long-established trade unions to the proposed changes led the cabinet to decide to postpone further revisions to the principal act. Large-scale action by the unions in protest against this postponement was averted when the three parties met the state president, Mr F W de Klerk, in June 1990 for discussions and after he had undertaken that the proposed changes would be incorporated into law in 1991. In January 1990 the government had published a draft Labour Relations Bill for discussion. While the bill incorporated some of the points under discussion by the three parties, it fell far short of their demands.

The National Manpower Commission (NMC) also conducted its own investigation into the LRA and made certain recommendations.

Following the unbanning of the African National Congress (ANC), the South African Communist Party (SACP), and the Pan-Africanist Congress (PAC) in February 1990, the question of the relationship between political parties and unions came to the fore. In May 1990 COSATU announced that it had joined the ANC/SACP alliance, at the same time saying that it would retain its independence. At the SACP's relaunch in July 1990, four COSATU officials were named as members of the party's interim leadership group. Although no formal links were established between NACTU and the PAC, the federation increasingly came to be seen as the PAC's union wing as its leaders were sympathetic to the Africanist position. White unionists, believing that the National Party had betrayed them, raised the question of forming a political party which would look after their interests.

The lifting of the ban on the ANC raised the question of the future of its labour wing, the South African Congress of Trade Unions (SACTU). After discussions between COSATU and SACTU in Zambia in April 1990, SACTU agreed to disband and merge with COSATU. A working committee was appointed

to oversee the process.

The unbanning of the organisations also led to increased discussion over the form of a post-apartheid economy and COSATU representatives met the ANC in Harare (Zimbabwe) in May 1990 where this question was discussed. Although nationalisation was mentioned as a potential policy option, a document arising from the meeting was ambiguous on the question of state ownership. It also warned against 'an overcentralised, commandist approach to economic policy by the state'. The document was critical of the government's privatisation programme and threatened to renationalise privatised corporations. In 1990 COSATU launched a campaign against privatisation, and its public sector affiliates staged protest marches in various centres against the programme.

In March 1990 COSATU, in line with a resolution taken at its 1989 congress, launched a campaign for the drawing up of a workers' charter. A questionnaire was distributed to workers to establish what they wished the charter to contain. The ANC's constitutional guidelines provided for the incorporation of a workers' charter in a future constitution. A key purpose of the charter campaign was to keep in focus workers' demands in future negotiations on a new constitution.

The period under review also saw changes in the attitude of some homeland authorities to trade unions, in some instances as a result of a change in administration. With the exception of KwaZulu and Bophuthatswana, homeland administrations had generally been hostile to unions. Both KwaNdebele and the Transkei, after a spate of strikes in factories in these homelands, appointed separate commissions of inquiry into labour relations in their territories under the chairmanship of the director of the School of Business Leadership at the University of South Africa, Professor Nic Wiehahn. In his recommendations to both homelands he suggested that a labour relations act should be introduced which would provide for the operation of trade unions. KaNgwane also planned to introduce reforms in labour relations, while the Ciskei passed the Labour Relations Decree, allowing for the functioning of trade unions in the territory.

The August 1990 edition of COSATU's campaign bulletin called for the adoption of a national minimum wage at COSATU's September 1990 campaigns' conference. The bulletin said that the federation's living wage committee would recommend a R700 a month minimum wage-translating into R160 a week and R3,60 an hour. In the short term, the figure would be used as a tool to rally the low-paid and unorganised against low-wage exploitation'. The long-term goal was to adjust the minimum annually for inflation and ultimately, under what the federation saw as a friendly government, give it the force of law. Justifying the R700 a month figure, the bulletin said that it exceeded both the minimum living level and the household subsistence level and came close to the R667 average monthly wage for general workers in all sectors calculated by the Labour Research Service.

It was reported, however, that while the National Union of Mine-workers (MUM) had already adopted the minimum, other COSATU unions had reservations. A central anxiety was the impact on jobs and job creation, with opponents pointing to the mass retrenchments which had followed the imposition of a statutory minimum for farming and domestic service in Zimbabwe.²⁴⁵ [²⁴⁵ *The Weekly Mail* 10 August 1990]

According to the NMC, the number of strikes declined from 1 025 in 1988 to 855 in 1989. However, the number of mandays lost through this activity increased by about 300 000, totaling 1,2m. A group of labour relations consultants, Andrew Levy, Piron and Associates, said that nearly 1,2m mandays had been lost during strike action in the first half of 1990, almost triple the number for the same period in 1989. It said that there had been a dramatic increase in the level of strike action in the public service, the number of strikes increasing from only 0,4% of the total number of mandays lost in the first half of 1989 to 46,2% during the first half of 1990.

The main public sector industrial action during the period under review occurred on the railways, in hospitals, in the police force and Prisons Service, in schools and in local municipalities. A common factor in many of the strikes was workers' demands for the recognition of their trade unions. The public sector falls outside the ambit of the LRA and has its own legislation, which is more restrictive than the LRA, particularly regarding collective bargaining and union rights. The demand for the recognition of unions was a predominant factor in the 13-week national strike by 26 000 railway workers, which started in December 1989, and in hospital strikes in the Cape and in the Transvaal in 1990. Civil servants in a number of homelands engaged in stayaway or strike action in 1990 (see *The Homelands*).

In the first strike of its kind since 1917, police officers and prison warders, all members of the newly formed Police, Prisons and Civil Rights Union, went on strike in March 1990 over higher wages and discrimination in the police and prisons services. The government expressed its opposition to the formation of the union, saying that it was illegal without the consent of the commissioner of police.

The issue of race discrimination was the trigger for widespread protest action, including strikes, on mines in the Orange Free State and in the western Transvaal in 1990. The NUM claimed, among other things, that black workers were hoisted to the surface after white workers. The campaign was also directed against the migrant labour system and the single-sex hostel system, men bringing their partners to stay with them openly in some of the hostels.

Violence, both between strikers and non-strikers and between strikers and the police and employers, was a factor in many strikes, particularly on the railways and mines. In the latter case it was one of the reasons for a joint meeting between the minister of law and order, Mr Adriaan Vlok; the NUM; and the mining industry, leading to an agreement by all parties on ways of curbing violence and intimidation on the mines.

Employment

The economically active population increased by nearly 2% during 1989. According to the National Manpower Commission (NMC) approximately 117 000 people were registered as unemployed at the end of September 1989 in South Africa (excluding the 'independent' homelands).²⁴⁶ [²⁴⁶ *National Manpower Commutation*, Annual report 1989] The acting chairman of the NMC, Dr Frans Barker, said in November 1989 that although the official unemployment figures showed a decrease from 789 000 to 513 000 between

1986 and mid-1989, the total number of unemployed would increase to between 3m and 4m if those people who were earning a subsistence income in the informal sector and subsistence farming were included.²⁴⁷ [²⁴⁷ *Sunday Tribune* 5 November 1989] According to studies conducted by Market Research Africa in September 1989 and March 1990, more than a million adult Africans and 86 000 whites in metropolitan areas in South Africa were unemployed.²⁴⁸ [²⁴⁸ *Business Day* 6 July 1990] Market Research Africa said that the growth of the informal sector would not solve the problem of unemployment in South Africa as only one in every 20 metropolitan Africans was self-employed. The study showed that as much as 40% of African unemployment in metropolitan areas was to be found in the 16-to 24-year age group and 34% in the 25 to 34-year age group.²⁴⁹ [²⁴⁹ *Ibid*]

During 1989/90 the shortage of skilled labour was the focus of attention once again. In March 1989 the labour adviser for the South African Federated Chamber of Industries, Mr Gerrie Bezuidenhout, said that the population explosion had created an oversupply of job seekers with a growing shortage of skilled labour.²⁵⁰ [²⁵⁰ *The Star* 30 March 1989] In May 1990 the minister of home affairs and national education, Mr Eli Louw, said that South Africa was experiencing serious shortages of high-level manpower such as technicians, technologists, engineers and scientists. He pointed out that these shortages were likely to increase in the future.²⁵¹ [²⁵¹ *Eastern Province Herald* 14 May 1990] Mr Louw said that if the shortage was not rectified, it would lead to increasing overseas recruitment of skilled labour.

The total number of registered apprenticeships increased from 7 919 in 1988 to 9 891 in 1989 and the number of apprenticeships in operation increased from 23 416 to 26 941 during the same period.²⁵² [²⁵² Department of Manpower, Annual report, 1989] The sectors in which large increases in registered apprenticeships took place were the building sector, government undertakings, metal engineering, the motor trade, and the South African Transport Services. On 21 December 1989 a black candidate, Mr Haile Mphushu, qualified as a mine manager for the first time in South Africa.²⁵³ [²⁵³ *The Citizen* 21 December 1989]

According to the Department of Manpower, there was an increase in the number of fatalities in the workplace in 1989. The increase will be ascribed to the 'fact that employers are operating under difficult economic conditions and are inclined to cut costs by reducing expenditure on safety'.²⁵⁴ [²⁵⁴ Department of Manpower, Annual report, 1989]

The Bureau of Market Research at the University of South Africa said in May 1990 that the minimum living level for a black family of five living in Soweto or elsewhere in greater Johannesburg was R591,10 per month in 1989, compared to R151,03 in 1980.²⁵⁵ [²⁵⁵ *Operation Hunger News* May 1990]

The head of remuneration services for PE Corporate Services, Miss Naomi Brehm, said in January 1990 that average wages and salaries lagged behind price increases. She said that between July 1979 and July 1989, the consumer price index had increased by 295%, compared to average wages and salaries which had increased by 293%.²⁵⁶ [²⁵⁶ *The Star* 2 January 1990] She pointed out that if the rate of inflation was only 2% greater than the official annual figure, then the cost of living would have increased by 369% from

1979 to 1989.

The president of the Chamber of Mines of South Africa, Mr Kennedy Maxwell, said in April 1990 that the future of 18 of South Africa's 31 gold mines was threatened because of high production costs and low gold prices.²⁵⁷ [²⁵⁷ Ibid 19 April 1990] Mr Maxwell said that 15 mines were threatened with losses if 'the price of gold stayed at the \$390 mark. The mines, which were operating at a loss, had a labour force of over 116 000. Mr Maxwell said that the mines had to find 'ways of further improving ... productivity and efficiency'.²⁵⁸ [²⁵⁸ Ibid]

In May 1990 Gencor announced that it would have to cut its labour force at its Usutu colliery (Natal) by 40% because of a substantial cutback in the demand for coal from a certain power station. The labour force would be reduced from 871 to 521 during the period from May 1990 to July 1990.²⁵⁹ [²⁵⁹ *Business Day* 2 May 1990]

The National Union of Mineworkers said in June 1990 that it was unacceptable that a few mining managers should have a 'monopoly of deciding the fate of more than half a million miners'.²⁶⁰ [²⁶⁰ Ibid 21 June 1990] It accused the mining industry of failing to create contingency plans for the possibility of mass retrenchment following the possible closure of mines. The vi president of the Chamber of Mines of South Africa, Mr Clive Knobbs said that such a statement revealed a naive attitude towards economic realities. He said that retrenchments were the last resort, which we never made without consultation with employee bodies. He pointed that wages were the largest single cost in the mining industry and that job-creating investment was being lost because of talk of nationalisation.²⁶¹ [²⁶¹ Ibid]

In July 1990 the Chamber of Mines released a report on the position of marginally profitable mines. If the marginal gold mines were phased out over a period of five years, the report found, the loss of total real added value would equal 3,6% of the real gross domestic product in 1989 and approximately 77 600 employment opportunities would be lost.²⁶² [²⁶² *The Citizen* 4 July 1990] The report pointed out that the declining role of the gold mining industry could not be ascribed to unfavourable gold prices because during the past three decades there had been a noticeable decline in the relative importance of the industry to the economy.²⁶³ [²⁶³ *The Citizen* 4 July 1990] It recommended that the mining industry should continue giving attention to productivity and that the state should confirm its commitment to assisting marginal mines, provided that it was in the national interest.²⁶⁴ [²⁶⁴ Ibid]

In July 1990 Gold Fields of South Africa announced that it would have to decrease its labour force by between 4 000 and 5 000 later in 1990 if the gold price remained low.²⁶⁵ [²⁶⁵ Ibid 6 July 1990] The Johannesburg Consolidated Investment Company said that it would discontinue operations at its Western Deep northern shaft, which would lead to a production loss of six tonnes of gold annually, representing 40% of its total production. The closure would result in the retrenchment of approximately 4 000 workers.²⁶⁶ [²⁶⁶ Ibid 21 July 1990]

The president of the South African Association of Consulting Engineers, Mr Robbie Parker, said in July 1990 that in South Africa there were annually only 28 engineering graduates per 1m of the population, while Japan produced 500, the United States 370, West Germany 340 and Britain 250.²⁶⁷ [²⁶⁷ *The Star* 3 July 1990]

The chairman of a research team for the Human Sciences Research Council, Professor Dewald Roode, said in June 1990 that the computer industry provided jobs for nearly 30 000 people in South Africa but would have to double the number of job opportunities by the year 2000 if the demand for computer personnel continued to grow at current rates.²⁶⁸ [²⁶⁸ *The Citizen* 26 June 1990]

According to the director of personnel management of the Department of Foreign Affairs, Mr Alexander van Zyl, the department wished to integrate more blacks into South Africa's foreign service.²⁶⁹ [²⁶⁹ *Business Day* 25 July 1990] He said that the potential for diplomatic representation abroad had increased since the speech of the state president, Mr F W de Klerk, opening Parliament on 2 February 1990, but that the expansion of the diplomatic service abroad was expensive. He said that it cost approximately R500 000 per diplomat annually. He added that there were no African diplomats currently serving abroad, but that three Indians and two coloured people served overseas.²⁷⁰ [²⁷⁰ *Ibid*]

A survey conducted by the South Africa Foundation in 1989 showed that major problems still faced black managers in achieving effective participation in South African business.²⁷¹ [²⁷¹ *Black Enterprise* July 1990] The major problems, in order of magnitude, were: tokenism, lack of training, inadequate experience in the corporate sector, and cultural problems. The respondents believed that companies could act more responsibly by devolving more power to black management, putting pressure on the government for political change, accelerating promotional policies, educating middle management, investing more in community development and developing new methods of promotion.²⁷² [²⁷² *Black Enterprise* July 1990]

Transport

Progress towards introducing a new transport policy based on the *White Paper on National Transport Policy* of 1987 continued to be slowed by difficulties in reaching agreement on a Passenger Transport Bill. Two) key proposals accepted in the new policy were to deregulate the transport sector and devolve transport responsibilities to Regional Services Councils (RSCs). Controls on entry into the industry would be removed but controls on the quality of vehicles and driving would be made far stricter. Three acts based on the white paper had been passed by August 1990: the Transport Advisory Council Act of 1987, the Transport Deregulation Act of 1988 and the Road Traffic Act of 1989.

The Department of Transport set up a Passenger Transport Policy Discussion Group with representatives from various levels of government, the railways, the bus industry and the taxi industry, to formulate a new Passenger Transport Bill. Following the deliberations of the group

The Department of Transport set up a task group, which submitted a draft bill to the discussion group on 18 April 1990. The Department of Transport decided that it should be introduced in the 1991 Parliamentary session. The draft bill was shorter and less complicated than a previous draft bill. It was enabling rather than prescriptive legislation in that it enabled the minister to lay down guidelines regarding the actual implementation of the bill. It provided for the declaration of passenger transport regions and the appointment of passenger transport authorities in these regions (RSCs or local authorities) by the minister, the formulation and implementation of regional passenger transport plans by passenger transport authorities, the establishment of a regional passenger subsidisation fund in each transport region, and for the establishment of a central passenger subsidisation fund. The regional funds would pay subsidies to any person undertaking passenger transport in, to or from the region and assist users of transport to enjoy efficient transport at reasonable cost. Subsidised transport could be undertaken only on the basis of a contract with the passenger transport authority. These contracts could not be concluded other than through the acceptance of tenders in terms of regulations which would be made by the minister. The regional funds would also be used to provide passenger transport facilities. The central passenger subsidisation fund would contain all money appropriated by Parliament for the subsidisation of passenger transport, It would allocate money to the passenger transport authorities and to the South African Rail Commuter Corporation (see below).²⁷³ [273 Walters J, 'A Review of Bus T Policy', paper presented to Annual Transportation Convention, Pretoria, 6 August 1990]

On 1 April 1990 the South African Transport Services (SATS) became a public company called Transnet after almost 80 years under state control, in what was generally regarded as the first major step towards privatisation. Transnet consisted of five separate business divisions (for road transport, pipelines, airways, harbours and non-commuter railways). In addition, a new South African Rail Commuter Corporation was established to run commuter rail services on behalf of Transnet. Losses on commuter services, formerly covered by both the state and cross-subsidisation from SATS's more profitable services, would now be borne solely by the state.

The National Black Panel, established by the Department of Transport to survey African commuters at periodic intervals, found that 30% of them used taxis, 27% buses and 24% trains as their main mode of travel to work.

Subsidies paid to bus companies for black commuters increased from R415m in 1987/88, to R476m in 1988/89, to R540m (budgeted) in 1989/90. SATS's commuter services lost R813m in 1988/89. Bus and rail commuter subsidies in that year, therefore, totaled R1,2bn. (This figure re excludes losses on subsidised bus services for pupils and losses on municipal bus services.) The National Black Panel pointed out that only half of all African commuters benefited from the subsidies as the rest used unsubsidised transport, mostly taxis.

The average time spent by African commuters each day getting to and from work had decreased from three hours in 1984 to two hours in 1989, largely because of the emergence of the taxi industry, the panel found.

Fare increases in 1989/90 resulted in bus boycotts in a number of areas including northern Natal, the east Rand, the Ciskei, and Phalaborwa (northern Transvaal).

Taxi accidents continued to attract widespread public concern, about half of taxi users expressing dissatisfaction with safety standards or the driving habits of taxi drivers. While the minister of transport affairs, Mr Eli Louw, had said in April 1988 that the accident rate per 100m kilometres was lower for minibuses than for other vehicles, the Council for Scientific and Industrial Research (CSIR) found differently. In a report on taxi collisions published in August 1990, it said that the rate was 915 collisions for every 100m kilometres travelled by minibuses, but 766 for all vehicles. The fatality rate in minibus collisions was 13 people killed for every 100m kilometres travelled, but six people for all vehicles. The CSIR report found that speeding and overloading were the major factors (52% and 32% respectively) causing accidents. Only 3% of taxi drivers wore spectacles, compared to 18% of drivers nationwide. However, only 2% of the drivers had a blood alcohol level of 0,08 grams or higher while the national average for urban black drivers of light commercial vehicles was 8%. Only 3% of the drivers involved in accidents had no driver's licence. Almost a quarter of the collisions examined involved kombitaxis with defective tyres. Visual observations showed that 79% of the drivers and 85% of the front seat passengers did not wear seatbelts. Roadside surveys showed that 21% of kombitaxis were not roadworthy. Studies into the behaviour of drivers showed that they tended to disregard red traffic lights, to travel at high speeds, to weave through heavy traffic, and to travel in convoy in urban centres. The CSIR report recommended stricter law enforcement regarding speeding, overloading and the condition of tyres, and further research into possible defects of vision among taxi drivers. Driver training programmes should be implemented, the quality of new entrants controlled through selection criteria, and a culture nurtured within the industry that was orientated to high standards of driver behaviour. The report also proposed that until such recommendations came into effect, a lower speed limit should apply to kombitaxis.²⁷⁴ [274 Information supplied at a press conference, Johannesburg, 1 August 1990]

Table of Social and Economic Comparisons

SOCIAL AND ECONOMIC COMPARISONS

Co

Pe

Pe

LiUnder 5 mortality rate per 1000^c

AdWomAfghanistan^{d, f}

N/A^b

(GNP) 240

37

37

330

24

7

Albania

N/A

(GNP) 936

69

73

52

75

6

Algeria

2 633

2 125

59

62

117

50

5

Angola^d

N/A

346

40

44

242

41

6

Antigua & Barbuda

N/A

1 897

68

72

32

89

4

Argentina

4 647

2 263

66

73

40

96

3

Australia

11 782

11 724

72

79

11

100

3

Austria

12 386

8 509

70

77

13

100

3

Bahamas

N/A

6 166

64

69

30

89

4

Bahrain

11 142

10 852

67

71

35

72

5

Bangladesh

883

165

48

47

196

33

7

Barbados

7 927

4 580

70

75

16

98

3

Belgium

13 140

7 913

70

77

13

100

3

Belize

N/A

1 174

N/A

N/A

23

91

3

Benin

665

326

42

46

193

26

6

Bhutan

N/A

214

46

49

206

18

5

Bolivia

1 380

1 100

49

53

184

74

5

Botswana

2 496

1 135

53

56

99

71

4

Brazil

4 307

1 573

61

66

91

78

4

Brunei

N/A

16 293

70

73

14

80

6

Bulgaria

N/A

(GNP) 6 437

69

74

21

96

5

Burkina Faso

N/A

153

44

47

245

13

6

Burma

752

172

56

59

91

78

6

Burundi

450

241

45

48

200

34

6

Cambodia

N/A

N/A

42

45

216

75

6

Cameroon

1 381

941

50

53

162

56

5

Canada

16 375

13 416

72

79

10

100

2

Cape Verde

N/A

(GNP) 361

57

61

95

50

5

Central African Republic

59

31

41

45

23

41

6

Chad

N/A

135

41

45

232

26

6

Chile

4 862

1 705

67

73

26

97

4

China (People's Republic)

2

25

67

69

50

69

5

Colombia

3 524

1 209

61

66

72

88

4

Comoros

N/A

(GNP) 248

48

52

135

48

6

Congo

756

1 224

45

48

122

63

6

Costa Rica

3 760

1 322

71

76

25

94

3

Cuba

N/A

(GNP) 1 767

72

75

19

96

4

Cyprus

7 910 ^e

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—

Cyprus (Greek)

N/A

3 176

72

76

17

89

3

Cyprus (Turkish)

N/A

1 156

N/A

N/A

N/A

N/A

3

Czechoslovakia

N/A

(GNP) 8 754

68

75

17

100

5

Denmark

15 119

10 961

72

78

10

100

3

Djibouti

N/A

969

N/A

N/A

257

12

6

Dominica

N/A

960

57

59

30

80

4

Dominican Republic

N/A

1 480

61

65

88

77

4

Ecuador

2 687

1 334

62

66

92

82

4

Egypt

1 357

848

57

60

136

45

5

El Salvador ^d

1 733

888

63

67

91

72

5

Equatorial Guinea

N/A

195

42

46

223

37

6

Ethiopia

454

153

39

43

257

11

6

SOCIAL AND ECONOMIC COMPARISONS

Co

Pe

Pe

LiUnder 5 mortality rate per 1000^c

Adult literacy per 1000^c

WomFiji

3 558

1 716

67

71

34

86

4

Finland

12 795

10 424

70

78

8

100

2

France

13 961

8 943

71

79

11

99

3

Gabon

2 068

5 561

47

51

178

62

6

Gambia

736

375

34

37

292

25

5

Germany, East

N/A

(GNP) 11 300

69

75

13

100

4

Germany, West

14 730

(GNP) 14 890

70

77

12

100

3

Ghana

481

496

50

54

153

53

5

Greece

N/A

3 379

72

76

18

92

3

Grenada

N/A

955

60

66

20

50

4

Guatemala

1 957

1 159

57

61

109

55

5

Guinea

N/A

291

39

42

259

28

5

Guinea-Bissau

N/A

184

41

45

232

31

5

Guyana

1 654

532

66

71

41

96

5

Haiti

775

351

51

54

180

38

6

Honduras

1 119

758

58

62

116

59

4

Hungary

N/A

(GNP) 7 504

67

74

21

99

4

Iceland

13 324

10 953

74

80

7

100

2

India

1 053

272

56

55

158

44

5

Indonesia

1 660

532

52

55

126

74

5

Iran

N/A

3 873

57

57

162

51

7

Iraq

N/A

3 172

62

63

100

47

6

Ireland

8 566

4 984

70

76

12

100

3

Israel

9 182

6 182

73

76

16

95

3

Italy

10 682

6 146

71

78

13

97

3

Ivory Coast

1 123

807

49

52

157

43

5

Jamaica

2 506

1 029

70

76

25

92

3

Japan

13 135

9 717

74

80

9

100

4

Jordan

3 161

1 639

62

66

65

75

5

Kenya

794

315

51

55

121

59

6

Kiribati

N/A

475

50

54

100

100

4

Korea, North

N/A

(GNP) 1 209

65

71

35

90

5

Korea, South

4 832

2 034

65

71

35

92

4

Kuwait

13 843

12 731

70

74

25

70

5

Laos

N/A

(GNP) 190

48

51

170

84

6

Lebanon

N/A

811

63

67

56

77

5

Lesotho

1 585

281

46

52

144

74

6

Liberia

696

362

47

51

215

35

6

Libya

N/A

9 472

57

60

130

66

6

Luxembourg

15 247

7 269

68

74

11

100

3

Madagascar

634

247

49

50

97

68

5

Malawi

476

185

44

46

275

41

6

Malaysia

3 849

2 240

65

69

38

73

5

Maldives

N/A

475

53

50

91

82

5

Mali

543

140

40

44

302

17

7

Malta

7 775

2 745

69

74

14

81

3

Mauritania

840

478

42

46

223

17

6

Mauritius

2 617

1 036

64

69

32

83

4

Mexico

4 624

2 316

64

68

73

90

4

SOCIAL AND ECONOMIC COMPARISONS

Co

Pe

Pe

LiUnder 5 mortality rate per 1000^c

AduWomMongolia

N/A

886

60

64

64

90

6

Morocco ^d

1 761

527

57

60

130

33

6

Mozambique ^d

N/A

142

44

46

252

17

6

Namibia

N/A

782

47

50

N/A

N/A

N/A

Nauru

N/A

(GNP) 19 512

N/A

N/A

38

99

4

Nepal

722

145

47

45

206

26

6

Netherlands

12 661

8 533

73

80

10

100

3

New Zealand

10 541

7 303

71

77

14

100

3

Nicaragua ^d

2 209

1 203

59

61

104

85

5

Niger

452

320

41

44

237

14

6

Nigeria

668

805

47

50

182

43

6

Norway

15 940

13 217

73

80

10

100

2

Oman

N/A

8 915

51

54

172

30

6

Pakistan

1 585

339

51

49

174

30

6

Panama

4 009

2 064

69

73

35

88

4

Papua New Guinea

1 843

770

51

53

94

45

4

Paraguay

2 603

1 899

63

68

61

88

5

Peru

3 129

960

57

61

133

85

4

Philippines

1 878

623

60

64

78

86

4

Poland

N/A

(GNP) 6 493

67

75

21

100

5

Portugal

5 597

1 872

68

75

22

85

3

Qatar

N/A

23 956

65

70

43

51

7

Romania

N/A

(GNP) 5 411

68

73

31

97

5

Rwanda

571

282

45

48

214

47

6

St Kitts-Nevis

N/A

3 111

66

70

36

92

3

St Lucia

N/A

1 120

67

75

22

60

3

St Vincent & Grenadines

N/A

702

58

60

33

84

3

Sao Tome and Principe

N/A

345

43

45

80

60

6

Saudi Arabia ^d

8 320

10 595

59

63

101

30

7

Senegal

1 068

361

42

45

231

28

6

Seychelles ^d

N/A

2 100

66

73

20

57

5

Sierra Leone

480

258

33

36

302

29

5

Singapore

12 790

6 669

69

75

12

86

4

Solomon Islands

N/A

608

N/A

N/A

50

50

4

Somalia ^d

N/A

563

39

43

257

12

6

South Africa ^d

4 981

2 987

52

55

104

46

5

Spain

8 989

4 196

71

78

12

95

3

Sri Lanka

2 053

329

67

70

48

87

4

Sudan ^d

750

375

47

49

187

25

6

Surinam

N/A

3 473

66

71

41

90

6

Swaziland

N/A

960

47

50

182

68

6

Sweden

13 780

11 356

73

79

8

100

2

Switzerland

15 403

14 080

73

80

9

100

3

Syria ^d

N/A

1 800

61

64

71

60

6

Taiwan (China)

5 907

(GNP) 3 143

69

74

9

92

4

Tanzania ^d

405

247

49

53

183

80

6

Thailand

2 576

819

61

65

55

91

5

Togo

670

267

49

52

160

41

6

Tonga ^d

N/A

647

57

61

28

90

4

SOCIAL AND ECONOMIC COMPARISONS

Country

Per Capita PPP (\$)

Per Capita GDP (\$)

Life expectancy male/female

Under 5 mortality rate per 1000^c

Adult literacy per 1000^c

Women's advance- ment (1-7)^c

Trinidad & Tobago

3 664

7 053

66

71

26

96

3

Tunisia

2 741

1 162

60

61

110

54

5

Turkey

3 781

1 041

60

63

104

74

4

Tuvalu

N/A

513

57

60

40

95

4

Uganda ^d

511

422

47

51

178

57

6

USSR

N/A

(GNP) 7 484

67

75

29

99

5

United Arab Emirates

12 191

23 242

65

70

43

71

6

United Kingdom

12 270

7 598

71

77

12

100

3

United states ^d

17 615

15 452

71

78

13

96

2

Uruguay

5 063

1 767

67

74

32

94

4

Vanuatu ^{d, f}

N/A

612

N/A

N/A

100

10

4

Venezuela

4 306

3 240

66

72

45

88

4

Vietnam

N/A

312

57

61

98

90

5

Western Samoa

N/A

544

61

66

50

98

4

Yemen, North ^d

1 466

473

47

50

210

10

7

Yemen, South ^d

N/A

437

47

50

210

40

5

Yugoslavia ^d

N/A

1 892

68

74

31

90

5

Zaire^d

220

150

48

52

170

61

7

Zambia

717

410

50

53

135

70

6

Zimbabwe

1 184

859

54

58

121

75

5

Notes to the table

a

Figures are collated from *freedom at Issue* (Freedom House), no 106, January-February 1989, pp56-57, and no 112, January-February 1990, pp21-23. Data on Purchasing Power Parities (PPPs) is from the Agency for International Development (AID). According to the AID, the estimates for GDP in international dollars for 1987 were obtained following procedures described by Robert Summers and Alan Heston in 'A new set of International Comparisons of Real Product and Price Levels for 130 Countries, 1950-1985' (review of *Income and Wealth*, vol 34 no 1, pp1-25 and supplemental diskette, 1988). AID explains that 'each country's national currency aggregates, consumption, government, and capital formation were converted into international dollars using PPPs estimated specifically for the aggregates. A country's real GDP was simply the sum of these international dollar components, plus its net foreign balance converted into dollars at its exchange rate. The PPPs were derived from the results of the benchmark studies of the International Comparison Project (ICP) of the United Nations. To date, 70 countries have completed and published the results of their participation in the ICP. For these 70 countries, PPPs were built up from detailed price comparisons of individual items covering 150 categories of expenditure on GDP.' The figures on per capita GDP come from the Rand McNally *World and maps (1990) and Defense and foreign Affairs Handbook (1989)*. Rand McNally is also the source for the statistics on life expectancy.

b

c

d

In some

SOCIAL SEGREGATION

Policy

In February 1989 a spokesman for the minister of law and order announced that police had been ordered not to arrest people who contravened the Reservation of Separate Amenities Act of 1953. He said that police headquarters had issued a directive to all divisional commissioners, stipulating that police were not to arrest those contravening the act but to investigate any alleged offence and refer it to the local senior state prosecutor. He added, 'Because the arrest of someone is not regarded lightly by the South African Police, tangible proof must exist that the suspect has in fact committed the offence.'¹ [¹ *The Star* 23 February 1989]

In May 1989 the minister of constitutional development and planning, Mr Chris Heunis, said that the government was committed to 'full and equal amenities for all communities on a non-discriminatory basis. Where amenities cannot be duplicated, they must be shared in an orderly fashion. This implies that all communities should be able to make use of such amenities in a civilised and well-ordered way'. Mr Heunis said that he had received a number of requests from industrialists and businessmen for the repeal of the act, as a result of 'difficulties' in towns where Conservative Party-controlled local authorities had reintroduced segregation (see *1988/89 Survey* p28). He believed, however, that the repeal of the Reservation of Separate Amenities Act was unacceptable. He reiterated that the government would not 'at this stage' proceed with legislation to prevent the CP from reintroducing petty apartheid.'² [² *The Citizen* 25 May 1989, *Sowetan* 26 May 1989]

In an address to the federal congress of the National Party (NP) in Pretoria in June 1989 the minister of home affairs and of communications, Mr Stoffel Botha, reiterated the government's policy regarding public amenities, which remained identical to the policy outlined in February 1988 (see *1988/89 Survey* p26), ie some public amenities would be shared by all races, but 'certain population groups had a need for their own amenities'.³ [³ *Business Day* 30 June 1989]

As in previous years, in 1989 all the parties in the houses of Delegates and Representatives, and the Progressive Federal Party (PFP) and later, the Democratic Party (DP), called on the government to repeal the Reservation of Separate Amenities Act. In January 1989 Mr Harry Schwarz MP (PFP) submitted a private member's bill to repeal the act. The bill was rejected by the joint committee on private members' bills.⁴ [⁴ *The Citizen* 10 January 1989]

In May 1989 Mr Desmond Lockey MP (Labour Party) said at a joint sitting of Parliament that the LP had 'got nowhere in four years of negotiation' and in its attempts to have the act repealed. He claimed that, 'retrospectively, the CP has made the biggest contribution to the abolition of the Reservation of Separate Amenities Act. They have caused the government great embarrassment... Now that there is a Boksburg, they want to amend the act in such a way that Boksburg cannot put up any more notice-boards. However, apartheid can remain alive and well in Vereeniging, in the Johannesburg bus service and in the city centre of Pretoria'. He called on the government to abolish the act.⁵ [⁵ *Hansard* (joint sitting) 19 cols 9638-9639, 18 May 1989]

The chairman of the House of Delegates, Mr Ebrahim Abramjee, said in July 1989 that petty apartheid was damaging the country's image abroad. He condemned the refusal of the Pretoria City Council earlier in the same month to allow blacks to join organised tours of the Rietvlei Dam and Riebeeck Nature Reserve near the city. Mr Abramjee called on the government to issue directives to local authorities for the repeal of discriminatory measures.⁶ [⁶ *The Citizen* 10 July 1989]

There were also calls from businessmen for the repeal of the act. The chairman of the Johannesburg Central Business District Association, Mr Nigel Mandy, said in April 1989 that the government's condemnation of the reintroduction of petty apartheid in Boksburg (east Rand) and Carletonville (west Rand) 'clearly indicates that the Reservation of Separate Amenities Act should be repealed'. The president of the Association of Chambers of Commerce and Industry of South Africa (ASSOCOM), Mr Sydney Matus, said in May 1989 that ASSOCOM regretted that the repeal of the act had not been undertaken during the current parliamentary session, 'in view of the economic damage that is being experienced in towns like Boksburg and Carletonville. ASSOCOM considers that the government has underestimated the harm these developments have caused economically and to South Africa's image overseas'.⁷ [⁷ *Ibid* 4 April 1989, 26 May 1989]

In an address to the President's Council in November 1989 the state president, Mr F W de Klerk, said that the government had decided to repeal the Reservation of Separate Amenities Act 'as soon as possible. It should, however, be done with careful consideration of the implications of such a step. There are a few sensitive areas, where the institution of fitting measures will be necessary when the act is repealed. The government will shortly enter into discussions, both on a parliamentary level and with other interest groups, before deciding on such measures'.⁸ [⁸ *Business Day* 17 November 1989; *The Citizen* 17 November 1989]

At the same time Mr De Klerk appealed to local authorities to open all remaining segregated beaches to all races with immediate effect. In so far as ordinances or local by laws may exist that are in conflict with the decision, the relevant authorities are requested to act in the spirit of this decision,' he said.⁹ [⁹ *Ibid*]

Mr De Klerk's speech was welcomed by all the parties represented in Parliament, with the exception of the CP. The information officer of the CP, Mr Koos van der Merwe, said that the repeal of the act would be 'the beginning of the end of separate white community life and will lead to increased swamping of whites by people of colour in white areas'. A spokesman for the DP said that the repeal of the act would be another step in the 'inexorable crumbling of race-based policies in South Africa'. However, the DP felt 'concerned' about Mr De Klerk's reference to 'fitting measures' to replace the Reservation of Separate Amenities Act.

Mr De Klerk's decision was also welcomed by a wide range of businessmen and by foreign governments. ASSOCOM said in a statement that it was an important step in creating a positive climate for reconciliation and negotiation in the country. The prime minister of the United Kingdom, Mrs Margaret Thatcher, 'warmly welcomed' Mr De Klerk's announcement.¹⁰ [¹⁰ *The Citizen* 18,20 November 1989]

On 2 February 1990 Mr De Klerk said in his opening address to Parliament that the Reservation of Separate Amenities Act would be repealed in the present parliamentary session.¹¹ [¹¹ *Business Day* 3 February 1990]

Facilities

Attitudes to shared facilities

In April 1989 the acting head of the Department of Town and Regional Planning at the University of Natal, Mr Michael Sutcliffe, published the results of a survey of attitudes towards segregation of facilities. The survey, which was undertaken in the central business district of Durban, involved a sample of 500 people of all races over 15 years of age. For the purposes of the survey the responses of Indian and coloured people were pooled.

Some 78% of African respondents, 87% of coloured and Indian respondents, and 67% of white respondents felt that all facilities should be integrated. The proportions of the sample disapproving of integrated facilities were: Africans, 14%; coloured and Indian people, 3%; and whites, 8%. The survey also found that integrated beach facilities in Durban were seen as 'good' by 63% of Africans, 55% of Indians and coloured people, and 45% of whites. Some 10% of the African respondents, 23% of the Indians and coloured people, and 27% of whites considered integrated beach facilities to be 'bad'. However, 10% of Africans, 23% of Indians and coloured people, and 27% of whites refused to answer this question, or answered 'don't know'. White and African women were generally more conservative in their responses to the survey than white and African men. Younger whites were also generally more conservative in their attitudes regarding the sharing of facilities than older whites.¹² [¹² *Sunday Tribune* 9 April 1989]

Hotels and restaurants

In April 1989, in renewing a license for the Gold Lake Chinese Restaurant near Boksburg Lake, the Conservative Party-controlled town council of Boksburg (east Rand) ruled that the restaurant would be reserved for whites. (Previously it had been open to all races.) The leader of the National Party (NP) caucus in the council, Mr Chris Smith, said that many of the patrons of the Gold Lake Chinese Restaurant were Chinese, and since they were regarded as 'non-white' in terms of the law, they would be excluded from dining at the establishment. He believed that the council had made the ruling because it wished to reserve the grounds around the lake for whites. Mr Smith described the decision as 'immoral'. The chief whip of the CP in the council, Mr T J Ferreira, denied that there had been a decision to bar Chinese people from the restaurant and he claimed that newspaper reports about the council's ruling were 'unfair, biased and viciously slanderous'. He said that Chinese people could continue to patronise the restaurant because they were regarded as 'honorary whites'. He threatened to

take action against newspapers which had suggested otherwise.¹³ [¹³ *Sunday Tribune* 30 April 1989, *The Star* 3 May 1989]

The new proprietors of the restaurant at the Voortrekker Monument (Pretoria) decided in July 1989 to open it to all races. Mr Willie Olivier, who was the previous owner of the restaurant and who had run it for ten years, was reported to have been a member of the Afrikaner Weerstandsbeweging, a right-wing organisation. In 1984 he had refused entry to the restaurant to five African schoolchildren and in 1986 three coloured students from the University of Stellenbosch had been barred from it. The new owners of the restaurant, Marius du Plooy Promotions, published a statement saying that it would be open to 'people of all races who are interested in learning about Afrikaans history and culture'.¹⁴ [¹⁴ *Sunday Tribune* 9 July 1989]

In the same month a Soweto woman, Mrs Lizzie Maganye, was allegedly assaulted by six white men at a hotel in Randfontein (west Rand) when she tried to use a public lavatory. The manager of the Rand Hotel, Mr C Nienaber, claimed that Mrs Maganye had asked to use the lavatory in the hotel and that after being told by a group of white men that only whites were admitted to the establishment, she had sworn at them. The whites had then assaulted her. 'She got what she was looking for,' Mr Nienaber contended. Mrs Maganye said that she had gone to the hotel to look for a lavatory, and that two African men had directed her inside the building. 'When I entered, I was confronted by ten mean looking white men. Without any provocation, six of them grabbed me and assaulted me. They were swearing at me all the time. They even tore my clothes and left me half-naked,' she alleged. Mrs Maganye said that the men had slapped, punched and kicked her until she had run away. She also claimed that when she had gone to a local police station to report the incident, she had been chased away.¹⁵ [¹⁵ *Sowetan* 28 July 1989]

Holiday resorts

In answer to a question in the House of Representatives in April 1989 the minister of constitutional development and planning, Mr Chris Heunis, provided information about the provision of camping resorts in the Transvaal. He said that there were 385 private resorts in the province, of which two were reserved for Indians, one was open to all races and he was 'not in possession of information about the remaining resorts'. However, it appeared that the majority of the remaining resorts were reserved for whites. Mr Heunis said that 32 camping resorts were run by the Transvaal Provincial Administration, of which the Ramosa Riekert Resort (western Transvaal) was reserved for Africans, the Roodeplaat Dam Resort (Pretoria) was reserved for coloured people and Indians, and the Pilgrim's Rest Resort (eastern Transvaal) was open to all races. According to a spokesman for the Transvaal Provincial Administration, the remaining resorts were reserved for whites.¹⁶ [¹⁶ *Hansard* (R) 11 q cols 717-718, 18 April 1989]

The workplace

The minister of economic affairs and technology, Mr Danie Steyn, said in Parliament in March 1989 that

in 1987 and 1988 respectively, seven and 15 complaints had been received about the joint use of washing facilities and lavatories on the mines and in industry.¹⁷ [¹⁷ *Hansard*(A)6 q col 345, 14 March 1989]

In August 1989 the National Union of Mineworkers (NUM) announced the start of a campaign against segregated lavatories, canteens, change rooms and medical stations on mines around the country. The campaign included the following protest action during July and August 1989:¹⁸ [¹⁸ *The Weekly Mail* 4 August 1989]

- 200 African workers staged a lunch-time sit-in at the whites-only canteen of the MINTEK research laboratory (west Rand);
- African workers used change rooms reserved for white miners at the Ergo Refinery (Brakpan, east Rand) and the President Steyn Gold Mine (Orange Free State); and
- an African shaft steward at the Lyttelton Dolomite Mine (Pretoria) made tea in a kitchen reserved for whites (and was subsequently disciplined).

One of the employers affected by the protests, the Anglo American Corporation of South Africa, said that its policy was to provide facilities to all employees according to skill and seniority and regardless of race. It denied claims by NUM that racial discrimination was implemented under the pretext of seniority, with most Africans enjoying poorer facilities because they had lower-grade jobs than most whites.¹⁹ [¹⁹ *Business Day* 3 August 1989]

Beaches

During the period under review there were extensive protests against the small remaining number of segregated beaches. In November 1989 the state president, Mr F W de Klerk, requested that local authorities desegregate all remaining beaches reserved for a specific race group (see *Policy* above). By the end of 1989 all beaches had been opened to all races.

Eastern Cape

In January 1989 the administrator of the Cape province, Mr Gene Louw, advised the East London City Council that its application to open Eastern Beach to all races had been unsuccessful. Mr Louw advised the Council that the racial zoning of East London's beaches would be investigated by a committee, headed by Mr H R Jacobs, which had recently completed a study of racial zoning of beaches around Port Elizabeth.²⁰ [²⁰ *The Citizen* 6 January 1989]

The findings of the Jacobs committee on Port Elizabeth's beaches were not made public. However, they

were summarised in an article in the *Eastern Province Herald* in May 1989 (see *1988/89 Survey* p34). The committee said that the 1966 allocation of beaches had given Africans, who constituted 63% of the population, 1km of the coastline; coloured people, who constituted 18%, 6km; Indians, who constituted 0,5%, 0,8km; and whites, who constituted 18%, 28km. It added that all races had access to the remaining 11km of coastline.²¹ [²¹ *Eastern Province Herald* 24 May 1989]

The committee said. If the population totals are taken into account and the facilities on the various beaches are compared, it is obvious that whites are better off than other races.’ It stated that it was generally accepted that authorities responsible for the provision of beach facilities were more dependent on the contributions of white taxpayers. ‘This argument is not without merit. However, it is often overlooked that the amount available is dependent on the indirect contributions from groups which, for example, through their labour or buying power allow the taxpayer to pay more tax.’²² [²² *Ibid*]

The committee recommended that all beaches between the Gamtoos and Sundays rivers be opened to all races, saying that this was ‘the only just and reasonable solution’. However, a small area between the northern bank of the Swartkops River and the developed area of Bluewater Bay should be reserved for whites.²³ [²³ *Ibid*]

In the same month it was reported that the executive committee of the Cape province had voted by four votes to two (with one abstention) against the proposals of the Jacobs committee. The executive committee agreed to open some of the beaches to all races, but to leave seven reserved for whites. Cape Recife, Humewood Strand, King’s Beach and New Beach (all of which had previously been reserved for whites) were opened to all races. St George’s Strand would remain reserved for Africans, while all beaches set aside for coloured people would be desegregated. However, Beachview, Bluewater Bay, Kini Bay, Sardinia Bay, Schoenmakerskop, Seaview and the Willows holiday resort would remain reserved for whites.²⁴ [²⁴ *Eastern Province Herald* 17 May 1989]

The chairman of the ministers’ council in the House of Representatives and leader of the Labour Party, the Rev Allan Hendrickse, welcomed the opening of some beaches to all races, especially King’s Beach, where he had swum in January 1987 to protest against beach apartheid resulting in a confrontation with the state president, Mr P W Botha, and his resignation from the cabinet (see *1987/88 Survey* p258). Mr Hendrickse added, ‘Our regret is still that the recommendations of the Jacobs committee have not been implemented. The opening of King’s Beach and Humewood was a small, welcome concession. We hope they will learn from experience and there will be more to follow. Our slogan still remains: “All God’s beaches for all God’s people”’.²⁵ [²⁵ *The Star* 22 May 1989]

In October 1989 the East London City Council recommended that all the city’s amenities, including its beaches, be opened to all races.²⁶ [²⁶ *The Citizen* 3 October 1989]

Natal

The mayor of Durban, Mr Derrick Watterson, called for the introduction of 'pay beaches' in February 1989, ie privatised beaches which would charge an entrance fee. He said that Durban could not open all its beaches to all races without considering the 'needs of the more sophisticated elements in all race groups'. He proposed that facilities on certain beaches be reserved for the exclusive use of hotel guests or developed by private entrepreneurs, who would be entitled to charge for admission. Provision would be made for the admission of local ratepayers, ie mostly whites, at a lower entrance fee.²⁷ [²⁷ Ibid 4 May 1989] In May 1989 it was reported that a Johannesburg city councillor and businessman, Mr Eddy Magid, had put a proposal to the management committee of the Durban City Council for the closing of North Beach to all races and its development as a pay beach by a consortium of Transvaal-based companies. The proposal included plans for a restaurant and snack bars, and an entrance fee of R5 per person was suggested. The plan was described as contrary to the Durban City Council's commitment to desegregate all beaches on a free basis.²⁸ [²⁸ Ibid 24 May 1989]

The town clerk of Scottburgh (Natal south coast), Mr Denis Marshall, announced in March 1989 that the town council had discontinued its policy of 'dissuasion' to keep blacks off its beach, and that the beach was now open to all races. The announcement followed reports earlier in the month of black visitors being asked by white lifesavers whether they would not 'prefer' to use a beach reserved for their own race group.²⁹ [²⁹ *The Natal Mercury* 18 March 1989, *The Star* 18, 31 March 1989]

In May 1989 the Durban City Council voted on a recommendation by the amenities committee to desegregate all remaining white beaches. The vote resulted in a 15-15 deadlock, with Mr Watterson using his casting vote as mayor to turn down the recommendation. Mr Watterson, who had earlier in the debate voted to open all beaches, said afterwards that he had used his casting vote to preserve the status quo because he believed that it was a mayoral tradition to do so. The proposal to open the remaining white beaches was supported by Democratic Party (DP) councillors and opposed by National Party and Civic Action League councillors, and councillors for beachfront wards. There were subsequent calls by members of the Rotary Club for the resignation of Mr Mike Lipschitz, a councillor and Rotary Club member who had voted in favour of retaining 'whites-only' beaches. Mr Lipschitz's vote was said to have violated the nonracial creed of the club.³⁰ [³⁰ *The Natal Witness* 30 May 1989, *The Natal Mercury* 30 May 1989, *Sunday Tribune* 3 June 1989]

In June 1989 Mr Morris Fynn, a member of the Coloured Local Affairs Committee for Durban and a prominent campaigner for open beaches, was sentenced in the Durban magistrate's court to a fine of R200 or 100 days' imprisonment for cutting down 'whites only' signboards on South Beach in Durban. Mr Fynn had been convicted in 1987 and 1988 for the same offence (see *1987/88 Survey* p260 and *1988/89 Survey* p33). Mr Fynn refused to pay the fine, but it was paid by one of his supporters and he was freed.³¹ [³¹ *Sowetan* 22, 23 June 1989]

A meeting of the Durban Integrated Municipal Employees Society (DIMES), a nonracial body representing about 5 600 employees of the Durban City Council (44% of the council's workforce),

decided in August 1989 to 'refrain from doing anything to enforce the immoral and reprehensible bylaw which stipulates that certain races of people may not use certain of Durban's beaches'. The resolution called on the council to open all the city's beaches to all races.³² [³² *The Natal Mercury* 5 August 1989, *Sowetan* 10 August 1989]

On 3 September 1989 the Mass Democratic Movement (MDM) organised a protest picnic at South Beach (Durban), which was reserved for whites. About 5 000 people, mostly black, took part in the protest, which was watched by a crowd of white bathers and some 800 policemen. It was reported that police had to intervene on several occasions to prevent violence between whites and the MDM protesters. A white group distributed pamphlets protesting against open beaches. The police arrested 58 MDM protesters after an African National Congress (ANC) flag was raised. According to a police spokesman, 48 of those who were arrested were released, and the remainder were to be charged.³³ [³³ *Sowetan*, *Business Day*, *The Star* 4 September 1989]

However, most protesters appeared to have viewed the day as a 'single focus' protest. They did not carry placards or ANC flags, and when one group began to sing and 'toyitoyi', they were quickly stopped by the organisers. The protest was described as a 'great success' by a spokesman for the MDM, Dr Farouk Meer. He claimed that the police had been 'obliged to show restraint'. Police were reported to have complimented the MDM on the protest, saying that it was peaceful and well-controlled.³⁴ [³⁴ *Business Day* 4 September 1989, *The Weekly Mail* 8 September 1989]

In November 1989 the Durban City Council decided to take down all 'whites-only' signs on the city's segregated beaches. However, the council was unable to agree to open the remaining white beaches to all races.³⁵ [³⁵ *The Natal Witness* 10 November 1989]

Following the request in the same month by the state president, Mr F W de Klerk, to local authorities to open all beaches to all races, the council agreed by 24 votes to five to desegregate all the city's beaches. Mr Watterson said that he was delighted by the council's decision, as he had always found it 'morally indefensible to bar people from beaches on the basis of skin colour'. He hoped that desegregation would make Durban more attractive as a holiday venue, although he feared that there would be 'repercussions' from some white holiday makers from the Orange Free State and the Transvaal.³⁶ [³⁶ *The Citizen* 21 November 1989]

No serious incidents occurred on 1 January 1990, when more than 100 000 people visited Durban's beaches. However, on 6 January armed Indian and white policemen had to retreat after a crowd of more than 1 000 blacks pelted them with bottles and stones when they tried to separate two men who were engaged in a brawl on North Beach.³⁷ [³⁷ *Sunday Star* 7 January 1990]

The chairman of the Civic Action League, Mr Arthur Morris, said in January 1990 that unruly crowd behaviour and overcrowding of Durban's beaches over the previous week could discourage white holiday makers from travelling to the city. He claimed that Durban's beaches had been 'swamped' by

Africans over the festive season. Some black visitors from the Transvaal were reported to have camped overnight on the beaches because they could not find accommodation, and to have held all-night parties. Mr Morris also claimed that Africans had defecated and urinated in public. He believed that the only reason there were no racial incidents on the city's beaches was that white holiday makers had left for beaches on the north and south coasts when black people had arrived. 'Unless some form of control is introduced on our beaches, Durban will be turned into a disaster area,' he argued.³⁸ [³⁸ *The Citizen* 4 January 1990]

The official organ of the Conservative Party, *Die Patriot*, accused the South African Broadcasting Corporation and sections of the press of 'covering up' the truth about Durban's beaches by reporting that there had been no racial incidents. 'The fact that there were no "racial incidents" is clearly because whites packed up and left. The beaches were simply taken over by blacks. Even Indian bathers disappeared,' the paper said.³⁹ [³⁹ *Die Patriot* 12 January 1990]

The deputy mayor of Durban, Mr Jan Venter, said that the city council would consider introducing limited access beaches' as a means of easing chronic overcrowding of beaches. He denied that the council would consider reverting to racial segregation of facilities. He believed that more leisure facilities needed to be built to accommodate the increased numbers of people using the beaches.⁴⁰ [⁴⁰ *Sunday Star* 7 January 1990]

The director of information for the National Party in Natal, Mr Renier Schoeman, said that a massive upgrading of beach facilities and stricter crowd control were needed to prevent a recurrence of problems experienced in Durban in December 1989 and January 1990. He said that he had monitored the situation on the beaches very carefully and that 'in spite of extreme pressure on some beaches', there had been only isolated incidents of unacceptable behaviour. He called for a 'macro-plan', involving the privatisation of certain beaches, pay beaches and limiting numbers of people on other beaches.⁴¹ [⁴¹ *The Citizen* 6 January 1990]

The group general manager of the Southern Sun and Holiday Inn hotel groups, Mr Bruno Corte, said that in his view the city council had done a 'superb job' on the beaches. He acknowledged that there had been some incidents of bad behaviour, but said, 'People must realise that at holiday beaches all over the world overcrowding can be a problem, especially at peak times. We will have to encourage people to spend holidays in Durban at other times of the year.' He said that more beach facilities needed to be provided, but added that he did not believe that pay beaches were necessary.⁴² [⁴² *Sunday Star* 7 January 1990]

Southern Cape

In January 1989 a ten-year-old coloured girl, who had accompanied a white family on a visit to Victoria Beach near George, was asked to leave the beach, which was reserved for whites. It was reported that Mr J C Gericke, the caretaker of the local caravan park, had grabbed the child by the arm while she was

swimming and dragged her from the beach.⁴³ [⁴³ *City Press* 15 January 1989]

Western Cape

In the same month six 'whites-only' signs on the Strand and Gordon's Bay beaches were blacked out with spray paint. A caller to a Cape Town newspaper claimed that five professional whites, including a doctor and a medical specialist, had been responsible for the action. He said that the protest had not been an act of vandalism but rather a means of raising public awareness.⁴⁴ [⁴⁴ *The Citizen* 17 January 1989]

In August 1989 about 1 000 people of all races took part in protests on the Strand and Bloubergstrand beaches against the reservation of the beaches for whites. The police set up road blocks at the entrance to the Strand, and most of the protesters moved to the Bloubergstrand. The police allegedly ordered a group of 200 protesters at the Strand to disperse. Police were reported to have used rubber whips and batons to beat the protesters at the Bloubergstrand. At least four people were injured. A representative of the Black Sash claimed that several protesters sustained open wounds from the police whips and that its observers had 'watched with horror' as policemen charged families having picnics and that a police helicopter had been deployed to blow sand on to them.⁴⁵ [⁴⁵ *Sunday Star* 20 August 1989]

The police briefly detained 19 journalists who disregarded a police order to leave the area. A police spokesman said later that 11 people, including two journalists, had been arrested.⁴⁶ [⁴⁶ *Sunday Tribune* 20 August 1989]

The DP spokesman on law and order, Mr Tiaan van der Merwe, said that the action of the police was 'an amazing and unbelievable over-reaction. It takes South Africa right back into the Verwoerd era'. The *Sunday Tribune* commented that the incidents would 'damage the reformist image of Acting President F W de Klerk' and 'sour warm relations with Mrs Thatcher and other European leaders'. Mr Koos van der Merwe MP (Conservative Party) said. If the government is taking action to cordon off the sea, then on what grounds can they criticise Boksburg municipality for closing the lake to blacks? This exposes them as the greatest hypocrites of the century.'⁴⁷ [⁴⁷ *Ibid*]

In early September 1989 about 2 000 people held a peaceful demonstration against beach apartheid at Saldanha Bay. Police were present but they took no action against the protesters.⁴⁸ [⁴⁸ *The Citizen* 11 September 1989]

In the same month Gordon's Bay decided to remove all 'whites only' signs on its beach.⁴⁹ [⁴⁹ *The Star* 30 September 1989]

In October 1989 about 1000 people of all races held a protest march and picnic on the Strand beach. Protesters had allegedly had special training in non-violence, in case of police action. The protest was watched by police, some of whom wore beachwear and mingled with the crowd. The policemen left

after a request by the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu, that they should not interfere. No arrests or injuries were reported.⁵⁰ [⁵⁰ *The Citizen* 20 August 1989, *Business Day* 2 October 1989]

In November 1989 an extraordinary issue of the provincial gazette of the Cape opened all beaches in the Cape province to all races.⁵¹ [⁵¹ *Business Day* 23 November 1989]

Municipal facilities

There was considerable progress in 1989 in the desegregation of the remaining segregated municipal facilities in South Africa's larger cities. However, as in 1988, in towns controlled by the Conservative Party (CP) there were a number of cases of open facilities' being reserved for whites.

Cape province

It was disclosed at a **Port Elizabeth** City Council meeting in March 1989 that the city's pools had never been segregated legally. However, in practice three pools (none of them in working order) had been set aside for Africans, five for coloured people, none for Indians, and six for whites.⁵² [⁵² *Eastern Province Herald* 1 March 1989, *The Star* 18 March 1989]

The council agreed by 20 votes to five not to segregate the pools in terms of the Reservation of Separate Amenities Act of 1953, but to hold a referendum among white municipal voters to ascertain their views on the opening of pools in white areas to all races.⁵³ [⁵³ *The Star* 1 April 1989] The referendum, which was held in May 1989, had a low percentage poll (7% of all registered white voters). There was a small majority in favour of open pools, with 2 735 people in favour of desegregated pools and 2 226 people opposing open segregated facilities.⁵⁴ [⁵⁴ *Eastern Province Herald* 25 May 1989]

In June 1989 a group called the Port Elizabeth Action Committee handed in a petition signed by more than 5 000 (mainly white) residents of the city, calling on the council to ensure that the pools were kept open to all races.⁵⁵ [⁵⁵ *Ibid* 3 June 1989]

In the same month the **Uitenhage** Town Council (eastern Cape) agreed to open the municipal library to all races. During the previous year the library had been opened to students of all races.⁵⁶ [⁵⁶ *Ibid* 29 June 1989]

Natal

It was reported in June 1989 that about 35 libraries in Natal had been opened to all races following a

request by the Natal Provincial Administration (NPA) to all municipal authorities to consider desegregating their libraries (see *1988/89 Survey* p34). Another six local authorities had opened their reference sections to all races or ‘had made some progress in this direction’, according to a spokesman for the NPA.⁵⁷ [⁵⁷ *The Natal Mercury* 27 June 1989]

Orange Free State

In December 1989 the **Bloemfontein** City Council announced that it had decided to open all municipal facilities, including buses, libraries, parks and swimming pools, to all races. The decision was supported by all 18 city councillors. The chairman of the management committee, Mr Henry Symington, said that the decision would be implemented once the council’s officials had studied all the implications of desegregation.⁵⁸ [⁵⁸ *The Citizen* 8 December 1989]

Transvaal

In April 1989 members of the **Benoni** Town Council (east Rand) defeated a motion calling for the municipal library to be opened to all races. However, the council agreed to open the reference section of the library to all races.⁵⁹ [⁵⁹ *Ibid* 27 April 1989]

The consumer boycott of **Boksburg** by Africans, coloured and Indian people, which had begun in November 1988 as a protest against the reintroduction of segregation in the town, continued during 1989 (see *1988/89 Survey* pp27–28). The chairman of the executive committee of the Vosloorus Town Council (the African township near Boksburg), Mr Sidwell Mofokeng, said in January 1989 that eight shops in Boksburg had closed down as a result of the boycott. In May 1989 it was reported that nine businesses had closed since the start of the boycott.⁶⁰ [⁶⁰ *The Star* 9 January 1989, 16 May 1989]

In January 1989 the Boksburg Town Council was reported to have offered to spend R20m on the improvement of industrial and recreational facilities in Vosloorus, if residents in the township accepted the reservation of facilities in Boksburg for whites and returned to shop in Boksburg. The funds were to be used to establish sports facilities, make land available for businesses and build a lake. Mr Mofokeng subsequently denied that the Vosloorus Town Council had agreed to the proposal, insisting that the boycott would continue until Boksburg opened its facilities to all. However, he added that certain agreements regarding the development of Vosloorus had been made.⁶¹ [⁶¹ *Sowetan* 6 January 1989, *The Citizen* 9 January 1989]

A survey of commerce and industry conducted by the Boksburg Alliance (a group of businessmen opposed to segregated facilities) was released in February 1989. It compared turnover in the period up to the end of December 1988 with a similar period in December 1987. The drop in turnover in various types of business in Boksburg was: boutiques, 25%–90%; pharmacies, 30%; clothing stores, 20%–73%; estate agents, 74%; garages, 10%; general food outlets, 40%–70%; hotels, 50%; restaurants, 20%; and

shoe stores, 30%–80%.⁶² [⁶² *The Citizen* 21 February 1989]

The survey showed that on average businesses had lost 59% of their customers since the boycott started. Some 92% of the industrial respondents said that the boycott had resulted in lower sales to foreign countries. Respondents felt that serious damage had been done to business confidence as a result of the boycott.⁶³ [⁶³ *Ibid*]

The Boksburg Town Council threatened in February 1989 to strip the Reiger Park Management Committee of some of its powers and withhold part of its funds if it did not ‘resume its normal activities’. (The management committee of the coloured township adjoining Boksburg had suspended its functions in January 1989 in protest against the council’s reintroduction of petty apartheid.) In March 1989 the council threatened to limit ‘essential services’, ie electricity and water supplies, to Reiger Park.⁶⁴ [⁶⁴ *Sowetan* 8 February 1989, *Business Day* 7 March 1989]

By April 1989 the council had almost completed fencing Boksburg Lake at a cost of R140 000, in order to keep out blacks. The mayor of Boksburg, Mr Beyers de Klerk, claimed that the fencing was necessary as 91 murders had been committed at the lake in recent years, and ‘more than 80% of the murders were committed by blacks and coloureds’.⁶⁵ [⁶⁵ *City Press* 16 April 1989]

In April 1989 Retail International, a property development company, announced that it had shelved a ‘multimillion rand project’ to build a shopping complex in Boksburg. The managing director of the company, Mr Joe Bentel, said, ‘The project will proceed only when the petty apartheid policy being applied in Boksburg is discontinued. Our decision is in line with the decision taken by Woolworths and Edgars, who will be major tenants in the development. As long as the political situation in Boksburg remains unchanged, our development is dead.’⁶⁶ [⁶⁶ *The Star* 13 April 1989]

Action taken against the Boksburg Town Council during 1989 to protest against its reimposition of segregated facilities included:⁶⁷ [⁶⁷ *The Citizen* 16 January 1989, 16 August 1989, 25 September 1989, 29 September 1989; *The Star* 7 March 1989, 18 April 1989; *Business Day* 19 May 1989]

- the formation by February 1989 of three organisations to fight the reintroduction of separate facilities in Boksburg. These were the Boksburg Alliance, the Boksburg Business Support Group and the Save Boksburg Committee;
- the endorsement by a meeting in March 1989 of 2 000 residents of Reiger Park of the continuation of the consumer boycott;
- the laying of a charge of subversion in terms of the Internal Security Act of 1982 against Boksburg town councillors who voted to close municipal facilities to blacks. The charge was laid by the national director of Lawyers for Human Rights, Mr Brian Currin, in April 1989;

- the announcement in May 1989 by the Save Boksburg Committee that it would arrange for four buses to run daily from Boksburg to Benoni, to allow whites to join the consumer boycott by shopping in the neighbouring town;
- the handing of a petition to the town clerk in June 1989, signed by 5 000 people and calling on the council to ‘rescind its discriminatory decisions’;
- a march by 3 000 residents of Reiger Park in September 1989, in protest against the policies of the council, followed by the submission of a memorandum to the council, calling for one nonracial municipal authority for Boksburg;
- an application in the Transvaal Provincial Division of the Supreme Court in Pretoria in September 1989 by the chairman of the Reiger Park Management Committee, Mr Butch Jantjes, to have the council’s reimposition of petty apartheid declared null and invalid. The application followed the successful outcome of a similar application to reverse the Carletonville (west Rand) Town Council’s resegregation of municipal facilities (see below);
- a threat by the Dairy Board in September 1989 to withdraw its subsidy of a Dairy Week at Bokkie Park in Boksburg if it was not opened to all races. (The park was a model dairy farm and menagerie for school children.) The council subsequently agreed to open the park to all races, as ‘white school children should not be deprived of the annual event’; and
- a picnic in October 1989 at Boksburg Lake, attended by 200 residents of Reiger Park and Vosloorus, as well as members of the Black Sash and the Democratic Party, to protest against the segregation of the lake area.

In November 1989, following the announcement by the state president, Mr F W de Klerk, that the Reservation of Separate Amenities Act of 1953 was to be repealed (see *Policy* above), residents of Reiger Park and Vosloorus were reported to have started to shop again in Boksburg, which thus ended the year-long consumer boycott (see chapter on *The Economy and Business* for further details on the boycott).⁶⁸ [⁶⁸ *The Star* 23 November 1989]

The **Carletonville** Town Council (west Rand), controlled by the CP, had segregated its parks and public lavatories in November 1988, which had led to an African consumer boycott of the town (see *1988/89 Survey* p28). In February 1989 the council decided to erect a fence around the Carletonville civic centre, in order to keep out blacks. It also informed the town council of Khutsong (the African township near the town) that there would no longer be consultations between them.⁶⁹ [⁶⁹ *The Star* 2 February 1989, *City Press* 19 February 1989]

In March 1989 police arrested eight African men on charges of intimidating African shoppers in

Carletonville in an attempt to maintain the boycott. The accused all appeared in court and were released on bail.⁷⁰ [⁷⁰ *The Citizen* 7 March 1989] In the same month limpet-mine explosions damaged the civic centre and an electricity pylon. The chairman of the town council management committee, Mr Koos Nel, claimed that the explosions were 'Final proof that the African National Congress was behind the consumer boycott.'⁷¹ [⁷¹ *City Press* 5 March 1989]

It was reported in March 1989 that the consumer boycott had resulted in businessmen losing up to 80% of their trade. The president of the Carletonville Chamber of Commerce, Mrs Annatjie Claasen, said in April that she had conducted a survey of 147 mostly smaller businesses in the central business district, and that 127 people had already lost their jobs as a result of the boycott. She found that over half of the respondents had suffered losses in turnover of up to 60%, while 40% reported a drop in turnover of 70%–100%. Mrs Claasen said that 61% of the businesses surveyed would close if the boycott continued for more than six months. Later in the month Mrs Claasen claimed that developers had withdrawn R20m worth of business projects from the town, including a shopping centre costing R15m and a retail development centre costing R5m.⁷² [⁷² *Sowetan* 2 March 1989, *The Citizen* 21, 29 April 1989]

A delegation of Carletonville businessmen met the management committee of the Carletonville Town Council in March 1989 to present a memorandum which called for an end to the boycott which was said to have had 'a crippling effect on our businesses'. The delegation reportedly called on the council to scrap petty apartheid. A statement issued by the Carletonville Chamber of Commerce said, 'The chamber believes that the council's actions will have adverse economic and other effects on business and the community in Carletonville.' Mr Nel said that although he felt sorry for the businessmen, the decision to reserve municipal facilities for whites had been a unanimous decision which the council would not change.⁷³ [⁷³ *The Citizen* 11 March 1989]

Jazz Stores, a clothing chain, announced in April 1989 that it had decided to close its Carletonville branch and lay off 50 full-time and 20 part-time workers.⁷⁴ [⁷⁴ *The Natal Witness* 29 April 1989, *Business Day* 3 May 1989]

In April 1989 Mrs Claasen met the minister of law and order, Mr Adriaan Vlok, and the minister of constitutional development and planning, Mr Chris Heunis, in Cape Town to discuss the consumer boycott. The meeting was described as 'friendly', but Mr Heunis declined to give an undertaking to scrap the Reservation of Separate Amenities Act to prevent the reimposition of petty apartheid by local authorities.⁷⁵ [⁷⁵ *The Star* 5, 6 April 1989]

In September 1989 judgement was given in the Transvaal Provincial Division of the Supreme Court in Pretoria in an application brought by three Carletonville businessmen against the town council, seeking to set aside its decision to reserve parks in the town for whites. Mr Justice C F Eloff ruled that the decision had been 'so harsh and unfair' that the council had not acted bona fide. He declared the segregation of the parks null and void, and ordered the council to pay the costs of the application.⁷⁶ [⁷⁶ *Sowetan* 1 September 1989]

Mr Dave Dalling MP (Democratic Party) welcomed the judgement, suggesting that Mr Eloff had come close to challenging the validity of the Reservation of Separate Amenities Act. He believed that Judge Eloff's 'historic decision' had wide-ranging implications for the legality of separate amenities in other CP-controlled towns. A statement issued by the Anglo American Corporation of South Africa said. It is gratifying that common sense has prevailed and that the process of law has resulted in an order to reverse retrogressive actions.⁷⁷ [⁷⁷ *Business Day* 1 September 1989]

The information officer of the CP, Mr Koos van der Merwe, said that the council would appeal against the decision. Permission was given in February 1990 for the appeal to be heard.⁷⁸ [⁷⁸ *The Star* 1 September 1989, 26 February 1990]

Mrs Claasen said later in September 1989 that the council had taken down 'whites-only' signs in the town and that the consumer boycott had ended. She added that the boycott had not, however, formally been called off by its organisers in the labour movement. Mrs Claasen conceded that some people's buying habits had changed and that some might not return to shopping in Carletonville.⁷⁹ [⁷⁹ *Sowetan* 25 September 1989]

In March 1989 a group of 15 Indians and whites tried to obtain entry to a swimming pool reserved for whites in Mayfair (**Johannesburg**). The group announced its intentions before the protest action, and the Johannesburg City Council responded by emptying the pool. The council claimed that the pool had been emptied to deal with 'cracks in the bottom', but one of the organisers of the protest, Mr Naseem Pahad, said, In all the years the swimming pool has never been empty. Do you want me to believe that it was sheer coincidence that somebody should empty it just in time for the protest?⁸⁰ [⁸⁰ *Sunday Star* 2 April 1989]

In June 1989 the leader of the DP in the Johannesburg City Council, Mr Tony Leon, said that the council had never formally passed a resolution reserving Johannesburg's swimming pools for whites. He argued that there was therefore no legal justification for refusing entry to blacks. Mr Leon was one of a group of 50 people, which included other members of the DP and black members of the Action Committee to Stop Evictions (ACTSTOP), who swam in the heated municipal pool in Hillbrow later in the month. The group said that they had organised the event to demonstrate that the pools were open to all. A crowd of whites, which included members of the right-wing Afrikaner Weerstandsbeweging (AWB), attempted to prevent the group gaining access to the pool, but were arrested by police.⁸¹ [⁸¹ *The Star* 1, 21 June 1989]

In July 1989 the council sent out questionnaires to all white voters in Johannesburg to ascertain their views on the desegregation of buses, recreational centres and swimming pools. (These were the only remaining facilities in the city reserved for specific race groups.) Some 32% of the questionnaires were returned, with the following results: 45 808 of respondents were in favour of desegregating buses and 35 514 against, 37 723 were in favour of desegregating swimming pools and 43 540 against, and 40 564 were in favour of desegregating recreation centres and 38 806 against.⁸² [⁸² *Business Day* 15 August 1989]

The chairman of the management committee, Mr Jan Burger, said that 'very careful consideration' would be given to the poll results. The DP's chief whip in the council, Mr Paul Asherson, said that the results were surprising and encouraging, in view of what he described as 'the right wing's attempt to whip up racial hatred'. He added, 'Overall the voice of reason has triumphed.'⁸³ [⁸³ Ibid]

The management committee of the council announced in September 1989 that it had decided to open all the swimming pools and recreation centres in the city to all races with immediate effect. It also said that it would apply to the local road transportation board to desegregate the bus service, a process which was expected to take six weeks. Mr Burger said that the South African government had been informed of the council's decision before it was made public, and that the government had 'no objection' to it.⁸⁴ [⁸⁴ *The Citizen* 27 September 1989]

Mr Leon called on the government to apply pressure on Pretoria and other Transvaal towns to follow the example of Johannesburg and desegregate all municipal facilities. He complimented the management committee on its 'courage in pressing ahead. Clearly, if Johannesburg finds it necessary to desegregate its facilities then the question is whether there is any justification to retain petty apartheid anywhere else'.⁸⁵ [⁸⁵ *The Star* 28 September 1989]

In February 1990 it was announced that the local road transportation board had approved the Johannesburg City Council's application to desegregate its bus service and that people of all races could use all of Johannesburg's municipal buses from 5 February. In the same month a major private bus company, Putco, announced that it had also been granted permission to desegregate its bus services on the Witwatersrand.⁸⁶ [⁸⁶ *The Citizen* 3 February 1990, *Business Day* 6 February 1990]

In January 1989 the **Krugersdorp** Town Council (west Rand) agreed to allow the Medical Association of South Africa (MASA) to rent a municipal hall for a banquet to be attended by medical practitioners of all races. The town's management committee (which had a majority of CP members) subsequently objected to the presence of African doctors at the banquet, and MASA decided to change the venue to a hall in Roodepoort (west Rand).⁸⁷ [⁸⁷ *The Star* 31 January 1989, *The Citizen* 4 February 1989]

In March 1989 the council decided to reserve municipal halls and the Krugersdorp Game Reserve for the use of whites only. In September 1989 the council agreed to postpone until March 1990 any decision on the reopening of these facilities to all races. However, two weeks later the council decided to admit all races to the halls and game reserve. Recreational facilities in the game reserve remained reserved for whites.⁸⁸ [⁸⁸ *Sowetan* 15 September 1989, *The Citizen* 29 September 1989]

The **Potchefstroom** Town Council (west Rand), which had been controlled by the CP since September 1988, decided in January 1989 not to implement segregation of municipal facilities as such action had resulted in stayaways in other towns run by the CP. The chairman of the management committee, Professor Ben van den Berg, said that the central business district of Potchefstroom had long been open

to all races, and that the council would make no attempt to have it closed. He added that an application by the Potchefstroom University for Christian Higher Education to open its dormitories to coloured women (which had been opposed by the council in November 1988) would be reconsidered. The council would 'not prescribe' who could use the banqueting hall in the town, Professor Van den Berg said.⁸⁹ [⁸⁹ *Cape Times* 27 January 1989]

In August 1989 members of the 'Standing for Truth' campaign of the Pretoria Council of Churches began a defiance campaign against the segregation of buses in **Pretoria** (see chapter on *Political Developments*). In two separate incidents, a white woman boarded a white bus and bought two tickets, one of which she gave to an accompanying African. There were also several cases in which blacks boarded white buses alone. Following these incidents, police arrested eleven black men and two white women, who subsequently appeared in the Pretoria magistrate's court and were charged in terms of the Riotous Assemblies Act of 1956 and the Internal Security Act of 1982.⁹⁰ [⁹⁰ *The Citizen* 29, 31 August 1989; *Sowetan* 29 August 1989; *The Star* 31 August 1989]

Four foreign embassies, those of Australia, Canada, the Federal Republic of Germany and the United Kingdom, expressed their support for the campaign. The organisers of the defiance campaign received death threats from members of a white right-wing organisation, the 'Wit Wolwe'. Shots were fired at the houses of two organisers, the Rev Ivor Jenkins and Mr Louis Bredenkamp, and a petrol bomb was thrown at the house of another participant. Miss Alet Schoon.⁹¹ [⁹¹ *The Citizen* 29 August 1989]

In September 1989 the chairman of the management committee of the Pretoria City Council, Mr James Leach, announced that the council had launched an investigation into the opening of municipal facilities to all races. He said that the council was 'ready to move' but that any move would have to be 'orderly and responsible'. The council had approached the Johannesburg City Council for details of its referendum on the desegregation of municipal facilities, Mr Leach added. He pointed out that all parks, one swimming pool and the Pretoria Art Museum were already open to all races.⁹² [⁹² *Business Day* 29 September 1989]

In October 1989 a delegation of the 'Standing for Truth' campaign and other clergymen met a National Party city councillor, Mr Justus van Zyl, and threatened to start a 'full-scale defiance campaign' against segregated facilities in Pretoria, if all amenities were not opened to all races by a specified date. The date was not revealed to the press.⁹³ [⁹³ *The Star* 11 October 1989]

In January 1990 the Pretoria City Council agreed to desegregate its bus service, libraries and the Hillcrest swimming pool, and to allow all races to fish at the Rietviei Dam. The CP members of the council described the decision as 'the thin end of the wedge' and they vowed to do everything in their power to wreck the move. It was also reported that some white Pretoria bus drivers were considering strike action as a protest against the desegregation of the city's buses.⁹⁴ [⁹⁴ *The Citizen* 31 January 1990, 1 February 1990]

The **Springs** Town Council (east Rand) decided in March 1989 to close the H F Verwoerd Theatre in the town to blacks. The theatre had been opened to all races four years previously.⁹⁵ [⁹⁵ *The Citizen* 29 March 1989]

In July 1989 the **Stilfontein** Town Council (western Transvaal) agreed to develop a park in the central business district of the town 'for whites only'.⁹⁶ [⁹⁶ *The Star* 10 July 1989]

Sport

International isolation

In June 1989 sports ministers from 23 countries who were members of the Council of Europe met in Reykjavik (Iceland) to discuss sports ties with South Africa. The Swedish minister of sport, Mr Ulf Lonnqvist, said that all the countries represented at the meeting had committed themselves politically and morally to opposing apartheid in sport, but that this commitment had not been transformed into action. He pointed out that most of the international sports contacts of South Africa were with European countries. Mr Lonnqvist called on the countries to 'consider the role of sponsors' who supported South African sports events.⁹⁷ [⁹⁷ *The Citizen* 2 June 1989]

The European sports ministers unanimously adopted a statement condemning the continuation of sports links and criticising countries which had not cut all sports ties with South Africa.⁹⁸ [⁹⁸ *Ibid*]

In the same month the Canadian government decided to strengthen its sports boycott against South Africa. In July 1988 it had placed a ban on South African sportsmen and women playing in Canada (see *1988/89 Survey* p37). In June 1989 the Canadian government announced that the boycott would now also include sports contacts between Canadians and South Africans in South Africa and in other countries. Canadian sports organisations were expected to withdraw from or protest against events in other countries to which South Africans had been invited. Canadian sports organisations were requested to suspend athletes or officials who participated in events against South Africa. The Canadian government indicated that observance of the boycott would be a factor in the future allocation of government funds to sports bodies in Canada.⁹⁹ [⁹⁹ *Eastern Province Herald* 30 June 1989]

In January 1989 the International Cricket Conference (ICC), which had 25 member countries, agreed to take the following action against cricketers who toured South Africa:¹⁰⁰ [¹⁰⁰ *The Citizen* 25 January 1989, *The Star* 26 January 1989]

- cricketers over 19 years of age who coached or played in South Africa as individuals would be banned from test matches by their national federation for four years;

- cricketers over 19 years of age who toured South Africa as members of an unofficial national team would be banned from test matches for five years; and
- cricketers under 19 years of age who played in South Africa would be banned from test matches for three years.

In February 1989 the United States Athletics Congress suspended a further four American athletes from competition for periods of between four and six years, for competing in South Africa during the previous October (see *1988/89 Survey* p39). Some 12 athletes and coaches who had toured South Africa at the same time had been suspended at earlier hearings.¹⁰¹ [¹⁰¹ *The Citizen* 4 February 1989]

The International Rugby Board (IRB), which met in London in April 1989, refused to condemn sports contacts with South Africa. The chairman of the London-based South African Non-Racial Olympic Committee, Mr Sam Ramsamy, condemned the absence of action against South Africa. He warned that black African nations were angry that the IRB continued to allow contact with South Africa, and said that there would be 'serious repercussions' if the IRB allowed players to join a World XV tour of South Africa later in 1989. Mr Ramsamy believed that a boycott of the Commonwealth Games in Auckland (New Zealand) in 1990 might ensue. The tour took place but no boycott ensued (see *Attempts to counter isolation of South African sport* below).¹⁰² [¹⁰² *The Citizen* 17 April 1989]

The organisers of the Maccabi Games in Tel Aviv (Israel) in July 1989 banned South African teams from participation. The games were recognised by the International Olympic Committee (IOC), so that official South African involvement would have jeopardised Israel's participation in the Olympic Games. However, it was reported that about 200 South Africans were allowed to compete as individuals as part of a team called 'the rest of the world'. The president of the South African Zionist Federation, Mr Julian Weinstein, said subsequently that the Israeli government had called for an inquiry into the exclusion of South African competitors from several events at the games.¹⁰³ [¹⁰³ *The Star* 3, 5, 8 July 1989]

In the same month the French minister of sport, Mr Roger Bambuck, announced that French rugby players had been banned from playing in the centenary celebrations of the South African Rugby Board (SARB) in South Africa in August 1989. He said that the president of the French rugby federation, Mr Albert Ferrasse, had given him a firm assurance that players would not go to South Africa. Six French players were due to take part in the celebrations.¹⁰⁴ [¹⁰⁴ *Business Day* 21 July 1989] In August it was reported that several French players had defied the ban and played in South Africa (see *Attempts to counter isolation of South African sport* below).

The International Tennis Federation (ITF) was to consider a motion calling for the expulsion of South Africa from the federation at a general meeting in Buenos Aires (Argentina) in October 1989. The motion required a two-thirds majority of member countries to be passed. (The management committee of the ITF had recommended in March 1989 that the South African Open Tennis Championships should

no longer be recognised as an official ITF tournament, and that any South African entries for ITF team tournaments should be rejected.)¹⁰⁵ [¹⁰⁵ *Business Day* 22 March 1989, *The Citizen* 1,30 September 1989]

In September 1989 the IOC announced that any athlete who competed in South Africa would forfeit his or her eligibility for the Olympic Games. It also said that tennis would be retained as a sport at the games in Barcelona (Spain) in 1992, provided that the ITF withdrew recognition of several tournaments in South Africa as part of the professional tennis circuit.¹⁰⁶ [¹⁰⁶ *The Star* 1 September 1989]

Attempts to counter isolation of South African sport

The president of the South African Non-Racial Olympic Committee (SANROC), Professor Dennis Brutus, said in February 1989 that South African sports organisations which had nonracial and anti-apartheid policies should be included in the world Olympic structure and eventually allowed back into all international competition. However, he made it clear in an interview with a British newspaper, *The Guardian*, that he was referring to the reinclusion of South African Council on Sport (SACOS) affiliates only. Professor Brutus said that he believed that the participation of nonracial South African sports groups in international bodies would encourage South African sportsmen and women to join the nonracial organisations.¹⁰⁷ [¹⁰⁷ *The Citizen* 21 February 1989] It would become clear to those who currently belong to the racial organisations that if they want to re-enter international sport, they will have to do it through nonracial bodies. Those who contend that sport has to wait until [South African] society has been transformed are, I believe, mistaken,' he added.¹⁰⁸ [¹⁰⁸ *Ibid*]

However, representatives of the African National Congress (ANC), the International Campaign against Apartheid Sport and SANROC met in Lusaka (Zambia) in March 1989 and afterwards issued a statement declaring their 'outrage' at Professor Brutus's proposal. The statement said, 'The meeting reaffirmed the policy ... that the creation of nonracial sports bodies does not imply their immediate entry into international sports competition. The ANC was accordingly outraged by suggestions made by Dennis Brutus, that it had given implicit approval for a chan] in the boycott policy.'¹⁰⁹ [¹⁰⁹ *The Weekly Mail* 17 March 1989]

In August 1989 Mr Ramsamy, who had been described as a 'hardline' member of SANROC who opposed Professor Brutus, said that SACO affiliates should receive international recognition. 'We can't see South Africa as a whole coming back into international sport until apartheid ended. But what we are trying to do ... is give some sort of recognition and we are not talking about participation yet-to anti-apartheid spol bodies in South Africa,' he said.¹¹⁰ [¹¹⁰ *Sunday Star* 13 August 1989]

Participation in sport in South Africa by foreign sportsmen and women during 1989 included:¹¹¹ [¹¹¹ *Business Day* 30 January 1989, 17 October 1989; *The Citizen* 30 January 1989,20 July 1989,29 September 1989]

- involvement in various long-distance marathons in January by 12 runners from France, Greece,

Hungary and the United States;

- a tour by a South American team of polo players in July;
- a tour by an international rugby team in August, to participate in the centenary celebrations of the SARB. The team included members from Australia, England, France, Scotland and Wales. The tour was criticised in South Africa and abroad (see below);
- participation by Miss Rosie Casals, a veteran American tennis player, in the South African Women's Open tournament in Johannesburg in September; and
- the participation of six international cycling teams in the Rapport Cycle Tour in October.

In July 1989 it was reported that a black South African marathon runner, Mr David Tsebe, had participated in a marathon in Honolulu (United States) in November 1988. Mr Paul Coetzer, the sports agent who had taken Mr Tsebe to Honolulu, said that Mr Tsebe had entered the race under a false name and that he had told the organisers that he was Paraguayan. Mr Tsebe had allegedly avoided winning the race and he had come second, in order not to attract publicity. The president of the Honolulu Marathon Association, Mr Jim Barahal, said that he would not have allowed Mr Tsebe to run in the race if he had known that he was South African. He added that the Honolulu marathon could lose its accreditation with the International Amateur Athletics Federation if it was known that a South African had participated in the event.¹¹² [¹¹² *The Citizen* 21 July 1989]

Despite the Canadian government's ban on South African sportsmen and women, a number of South African rugby players took part in a rugby tournament of older players in Toronto (Canada) in September 1989. The organisers were said to be 'horrified' that the presence of South Africans in teams from other countries had not been noticed.¹¹³ [¹¹³ *The Star* 5 October 1989]

There were several demonstrations in the same month by members of the Mass Democratic Movement (MDM) against the visit of an international team to South Africa to participate in the centenary celebrations of the SARB (see above). On 21 September 16 people appeared in the Durban magistrate's court on charges of contravening the Internal Security Act of 1982, after they had held a placard demonstration in the city against the tour.¹¹⁴ [¹¹⁴ *Ibid* 22 September 1989]

In September 1989 the Black Consciousness Movement (BCM) called on First National Bank (FNB), which had sponsored the tour, to withdraw its sponsorship or face 'sustained action' from the BCM, excluding a call for its members to close their accounts with the bank. Earlier, in August, 25 people were arrested in Cape Town for protesting against the tour and FNB's sponsorship of it.¹¹⁵ [¹¹⁵ *Sowetan* 25 August 1989, 22 September 1989; *City Press* 27 August 1989]

The sponsorship by FNB was also criticised by the public relations officer of the National Soccer League, Mr Abdul Bhamjee. He said that the bank's support of the rugby tour was especially embarrassing in view of the role of FNB in sponsoring soccer. I am also appalled that FNB and the SARB were prepared to rely on the security police to get rid of people when they were protesting [against the tour]. They did not take cognisance of the sensitivities of people to a tour at a time like this. For the majority of people, rugby is still seen as part of the system,' Mr Bhamjee said.¹¹⁶ [¹¹⁶ *The Weekly Mail* 8 September 1989]

The marketing manager of FNB, Mr Brent Chalmers, said in reply to criticism of the bank's support of the rugby tour that it was not a 'rebel tour as it had been sanctioned by the IRB. He pointed out that before the tour had taken place, FNB had informed a 'wide range of sporting bodies' in South Africa of its intention to support the tour.¹¹⁷ [¹¹⁷ *Business Day* 24 August 1989]

The Irish Rugby Football Union decided later in September to cut all ties with the SARB and withdraw its support of the tour, after the major sponsor of the Irish union, the Digital Group, threatened to withdraw its sponsorship of Irish rugby. The Irish government had already withdrawn its annual grant to the union of the equivalent of R152 000.¹¹⁸ [¹¹⁸ *Ibid* 19, 25 September 1989]

A group of American field and track athletes competed in South Africa in five athletics meetings in November 1989. The group included several athletes who had been suspended by the United States Athletics Congress for participation in a tour of the country in October 1988 (see *International isolation* above).¹¹⁹ [¹¹⁹ *The Natal Witness* 21 September 1989, 11 December 1989]

In January 1990 the president of the South African National Olympic Committee (SANOC), Mr Johan du Plessis, called on all sports bodies in South Africa to participate in negotiations aimed at forming an umbrella body for sport, which he saw as a prerequisite for re-entry into international sport. Mr Du Plessis was speaking in Johannesburg after returning from talks with representatives of the IOC in Paris. He said that the IOC had put forward two preconditions for South Africa's return to the Olympic Games. These were that a single Olympic movement in South Africa should be established and that the sporting community in the rest of Africa should accept South Africa's return to world sport. Mr Du Plessis said that the feelings of African representatives on the IOC were positive regarding South Africa's eventual readmission to world sport. The meeting between the IOC representatives and Mr Du Plessis was reported to have established the first 'direct line for negotiations' in more than five years.¹²⁰ [¹²⁰ *The Citizen* 13 January 1990]

The president of the IOC, Mr Juan Antonio Samaranch, said later in the same month that a special commission of the IOC would meet soon to discuss how political changes in South Africa might affect its readmission to the Olympic movement. The commission would make recommendations to the IOC. However, he emphasised that a decision would be taken only after consultations with African countries.¹²¹ [¹²¹ *Ibid* 16 January 1990]

In February 1990 Mr Ramsamy said that the announcement of major changes in policy by the state president, Mr F W de Klerk, at the opening of Parliament earlier in the month would not bring about a relaxation of the sports boycott (see also chapter on *Political Developments*). Mr Ramsamy believed that Mr De Klerk's announcement was 'a step in the right direction', but he could only envisage the boycott being ended when 'apartheid has been dismantled'.¹²² [¹²² Ibid 3 February 1990]

'Rebel' cricket tour

In July 1989 it was reported that South African cricket officials had planned two 'rebel' tours of South Africa, the first of which was to take place in early 1990, after the ICC refused to give the South African Cricket Union (SACU) a hearing. In August the SACB announced the names of a squad of 16 British players who were to take part in the tour in January 1990. A second tour was planned for November 1990, although it seemed unlikely that it would take place after the curtailment of the first tour in February 1990 (see below).¹²³ [¹²³ *The Citizen* 14 July 1989, *The Star* 1 August 1989]

In August 1989 the British minister of sport, Mr Colin Moynihan, appealed to the cricketers not to go to South Africa. 'The implications, if they do tour, go far beyond South Africa. All British sports could be hit [by an international boycott], as well as the Commonwealth Games in Auckland next year.'¹²⁴ [¹²⁴ *The Star* 2 August 1989]

The British-based Anti-Apartheid Movement staged a demonstration outside the Lords cricket ground (London) in September 1989, to protest against participation by two members of the Middle sex cricket team, Messrs Mike Gatting and John Emburey, in the South African tour. Some 250 people took part in the demonstration.¹²⁵ [¹²⁵ *The Citizen* 4 September 1989] Later in the month it was reported that the only two black English cricketers in the proposed team, Messrs Phillip Defreitas and Roland Butcher, had withdrawn from the tour after they had received death threats via telephone calls and letters for agreeing to take part in the tour.¹²⁶ [¹²⁶ Ibid 10 August 1989, 9 September 1989]

The National Sports Congress (NSC) (see *Sports organisations* below) said in the same month that it intended to form anti-tour committees throughout South Africa, and that it would ask for assurances from large businesses that they would not sponsor the tour. It also undertook to 'disrupt the tour'.¹²⁷ [¹²⁷ *The Citizen* 22 September 1989]

The unofficial English cricket team arrived in South Africa on 19 January 1990, with plans to play eight games against a Springbok team and four games against other teams. The cost of the tour was estimated at R4m. Police mounted roadblocks at the entrance to Jan Smuts Airport (Johannesburg) to prevent several thousand Mass Democratic Movement (MDM) and NSC supporters from entering the airport when the team arrived. However, about 150 people got through the roadblocks and sang and chanted in the airport building. Police gave protesters gathered outside the airport one minute to disperse, and then charged them, wielding batons and using dogs. Forty protesters were injured and ten arrested during the baton charge. Two photographers on the scene were detained briefly by police.¹²⁸ [¹²⁸ *The Star* 19 January

1990, *The Citizen* 20 January 1990]

The minister of law and order, Mr Adriaan Vlok, said subsequently that the South African Police would not oppose attempts by anti-tour demonstrators to protest peacefully, if the organisers of the protests were given permission to do so by a magistrate. However, he said that the police would intervene if the protests were illegal or if they resulted in violence.¹²⁹ [¹²⁹ *The Star* 22 January 1990] It was reported that Dr Ali Bacher, the director of SACU (which had organised the tour), had talks with the police to urge restraint in dealing with protesters.

The secretary of sport for the Pan-Africanist Movement (PAM), Mr Leslie Ntuli, said in response to Mr Vlok's statement that his organisation would not apply for permission to demonstrate against the tour, and that if police took action they would be met with violence.

The general secretary of the NSC, Mr Krish Naidoo, urged the rebel cricketers to cancel the tour. He asked the captain of the touring team, Mr Mike Gatting (who had promised that the protesters would be able to express their objection to the tour peacefully) how he would be able to guarantee the safety of protesters 'against state violence' (see also *National Sports Congress* below).¹³⁰ [¹³⁰ *Sowetan* 23 January 1990]

A number of protests were subsequently held against the cricket tour, the majority of which were organised by the NSC. The most important of these were:¹³¹ [¹³¹ *Business Day* 25 January 1990, 9 February 1990; *The Citizen* 25, 26, 30, 31 January, 1 February 1990; *The Star* 24, 29 January, 5 February 1990]

- on 23 January about 300 members of the South African Commercial, Catering and Allied Workers' Union held a protest against the tour outside a hotel in Sandton (Johannesburg), in which the cricketers were staying;
- on 24 January police intercepted two busloads of protesters from Alexandra (Johannesburg) who tried to approach the hotel in Sandton. A group of 70 people protested with placards and posters outside the hotel;
- about 1 000 protesters sang and danced outside the team's hotel in Kimberley (northern Cape) on 25 January. The protesters handed a letter expressing their views to Mr Gatting;
- on 26 January police prevented about 2 000 African youths marching on the De Beers Country Club in Kimberley in protest against the tour. The crowd was reported to have smashed shop and car windows. Some 31 people were arrested by the police and held for questioning. Dr Bacher subsequently approached a magistrate to obtain permission for demonstrators to be allowed to protest peacefully outside the club on 27 January. About 2 000 people chanted for most of the day outside the grounds of the club. Police did not intervene;

- on 30 January Dr Bacher approached a magistrate in Bloemfontein (Orange Free State) for permission for a peaceful demonstration. About 800 people staged a protest outside the Springbok Park in the city. Police outnumbered the crowd of 150 spectators within the cricket grounds;
- on the same day about 2 000 anti-tour protesters gathered in the Mangaung community hall (Bloemfontein). Police, who declared that the gathering was illegal, fired tear gas into the hall. About 100 people were injured in the subsequent stampede to evacuate the building. Police arrested 80 people;
- about 1 000 protesters sang and chanted outside Springbok Park on 31 January. Police did not intervene;
- in Pietermaritzburg hundreds of demonstrators staged a protest outside the Jan Smuts Stadium on 3 February. A number of beer cans were thrown at Mr Gating and Dr Bacher when they left the stadium to accept a memorandum from the demonstrators; and
- on 8 February police prevented about 2 000 schoolchildren boarding buses in Alexandra to travel to the Wanderers Club cricket ground in Johannesburg, in order to stage an anti-tour protest. Another four groups staging demonstrations in the city were dispersed by police.

On 14 February 1990 Dr Bacher announced that SACU had decided to shorten the ‘rebel’ cricket tour ‘to show its support for the dramatic political changes’ announced by Mr De Klerk in Parliament on 2 February (see chapter on *Political Developments*). Dr Bacher said that after negotiations between SACU and the NSC, SACU had agreed to cancel the second test match and to reduce the number of limited-over games from seven to four. In return, the NSC had agreed not to hold protests at the remaining matches.¹³² [¹³² *The Citizen* 14 February 1990]

At a press conference announcing the tour’s curtailment, Dr Bacher said that a ‘third party’ had ‘leaned on both SACU and the NSC to try and find a solution’. *Business Day* claimed that the ‘third party’ had been an ANC official, who had telephoned both bodies and appealed for an agreement to end the cricket tour. The official allegedly said that the tour was taking place at a ‘Very delicate time’ in South Africa’s political development, as a prominent leader of the ANC, Mr Nelson Mandela, had been released from prison several days previously. He allegedly added that the ANC was anxious that the tour and the protests which accompanied it should not exacerbate the atmosphere of tension which would accompany the release of Mr Mandela.¹³³ [¹³³ *Business Day* 14 February 1990]

Dr Bacher said that dramatic political events had overtaken the tour, and that in the circumstances a gesture of compromise had been appropriate. He felt that the tour had been ‘divisive’ and that SACU had underestimated the amount of ill-feeling that it would generate.¹³⁴ [¹³⁴ *The Star* 14 February 1990]

Mr Naidoo said that the momentum of political events had made the tour ‘stand out like a sore thumb’.

He believed that the tour and the accompanying protests had been useful as ‘unprecedented debate’ had been stimulated in white sporting bodies, which could only ‘benefit South African sport’.¹³⁵ [¹³⁵ Ibid]

The president of the South African Council on Sport (SACOS), Mr Yusuf Ebrahim, condemned the agreement between the NSC and SACU. He called on SACOS supporters to continue to hold protests against the tour. A spokesman for PAM also said that it would continue its protests.¹³⁶ [¹³⁶ *Sowetan* 16 February 1990]

There were only isolated demonstrations at the tour matches which followed the agreement between Dr Bacher and Mr Naidoo. Subsequently the second leg of the tour, planned for November 1990, was cancelled.

Developments in South Africa

Segregation of sports facilities

The reintroduction of segregated municipal facilities in some of the local authorities controlled by the Conservative Party (CP) after October 1988 (see *1988/89 Survey* p27) also had implications for the segregation of sports facilities, which were in many cases controlled by white local authorities.

In January 1989 the South African Rugby Board (SARB) cancelled the B-championships of South African rugby clubs in Brakpan after the Brakpan Town Council (east Rand) refused to grant a local coloured club, the Alra Eagles, permission to continue to use the grounds. The president of the SARB, Dr Danie Craven, said that although it was unlikely that there would be any black players in the SARB tournament, the grounds used by the tournament should be open to all races. The council later backed down and agreed to continue to allow the Alra Eagles to use the facilities. Dr Craven then agreed to permit the SARB championships to take place in the town.¹³⁷ [¹³⁷ *The Citizen* 2 February 1989, *Business Day* 10 January 1989, 9 February 1989]

In the same month the Boksburg Athletic Club (east Rand) decided to abandon using the Prince George Park in the town as a venue for its meetings after the town council had reserved it for whites. However, the continued presence of the word ‘Boksburg’ in the name of the club led some of the club’s leading members, including black and Springbok athletes, to resign from the club and to form their own group, to be known as the East Rand Athletics Club.¹³⁸ [¹³⁸ *The Star* 10, 13 February 1989]

The South African Tennis Union decided in March 1989 to expel 13 clubs, including eight in Boksburg, three in Brakpan, and one each in Delmas and Nigel (far east Rand), for refusing membership and admission to blacks. However, it was reported in July 1989 that more than 100 union-affiliated clubs in the Transvaal and Orange Free State continued to play on courts reserved by CP-controlled town councils for whites. The union had taken no action to reprimand or expel them.¹³⁹ [¹³⁹ *The Natal Witness* 16

March 1989, *The Star* 5 July 1989]

In their campaign against the Reservation of Separate Amenities Act of 1953, members of the Action Committee to Stop Evictions (ACTSTOP) made use of separate sports facilities during April 1989. In that month ACTSTOP members broke through the fence surrounding tennis courts in Mayfair (Johannesburg), which were reserved for whites, and played on the courts.¹⁴⁰ [¹⁴⁰ *Sowetan* 24 April 1989]

In the same month the Springs Town Council (east Rand) decided that sports clubs which used municipal facilities in the town should be required to restrict their membership to whites as from 1990.¹⁴¹ [¹⁴¹ *The Citizen* 26 April 1989] Also in April, the Phalaborwa Town Council (northern Transvaal) agreed to reserve the town's Impala Park sports complex for whites.¹⁴² [¹⁴² *Ibid* 29 April 1989]

In May 1989 the mayor of Welkom (Orange Free State), Mr Gus Gouws, was tarred and feathered by seven white men after he had started a wheelchair marathon for the South African Association for the Physically Disabled in the town. The attack was believed to be a protest against the presence of blacks in the race.¹⁴³ [¹⁴³ *Sunday Tribune* 14 May 1989]

In the same month the Vereeniging Town Council (southern Transvaal) voted against allowing bowlers of all races to use council amenities during the South African provincial bowling championships in October in the town. The chairman of the town management committee, Mr Cas Pieters, said that the council had no objection to the Vereeniging Bowling Club being used for the tournament, but that no exception would be made to bylaws prohibiting the use of public amenities in the town by blacks. It was reported that the tournament venue would probably be moved to another town.¹⁴⁴ [¹⁴⁴ *The Star* 25 May 1989]

In August 1989 Mr Acting Justice F C Roos found in the Transvaal Provincial Division of the Supreme Court in Pretoria that 'traffic congestion' was an unsatisfactory reason for banning a multiracial marathon which was to take place in Potgietersrus (northern Transvaal) in the same month, and he ordered the town council to allow the race to take place. Mr Roos found that the reasons for banning the race were 'just a screen' as the traffic officer of the town had never been consulted about the alleged traffic congestion. The CP-controlled council had allegedly refused to allow the race to proceed because black runners would participate.¹⁴⁵ [¹⁴⁵ *Ibid* 25 August 1989]

In September 1989 the Boksburg Town Council refused to accede to a request by the Johannesburg Consolidated Investment Company (JCI) that a squash courts complex to be built in the town, which was to be sponsored by JCI, be open to all races. The sponsorship of R100 000 had been offered to the previous council, which had been controlled by the National Party. After the CP-controlled council's refusal to agree to open the planned sports facility to all races, JCI decided to withdraw its sponsorship.¹⁴⁶ [¹⁴⁶ *Ibid* 29 September 1989]

Provision of facilities

Over the ten-year period ending in December 1989, the Department of Education and Development Aid established the following sports and recreation facilities for Africans in South Africa (excluding the 'independent' homelands). (It was unclear whether any of these facilities were established in the non-independent homelands or in South African Development Trust areas.)¹⁴⁷ [¹⁴⁷ *RSA Policy Review* January 1990]

Provision of facilities for Africans: 1980-1989

Athletics tracks

21

Basketball courts

22

Bowling greens

6

Boxing arenas

3

Boxing gymnasiums

2

Boxing rings

42

Community centres

5

Cricket fields

16

Cycling tracks

1

Dancing arenas

4

Deck tennis courts

5

Golf courses

12

Golf courses with clubhouses

3

Gymnasiums

3

Halls

129

Multipurpose courts

21

Netball courts

389

Playgrounds

2

Rugby fields

96

Softball courts

37

Soccer fields

728

Sports centres

3

Sports centres for the physically disabled

1

Stadiums and sports complexes

135

Swimming pools

40

Tennis courts (with clubhouses and practice halls)

403

Training centres

6

Trimparks

5

Volleyball courts

Between 1981 and 1990 the following amounts were budgeted by the Department of Education and Development Aid, out of its central sports and recreation fund, and from the national budget, for the establishment of sports facilities for Africans in South Africa (excluding the 'independent' homelands):¹⁴⁸ [¹⁴⁸ Ibid]

Expenditure on sports facilities for Africans: 1981-1990

Year

Amount allocated from central sports and recreation fund

Amount allocated from budget

1981/82

3 804 474

—

1982/83

4 209 686

—

1983/84

3 406 388

—

1984/85

5 373 440

—

1985/86

4 870 515

—

1986/87

6 267 841

—

1987/88

1 133 879

14 000 000

1988/89

2 144 752

989 240

1989/90

—

Sports organisations

National Sports Congress

The National Sports Congress (NSC) was formally constituted at a meeting at the University of the Witwatersrand in Johannesburg in July 1989, which was attended by 475 people. According to an NSC spokesman, the meeting was called ‘to assist in the formation of a single mass-based sports movement representative of the people of South Africa’. The organisation had the following aims:¹⁴⁹ [¹⁴⁹ *The New Nation* 21 July 1989]

- to establish a single, unified nonracial democratic sports movement which would be part of the Mass Democratic Movement (MDM);

- to encourage the formation of a single national body for each sport;
- to assist communities in creating sufficient sports facilities to enable each sportsman and woman to develop his/her talents fully; and
- to co-operate with the MDM in working for an apartheid-free society.

The formation of the NSC was claimed to be a response to the allegedly limited growth of the South African Council on Sport (SACOS) in African townships. There had also been criticism that SACOS was too closely identified with the New Unity Movement (see chapter on *Political Organisations*). However, the meeting was attended by representatives of several 'rebel' SACOS affiliates, including those for athletics, cricket, rugby, swimming and table tennis. The representatives had allegedly defied a decision by the executive of SACOS not to allow affiliate bodies to attend the NSC meeting.¹⁵⁰ [¹⁵⁰ *Leader* 21 July 1989, *Daily Dispatch* 21 July 1989]

In a statement made after the conference, the NSC said that it did not wish to 'encroach on the terrain of SACOS' and that it wished to cooperate with it. The conference resolved that the NSC should:¹⁵¹ [¹⁵¹ *Ibid*]

- campaign for a rectification of the unequal distribution of sports facilities;
- use and seek control of sports facilities;
- campaign against overseas sports bodies organising tours of South Africa:
- request businesses not to finance such tours;
- meet businessmen to secure funds for sponsorship of the NSC 'on Appropriate terms'; and
- meet SACOS representatives to resolve areas of disagreement.

The NSC organised several protests against the tour of South Africa by a World XV rugby team in August 1989 and by an English cricket team in January 1990 but the tour went ahead as planned (see *Attempts to counter isolation of South African sport* above).

South African Council on Sport

The South African Council on Sport (SACOS) held a two-day conference in Lenasia (Johannesburg) in August 1989, which was attended by more than 250 delegates. It was reported that the delegates at the

meeting reaffirmed their support for SACOS's 'double standards' principle, ie that there should be no contact with sports and political organisations which were thought to be discriminatory. The president of SACOS, Mr Joe Ebrahim, said that there were differing views as to how this principle should be implemented. 'Some people felt that it should be applied more strictly. Others felt that the resolution did not allow us to have contact with oppressed people who were currently playing racist sport,' he said.¹⁵² [152 *The Weekly Mail* 18 August 1989]

Most delegates at the conference felt that the formation of the NSC (see *National Sports Congress* above) had been divisive and unnecessary. Mr Ebrahim believed that SACOS was the 'authentic nonracial sports body and the sports wing of the liberation movement'. He felt that any wrongs in SACOS should be righted from within the organisation. 'While SACOS does not deny the right of the NSC to exist, it does not see the need for it,' he added. Mr Ebrahim pointed out that some SACOS officials had links with the NSC, which was 'divisive and confusing', and he suggested that this matter might need to be 'taken to its logical conclusion', ie such officials could be asked to resign from the NSC.¹⁵³ [153 *Natal Post* 16 August 1989, *The Weekly Mail* 18 August 1989]

The conference agreed that SACOS should continue to be politically non-aligned, but that it should 'accept certain principles common to all progressive organisations'.¹⁵⁴ [154 *Ibid*]

Delegates to the conference also decided that SACOS should open an office in London. The executive committee felt that there were now two opposed alignments of the South African Non-Racial Olympic Committee (SANROC) abroad, led by Mr Sam Ramsamy and Professor Dennis Brutus respectively, and that these groups had differing views of the sports boycott (see *International isolation* above). Mr Ebrahim said that the opening of a London office would enable SACOS to maintain the international links it had built up over the previous 16 years.¹⁵⁵ [155 *Sowetan* 14 August 1989]

In September 1989 it was reported that a meeting of SACOS and NSC representatives in Port Elizabeth had been unable to resolve differences between the organisations. Mr Ebrahim claimed after the meeting that the NSC was 'bent on destroying SACOS'.¹⁵⁶ [156 *Daily Dispatch* 18 September 1989]

In November 1989 SACOS decided to sever its 16-year association with SANROC. SANROC's support for the NSC was said to be a major reason for the decision.¹⁵⁷ [157 *The Weekly Mail* 1 December 1989]

South African White Sports Foundation

In February 1989 the South African White Sports Foundation was formed at a meeting in Springs (east Rand). One of the organisers, Mr T J Ferreira, who was also a Conservative Party town councillor for Boksburg, said that the organisation was formed to 'help sports bodies overcome pressure from liberal groups who presently control sport in the country'. He claimed that the talks in 1988 between the president of the South African Rugby Board, Dr Danie Craven, and the African National Congress (see *1988/89 Survey* pp40–41) had been a major factor in the decision to form a conservative white sports

body. Mr Ferreira said that the foundation's first project would be to start an all-white rugby union.¹⁵⁸
[158 *The Citizen* 4 February 1989]

The president of the South African Olympic Council, Mr Johan du plessis, said that the formation of the foundation would put South African sport into even greater isolation than before. He believed that the body could 'take South African sport back ten to 20 years'.¹⁵⁹ [159 *Ibid*]

POPULATION AND SETTLEMENT

Population and Race Classification

According to the Central Statistical Service (CSS), the estimated South African population (excluding the 'independent' homelands) at the end of June 1989 was as follows:¹ [1 Information supplied by Mrs L Coetzer of the Central Statistical Service]

Population (Excluding TBVC^a): 1989

Number

Proportion

African

21 105 000

69,9%

Asian

941 000

3,1%

Coloured

3 168 000

10,5%

White

4 974

16,6%

Total

30 193

100,0%

a

Transkei, Bophuthatswana, Venda and C

The estimated African population of the ten homelands in 1989 is given below. These figures are not comparable with those given in the 1988/89 *Survey*, which were based on 1983 figures, using an average yearly growth rate of 2,8%. The figures given below were provided by the Development Bank of Southern Africa (DBSA). The DBSA obtained its estimates by using the 1983 census figures for the non-independent homelands and estimates for the 'independent' homelands, and a complex formula for the average yearly growth rate of each homeland, taking into account urbanisation, movement of refugees and other factors.

African population of the homelands: 19889

'Independent' homelands

Bophuthatswana

1 929 383

Ciskei

836 657

Transkei

3 143 585

Venda

528 333

Sub-total

6 437 958

Non-independent homelands

Gazankulu

700 349

KaNgwane

583 535

KwaNdebele

469 898

KwaZulu

4 867 063

Labowa

2 591 541

QwaQwa

286 205

Sub-total

9 498 591

Total

15 936 549

The estimated total South African population (including the ten homelands) in 1989 was, therefore, as follows:

Total population of South Africa: 1989 ^a

Numbers

Proportion

African

27 542 958

75,2%

Asian

941 000

2,6%

Coloured

3 168 000

8,6%

White

4 979 00

13,6%

Total

36 630 958

100,0%

a

These figure exclude the small number of coloured, Indian and white people who live in the ten homelands.

According to the Bereau of Market Research at the University of South Africa, the country's total population (all ten homelands included) in 1990 was as follows:² [2 Steenkamp H A, 'Demographic segmentation of the population of the RSA and TBVC countries, 1970 - 2000', Bureau of Market Research of the University of South Africa, 1989]

Total population of South Africa: 1990

Numbers

Proportion

African

28 258 000

75,3%

Asian

978 000

2,6%

Coloured

3 244 000

8,6%

White

5 052 000

13,5%

Total

37 532 000

100,0%

The minister of home affairs, Mr Stoffel Botha, said in Parliament in May 1989 that in 1987 and 1988 respectively the infant mortality rates Per 1000 live births for the different races in South Africa (excluding the TBVC

Infant mortality rates: 1987 and 1988

1987

1988

African^a

80,0

80,0

Coloured

31,6

46,3

Indian

13,6

19,0

White

7,0

11,9

a

The government has for several years given the infant mortality rate for Africans as 80,0, but it has stated that this is merely a 'rough estimate'.

In March 1990 the minister of home affairs, Mr Gene Louw, gave the following infant mortality rates per 1 000 live births for South Africa (excluding the 'independent' homelands) for 1988: Africans, 62; coloured people, 57,5; Indians, 17,4; and whites, 13,2. These figures differed from those given in May 1989 by Mr Botha, as they were based on Human Sciences Research Council estima

Population growth

The minister of national health and population development, Dr Willie van Niekerk, said in January 1989 that the government's Population Development Programme (PDP) aimed at a stabilised total fertility rate (TFR) (ie the average number of children per woman) of 2,1 by the year 2010. He gave the following figures for the TFR for South Africa (excluding the ten homelands) in 1987 and 1988

respectively:⁵ [⁵ *The Star* 30 January 1989]

Total fertility rate: 1987 and 1988

1987

1988

African

4,2

3,9

Coloured

3,2

3,0

Indian

2,5

2,4

White

2,0

1,8

The Bureau of Market Research at the University of South Africa (UNISA) said in February 1989 that the South African population (excluding the 'independent' homelands) was increasing at a rate of 2,4% per year. The bureau said that this rate was 3,5 times faster than the optimum rate, ie that for developed countries. A breakdown by race of the population increase rate was: Africans, 2,9%; coloured people, 1,8%; Indians, 1,7%; and whites, 0,8%. The mean average rate of increase in Africa as a whole was 2,

The deputy director general of national health and population development, Dr J H Schoeman, said in February 1989 that South Africa's population, which had been expected to reach 40m only by the year 2000, had now almost reached that figure. He believed that by the year 2020 the population would be 80m, which was the maximum capacity in terms of natural resources such as water.⁷ [⁷ *The Star* 17 February 1989]

In a 1989 publication entitled 'Demographic segmentation of the population of the RSA and TBVC countries, 1970–2000', the UNISA bureau gave the following projected figures for the South African population (including the ten homelands) for 1990, 1995 and 2000 respectively:⁸ [⁸ Steenkamp, 'Demographic segmentation of the population of the RSA and TBVC countries, 1970-2000']

Projected population: 1990-2000

1990

1995

2000

African

28 258 000

32 515 000

37 260 000

Coloured

3 244 000

3 527 000

3 782 000

Indian

978 000

1 053 000

1 122 000

White

5 052 000

5 249 000

5 427 00

Total

37 532 000

42 344 000

47 591 000

The minister of national health and population development, Dr Rina Venter, said in March 1990 that the population of South Africa (including the ten homelands) in 1990 was 38m, and that it was expected to rise to 40m in 1992,45m in 1996,50m in 2000 and 60m in 2008.⁹ [*Cape Times* 8 March 1990]

In July 1989 the chairman of the Council for Population Development, Professor J P de Lange, claimed that population growth was South Africa's 'ticking time bomb'. He said that the country had one of the highest population growth rates in the world, and that numbers were doubling every 30 years. Professor De Lange pointed out that in rural areas and in the homelands, African women still had an average of more than six children. At its current growth rate South Africa would within two decades find itself in a

dilemma where its resources and socio-economic capabilities would be insufficient for its population, he said. 'This will give rise to total social disintegration, unemployment, poverty and misery which will become unmanageable, even in the best of constitutional dispensations.'¹⁰ [¹⁰ *The Natal Mercury* 13 July 1989, 22 July 1989]

Professor De Lange believed that such high population growth could be halted only if the PDP managed to reduce the birth rate to 2,1 children per woman by the year 2010 (see chapter on *Health and Welfare*). The PDP recognised that a direct relationship existed between standard of living, an effective family planning programme and population growth. 'Social and economic policies which increase the standard of living of the portion of the population with the highest growth rate will control population growth. Areas of development ... include formal and informal education, primary health care, housing, family planning, economic development and manpower training.' The PDP aimed to maintain a balance between natural resources and population growth

According to an official publication the current birth rate among Africans in deep rural areas is 5,7 children per woman, in semi-rural areas 4,2, and in urban areas 2,8.¹² [¹² *RSA Policy Review* December 1989]

In February 1990 *Professional Marketing Review* gave the following projections for the increase in the population of South Africa (including all ten homelands) between 1990 and 2000, with a breakdown according to age group and race:¹³ [¹³ *Professional Marketing Review* February 1990]

Projection for the South African population: 1990–2000^a

African

Asian

Coloured

White

Total

0–19 years

1990

14 770

409

1 460

1 627

18 266

2000

18 954

413

1 539

1 641

22 547

Increase

28,3%

0,9%

5,4%

0,8%

23,4%

Proportion in 1990

80,8%

2,2%

8,1%

8,9%

100%

Proportion in 2000

84,1%

1,8%

6,8%

7,3%

100%

20–64 years

1990

12 617

537

1 593

2 979

17 726

2000

17 045

658

2 097

3 274

23 074

Increase

35,0%

22,5%

31,6%

9,9%

30,2%

Proportion in 1990

71,2%

3,0%

90%

16,8%

100%

Proportion in 2000

73,8%

2,9%

9,1%

14,2%

100%

65 years

1990

871

32

103

446

1 452

2000

1 261

51

146

512

1 970

Increase

44,8%

59,3%

41,7%

14,8%

35,7%

Proportion in 1990

60,0%

2,2%

7,1%

30,7%

100%

Proportion in 2000

64,0%

2,6%

7,4%

26,0%

100%

Total (all ages)

1990

28 258

978

3 156

5 052

37 444

2000

37 260

1 122

3 782

5 427

47 591

Increase

31,9%

14,7%

19,8%

7,4%

27,1%

Proportion in 1990

75,5%

2,6%

8,4%

13,5%

100%

Proportion in 2000

78,2%

2,4%

8,0%

11,4%

100%

^a All population figures

Race classification

In August 1989 Mr Alan Dawson, a member of the management committee of the Midrand Town Council (Johannesburg), refused to register the birth of his daughter, Caitlin, because he objected to filling in her race group on the registration form. Mr Dawson wrote to the director general of home affairs to inform him that he would not declare the child's race group. The incident provoked widespread publicity and Mr Dawson received messages of support from other people who said that they would also refuse to register their children. Mr Dawson said that an organisation was to be formed to provide support for parents who did not wish to classify their children racially in terms of the Population Registration Act. The organisation would also aim to have the 'racist aspects' of the act repealed by encouraging as many people as possible to defy it.¹⁴ [¹⁴ *The Star* 24 August 1989, *The Weekly Mail* 1 September 1989]

Reclassifications

In 1988, 1 142 people applied to be reclassified from one race group to another, of which 867 applications were successful. (In 1987, 918 people had applied for race reclassification, of which 722 applications were granted.) The total number of applications received and granted for 1988 was as follows:¹⁵ [¹⁵ *Hansard* (A) 17 q cols 107&-1077, 12 May 1989]

Race reclassifications: 1988

Applications made

Applications granted

African to coloured

316

240

African to Griqua

3

3

African to Indian

2

2

Chinese to coloured

3

3

Chinese to white

4

3

Coloured to African

15

13

Coloured to Chinese

1

1

Coloured to Indian

63

63

Coloured to Malay

24

24

Coloured to white

514

347

Indian to Coloured

55

52

Indian to Malay

47

47

Indian to white

4

1

Malay to coloured

19

19

Malay to Indian

30

25

Malay to white

22

11

Other Asian to coloured

7

—

White to coloured

13

13

Total

1 142

867

The minister of home affairs, Mr Gene Louw, said in the House of Assembly in March 1990 that 1229 people had applied to be reclassified from one race group to another in 1989, of which 1 123 applications

Policy

In February 1989 the acting state president, Mr Chris Heunis, said at a Joint session of Parliament that the government was considering changes to the Population Registration Act of 1950, which provided for the compulsory racial classification of people, ‘in order to remove potential stumbling blocks on the path of negotiation’. He said that, as with the Group Areas Act of 1966, the government was prepared to ‘investigate other ways and means of guaranteeing own community life’.¹⁷ [¹⁷ *The Citizen* 10 February 1989]

Responding to Mr Heunis’s speech, the constitutional adviser to the Progressive Federal Party, Professor Nic Olivier, said that it represented a highly important shift in the government’s ideological thinking, and in his view the most important change since the government abandoned strict Verwoerdian apartheid in 1978. The leader of the Conservative Party, Dr Andries Treurnicht, said that the government’s new approach ‘undermined the group and volk concept’ and that it would be ‘fatal’ for the National Party.¹⁸ [¹⁸ *The Star* 10 February 1989]

In May 1989 Mr Heunis said in Parliament, ‘Group formation should not be enforced, but rather occur naturally, as it does in any event. Surely a person is primarily a member of a specific group not because the law says so, but because he wants to be. This is how group formation should take place, and the state should then protect those groups should they ask for protection... However, we believe that it should be

possible for the individual to function outside a specific group if he so chooses. We consequently believe that enforced group formation should be replaced by freedom of choice... Racism is rejected by government as a basis for a future constitutional dispensation.' He added that people who did 'not want to participate on a group basis' should be able to 'form an open or non-aligned entity', ie join an 'open' race group.¹⁹ [¹⁹ *RSA Policy Review* August 1989] However, Mr Heunis did not give details of how compulsory race classification would be amended or when such a change would take place.²⁰ [²⁰ *Cape Times* 23 May 1989]

In December 1989, in an interview with an American newspaper, the *Washington Post*, the state president, Mr F W de Klerk, ruled out the possibility of the Population Registration Act's being repealed. He said that the act was 'fundamentally tied' to the existing constitution and that its repeal would have to be accompanied by the writing of a new constitution.²¹ [²¹ *The Guardian* 3 December 1989]

In February 1990 the minister of constitutional development and of development aid, Dr Gerrit Viljoen, said in Parliament that the government did not envisage the repeal of the act in the near future. The act would not survive the negotiation process in its present form, however, and would have to be drastically adapted.²² [²² *The Citizen* 27 February 1990, *The Star* 28 February 1989]

Citizenship

The Transkei Military Council had applied to the South African government in June 1988 for the restoration of South African citizenship to all Transkeian citizens (see *1988/89 Survey* p161) but no reply had been received by the time of writing.

In a paper published in August 1989 by the South African Institute of Race Relations and entitled 'Reform in Perspective', the director of the Johannesburg office of the Legal Resources Centre, Mr Geoff Budlender, outlined the legal implications of citizenship of the 'independent' homelands. Mr Budlender pointed out that all citizens of the Transkei, Bophuthatswana, Venda and the Ciskei (TBVC) were subject to the controls contained in the Aliens Act of 1937 and the Admission of Persons to the Republic Regulation Act of 1972. The minister of home affairs had, however, administratively exempted TBVC citizens from the need to obtain permits to reside temporarily in white-designated South Africa. Mr Budlender argued that this exemption could be amended or withdrawn at any time.²³ [²³ Budlender G, 'Reform in Perspective', supplement to *Quarterly Countdown* 13, (South African Institute of Race Relations) 25 August 1989]

Mr Budlender believed that, in practice, TBVC citizens had 'no realistic prospect' of obtaining permanent residence permits, which would enable them to settle permanently in white-designated South Africa. In terms of the Aliens Act, a permanent residence permit may not be issued unless the applicant 'does not and is not likely to pursue an occupation, in which ... a sufficient number of persons is already engaged in the Republic to meet the requirements of the inhabitants of the Republic'. The implication of this requirement is that a permanent residence permit may not be granted unless the applicant possesses

occupational skills which are in short supply in 'South Africa', and in practice, Mr Budlender said, very few TBVC citizens would be able to meet this requirement.²⁴ [²⁴ Ibid]

Mr Budlender said that for the citizens of the 'independent' homelands to have the right to freedom of movement in 'South Africa' (as opposed to an administrative dispensation allowing them free movement), their South African citizenship would have to be restored to them, or the law would have to be amended so that they were not affected by the restrictions contained in the Aliens Act and the Admission of Persons to the Republic Regulation Act.²⁵ [²⁵ Ibid]

Deportations

The minister of home affairs, Mr Stoffel Botha, said in reply to questions in Parliament in April and May 1989 that during 1988, 44 320 people were deported to other countries, in terms of the Admission of Persons to the Republic Regulation Act, of whom 14 were white and the remaining number African. The breakdown according to the country to which people were deported in terms of section 16 of the act (which prevents the entry of 'prohibited persons') and section 43 (which provides for the deportation of those convicted of criminal offences) was as follows:²⁶ [²⁶ *Hansard* (A) 10 q cols 66668, 14 April 1989; *Hansard* (A) 17 q cols 1077-1078, 12 May 1989]

Deportation during 1988

Country

Section 16

Section 43

Botswana

757

2

Germany

—

1

Ghana

1

—
Greece

1

—
Italy

2

—
Lesotho

4 400

34

Malawi

248

2

Mozambique

33 446

33

—
Portugal

2

Swaziland

1 839

6

Tanzania

7

—

United kingdom

—

6

United States

—

1

Zimbabwe

3 527

5

To

The minister of law and order, Mr Adriaan Vlok, said in the House of Assembly in May 1989 that 6 385 people had been arrested by police in 1988 for contravening the Aliens Act of 1937 (in comparison with 3 456 arrests in 1987). He was unable to give a racial breakdown of these figures.²⁷ [²⁷ *Hansard* (A) 20 q cols 1173-1174, 22 May 1989]

In April 1989 it was reported that in the first three months of 1989 more than 8 000 Mozambicans who had entered South Africa illegally had been deported. A police spokesman said that most of the deportees had been employed illegally by white farmers (see *Refugees* below).²⁸ [²⁸ *Cape Times* 13 April 1989]

In the same month Mr Frans Manisi, a resident of Daveyton (east Rand), was deported to Mozambique. Mr Manisi was a Mozambican citizen who had lived and worked in South Africa for 25 years. Mr Manisi had married a South African woman and he was the father of four children. He had been deported after he had become involved in a struggle of 50 informal settlers at Etwatwa East in Daveyton for housing. Mr Manisi had allegedly attracted the attention of the security police, who had referred his case to the Department of Home Affairs, which had arranged for his deportation. It was reported that Mr Manisi's wife was unemployed and that the family had no alternative source of income.²⁹ [²⁹ *Sowetan* 12, 13 April 1989]

In May 1989, 76 people were deported to Lesotho after their employer had handed them over to the police when they allegedly joined a trade union. The group of 60 men and 16 women were employed by a brick company in Meyerton (southern Transvaal), and some of them had worked for the company for nine years. They had joined the Construction and Allied Workers' Union in March and the company had arranged for their deportation two months later.³⁰ [³⁰ *Ibid* 19 May 1989]

In September 1989 Mr Andries Manyeke, a Mozambican citizen, was deported after living in South Africa for more than 20 years. He had run a shop at a gold mine in Welkom (Orange Free State).³¹ [³¹ *Ibid* 23 September 1989]

'Repatriation'

In April 1989 Mr Stoffel Botha gave the following figures for Africans who had been 'repatriated' to the 'independent' homelands during 1988 in terms of section 43 of the Admission of Persons to the Republic Regulation Act:³² [³² *Hansard (A)* 10 q cols 666^68, 14 April 1989]

'Repatriation' to the 'independent' homelands: 1988

Bophuthatswana

4

Ciskei

7

Transkei

68

Venda

Total

Refugees

Large numbers of refugees from neighbouring countries continued to enter South Africa during 1989 and 1990. Most of them were Mozambicans trying to escape the civil war between the Mozambican government and the Resistência Nacional Mocambiçana (RENAMO) (see *1987/88 Survey* p17).

In November 1989 the South African Defence Force (SADF) revealed that in the previous three years the two electrified fences which separated South Africa from Mozambique and Zimbabwe had caused the death by electrocution of 94 people attempting to cross the border into South Africa. However, the director of the Catholic Bureau for Refugees, Father Jeanne-Pierre ie Scour, said that he believed that 52 people had died in the second half of 1988 alone, in attempting to cross the border fence near Komatipoort, on the Mozambique/South Africa border. He said that this figure did not include the number of people shot by SADF personnel while attempting to cross the border. It was suggested that the number of refugees who had died could be much higher.³³ [³³ *The Star* 13 November 1989]

In the second week of November 1989 it was reported that more than 60 Mozambican refugees, including soldiers, had fled across the border into South Africa after renewed fighting between the Mozambican government and RENAMO. An SADF spokesman said that it was the third reported border crossing within the previous four months by refugees fleeing the fighting. About 1500 people had crossed the border earlier in the same week. All the refugees were deported (see *Deportations* above).³⁴ [³⁴ *Daily Dispatch* 18 November 1989]

The relief and development coordinator of Operation Hunger, Mr Mpho Mashinini, revealed in December 1989 that more than 50 000 Mozambican refugees had been granted refugee status in Bophuthatswana, Gazankulu, KaNgwane and Lebowa. He said that there was also an undisclosed number of refugees in KwaZulu. According to Mr Mashinini, Operation Hunger spent more than R220 000 a month on feeding Mozambicans who had fled to South Africa.³⁵ [³⁵ *Sowetan* 4 December 1989]

Later in the same month, the executive director of Operation Hunger, Mrs Ina Perlman, said that the total number of Mozambican refugees receiving aid from her organisation had increased from 43 400 in 1988 to almost 58 000 in 1989. The greatest increase had been in KaNgwane, where the number of assisted refugees had increased from 12 000 in 1988 to 17 500 in 1989 (see also chapter on *The Homelands*). Mrs Perlman believed that although the majority of Mozambican refugees were fleeing the war, there were now greater numbers leaving protected villages where there was no food. There were also more refugees from 'deep' within Mozambique, rather than just from areas bordering on South

Africa.³⁶ [³⁶ *The Star* 13 December 1989]

A relief worker at the Tshongwe Hospital in KaNgwane, Ms Sally McKinnon, said in December 1989 that large numbers of young children, most of whom were younger than ten years, were fleeing from Mozambique into KaNgwane. Many children were absorbed into the homes of local people, who provided them with food and shelter. However, Ms McKinnon claimed that some children were forced to work for their meals, or hired out to local farmers and their wages kept by their new 'guardians'. See also the chapter on *Health and Welfare*.

In January 1990 a relief worker at the Tshongwe Hospital, who did not wish to be named, said that 12 people had died in December 1989 while attempting to cross the border fence from Mozambique. *The Star* reported that the relief worker said that paid guides who led refugees from Mozambique to safety across the fence had 'ways and means' of determining whether the fence was electrically live or not. Often refugees were 'ambushed' by South African patrols when they crossed the border and taken immediately to Komatipoort to await repatriation. On 15 December 1989 the South African authorities had sent home about 1500 refugees to Mozambique, he added.³⁷ [³⁷ *Ibid* 10 January 1990]

Immigration and emigration

Immigration and emigration figures for the period 1960 to 1987 are given on *page 155 of the 1988/89 Survey*. (See also chapter on *Employment*).

In April 1989 the minister of home affairs, Mr Stoffel Botha, said that the following numbers of people had emigrated from, and immigrated to, South Africa during 1988:³⁸ [³⁸ *Hansard (A)* 10 q col 666, 14 April 1989]

Emigration and immigration: 1988

Race group

Emigration

Immigration

Net gain/loss

African

444

112

-332

Coloured

567

159

-408

Indian

14

160

146

White

6 722

9 592

2 870

Total

7 747

10 023

2

The Central Statistical Service (CSS) said that in 1988 the most popular countries for emigration from South Africa were Australia (2 310 people), United Kingdom (662), Canada (571) and the United States (253). It added that the 'brain drain' from South Africa appeared to have been reduced, with a net loss of 19 people with professional, semi-professional and technical qualifications in 1988, compared to a net

loss of 902 in 1987.³⁹ [³⁹ Central Statistical Service, *Tourism and migration*. Report 03-51-01, 14 September 1989]

The CSS said in November 1989 that the number of emigrants from South Africa in the first half of 1989 had been lower than in the same period in 1988 (2 469 compared to 4 452), and the number of immigrants had also been lower (4 716 compared to 5 646). This meant a net gain of 2 247 people in the first six months of 1989, compared to a net gain of 594 people in the corresponding period in 1988. The net gain in professional and technical workers was 95, compared to a net gain of 106 in the same period in 1988.⁴⁰ [⁴⁰ *Business Day* 6 November 1989]

In October 1989, the minister of home affairs, Mr Gene Louw, outlined the South African government's campaign to encourage immigration to South Africa. He said that the campaign was aimed specifically at recruiting high-level manpower. Special advertising campaigns for immigrants were under way in several countries, including the United Kingdom. Mr Louw said that large parastatal employers such as Iscor, Eskom and Sasol were being backed by the government in their recruitment campaigns, and their agents were provided with accommodation at South African diplomatic missions. He added that approval was now given by his department for qualified people 'in certain categories' to come to South Africa even if they had not received offers of employment. Immigrants were now allowed to apply for permanent residence after completing a contract, and they were no longer required to return to their home countries and await the outcome of their applications there.⁴¹ [⁴¹ *The Citizen* 27 October 1989]

In December 1989 the Department of Home Affairs declared that it was seeking skilled immigrants from the German Democratic Republic (East Germany), following the lifting of restrictions on emigration from that country in November. The department denied a claim by an official of the United Democratic Front (UDF) that the government had sent a delegation to eastern Europe to seek emigrants from the German Democratic Republic and other east European countries. The UDF official had condemned the recruitment of skilled manpower in Europe, saying that there were many unemployed Africans in South Africa who could be trained to fill posts in the country.⁴² [⁴² *The Citizen* 29 December 1989]

However, the Department of Home Affairs confirmed that all applications from East Germans for immigration to South Africa would be considered, even where the applicants did not possess skills of which there was a shortage in South Africa.⁴³ [⁴³ *Ibid*]

In March 1990 Mr Louw said in reply to a question in Parliament that from 1984 to 1988 inclusive 2631829 permanent residents of South Africa had left the country on visits abroad and that 2 532 288 people had returned, excluding new immigrants and returning emigrants. Mr Ken Andrew MP (Democratic Party) pointed out that these figures reflected a 'dramatic loss' of 99 541 'unaccounted-for' people, and that this group was certain to include highly qualified young people who had left South Africa because of apartheid, national service or despair about the future. 'Because they had few possessions or financial assets, there was no need for them to emigrate officially. They took their brains, their abilities and their ambitions and simply left the country,' he said.⁴⁴ [⁴⁴ *The Star* 13 March 1989]

Urbanisation

Statistics

The Institute for Futures Research at the University of Stellenbosch said in January 1990 that the urban population of South Africa (including the 'independent' homelands) was about 15,2m in 1980, and that it was expected to increase to 33,5m in 2000 and to nearly 57m in 2020. The institute argued that about 90% of whites and Asians were already urbanised and that Africans and coloured people would show the most significant urbanisation during the next 30 years. In 1980 only 33% of the African population lived in urban areas, but by 2020, 79% would be urbanised. While 77% of coloured people lived in urban areas in 1980, 85% of the coloured population would do so by 2020.⁴⁵ [⁴⁵ *Sanlam Economic Survey* January 1990]

In July 1989 the Housing Research Information Service gave the following projected figures for the proportion of each race group in South Africa (excluding the 'independent' homelands) which would be urbanised by the year 2000: Africans, 75%; coloured people, 86%; Indians, 92%; and whites, 93%.⁴⁶ [⁴⁶ *Business Day* 9 July 1989]

The Human Sciences Research Council said in the same month that the urban African population (excluding the ten homelands) would increase from 6m in 1985 to 13,6m in 1990, ie an addition of 1,3m households. A large proportion of this increase would be the result of the growth of informal settlements (see *Informal settlements* below).⁴⁷ [⁴⁷ *Ibid*]

Natal

The chairman of the demographic committee of the Council for Population Development, Professor Jan Piek, said in Durban in March 1990 that between 1980 and 1985 the African population of Natal had grown by 3,4% per year. If this growth rate had continued beyond 1985, the present African population would be about 6,8m, he added. However, according to calculations in which the rapid urbanisation in Durban, Pinetown and Pietermaritzburg was taken into account, the present African population of Natal was 7m, or 32% of the total African population of South Africa (excluding the 'independent' homelands).⁴⁸ [⁴⁸ *Die Burger* 8 March 1990]

Western Cape

A report published by the Urban Foundation (UF) and the Urban Problems Research Unit of the University of Cape Town in March 1990 suggested that Cape Town faced an enormous population explosion with serious socio-economic implications. The report said that a crisis could result if plans were not timeously implemented to deal with the problem. It gave the following figures:⁴⁹ [⁴⁹ *Ibid*]

- the population of Cape Town could double between 1985 and 2000, and reach a total of 4,2m people;
- the African population of Cape Town had increased by 109% between 1980 and 1985, and at present it could be as high as 700 000;
- the housing shortage in the city stood at 100 000 units;
- unemployment in the city had increased fourfold since 1980, and presently stood at 120 000 people; and
- some 49 800 jobs would have to be created in the formal sector each year, in order to keep pace with population growth. However, in recent years the formal sector had only been able to provide 16 142 new jobs each year.

Policy

In May 1989 representatives from Pretoria, Bophuthatswana, the Ciskei, the Transkei and Venda met in Pretoria to discuss urbanisation issues. It was agreed that a task force should be established to investigate basic services and housing standards in South Africa and the 'independent' homelands. The task force would draw up a common policy to assist the 70% of the African population who could not afford to pay for housing.⁵⁰ [⁵⁰ *The Star* 20 May 1989] (The meeting followed an earlier conference in October 1988 to formulate a common strategy for urbanisation—see *1988/89 Survey* p159.)

The South African government, the Natal Provincial Administration and the KwaZulu administration agreed in June 1989 to establish a joint committee to plan guidelines and priorities for the development of the Durban metropolitan area. A statement issued after the agreement said, 'In this process, particular attention will have to be given to increasing the availability of land for the more adequate accommodation of the lower-income groups.' It was estimated that 4m people lived within 40km of the city centre of Durban.⁵¹ [⁵¹ *The Citizen* 29 June 1989]

The director general of development planning, Mr E G de Beer, outlined the government's urbanisation policy at the annual conference of the South African Property Owners' Association (SAPOA) in Johannesburg in August 1989. He said that the two 'basic policy instruments' of the government were 'orderly' urbanisation and the decentralisation of industries. Mr De Beer believed that the need for 'orderly' urbanisation was clear, given that some 70% of Africans who lived in urban areas could not afford formal housing and would need to be accommodated in informal shelters. He said that about two thirds of the land which the government had made available for African urbanisation would be used for informal housing. Informal housing in conventional and informal towns will have to be accepted as forming part of the housing stock. Higher residential densities in the cities will be necessary,' Mr De

Beer added.⁵² [⁵² *The Weekly Mail* 25 August 1989]

He emphasised that the government's urbanisation policy had to be seen in the context of 'balanced regional development'. He pointed to the need to limit the growth of the cities by means of the decentralisation policy. Mr De Beer said that the country could not 'adequately accommodate the expected rate of urbanisation in an orderly manner in the existing metropolitan areas alone'. The government aimed to influence the rate of migration to the metropolitan areas by stimulating development and job creation in rural areas and by creating 'alternative centres for urbanisation'. Mr De Beer said that the Regional Industrial Development Programme aimed to promote decentralisation.⁵³ [⁵³ Ibid]

Comment

The policy director for urbanisation at the Urban Foundation, Ms Ann Bernstein, said in January 1989 that South Africa's cities were divided racially and that government and administrative structures flowed from that division rather than from functional criteria. 'To spend time debating whether a black South African can live next to a white South African is precious time wasted on the wrong issues altogether,' she added. Ms Bernstein said that there was an 'increasing disjunctive between the "legal" city with its formal planning rules, regulations and zoning, and the "real" city with its informal jobs, informal settlements and "grey" areas'. She asked, 'Who is planning for a future that includes all the city's inhabitants?'⁵⁴ [⁵⁴ *Eastern Province Herald* 24 January 1989]

The government's continued emphasis on decentralisation was widely condemned at the SAPOA conference held in Johannesburg in August 1989. The group economics consultant of the Johannesburg Consolidated Investment Company (JCI), Dr Ronnie Bethlehem, said that it made no sense to accept African urbanisation and to cling simultaneously to policies designed to prevent, redirect and disguise urbanisation. He singled out decentralisation for particular criticism. Dr Bethlehem said that the 1986/87 annual report of the Board for the Decentralisation of Industry had shown that in five years 126 366 jobs had been created as a result of its activities. However, the cost had been more than R2bn, or R 15 882 per worker. He said that 'other calculations' put the cost of job creation in decentralised areas at between R60 000 and R100 000 per worker, or four times the equivalent cost of job creation in urban areas (see also chapter on *Employment*).⁵⁵ [⁵⁵ *Business Day* 17 August 1989]

Speaking at the same conference, Ms Bernstein said that the deconcentration policy was based on the misconceived notion of ideal city size, a theory which was now discredited in the international literature. She stressed that it was a policy tied to homeland development rather than to economic growth. Ideology takes precedence over economic and development considerations in the identification of deconcentration points,' she said. The policy required a form of urban growth which was uneconomic and which required ongoing subsidies, for example the estimated R1bn a year in subsidies for commuters from faraway homeland townships to the cities.⁵⁶ [⁵⁶ *The Weekly Mail* 25 August 1989]

Ms Bernstein said that the Urban Foundation's research had shown that South Africa's pattern of urban development was not unbalanced. 'Overconcentration' was not the problem in areas such as the Witwatersrand; the issue was rather 'how to manage greater concentration at the centre'.⁵⁷ [⁵⁷ Ibid]

Ms Bernstein pointed to two 'inexorable' trends which 'cut across traditional government thinking' regarding urbanisation and yet were of fundamental significance for the future: the growth of informal settlements and the 'greying' of the cities, with black families increasingly taking up housing legally reserved for whites. She believed that, for example, in the Johannesburg municipal area there were now as many black residents as white residents (see chapter on *Housing*).

In conclusion, Ms Bernstein questioned whether it was possible to meet the challenge of urbanisation if 'racial thinking on urban issues' continued.⁵⁸ [⁵⁸ Ibid]

Officials of the Development Bank of Southern Africa (DBSA) said in November 1989 that a major shift in the government's decentralisation policy was imminent. The director of policy analysis for the DBSA, Mr Stef Coetzee, pointed out that there were 'structural weaknesses' in the present policy and that there should be closer integration between urban and regional development in the future. He said that even if there were serious shortcomings in current policy, it had aspects which had worked very well. He felt that the entire policy should not be discredited. Mr Coetzee believed that the emphasis of government policy was likely to shift to a larger number of deconcentration points located midway between the homelands and the cities.⁵⁹ [⁵⁹ *Financial Mail* 3 November 1989]

Private initiatives

In November 1989 it was reported that the Tongaat-Hulett Group had organised a 'planning forum' of 16 people, comprising academics, businessmen and local government officials, which would draw up guidelines for urbanisation in the greater Durban region. The forum decided that it would identify trends that were likely to shape the future of the Durban area, generate likely future scenarios, identify problem areas and priorities, and formulate plans of action.⁶⁰ [⁶⁰ *The Condenser* 1989]

The forum said in its first report that the population of the Durban metropolitan region was not as large as had previously been thought to be the case. It said that the present population was about 3 375 000 people, which would increase to 5 686 000 by the year 2000. The forum felt that migration from rural areas to Durban was likely to decrease, although as many as 100 000 people would still be entering the area each year. By the year 2000, more than half of the population of Natal and KwaZulu would be living in the Durban metropolitan region.⁶¹ [⁶¹ Ibid]

The forum found that the spatial structure of the Durban region was characterised by 'striking imbalances', including the following:

- population density varied from eight people per hectare in the white areas of Pinetown to more than 300 people per hectare in the informal settlement of Lindelani;
- while the suburbs and townships were well provided with transport services, the poor who lived in informal settlements on the periphery of the region had inadequate and expensive transport:
- there was a virtual absence of physical and social infrastructure in informal settlements, in comparison with the 'formal' areas; and
- the coastal topography of the region, which was characterised by deep river valleys and broken terrain, was a permanent constraint on development.

The forum said that the two greatest challenges facing the Durban metropolitan region were to 'bring residential areas closer together' through reducing the inequalities between formal and informal settlements, and to release enough central and suitable land for suitable low-cost housing development. It added that the Group Areas Act of 1966 needed to be repealed, 'more appropriate' planning standards needed to be implemented in low-income areas and communities needed to be involved in decision making to facilitate urbanisation in the Durban region.

Informal settlers

In March 1989 the policy director for urbanisation at the Urban Foundation, Ms Ann Bernstein, pointed out that there was no universally accepted definition of the term 'informal settler'. She argued that 'informal settlement' was a generic term used to describe a variety of forms of shelter. Informal settlers differ in respect of the length of time they have been in their present location (months or many years); the size of their settlement; their location (backyard shack or a community); income, employment and family circumstances; place of origin and history of settlement; and the nature of their shack (corrugated iron, breeze-block or lean-to against a formal house).⁶² [62 Bernstein A, Informal settlers - South Africa's new city builders', *Optima*, vol 37 no I, March 1989]

Statistics

The director of policy analysis at the Development Bank of Southern Africa (DBSA), Dr S F Coetzee, said in October 1989 that there appeared to be about 7m informal settlers (also known as squatters) in South Africa (including the ten homelands). He said that of this number, between 1,6m and 2,4m informal settlers lived in the Pretoria/ Witwatersrand/Vereeniging (PWV) area.⁶³ [63 *The Star* 26 October 1989]

In April 1989 Mr Roger Burrows MP (Progressive Federal Party) said that there were between 2,5m and

3m informal settlers in Natal and KwaZulu, 1,7m of whom were living in the greater Durban area. He claimed that Durban and Mexico City were the fastest-growing metropolitan areas in the world, mainly owing to the growth of informal settlements.⁶⁴ [⁶⁴ *The Natal Mercury* 5 April 1989]

In July 1989 the minister of education and development aid, Dr Gerrit Viljoen, said that there were more than 1,5m people living in informal settlements around Durban.⁶⁵ [⁶⁵ *The Natal Witness* 8 July 1989]

In November 1989 the regional director of the Urban Foundation, Mr Tony Gilson, said at an annual general meeting of the organisation in Durban that the population of the informal settlements around Durban was between 1,7m and 2m, ie much higher than official estimates.⁶⁶ [⁶⁶ *The Natal Mercury* 21 November 1989]

Policy

In October 1989 the minister of planning and provincial affairs, Mr Hernus Kriel, said that the only solution to informal settlement was to identify land where people could erect informal housing. Addressing a symposium in Pretoria on urbanisation, Mr Kriel reported that this was being done, 'but not fast enough. We need a plan of action. We cannot handle this matter on a crisis management basis'. Mr Kriel believed that local authorities, in conjunction with the provincial administrations and his department, would have to play a vital role in the identification of land for informal settlers.⁶⁷ [⁶⁷ *The Citizen* 27 October 1989]

In reply to a question in Parliament in March 1989, the minister of constitutional development and planning, Mr Chris Heunis, said that nine emergency camps for informal settlers had been established in terms of the Prevention of Illegal Squatting Amendment Act of 1988. There were three camps in the Cape province (at the Kei River mouth, in the Sundays River Valley and at Kenton-on-Sea, all in the eastern Cape), four in Natal (at Dannhauser, Rietvlei—near Vryheid, Weenen and Winterton) and two in the Transvaal (at Weiler's Farm in the southern Transvaal and Brits in the central Transvaal).⁶⁸ [⁶⁸ *Hansard* (A) 6 q cols 324-326, 13 March 1989]

In April 1989, speaking in Parliament in the extended public committee on provincial affairs for the Transvaal, the administrator of the Transvaal, Mr Danie Hough, said that the recent amendments to the Prevention of Illegal Squatting Act of 1951 (see *1988/89 Survey* pp162–166) had given the Transvaal Provincial Administration (TPA) the means to act effectively against 'illegal squatting'. He pointed out that the establishment of committees to evaluate informal settlements in rural areas would also combat 'this antisocial phenomenon'.⁶⁹ [⁶⁹ *Hansard* (A) 8 cols 4277-4279, 4 April 1989]

Mr Hough claimed that it was the policy of the TPA to deal with informal settlers in a humane fashion, since many settlers had moved to the cities in an attempt to improve their quality of life. He said that he deplored the action of 'callous people' who exploited homeless people 'by charging them exorbitant

rents for the right to squat in squalor'.⁷⁰ [70 Ibid]

Mr Hough added that the TPA was committed to a policy of establishing informal towns 'where homeless immigrants from the rural areas may settle in order to build a new life for themselves'. The TPA had provided 4 300 erven at Orange Farm and Evaton North (both in the southern Transvaal) for informal settlers, and it had also made land available to the South African Housing Trust in the same areas, which would provide a further 36 000 erven. The private sector had lodged applications for the development of 156 603 erven for African townships, of which the development of 3 150 erven had already been approved. (Only a small part of private sector development was expected to house informal settlers.)⁷¹ [71 Ibid]

In June 1989 a proclamation in the *Government Gazette* transferred responsibility for action taken against informal settlers by 12 divisional councils in the Cape province in terms of the Prevention of Illegal Squatting Act to the provincial administrator. In December a second proclamation transferred responsibility for action against informal settlers from nine divisional councils to the provincial administrator of the Cape.⁷² [72 *Government Gazette* no 12238, Proclamation R209, 29 December 1989; *Government Gazette*, no 11978, Proclamation R101 30 June 1989]

A member of the executive committee for the Transvaal, Mr John Mavuso, revealed in September 1989 that the government had called on top bankers, financiers, industrialists and building contractors to assist in dealing with the 'escalating squatter problem'. He said that during the month he had held 'heart-to-heart' talks with businessmen to discuss the future land needs of informal settlers. Mr Mavuso had also asked companies for innovative ideas in providing 'really low-cost housing' for the very poor, ie housing which would not cost more than R7 000 a unit. 'Enough land has been identified to cover immediate needs, but it is necessary to provide for the future,' Mr Mavuso said.⁷³ [73 *The Star* 21 September 1989]

The director of land usage control for the Natal Provincial Administration, Mr Robin Raubenheimer, said in January 1990 that informal settlements were an accepted part of Natal's development. I draw a strong distinction between squatters and the informal housing areas in the province,' he said. 'Squatting on someone else's ground is illegal and must be treated as such. Informal housing has to be looked at seriously and assisted in a disciplined manner.' Mr Raubenheimer saw the upgrading of informal settlements, including the provision of running water and bucket or chemical lavatory systems, and a subsidised large-scale housing programme as vitally important and urgent. He pointed out that unlike the generally flat topography of informal settlements in the Transvaal and on the Cape Flats (western Cape), the area surrounding Durban where informal settlements had developed was hilly and convoluted. Mr Raubenheimer believed that this type of terrain meant that building costs would be high and the provision of services prohibitively expensive.⁷⁴ [74 *Saturday Star* 27 January 1990]

Major developments

The administrator of the iKapa Town Council (**Cape Town**), Mr Faan Naude, announced in April 1989 that the government had provided R8m for the upgrading of the KTC informal settlement. He said that the project would involve the provision of 2 442 serviced sites by 1992, the serviced sites to be made available as they were completed.⁷⁵ [⁷⁵ *Cape Times* 29 April 1989]

In the same month it was announced that the **Bophuthatswana** administration was using aerial photography to carry out a survey of informal settlement within the borders of the homeland. The minister of justice in Bophuthatswana, Mr S G Mothibe, said that the administration of the homeland was perturbed about informal settlers, and that aerial photography would enable the administration to take 'immediate action' against them.⁷⁶ [⁷⁶ *The Star* 29 June 1989]

In July 1989 the Alberton Industries Association agreed to install eight communal taps at the informal settlement in Thokoza (**east Rand**), which housed 20 000 people. The association also decided to build a clinic for 3 700 people living in the Dunusa informal settlement. Initially the clinic would provide a service only to mothers and children. The TPA was reported to have expressed its support for the clinic. One hundred companies which were affiliated to the association agreed to donate between R15 000 and R20 000 each for the provision of the taps and the construction of the clinic.⁷⁷ [⁷⁷ *Sowetan* 25 July 1989]

In August 1989 the Ibhayi City Council (**Port Elizabeth**) announced that it planned to remove the informal settlement of Soweto in the near future. The settlement had a population of about 264 284 people. The mayor of Ibhayi, Mr Mhlobo Jemsana, declared that there would be no mass removal of people, but that the council would carry out 'piecemeal relocations' after negotiations with affected residents. The council was considering three possible sites for the resettlement of the informal settlers of Soweto, but no final decision had been taken.⁷⁸ [⁷⁸ *Eastern Province Herald* 11 August 1989]

The **Johannesburg** City Council said in September 1989 that it would delegate power to the town clerk to deal with informal settlers within the municipal boundaries. A spokesman for the council said that the delegation of powers was necessary as the council's management committee was not always in a position to deal quickly with informal settlers. The town clerk would be empowered to demolish any structure erected or occupied on council-owned land and to make sworn statements to a magistrate on the council's behalf, with a view to the removal of informal settlers.⁷⁹ [⁷⁹ *The Citizen* 2 September 1989]

In October 1989 the TPA began moving about 3 000 African families from the Mshenguville informal settlement in **Soweto** to a site-and-service scheme at Orange Farm (southern Transvaal). Although the Soweto City Council had upgraded several informal settlements within its boundaries, it was reported that it was not in favour of upgrading the Mshenguville settlement, which was built on the banks of a stream, situated under electricity pylons and in a public open space. The public relations officer for the council, Dr Johan van der Westhuizen, said that the TPA had made available 3 000 stands at Orange Farm for the residents of Mshenguville, and that a further 7 000 stands would be provided later (see also chapter on *Housing*).⁸⁰ [⁸⁰ *The Star* 15 September 1989]

Some shack dwellers who had moved to Orange Farm complained that the TPA had not provided enough tents to house them until they had erected houses, that there were insufficient lavatories at Orange Farm, that there was no taxi service to places of employment and that the nearest railway station was 6km away. However, other families were relieved that their living conditions had dramatically improved.⁸¹ [⁸¹ *Sunday Times* 24 September 1989]

However, it was reported that as one family moved out of Mshenguville, another family would move in and erect a shack. A number of families were also reported to have moved back to the informal settlement.⁸² [⁸² *Ibid*]

In November 1989 a Soweto city councillor, Mr Alfred Twala, was found guilty by Mr C Erasmus in the Johannesburg magistrate's court on 41 counts of contravening the Prevention of Illegal Squatting Act. He was sentenced to two years' imprisonment or a fine of R4 000, half the sentence being suspended for five years on condition that he was not found guilty of a similar offence. Mr Twala was found to have illegally given informal settlers in Protea South (Soweto) permission to build shacks on land belonging to the Soweto City Council. Mr Erasmus said that it was difficult to sentence Mr Twala as he did not regard him as a criminal. Mr Twala had not taken money from informal settlers for the sites which he had allocated to them.⁸³ [⁸³ *Sowetan* 9 November 1989]

Mr Mavuso announced in January 1990 that 16 000 informal settlers from three townships on the **east Rand**, ie Katlehong, Thokoza and Tamboekiesfontein, had been permanently resettled at a site-and-service scheme at Rietfontein, about 6km from Tamboekiesfontein. He said that the local authorities at Katlehong and Thokoza had been responsible for the removal of their informal settlers, while the TPA had moved the Tamboekiesfontein community. Mr Mavuso added that there 1886 sites at Rietfontein on tarred roads and another 4 383 on untarred roads. All the sites had taps, chemical lavatories and a refuse removal service.⁸⁴ [⁸⁴ *The Star* 10 January 1990] (For information on the provision of housing for informal settlers, see the chapter on *Housing*.)

Action planned or taken against informal settlers

Action planned or taken against informal settlers, as reported by the newspapers, is listed in the table overleaf.

Removals

African removals

Statistics

The minister of education and development aid, Dr Gerrit Viljoen, said in reply to a question in Parliament in May 1989 that the Department of Development Aid had not removed any 'black spots' during 1988. However, he said that the department had resettled 710 families during 1988 (in comparison with 1 828 families the previous year). Some 43 families had been moved from Zaaiplaats, near Groblersdal, to Langkloof, near Witbank (both in the eastern Transvaal), 'at the request of the African local authority'. Some 408 families had been moved from Cornfields to Boschhoek and Craig (all near Estcourt, Natal), 'at the request of the residents'. A further 359 families had been moved from the Inanda Dam basin (Natal) and Ndewdwe (KwaZulu) to Ntuzuma (KwaZulu), Waterfontein and Langfontein (both in Natal), because of the flooding of land below the Inanda Dam.⁸⁵ [⁸⁵ *Hansard* (A) 20 q cols 1178-1179, 22 May 1989]

Policy

The minister of constitutional development and planning, Mr Chris Heunis, had in September 1988 announced the government's plans to move more than 248 000 Africans in 60 communities at a cost of more than R450m (see *1988/89 Survey* pp170–173 for details of the planned removals). During the period under review some of these communities were removed (see below), although no action was taken in respect of most of the communities mentioned.

A number of informal settlements were also removed during the period under review (see *Action planned or taken against informal settlers* overleaf).

Major developments

Cape province

In November 1989, in the **eastern Cape** the mayor of the Gompo Town Council (East London), Mr Edison Makeba, announced plans to move a section of the **Gompo** township to Reeston, formerly a white group area of East London. Mr Makeba said, 'The move cannot be construed as a forced removal as living conditions there will be infinitely better.' About 7 000 families were to be moved over several years, and construction of the new houses was to begin in January 1990.⁸⁶ [⁸⁶ *Daily Dispatch* 2 November 1989]

Some residents of **Daliwe** (also known as the Old Township), near Cathcart, wrote to Mr Heunis in May 1989 to complain of police harassment and neglect of township facilities by the town council, which they saw as tactics aimed at pressurising their removal to the new township of Katikati, some 10km away (see *1988/89 Survey* p171). The letter said that the residents had never been consulted about the proposed move. Mr Kenneth Daliwe, a worker at the Daliwe Advice Centre, said that between 70% and 90% of the population of Daliwe earned less than the minimum household subsistence level, and that they were thus unable to afford to pay for houses in Katikati, which were to be sold at an average price of R8 000 each. Residents were required to pay a deposit of R1 000 before being allowed to take occupation of the new houses.⁸⁷ [⁸⁷ *The New Nation* 12 May 1989]

In April 1989 the minister of local government, housing and agriculture in the House of Representatives, Mr David Curry, said in Parliament that his department had requested that an area of about 377 hectares at **Kabah** (a part of Langa), near Uitenhage, be declared a coloured group area. The land had been occupied by African families since 1920, and its designation as a residential area for coloured people would mean the removal of about 90 families.⁸⁸ [⁸⁸ *The Weekly Mail* 24 February 1989, *Eastern Province Herald* 26 April 1989]

Action planned or taken against informal settlers: 1989

Settlement

Nearest town

Population

Month

Action taken or planned

Cape Province

Eastern Cape

Parkside

East London

100 families

January

Moved to make way for coloured housing.

Silvertown

Port Elizabeth

140

March

Prevented from building shacks.

KwaZakhele

Port Elizabeth

79 families

May

Shacks in cemetery demolished.

Daliwe

Cathcart

100

July

Shacks bulldozed.

Soweto

Port Elizabeth

70

July

Shacks demolished.

Soweto

Port Elizabeth

500

November

Threatened with eviction.

Duncan Village

East London

5 000

December

Shacks to be demolished in January 1990

Western Cape

Kraaifontein

Bellville

200

January

Shack demolished.

Kraaifontein

Bellville

52

January

ArrLourens River

Somerset West

30 families

January

Shacks demolished.

Khayelitsha

Cape Town

1 000

April

Removed to transit camp.

Cloetesville

Stellenbosch

25

May

Shacks demolished, occupants arrested.

Nyanga

Cape Town

67 families

May

To be evicted.

Sandvlei

Philippi

200

June

To be evicted.

Uitsig

Stellenbosch

11

October

Charged with trespassing

Action planned or taken against informal settlers: 1989

Settlement

Nearest town

Population

Month

Action taken or planned

Natal

Newlands East

Durban

200

January

Requested to move by housing developers.

Chatsworth

Clare Estate

MarDurban

4 February

Threaten with eviction.

Wyebank

Luganda

Pinetown

600

April

Shacks demolished to make way for Indian housing.

Welgedacht

Durban

100

May

Water supply cut off by city council.

Shallcross

Pinetown

200

August

Shacks demolished.

Transvaal

Weiler's farm

Vereeniging

226 families

April

Moved to Orange Farm (Vereeniging).

Denver

Johannesburg

40

April

Shacks burned.

Thokoza

Alberton

1 000 families

April

Shacks demolished.

Protea South

Soweto

40 families

May

Shacks demolished.

Alexandra

Johannesburg

65 families

May

Shacks burned.

Tembisa

Kempton Park

200

June

Evicted from hostel by 'official' residents.

Thokoza

Alberton

800

June

Shacks demolished.

Thokoza

Alberton

600

July

Shacks demolished.

Katlehong

Germiston

moved to Riet-

Thokoza

Alberton

600 families

August

fontein (east rand).

Mshenguville

Soweto

960 families

Sep Moved to Orange Farm

Tamboekiesfontein

Heidelberg

9 000

September

Removed to emergency camp.

Alexandra

Johannesburg

3 000

October

Shackdwellers resisted removal to Orange Farm.

Tembisa

Kempton Park

200

October

Shacks bulldozed.

Some 50 000 Africans had been removed from Langa to KwaNobuhle in 1986, after police had shot dead 20 people at a funeral in Langa in March 1985 (see 1986 *Survey* Part 2 p493). In February 1989 it was reported that the police had begun an investigation into allegations of fraud involving R7m during the removal in 1986. According to an auditor's report, private contractors had received payment for the construction of 3 000 iron houses in KwaNobuhle, but an inspection revealed that only 2 000 houses had been built.⁸⁹ [⁸⁹ *City Press* 12 February 1989]

Officials of the Ibhayi City Council cut off the water supply to about 15 000 families at **Soweto**, near Port Elizabeth, in June 1989. The community had been threatened with removal since 1986 (see 1986 *Survey* Part 2 p493). According to eviction notices delivered to some of the residents, they were to be removed to facilitate upgrading. However, residents were said to be skeptical about the plans for upgrading as the Ibhayi City Council was alleged to be bankrupt. In 1987 the council had moved residents of Red Location to the Silvertown transit camp to facilitate upgrading, which was to have taken three months to complete. Two years later, the Red Location community was still living in the transit camp, and the council had allegedly admitted that it had no funds for the upgrading of Red Location.⁹⁰ [⁹⁰ *The New Nation* 30 June 1989]

In November 1989, 1 200 residents of **Lawaaikamp**, near George in the **southern Cape**, received notice that they would not be removed to a new township at Sandkraal, but that Lawaaikamp would be upgraded. The community had resisted removal for four years (see 1988/89 *Survey* p175). Mr Hennie Smit MP (National Party) said that residents who had already moved to Sandkraal would be allowed to return to Lawaaikamp once an infrastructure had been created. The government agreed to provide an interest-free loan of R2,8m to the town council of George to pay for the upgrading. The loan was to be repaid over a 30-year period.⁹¹ [⁹¹ *Cape Times* 24 November 1989]

In February 1989 about 130 African and coloured people were threatened with removal from **Kliptop**, a settlement of stone houses on the outskirts of Grabouw in the **western Cape**. The community had lived at Kliptop for ten years. In 1988 the land had been sold to a private developer for the provision of luxury white housing. According to the Grabouw municipality, there was no provision for African housing in the town. The community faced being split, with the coloured people accommodated in the coloured

township but Africans forced to move out of the town and perhaps to lose their jobs too. Mr Jan van Eyck MP (Independent) undertook to lend his support to the community' resistance to removal.⁹² [⁹² *South* 16 February 1989]

In July 1983 an African community living in Blue River (eastern Cape had been removed to **Potsdam** in the **Ciskei**. Some members of community had died in the Ciskei of tuberculosis, others had lost their jobs, and it was alleged that they had been harassed by vigilantes. In addition the members of the group had lost their South Africa citizenship because of the removal.⁹³ [⁹³ *Reality*, vol 21 no 3, May 1989]

In January 1989 the Eastern Cape Provincial Division of the Supreme Court in Grahamstown granted a court order to three members of Potsdam community, Mrs Velile Dasi, Mrs Nellie Nozewu and Mr Popo Ntwanambi, declaring that:⁹⁴ [⁹⁴ *Ibid*]

- they were entitled to permanent residence in South Africa, without any permit or exemption;
- the South African government was interdicted from preventing them from being permanently resident in South Africa; and
- the South African government was interdicted from subjecting them or their families to removal from South Africa.

The Supreme Court ruling was expected to apply to the entire community of 4 000 people. However, the South African government decided to appeal against the judgement. In the meantime the authorities declined to give the group land in South Africa on which they could settle.⁹⁵ [⁹⁵ *City Press* 24 February 1989]

In April 1989, after a vigilante attack on the community, about 300 people from Potsdam moved across the Ciskei/'South Africa' boundary and settled on an apparently unoccupied farm in 'South Africa'. It was the third exodus from the Ciskei in 18 months, although on previous occasions the groups which had fled had been returned to Potsdam by the South African authorities. In late April, after negotiations, the Department of Development Aid agreed to allow the community to settle on the land. The department insisted that it would only accept back into South Africa the group removed in 1983, which comprised 2 000 people. However, the Potsdam community said that it also included additional smaller numbers of people who had been removed to the Ciskei since 1983 and 'dumped' at Potsdam. The group claimed that all members of the community were entitled to resettlement in South Africa.⁹⁶ [⁹⁶ *Daily Dispatch* 21 April 1989; Grahamstown Rural Committee, *GRC Newsletter*, no 17, May 1989]

In August 1988 the area of **Peelton** had been incorporated into the Ciskei. The residents had never accepted the incorporation, and had campaigned for the return of their South African citizenship. There were repeated allegations that Ciskeian police and vigilantes were harassing and assaulting residents of the Peelton villages. Residents were also allegedly prevented from building houses. In October 1989 the

Ciskeian authorities declared a state of emergency in the Peelson district after allegations that 55 residents had received treatment for injuries. The area was cordoned off from non-residents 'to maintain law and order'. Within several days of the declaration of the state of emergency, Ciskeian officials ordered about 5 000 people to move to 'transit camps' in neighbouring villages. Their houses were demolished and their possessions destroyed.⁹⁷ [⁹⁷ *GRC Newsletter*, no 20, October 1989; *The Star* 19,20 October 1989]

Later in October, about 700 people fled from Peelson to seek shelter in churches in King William's Town (eastern Cape). A representative of the Black Sash said that a further 100 people had been removed by the Ciskeian authorities and about 100 were in detention in the homeland.⁹⁸ [⁹⁸ *Business Day* 21 November 1989]

In November the refugees from Peelson agreed to accept an offer from the deputy minister of foreign affairs, Mr Leon Wessels, of 120 hectares of land between King William's Town and the boundary of the Ciskei. The refugees agreed to move immediately onto the land, which belonged to the white local authority. The chairman of the Border Council of Churches, the Reverend B Finca, said that the community was pleased with the settlement. However, he described it as a temporary solution until such time as Peelson was reincorporated into the rest of South Africa.⁹⁹ [⁹⁹ *The Star* 30 November 1989, *The Weekly Mail* 1 December 1989]

Natal

In February 1989 it was reported that some 5 000 people in the Ubombo district had been forced to leave their homes and land to make way for a large state irrigation scheme for the growing of cotton on the **Makhatini Flats**, which lies on the flood plain of the Pongola River. About half the people had left the area since its inception in 1980, and the remaining number were moved into six closer settlements on the scheme. Less than a third of the families living in the settlements had been granted land on the scheme, despite promises from the South African Development Trust Corporation and the Department of Development Aid that they would participate in and benefit from the scheme. The corporation, which had developed the irrigation project, planned to extend the scheme further, which could threaten the landholdings of another 62 000 people.¹⁰⁰ [¹⁰⁰ Association for Rural Advancement (*AFRA*), *AFRA newsletter* no 3, 1988; *City Press* 19 February 1989]

It was reported in June 1989 that the proclamation of the **Kosi Bay** Nature Reserve had resulted in plans to remove about 2 000 people who were living within the boundaries of the reserve. The director of the KwaZulu Bureau of Natural Resources, Mr Nic Steele, claimed that no pressure was being placed on people to move, that relocations would occur over a period of time, and that compensation and transport to 'alternative sites' would be provided. Since 1985 an amount of R53 000 had been paid out to tribal authorities for the loss of land, and an amount of R50 000 was budgeted for compensation for loss of land in the 1988/89 financial year. However, in September twelve local chiefs claimed that about 100 people had been 'forcibly removed' from their land. There were also allegations that game wardens had assaulted people living within the reserve, and that the compensation paid had been inadequate.¹⁰¹ [¹⁰¹

The Natal Witness 27 June 1989, 7 September 1989]

In February 1989 an urgent interim interdict was granted by Mr Justice J H Hugo in the Natal Provincial Division of the Supreme Court in Pietermaritzburg against DPF Housing Ltd, preventing the company from removing 603 Africans from **Ntombi's Camp**, near Ladysmith. The community had been settled on the land for more than 90 years. Judge Hugo ordered the company to provide alternative accommodation for all the residents of the community, of the same standard as what they would lose, and to pay all removal costs. The land was to be developed for Indian housing.¹⁰² [¹⁰² *The Natal Mercury* 1 January 1989]

Residents of **Ematshahani**, near Pietermaritzburg, were threatened with removal from their land in March 1989. The land, which was government-owned, was designated for middle-income African housing. Ematshahani had been occupied by about 164 families for several decades. Some of the residents said that they had nowhere to go, and that they could not afford to buy the houses to be built on the land. A spokesman for the Department of Development Aid said that the developer of the land had not been named, and that it could take months before the project was started. However, he denied that the residents had ever received permission to live on the land.¹⁰³ [¹⁰³ *The Natal Witness* 16 March 1989]

In June 1989 about 40 farmworkers, who were labour tenants on farms in the **Weenen** district, were evicted from the farms on which they had lived for more than half a century. (The evictions were part of a process in which more than 300 000 African farmworkers and labour tenants had been expelled from white-owned farms in Natal since 1948—see *1988/89 Survey* 174.)

After being expelled from the farms, the families were reported to be living on the roadside, without shelter or sanitation, and in subzero temperatures. A field worker for the Association for Rural Advancement (AFRA), Mr Richard Clacey, said that the people had been evicted by white farmers who had used a civil ejectment order, and that a further 40 orders were being processed, which would mean the eviction of a further 280 people. In July 30 evicted families were moved to a site adjacent to the emergency camp in Weenen, which was controlled by the Natal Provincial Administration (NPA). At the same time the NPA was alleged to have confiscated tents which the Red Cross had given to the families to live in.¹⁰⁴ [¹⁰⁴ *The Natal Witness* 5 June 1989, 2 August 1989; *The Natal Mercury* 26 July 1989]

In October 1989 another 20 families in the same area were informed by landowners that their shacks would be destroyed if they did not vacate them.¹⁰⁵ [¹⁰⁵ *The New Nation* 6 October 1989]

Transvaal

In January 1989 the former residents of **Mogopa**, who had been evicted from their ancestral land in 1984 (see 1984 *Survey* pp462–464), tried to reoccupy their land on the farm Zwartland near Ventersdorp in the **western Transvaal**. The community had been accommodated in an informal settlement near Sun City (Bophuthatswana) since September 1987. In December 1988 about 60 members of the Mogopa

community were given permission by the minister of education and of development aid, Dr Gerrit Viljoen, to move back to Zwartland to clear the cemetery on the farm. By February 1989 they had built 43 shacks and they seemed to be permanently re-established on the land. The police set up a roadblock at the entrance to Zwartland to prevent the return of other residents.¹⁰⁶ [¹⁰⁶ *The Star* 30 January 1989]

In February 1989 the government brought an urgent application in the Transvaal Provincial Division of the Supreme Court in Pretoria to have the returned members of the community evicted from Zwartland. Mr Acting Justice W J Human granted an interim order preventing any further members of the Mogopa community from setting foot on the farm and preventing those present on the farm from erecting new structures on the property. In May Mr Justice J van der Merwe issued a final order in the Pretoria Supreme Court, giving the people who had settled on the farm seven days to leave. The group appealed against the judgement, and the Department of Development Aid indicated that it would not take action to evict the group until the outcome of the appeal.¹⁰⁷ [¹⁰⁷ *The Citizen* 25 February 1989] At the time of writing the appeal had not been heard.

In April 1988 the administrator of the Transvaal, Mr Willem Cruywagen, declared **Oukasie**, an African township near Brits, an emergency camp in terms of the Prevention of Illegal Squatting Amendment Act of 1988. The proclamation was seen as a prelude to the final removal of the 8 000 residents to Lethlabile, 24km away on the Bophuthatswana border (see *1988/89 Survey* p176). In December 1988 four residents of Oukasie brought an application in the Transvaal Provincial Division of the Supreme Court in Pretoria to have the proclamation declared invalid.¹⁰⁸ [¹⁰⁸ *The Star* 4 January 1989]

Mr Justice K van Dijkhorst declared in August 1989 in the Pretoria Supreme Court that the proclamation of Oukasie as an emergency camp should be set aside. He ordered the administrator to pay the costs of the application, although he also granted the administrator leave to appeal against the judgement. Emergency camp regulations continued to be enforced, pending the appeal. These included the regulation that no non-resident could visit the township without obtaining permission from the Transvaal Provincial Administration. Permission was also required to carry out renovations to buildings, to keep animals and to have overnight guests.¹⁰⁹ [¹⁰⁹ *Business Day* 9 September 1989]

The Group Areas Act

Policy

The minister of constitutional development and planning, Mr Chris Heunis, said in April 1989 that his speech at the opening of Parliament in February, in the role of acting state president, had not implied that the government intended placing a moratorium on investigations and prosecutions under the Group Areas Act of 1966. He was replying to an interpellation by Mr Peter Soal MP (Democratic Party), who urged the government to declare a moratorium on Group Areas Act prosecutions until free settlement areas were established.¹¹⁰ [¹¹⁰ *The Citizen* 12 April 1989]

Mr Heunis declared that he had told Parliament in February that although the government would withdraw the Group Areas Amendment Bill (which sought to provide for heavier penalties for contravention of the Group Areas Act—see *1988/89 Survey* pp176–178), the Group Areas Act would remain on the statute book. I also stated that other ways and means of achieving the objective of guaranteed own community lire would be examined and that part of the solution of the problem seemed to lie in the availability of adequate housing and suitable areas for housing [for black people].¹¹¹ [¹¹¹ Ibid]

Replying to Mr Heunis, Mr Tiaan van der Merwe MP (DP) argued that at the beginning of the year the government had indicated that it was thinking of a new form of group definition involving an ‘open’ group, and that it was not obsessed with the idea of race groups (see *1988/89 Survey* p152). He claimed that the group areas dispensation was irreconcilable, both in principle and in application, with this stance. As long as the present system of control by permit and police investigation continued, there could be no talk that the government was trying a more humane approach, Mr Van Der Merwe said.¹¹² [¹¹² Ibid]

In March 1989 the leader of the Progressive Federal Party (PFP) in the Johannesburg City Council, Mr Tony Leon, challenged the minister of justice, Mr Kobie Coetsee, to halt the prosecution of people contravening the Group Areas Act in Johannesburg, in view of the uncertainty about the creation of free settlement areas in the city (see chapter on *Housing*). Mr Leon said that a moratorium on prosecutions would follow ‘the very useful precedent’ established by the minister of law and order, Mr Adriaan Vlok, who had stated earlier in the month that the police would not accept charges against people who contravened the Reservation of Separate Amenities Act of 1953.¹¹³ [¹¹³ *The Star* 6 March 1989]

The leader of the PFP, Dr Zach de Beer, said in March 1989 that the Group Areas Act should be repealed, and that the free market should be the sole factor determining where people should live. He rejected the Conservative Party’s insistence on full residential segregation, but at the same time questioned the government’s policy for residential areas, saying that it was a ‘mystery’ and a ‘muddle’.¹¹⁴ [¹¹⁴ *The Citizen* 14 March 1989]

In May 1989 the responsibility for administering group areas legislation was shifted from the Department of Development Planning to the Department of Public Works and Land Affairs. Speaking in Parliament, Mr Heunis said that the measure would allow his department to devote itself more fully to ‘seeking a new constitutional dispensation’ and to planning for local government and urbanisation. Mr Heunis added that the Department of Public Works and Land Affairs would ‘handle with compassion’ contraventions of the Group Areas Act which were reported to it, and that it would also assist evicted people to find alternative housing. The transfer of responsibility for administration of the act was also seen as an attempt to rid Mr Heunis’s portfolio of responsibility for implementing one of the most contentious apartheid measures, and thus to facilitate his role in negotiation.¹¹⁵ [¹¹⁵ Ibid 10 May 1989] Group areas policy, as opposed to administration, remained with Mr Heunis’s department, however.

The minister of planning and provincial affairs, Mr Hernus Kriel, said in February 1990 that the government was not planning to repeal the Group Areas Act in the forthcoming parliamentary session, despite the dramatic changes announced by the president, Mr F W de Klerk, in his opening address to Parliament three days previously (see chapter on *Political Developments*). Mr Kriel said that the government still believed in group rights, including the right to live in one's own community.¹¹⁶ [¹¹⁶ *The Star* 6 February 1990] For information about group areas declared in 1988 and 1989 and details of free settlement areas, see the chapter on *Housing*.

Administration

In July 1989 the Department of Local Government, Housing and Works (House of Assembly) announced that after 1 August it would appoint 70 officials countrywide to investigate complaints from the public about Group Areas Act contraventions in white group areas. (The department had jurisdiction over white group areas only.) Applicants for the posts would be required to have a minimum educational qualification of Standard 10 and 'experience in Group Areas and squatters'. The officials would be based at 'notification points' in the major cities. 'Valid' complaints would be referred to the department, which would attempt to find alternative housing for offenders. If offenders refused resettlement, the department would conduct a 'final analysis', which could lead to prosecution, although this was stressed as being a last option only.¹¹⁷ [¹¹⁷ *The Citizen* 19 July 1989]

The southern Transvaal was to be allocated 22 officials; western Cape, 14; eastern Cape, 10; northern Transvaal, nine; Natal, seven; northern Cape, two; and Orange Free State, two.¹¹⁸ [¹¹⁸ *Ibid*]

The announcement was criticised by one of the co-leaders of the Democratic Party (DP), Dr Denis Worrall, as 'a return to the kind of racist vendetta of the 1950s'. He argued that it was 'an invitation to the most reactionary, racist and backward elements in our society to express themselves. We are back to the days when snooping was encouraged'.¹¹⁹ [¹¹⁹ *The Citizen* 20 July 1989]

Mr Van der Merwe said that the appointment of 70 officials would not halt the erosion of white group areas. He felt that the scheme might be an attempt to circumvent the Govender judgement of 1982 (see 1982 *Survey* p344) since the officials were empowered to offer offenders alternative accommodation in their own group areas. (The Govender judgement had ruled that alternative accommodation had to be found before an eviction in terms of a contravention of the Group Areas Act could take place.)¹²⁰ [¹²⁰ *Sunday Star* 13 August 1989]

In August 1989 a spokesman for the Department of Local Government, Housing and Works (white own affairs) said that the officials who were to investigate complaints of Group Areas Act contraventions had not yet been appointed, as the department had received more than 200 applications for the positions. He added that they would probably be appointed by September.¹²¹ [¹²¹ *The Star* 3 August 1989]

It was reported in November 1989 that the first complaints about violations of the Group Areas Act had been lodged with officials at 'notification points'. The assistant director of the southern Transvaal office, Mr G Brits, said that only four of the 22 posts for the area had been filled. He added that most of the complaints which had been lodged in Johannesburg had come from residents of the eastern, southern and western suburbs.¹²² [¹²² Ibid 14 November 1989]

When the new state president, Mr F W de Klerk, reshuffled the cabinet after his election in September 1989, the ministry of constitutional development and planning was split into two. A separate minister of constitutional development (and of national education) was appointed, and a minister of planning and provincial affairs was also appointed. The new minister of planning and provincial affairs, who had responsibility for group areas policy, was Mr Hernus Kriel.

It was announced in November 1989 that police would investigate all complaints of vandalism against residents of Johannesburg, even if the victims were living in an area in contravention of the Group Areas Act. The announcement came after a number of reports of damage to the homes of African and Indian families living in white areas. In previous years, the police had allegedly been reluctant to investigate complaints of vandalism against people contravening the Group Areas Act.¹²³ [¹²³ *Business Day* 7 November 1989]

The minister of the budget and local government in the House of Assembly, Mr Amie Venter, said in Parliament in March 1990 that since their appointment in July 1989, officials had investigated 1 249 alleged contraventions of the Group Areas Act. He added that no criminal charges had been laid subsequent to the investigations.¹²⁴ [¹²⁴ Ibid 16 March 1990]

Comment

In June 1989 the chairman of the Department of Development Studies at the Rand Afrikaans University, Mr Johan Pick, described the Group Areas Act as an instrument to pattern residential settlement which had long outgrown its usefulness and which should be repealed. He said that research he had conducted in Europe, southern Africa and the United States showed that ethnic loyalties resulted in a number of areas in most cities having certain predominant ethnic characteristics. 'The pattern seems to be clear,' he said. 'The social dynamics underlying the process of residential settlement invariably manifests itself in a strong tendency for mono-colour neighbourhoods to persist.'¹²⁵ [¹²⁵ *The Star* 29 June 1989]

Mr Fick maintained that the perception of many white South Africans that the Group Areas Act guaranteed an 'own community life' was of a mythical nature. The truth, he believed, was that community-based interests in the vast majority of neighbourhoods were not threatened by the lack of legislation enforcing residential segregation. He said that particular attention should be given to the handling of frustration and conflict in areas 'going through a transitional phase', eg white areas which were becoming racially mixed. Mr Fick felt that those wishing to leave such areas should have their

relocation costs subsidised, and there should be a strong emphasis on the maintenance of standards and security in areas undergoing change.¹²⁶ [¹²⁶ Ibid]

Complaints and prosecutions

In reply to a question in Parliament in March 1989, the minister for administration and privatisation, Dr Dawie de Villiers, said that 1 641 complaints about alleged contraventions of the Group Areas Act had been lodged with the South African Police in 1988 (as compared with 1 307 complaints in 1987), and that 626 cases had been handed to the attorneys general in 1988 for decisions regarding prosecution (as compared to 517 cases in 1987). The breakdown according to province for the 1988 figures was as follows:¹²⁷ [¹²⁷ *Hansard (A)* 6 q cols 423²⁴, 16 March 1989]

Complaints about contraventions of the Group Areas Act lodged with police and cases referred to the attorneys general: 1988

Province

Complaints lodged with police

Cases referred to attorneys general

Cape

412

190

Natal

119

28

Orange Free State

5

3

Transvaal

1 105

405

Total

1 641

626

The minister of law and order, Mr Adriaan Vlok, said in answer to a question in the House of Assembly in the same month that of the 1 641 complaints about alleged contraventions of the Group Areas Act lodged with police in 1988, the following action had been taken:¹²⁸ [¹²⁸ Ibid cols 431³², 17 March 1989]

Action taken regarding complaints about contraventions of the Group Areas Act lodged in 1988

Number of cases

Prosecution instituted

33

Awaiting decision by attorney general

140

Prosecution declined

79

Case withdrawn

529

Complaint declared false

373

Under investigation

487

Total

1 641

In March 1989, the minister of justice, Mr Kobie Coetsee, said in the House of Assembly that in 1988, 98 people had been prosecuted for the illegal occupation of premises in contravention of the Group Areas Act, of whom four had been convicted. Over 95% of the prosecutions took place in the Transvaal. He added that in the majority of cases, the outcome was still awaited.¹²⁹ [¹²⁹ Ibid 411-12, 5 March 1989]

During 1989 there were press reports of 22 court cases involving alleged contraventions of the Group Areas Act, one in the Cape province, none in the Orange Free State, one in Natal and 20 in the Transvaal. Official figures for the total number of prosecutions in 1989 were

In April 1989 a Johannesburg attorney, Mr Lawley Shein, appeared in the Johannesburg Regional Court on a charge of contravening the Group Areas Act. Mr Shein had allegedly rented a house in Mayfair West (Johannesburg) to an Indian businessman, Mr Davechand Ramjee, since 1986. Mr Ramjee claimed that he had applied to the Department of Community Development for a home in the Indian township of Lenasia in 1980, and that he had still not been allocated accommodation. A founding member of ACTSTOP, Mr Ebrahim Salojee, told the court that more than 70 000 black people were living in white areas of Johannesburg, due to the shortage of housing for blacks.¹³⁰ [¹³⁰ *The Star* 20 April 1989]

Mr Shein challenged the validity of Proclamation 83 of 1962, which had, inter alia, set aside Mayfair West as a white group area. The case was referred to the Witwatersrand Local Division of the Supreme Court in Johannesburg.¹³¹ [¹³¹ *Business Day* 21 April 1989] All subsequent prosecutions involving alleged contraventions of the Group Areas Act were deferred until mid-1990, when the case involving Messrs Shein and Ramjee was expected to be decided.

In July 1989 Mr Sevasagren Moodley was convicted in the Durban Regional Court of contravening the Group Areas Act. Mr Moodley was found to have fraudulently formed a close corporation in February 1987 for the sole purpose of buying a house in Pinetown, a white group area. In passing sentence, the magistrate, Mr B Jacobs, said that members of society did not regard contraventions of the Group Areas Act as seriously as when the legislation had been promulgated in 1966. He added that in many parts of the country the act was being contravened on a large scale and prosecutions were few. Mr Jacobs accepted that at the time Mr Moodley had bought the house, he (Mr Moodley) had thought the act was about to be repealed. Mr Jacobs said that during Mr Moodley's trial only one person had objected to the presence of Mr Moodley and his family in a white group area. He postponed sentence on Mr Moodley for three years.¹³² [¹³² *The Citizen* 29 July 1989]

In September 1989 it was reported that the attorney general of the Cape, Mr D G Rossouw, had decided to halt the prosecution of Group Areas Act offenders until the end of the year, when the situation would be reviewed.¹³³ [¹³³ *South* 7 September 1989]

In January 1990 a Pretoria magistrate, Mr A Stander, found Mr Russell Reyneke guilty of contravening the Group Areas Act by allowing his wife and co-accused, Mrs Minah Reyneke, to occupy his house in Wierda Park, a white suburb of Pretoria. Mrs Reyneke was classified coloured. The couple had been living in the house since their marriage in November 1988. They were both found guilty, warned and discharged. Mr Stander said that the court took into account the fact that Mr Reyneke intended to sell his house and move to Cape Town within the following month. The court also noted that Mr and Mrs Reyneke were vacating the house to avoid committing the same offence again. Mr Stander stressed that he viewed the offence 'in a serious light' and that Mr Reyneke should grange legal accommodation for his wife until they left Pretoria.¹³⁴ [¹³⁴ *Sunday Tribune* 28 January 1990]

Incidents involving blacks in 'white' group areas

Research by the South African Institute of Race Relations indicated that blacks have been moving into group areas in contravention of the Group Areas Act since the mid 1970s. The number of such people is unknown, although the director of the Centre for Policy Studies of the Graduate School of Business Administration at the University of the Witwatersrand, Professor Lawrence Schlemmer, has provisionally estimated that it could be about 150 000.¹³⁵ [¹³⁵ Information supplied by Professor Schlemmer]

The figures given above indicate that there were few prosecutions in 1989 of black people who contravened the Group Areas Act by living in white group areas, and even fewer prosecutions resulting in conviction. The executive director of the South African Institute of Race Relations, Mr John Kane Berman, commented that the research showed that blacks and whites alike appeared to have adjusted with relative ease to residentially mixed suburbs. A small number of blacks were, however, harassed by white neighbours, and in some cases they were evicted. Some of these cases are described below.

In March 1989 it was reported that the Johannesburg City Council, which was controlled by the National Party, was refusing to supply electricity to black ratepayers in the city unless they were able to produce official permits showing that they had been given permission to live in a white area. The city treasurer's department allegedly demanded that black ratepayers produce permits before paying deposits for the provision of electricity to their homes. The leader of the Progressive Federal Party in the council, Mr Tony Leon, said that this practice had been authorised by the council's management committee. He maintained that it was a complete abuse of the council's powers for it to act as a 'policeman for the Group Areas Act. It is choosing to use electricity to drive law-abiding Indians and blacks out of white suburbs'.¹³⁶ [¹³⁶ *Cape Times* 15 March 1989]

However, a spokesman for the council said in March 1990 that the council was now supplying black

ratepayers with electricity regardless of whether or not they had permits to live in a white area.

The following cases were reported of black families (or their white sympathisers) in white areas being abused, threatened or assaulted by white neighbours:¹³⁷ [¹³⁷ *Cape Times* 14 August 1989; *The Citizen* 19 April 1989, 26 June 1989; *Natal Post* 8 February 1989; *The Star* 18 April 1989, 6 November 1989, 30 November 1989; *Sunday Star* 4 June 1989; *Sunday Tribune* 4 June 1989]

- the Mahomed family, who had moved into a house in Berea (Durban) in February 1989, received a poison-pen letter from white neighbours, who claimed that the Indian family would lower the tone of the neighbourhood ‘by the pushy, noisy, overbearing eastern way of life’;
- in April 1989 members of the Conservative Party (CP) tried to evict three coloured women who were looking after a house in Belgravia (Johannesburg). The women were insulted verbally and their house invaded by the CP supporters before police arrived and prevented their eviction;
- in June 1989 a shot was fired through the bedroom window of Mr Lambros Marinaki, a white resident of Mayfair (Johannesburg), who had provided accommodation to Miss Veena Randarie, an Indian student from Natal;
- a pamphlet was circulated in Westville (near Durban) in June 1989, urging action against illegal African residents. The pamphlet, which claimed to come from the ‘Westville Action Committee’, claimed that the opening of the suburb to all races would transfer to white areas ‘the brutal and savage goings-on in the townships, locations and tribal areas’;
- a ‘mixed’ couple, Mr Anthony Emmanuel and his wife Lynn, left their home in Irene (near Pretoria) in the same month, after they had received threats from local members of the CP. Mr Emmanuel was a black British citizen and Mrs Emmanuel was a white South African. They had previously been compelled to leave Boksburg, Brits and Rosebank because of threats from white neighbours. The couple decided to move back to the United Kingdom;
- in August 1989 a coloured resident of Parow (western Cape), Mr Paul Biel, complained that he, his mother and his handicapped younger brother had received threatening messages from police. The police denied the allegation, saying that they had merely passed on ‘information’ from local white residents, who had threatened to damage the house in which the Biel family were living and to ‘molest’ the occupants. The family subsequently moved out of the house;
- in the same month the Civil Action League distributed pamphlets in the ‘grey’ area of Albert Park (Durban), threatening ‘action’ against black families who did not move out;
- it was also reported in August 1989 that white thugs had ‘roughed up’ illegal tenants in St Georges Street, Albert Park. Police dismissed the incidents as ‘drunken brawls’;

- in November 1989 the windows of three homes in Mayfair West (Johannesburg) occupied by Indian families were broken by white vandals, who threw stones and pieces of lead at them. One of the occupants, Mr Ismail Mayet, said that his home had also been vandalised on two other occasions within the previous two months;
- at an informal meeting of white residents in Mayfair in the same month, a speaker said that Mayfair whites were opposed to ‘forced integration’, and they would not be ‘pushed out’. He added, ‘We will not stop anyone who takes the law into his own hands’; and
- in November 1989 white residents of Pageview (Johannesburg) assaulted an Indian family while they were moving into a house in the suburb. The whites broke the nose of one family member and the tooth of another, as well as shouting obscenities and damaging a car.

There were also a number of incidents reported in the press of black tenants being evicted or threatened with eviction by landlords, although according to a spokesman for the Johannesburg-based Action Committee to Stop Evictions (ACTSTOP), these represented only ‘the tip of the iceberg’. Among the incidents were the following:¹³⁸ [¹³⁸ *City Press* 5 March 1989, 19 March 1989; *Eastern Province Herald* 12 September 1989; *The Natal Mercury* 2 May 1989; *The Star* 17 March 1989; *Sunday Tribune* 19 February 1989, 19 March 1989]

- in February 1989 two African tenants in Russell Street (Durban) were given notice, after the landlord discovered that white nominees had signed leases on their behalf;
- all the black tenants of Ponte, a 52-storey apartment block in Berea (Johannesburg), were given notice to vacate their flats in March 1989, following a visit to the building by police. The owners of the complex, Vincemus Investments, said later that the tenants would be given a three-month extension on eviction notices to enable them to apply to the government for permits to live in a white area. At the time of writing there were no reports of evictions having taken place;
- in March 1989 Ms Sandy Schultz, a coloured presenter for M-Net (an independent television service) was given notice to vacate her flat in Berea (Johannesburg). The reason given for her eviction was that neighbours had complained about her African visitors;
- in the same month a prominent African dress designer, Ms Bongzi Khuzwayo, challenged in court her eviction from a flat in the Albert Park area of Durban. The eviction was upheld in the Durban magistrate’s court;
- a couple, Mr Brian Holland and Miss Elsa Nel, who had booked into a holiday flat on the Marine Parade in Durban in April 1989 were asked to leave after the management of the block of flats discovered that Miss Nel was coloured. Mr Holland had requested a list from the Durban Publicity Association of holiday flats which were open to all races and the block had been chosen from the list which they had supplied. The caretaker claimed that the couple had been evicted because they had

‘flaunted themselves’ and other holidaymakers had complained;

- in September 1989 a ‘mixed’ couple, Mr Deon Kluits and his wife Helen, were evicted from a white suburb of Uitenhage (eastern Cape). Mr Kluits said that he and his wife had been compelled to spend the night sleeping in a freight container after they were given 15 minutes notice to vacate their rented rooms; and
- in the same month a coloured couple, Mr Marius Geel and Miss Rosie Arries, were evicted from their home in Uitenhage.

Free settlement areas

The first four free settlement areas in South Africa were announced in November 1989. They were Country View (Midrand), Windmill Park (east Rand), Warwick Avenue Triangle (Durban) and Zonnebloem, formerly District Six (Cape Town).¹³⁹ [¹³⁹ *South African Digest* 1 December 1989] See also chapter on *Housing*.

TRANSPORT

Policy and Legislation

During 1988 and 1989 Parliament passed legislation to implement the government’s new transport policy as outlined in the *White Paper on National Transport Policy* of 1987 (see *1987/88 Survey* pp65–78). Two key proposals accepted in the new transport policy were to deregulate the transport industry and devolve transport responsibilities to regional services councils (RSCs). Controls on entry into the passenger transport industry would be removed, but controls on the quality of vehicles and driving would be made far stricter.

The **Transport Deregulation Act** was passed in July 1988. It provided for the transfer of some of the powers and functions of the National Transport Commission (NTC) to the South African Roads Board, for the deregulation of road transportation in phases, and for the formation of agreements with homelands and neighbouring countries regarding road transport. It allowed the minister of transport affairs to repeal the Road Transportation Act of 1977 (which provides for the permit system that regulates freight and passenger transport) in stages.¹ [¹ Cosser E, *Social and Economic Update* 6, June-October 1988, South African Institute of Race Relations (SAIRR), p49]

The **Road Traffic Act** was passed in March 1989. It provided for the quality controls on passenger vehicles and drivers that were a central feature of the new transport policy. It consolidated and amended laws on the registration and licensing of motor vehicles. It also provided for regulating traffic on public

roads and for certain requirements of vehicle fitness.² [2 Republic of South Africa, *Report of the Department of T and of the National T Commission for the period 1 April 1988 to 31 March 1989*, RP90/1989]

The draft **Passenger Transport Bill** was not tabled in Parliament in 1988 or 1989. It contained measures to eliminate the permit system that has governed road transport since the 1930s. In 1988 the Department of Transport designed a new form of interim subsidy contract for bus operators. This was to be valid for five years, during the interim period between the passage of the proposed Passenger Transport Act and the implementation of a new, competitive tender system for bus operators for which the act would provide (see *1987/88 Survey* p67). Draft copies of the contracts were sent to bus operators in March 1988. The department launched three pilot projects, in Atteridgeville (Pretoria), Daveyton (east Rand) and Eldorado Park (near Johannesburg) to test the running of a fully competitive tender system.³ [3 Cosser, *Social and Economic Update 6*, and *Social and Economic Update 5*, February-May 1988] By early 1990 it appeared that the draft bill was being revised because of widespread opposition. The policy accepted in the white paper—to introduce deregulation and increase the level of competition—was thought by certain interests in the bus and taxi industry to be unattainable. Representatives from each type of transport were to produce recommendations for a new deregulation strategy in early 1990.⁴ [4 Cosser E, *Social and Economic Update 9*, July-December 1989, p16]

The Department of Transport said in its 1988/89 annual report that it had appealed to various organisations in the road transport industry to unite and the NTC had recognised various associations as the spokesmen. These were the Public Carriers Association (representing goods carriers), the Passenger Transport Association of South Africa (representing mainly municipalities operating their own bus services), the Southern African Bus Operators' Association (representing mainly private bus operators), the Southern Africa Black Taxi Association (representing black taxi operators) and the South African Tourism and Safari Association (representing tourist operators). In 1988/89 the department liaised continually with these bodies.⁵ [5 *Report of the Department of T*, RP90/1989]

Addressing a seminar to present the findings of the Department of Transport's National Black Panel (see *National Black Panel* below) in February 1990, the deputy director general of transport affairs, Mr Malcolm Mitchell, said that the department would like to be more 'proactive' in the future. This was important because transport was 'highly politicised' and because the department wanted to provide more services with less money. The department's approach was to plan with, and not for, commuters. The subsidy issue was 'coming to a head' and was highly sensitive. A memorandum on subsidies had been submitted to the cabinet and a response was awaited, he announced. Buses were an integral part of the overall transport system and a crucial question in the future would be how to keep buses viable as a major part of public transport provision with diminishing financial resources. The Passenger Transport Bill, he said, would provide for a regional passenger subsidisation fund and the creation of regional passenger authorities. He said that there were various possibilities including that only those registered as workers with RSCs would be subsidised. This would make the subsidy obvious to both workers and employers: the panel had revealed that only 15% of commuters were aware of the fact that their transport was subsidised.⁶ [6 Keynote address by the deputy director general of T affairs, Mr Malcolm Mitchell, to the

seminar on the National Black Panel, Johannesburg, 14 February 1990] The Passenger Transport Bill was not passed in the 1990 sessions of Parliament.

Regional services councils and the new passenger transport policy

In terms of the white paper, the lowest level of government would have to make passenger transport policy decisions, issue 'operating authorities' to all road transport operators, put bus contracts out to tender, negotiate contracts with the South African Transport Services (SATS) on providing rail services, and assume responsibility for the payment of transport subsidies (see *1987/88 Survey* p67 for details). The draft Passenger Transport Bill-expected to be passed in 1990 or 1991-provides for regional services councils (RSCs) to become 'passenger transport authorities' to carry out these functions. They would then have access to the government's subsidy for black commuters. In 1988 the Pretoria RSC began an investigation into the potential effects of these proposals on the organisation of transport in the region and the extent of the subsidy burden. Other RSCs were likely to wait for the results of this study before taking on transport functions.⁷ [⁷ Cosser, *Social and Economic Update 5*, p52] The Pretoria RSC submitted a confidential first report in July 1988 and a second report was expected at the end of 1989.⁸ [⁸ Cosser, *Social and Economic Update 6*, p48] In terms of the Regional Services Councils Act of 1985, which allows RSCs to fund transport in their areas, the Central Witwatersrand RSC voted R7,6m for bus subsidies to the white municipalities of Johannesburg, Randburg and Roodepoort between 1987 and 1990. The funds were for white and coloured services in Johannesburg and white services in the other two areas. (These subsidies are in addition to those provided by the Department of Transport.)⁹ [⁹ Ibid]

Commercialisation of South African Transport Services

The report of Dr Wim de Villiers, following his inquiry into the South African Transport Services (SATS) on behalf of the government (see *1987/88 Survey* p72), proposed that SATS be divided into independent business units.¹⁰ [¹⁰ Cosser, *Social and Economic Update 5*, p51] The minister of transport affairs, Mr Eli Louw, said in late 1988 that the government had accepted in principle the need for SATS's privatisation.

The **Legal Succession to the South African Transport Services Act** of 1989 provided for SATS to become a public company, and for the creation of a new corporation called the South African Rail Commuter Corporation, owned by the state. SATS would continue to operate commuter rail services but as an agent for the new corporation in terms of a contract. SATS would, therefore, no longer operate commuter services at a loss as commuter losses would be borne by the corporation.¹¹ [¹¹ SATS, Annual report 1988/89, p33; *South African Transport Services: A Survey*, supplement to *Financial Mail*, 17 November 1989] In terms of the act, the labour legislation governing SATS employees, the South African Transport Services Conditions of Service Act of 1988, would be retained for two years. Thereafter, the Labour Relations Act of 1956

would apply. Cross-subsidisation, necessary to fund SATS's loss-making socio-economic services, would be phased out. Mr Louw said that the primary objective of the legislation was to 'convert SATS into a profit-seeking and tax-liable public company'. The legislation made it possible for SATS to play its part within a deregulated transport market in which all participants competed on an equal footing. It also provided a base for the possible privatisation of the enterprise or parts of it. The act did not provide, however, for the final privatisation of the organisation, but for a legal structure, which was an essential phase in the process of privatisation.¹² [12 Public Committee on T, *Hansard* 2 col 863, 17 February 1989] The general manager of SATS, Dr Anton Moolman, said SATS would reduce pipeline tariffs gradually and increase tariffs on loss-making operations.¹³ [13 *South African T Services: A Survey*]

SATS became a public company called Transnet Limited in terms of the act on 1 April 1990 after almost 80 years under state control, in what was generally regarded as the first major step towards privatisation. Transnet would consist of five business divisions called Autonet (road transport), Petronet (the pipelines), Portnet (harbours), Spoornet (non-commuter railways) and South African Airways (which would retain its name). The state would initially be the company's sole shareholder but it would operate according to the Companies Act of 1973 and pay taxes for the first time. Dr Moolman said that the changes were made to transform a state enterprise into a commercial enterprise. Before Transnet divisions could be privatised they had to be profitable. Tuning a government organisation into a commercial undertaking was the most difficult process of privatisation, he said. Commuter services would still be the responsibility of Transnet but would be on contract to the new Rail Commuter Corporation. The corporation would own the assets of the commuter services (railway lines, stations and rolling stock). Commuter losses would be borne by the state and the new company would no longer play a role in funding them.¹⁴ [14 *The Citizen* 21 February 1990, *Sowetan* 22 February 1990, *Business Day* 11 April 1989] Dr Moolman said that Transnet would operate according to the same rules and regulations as the private sector: make ends meet and make profits for shareholders. He said that there was no timetable for privatisation, which would be handled step by step.¹⁵ [15 *Business Day* 21 February 1990] Dr Moolman said that the new corporation would be able to focus solely on the problem of making commuter services financially viable. If Transnet had continued to own the commuter service, he said, 'it would have been unwilling to kill it off, no matter how justified such a decision, because it would have been worried about what to do with the people left unemployed. The commuter corporation won't have that concern, and will therefore be able to make business decisions about any part of the service quite clinically'.¹⁶ [16 *Leadership Corporate Profile: Transnet*, March 1990]

National Black Panel

The Department of Transport established a nationally representative sample of African commuters, called the National Black Panel, to measure behaviour patterns and attitudes as inputs to transport policy, and to monitor changes over time. The respondents were interviewed in August 1988 and September 1989 and the findings presented by transport consultants analysing the data at a seminar in February 1990. The consultants found that crowding remained the 'number one problem' for African

commuters, especially train commuters. It was less severe than five to ten years previously, however. Commuters were prepared to pay considerably more for superior services. 'The indications of the early and mid-eighties that black commuters are remarkably tolerant of travel time have been confirmed, with less than a third of commuters dissatisfied with commuting times,' the consultants said. Fewer than half the commuters were dissatisfied with cost, which the consultants found 'surprising given that cost is clearly a sensitive, volatile issue. Commuters express most dissatisfaction with bus costs. They are also markedly more dissatisfied in Pretoria, Durban and Bloemfontein than in other areas.'¹⁷ [¹⁷ Lombard M and Morris N, 'Changing Attitudes to T', paper presented at National Black Panel seminar]

Finance

Transport costs of both bus and train passengers are subsidised by, inter alia, the treasury; the South African Transport Services (SATS) and municipal transport departments, through their policies of cross-subsidisation. Coloured, Indian and white pupils' fares are subsidised by the own affairs departments of education and culture of the three chambers in Parliament.

The National Black Panel found that only 51% of all African commuters travelled to work on buses or trains. This meant that only half of all commuters benefited from transport subsidies. Furthermore, 17% of all commuters bought cash tickets for bus travel rather than the subsidised clipcards, and 4% bought unsubsidised cash tickets for trains. The director of Transportation Research and Consultancy, Mr Bill Cameron, said that this 'may signify that a "floating" market segment has emerged which does not like to be tied to one mode or another by the weekly and monthly clipcard system'.¹⁸ [¹⁸ Cameron B, 'The Question of Subsidy', paper presented to the seminar on the National Black Panel, p5]

The subsidy information system of the Council for Scientific and Industrial Research gave the following information on the level of subsidies in the different centres in 1989:

Estimates of annual bus and train subsidies

Metropolitan area

Subsidy per commuter R

Proportion of total

Proportion of trips

Bloemfontein

4%

3%

Cape Town

685

12%

11%

Durban

576

21%

22%

East Rand

503

12%

15%

Johannesburg

597

26%

26%

Port Elizabeth

319

2%

5%

Pretoria

773

23%

18%

The average subsidy per commuter was R604.¹⁹ [¹⁹ Ibid, p7]

Mr Cameron said that the trend was that the total amount of the subsidy was increasing annually, while fewer commuters were using subsidised modes of travel.²⁰ [²⁰ Ibid pp11-12] Some 88% of bus users and 82% of train users were unaware that the government paid part of the cost of their transport.²¹ [²¹ Ibid p12] Awareness of subsidies had, however, increased from 9% of all African commuters in October 1987 to 20% two years later.²² [²² Van der Reis P, Image, Awareness and Communication: Black Travellers' Awareness of Deregulation, Privatisation, Devolution of Power and Subsidies and Their Image of T Operators', paper presented at a seminar on the National Black Panel]

The Department of Transport concluded that it was reasonable to expect commuters to spend between 5% and 10% of their income on transport. The National Black Panel found that in September 1989 all commuters spent 8% of their income on transport. Some 35% spent more than the 10% considered reasonable by the depart

Bus passenger transport

During 1987/88 a total of R415m was paid out to bus companies in subsidies for African, coloured and Indian commuters. The largest single disbursement was to Putco, which received R131m. The amount of R415m was made up of R24m (6%) in employers' contributions and R391m (94%) in funds from the treasury.²⁴ [²⁴ *Report of the Department of T and of the National T Commission for the Period 1 April 1987 to 31 March 1988*, RP66/1989]

During 1988/89 a total of R476m was paid out to bus companies in subsidies for black commuters. The amount was made up of R466m in voted funds and R10m (2%) from employers' contributions. Employers' contributions were made in terms of the Black Transport Services Act of 1957 and the Transport Services for Coloured Persons and Indians Act of 1972. They have been diminishing because

the Regional Services Councils Act of 1985 provided for the gradual repeal of the two acts in relation to a region as from the date on which regional services levies were introduced there.²⁵ [²⁵ *Report of the Department of T*, RP66/1989, p168] The Black Transport Services Act is no longer applicable in the majority of areas and from 31 July 1987 the 1972 act applied in no areas at all.²⁶ [²⁶ *Report of the Department of T*, RP90/1989]

The Department of Transport budgeted a total of R1,5bn for the 1989/90 financial year (compared with R1,4bn in 1988/89) of which R540m was allocated to subsidising bus transport, a 15% increase over the amount budgeted in 1988/89. The R540m included R368m to pay subsidies in areas where regional services councils (RSCs) had been established.²⁷ [²⁷ Republic of South Africa, *Estimate of the Expenditure to be Defrayed from State Revenue Account During the Financial Year Ending 31 March 1990*, RP2-1989]

The Department of Development Aid budgeted R7,5m in 1989/90 for subsidising commuters' fares on bus routes within the non-independent homelands.

As noted above, the coloured, Indian and white departments of education and culture subsidise the cost of transport of pupils attending schools administered by them. The following table shows the total number of white pupils transported daily in subsidised school buses and the cost in each province in 1988:²⁸ [²⁸ *Hansard* (A) 5 q col 276,7 March 1989]

White pupil transport subsidies in 1988

Number of pupils

Cost

Cape

12 407

5,5

Natal

8 376

4,9

Orange Free State

3 974

1,1

Transvaal

48 122

24,5

Total

72 879

36,0

The figures above show that the state subsidy of bus passengers has risen from R39 lm to R540m in two years—an increase

The minister of transport affairs, Mr Eli Louw, said in May 1989,¹ ‘Although it has been set as an ideal that bus subsidies must be phased out, this is not feasible... This is an ideal virtually everywhere in the world, but it is not feasible. However, we must find ways of applying those subsidies in such a way that there is greater efficiency in the service we are financing.’²⁹ [²⁹ *Hansard (D)* 15 cols 7,3 May 1989]

Rail passenger transport

The following table shows the losses of South African Transport Services (SATS) on its commuter services and the recovery of these losses by cross-subsidisation within SATS and compensation from the government.³⁰ [³⁰ SATS, Annual report 1988/89, pp33 and 102]

Losses on commuter services

1987/88 Rm

1988/89 Rm

1989/90^a Rm

Total expenditure

950

1 057

1 195

Fare revenue

219

224

Total losses

731

813

N/A^b

Government compensation

516

567

Cross-subsidy

215

246

405

a

Budgeted

b

Revenue from fares and government compensation were estimated to total R790m in 1989/90. A breakdown of this figure was not available.

SATS's commuter losses in the main metropolitan areas in 1988/89 were: Cape Town/Peninsula, R182m; Durban/Pinetown, R147m; Johannesburg/Pretoria, R405m; and Port Elizabeth/Uitenhage, R10m.³¹ [³¹ *Hansard* (A) 4 q col 199, 2 March 1989]

The Department of Transport allocated R229m to SATS in 1989/90 for covering passenger losses.³² [³² *Estimate of the Expenditure to be Defrayed from State Revenue Account During the Financial Year Ending 31 March 1990*, RP2-1989]

In 1988/89 SATS showed a profit of R148m (total revenue was R11,4bn and expenditure R11,2bn). The previous year it had had a loss of R64m.³³ [³³ SATS, Annual report 1988/89, p100]

According to the auditor general's report on SATS's audited accounts for 1987/88, SATS's debt totalled R10,1bn by March 1988, 47% of it made up of foreign l

Toll roads

The government planned to have 692km of privately tolled roads by 1997. It was believed that their construction and rehabilitation would cost R1,5bn. Two Bedfordview (Johannesburg) companies were involved—Toll Road Concessionaires (Tolcon) and Toll Highway Development (Tollway). By 1997 they would have ten toll plazas between them. Tolcon would have four on the 438km route from Alberton (east Rand) to Cedara (near Pietermaritzburg), as well as two on the N1 from Kroonstad (Orange Free State) to Devland (south of Johannesburg). Tollway would have four between Springs (east Rand) and Krugersdorp (west Rand).³⁵ [³⁵ *Engineering News* vol 9 no 3, 27 January 1989]

Tolls on roads, particularly on roads that existed already, angered members of the driving public in 1988 and 1989. There were cases of vehicles driving through toll plazas without paying and some threatening to pay tolls in one- and two-cent pieces to register their protest. The minister of transport affairs, Mr Eli Louw, said in May 1989 that using a fuel levy towards financing road construction was no longer government policy. The levy now went to the central treasury. Toll roads were used throughout the world. In his negotiations with interested parties, he said, 'It became clear that the tolling and privatisation of new roads is acceptable.' The tolling of existing roads was, however, less acceptable, mainly because of the argument that these roads had been paid for already. He was negotiating with the two toll road companies for the toll on existing roads to be used only for the maintenance and upgrading of the roads in question, which would mean that tolls on those roads could be significantly reduced.³⁶ [³⁶ *Hansard* 15 cols 7411-7412, 7422, 2 May 1989]

Utilisation and Provision

The Department of Transport's National Black Panel found that there were 2 250 000 African commuters in South Africa (including the ten homelands), of whom 675 000 (30%) used taxis to travel to and from work (as their main mode), 608 000 (27%) buses, and 540 000 (24%) trains. The other 19% walked or used private cars. The modal split varied from area to area. The table below shows what proportion of commuters used each particular mode as their main mode between home and work in each urban area:³⁷ [³⁷ Morris N, 'Black Travel Today']

How Africans get to work

September 1989

Urban areas

Bus

Taxi

Train

Other

Bloemfontein

47%

23%

0%

30%

Cape Town

24%

26%

35%

15%

Durban

36%

30%

22%

12%

East London

8%

60%

14%

18%

East Rand

21%

36%

27%

16%

Johannesburg

20%

23%

41%

16%

Port Elizabeth

54%

18%

7%

21%

Pretoria

19%

25%

40%

16%

Vaal Triangle

23%

50

Significantly, the National Black Panel also found that by 1989 the average time spent by commuters travelling between home and work was two hours a day (including the time spent out of the vehicle—waiting at bus-stops, for example). This is almost an hour less than the report of the Committee for Constitutional Affairs of the President’s Council on *An Urbanisation Strategy for the Republic of South Africa* of 1985 found commuters to be spending in 1984. The panel attributed this decrease in travel time mostly to taxis: ‘The trend in the eighties, thanks largely to the emergence of taxis, has been towards easier journeys: commuters now have shorter journeys and fewer transfers than five to ten years ago.’³⁸ [³⁸ Ibid, p18] It found that train and bus commuters had the longest average travel times (78 and 69 minutes between home and work—one way—respectively). In contrast, pedestrians (29 minutes), car drivers (38 minutes) and taxi commuters (47 minutes) had the shortest travel times. The average, one way, was 59 minutes.³⁹ [³⁹ Ibid, pp9-11]

Mass transport

Statistical overview

The following table shows the number of passengers transported by bus by private undertakings:⁴⁰ [⁴⁰ *Race Relations Survey, 1987/88, SAIRR, p84; Central Statistical Service, T of Passengers by Bus and Train-March 1989, Statistical News Release P7141, 14 June 1989]*

Passengers on private buses

Blacks million

Whites million

Total million

1984

1 042

33

1 074

1985

933

30

963

1986

845

31

876

1987

706

29

735

1988

657

27

684

The following table shows the number of passengers transported by public undertakings:⁴¹ [41 Ibid]

Passengers of all races transported by public concerns

SATS rail transport million

Municipal bus transport million

1984

697

235

1985

665

212

1986

626

178

1987

582

173

19

SATS's total rail passenger journeys (both mainline and commuter) have been decreasing annually ever since they reached a peak of 753m in 1981/82. In 1988/89 SATS carried 580m passengers. Third-class commuter journeys constituted 88% of these.⁴² [⁴² SATS, Annual report, 1988/89, p102]

The national transport index dropped between 1980 and 1988 from 100 to 72 in the case of bus transport, and from 100 to 81 in the case of rail transport.⁴³ [⁴³ Department of T, *T Information Bulletin*, vol 4 no 2, June 1989, pp8-9] The Department of Transport commented that the sharp drop in the bus transport index from 1984, following a steady rise up to 1982, could to a large extent be ascribed to the growth of the taxi industry, along with the economic slump and political disturbances. The department said that the rail passenger index had also showed a slow and steady increase during the 1970s, followed by a decrease which gained momentum from the beginning of 1986. It said that taxis were also partly responsible in the case of rail, although the decrease could be attributed also to SATS's policy not to promote passenger services.⁴⁴ [⁴⁴ Ibid vol 2 no 4, October 1987]

Developments in particular areas: curtailment and termination of services

The *Financial Mail* reported that SATS had frozen major expansions to commuter rail services because investments could not be recovered at existing fare levels. The first project to be affected was a R660m rail link between Durban and Inanda, once the top passenger priority in SATS's capital programme. It would not go ahead unless the private sector took over financing and responsibility for charging higher fares. Three consortia were considering investing in the link.⁴⁵ [⁴⁵ *Financial Mail* 24 March 1989]

A number of east Rand municipalities terminated or curtailed their subsidised bus services in 1989/90 because of rising operating costs and declining passenger demand. The Brakpan Town Council said in June 1989 that its white bus service, which faced a R3m loss, was to be cut back to a school service.⁴⁶ [⁴⁶ *The Citizen* 22 June 1989] The Edenvale municipality withdrew its subsidy to Putco in December 1989, leaving commuters to rely on minibus taxis. From 31 December 1989 the Benoni and Boksburg municipalities withdrew the bus service to the African townships of Wattville and Daveyton, used by residents for more than 60 years. The Benoni Taxi Association arranged extra taxis and the Daveyton Town Council agreed to buy 50 buses from the Benoni Town Council. On 1 January 1990 the

Kempton Park municipality privatised its bus service. The Alberton municipality was investigating privatising its service.⁴⁷ [⁴⁷ *Sunday Times* 7 January 1990; *Sowetan* 2,8 January 1990]

At the beginning of 1989 Putco withdrew its bus service for coloured pupils in Eldorado Park and Klipspruit (near Johannesburg) because the House of Representatives had refused to subsidise it. The House of Representatives contended that schools within walking distance of pupils had been opened in the two areas. The Johannesburg City Council, which provided temporary finance in 1988, was no longer willing to subsidise the services.⁴⁸ [⁴⁸ Cosser E, *Social and Economic Update* 7, November 1988-March 1989, p48]

The Pietermaritzburg City Council decided to terminate the bus service to the coloured and Indian areas, and to most white areas, of Pietermaritzburg. The service had been run by KwaZulu Transport which had leased buses from the municipality. The council believed that the private sector should take over the service, which cost it more than R2m in 1988/89. KwaZulu Transport had wanted almost R4m for 1989/90.⁴⁹ [⁴⁹ *The Natal Witness* 13 May 1989] The company terminated all bus services to coloured and Indian residential areas and Sunday services to white suburbs from 12 November 1989. Buses serving coloured schools were not cut as they were well patronised.⁵⁰ [⁵⁰ *The Natal Mercury* 3 November 1989] On 8 April 1990 KwaZulu Transport was to withdraw its African bus service from the Edendale Valley to Pietermaritzburg and return buses leased for this purpose to the council. It would retrench 137 staff members as a result.⁵¹ [⁵¹ Information provided by the public Relations manager of KwaZulu T, Mr Mark London, 23 March 1990]

Fare increases, boycotts and disturbances

The local road transportation boards investigated 217 applications for increases in road passenger fares in 1988/89 (compared to 147 in 1987/88).⁵² [⁵² *Report of the Department of T*, RP90/1989, p137] Many fare increases resulted in boycotts.

According to the 1987/88 annual report of the Department of Transport and National Transport Commission, there was a bus boycott at Vryheid (northern Natal) in December 1987.⁵³ [⁵³ *Report of the Department of T*, RP66/1989]

KwaZulu Transport (owned by the KwaZulu administration) increased fares on 1 April 1989 by 15% in six of its eight operational areas. In its two northern Natal areas—Ladysmith and Newcastle—this resulted in bus boycotts by commuters. The two branches operated some 260 buses.⁵⁴ [⁵⁴ *The Citizen* 4 April 1989] In May the general manager of KwaZulu Transport, Mr Chris Peckett, said that the boycott was costing the company R1,7m a month. He said that unless there was a solution, the company would reduce the size of its Newcastle branch permanently by two thirds and the Ladysmith branch by 80%, at the end of May.⁵⁵ [⁵⁵ *The Natal Witness* 13 May 1989] The company postponed this decision, however,

following a residents' meeting chaired by KwaZulu's minister of the interior, Mr Steven Sithebe, at which a decision to lift the boycott was taken. Those not in favour of ending it had, however, walked out of the meeting.⁵⁶ [⁵⁶ *Echo* 1 June 1989] Passenger levels did not increase despite this decision and in June KwaZulu Transport retrenched some 600 employees.⁵⁷ [⁵⁷ *The Citizen* 21 June 1989]

In an effort to break the boycott, the Natal Chamber of Industries convened a meeting on 25 July between KwaZulu Transport, officials of the KwaZulu administration and the Department of Transport. As a result of the meeting the Department of Transport allowed KwaZulu Transport to extend the validity of monthly tickets to six weeks. The company agreed to absorb the cost of two fuel price increases and not to pass them on to commuters.⁵⁸ [⁵⁸ Natal Chamber of Industries, *Chamber News*, no 29, 14 August 1989] Shortly thereafter, the Congress of South African Trade Unions (COSATU) and the town councils of Madadeni and Osizweni called off the boycott (separately). Up to December 1989 there was a steady increase in passenger demand.

By March 1990 passenger demand had not returned to previous levels. The company's spokesman said that this was partly because two independent bus companies had started operating, without permits, on Newcastle's more profitable routes. Furthermore, the boycott had become highly politicised and the two pirate bus companies were seen as aligned to the United Democratic Front (UDF) and COSATU, and KwaZulu Transport to Inkatha. On 14 March 1990 the Department of Transport had impounded a bus of one of the pirate companies. The owner had then withdrawn all his buses from the Newcastle area, leaving commuters stranded, resulting in disturbances during which a number of people were injured and KwaZulu Transport buses damaged to the tune of R75 000. The spokesman added that the Newcastle branch was running at an enormous loss and had been rescued from closure by the central government through emergency subsidisation.⁵⁹ [⁵⁹ Information provided by the public Relations manager of KwaZulu T, Mr Mark London, 23 and 28 March 1990] The Newcastle boycott had also become violent when conflict had flared between kombitaxi operators and the pirate bus companies.

The Nigel Town Council raised bus fares on the route between Nigel (east Rand) and the African township of Duduza by 25% on 3 July 1989. COSATU convened a meeting at which residents decided to boycott the service.⁶⁰ [⁶⁰ *Sowetan* 4 July 1989] Residents either walked the three kilometre route or used taxis.⁶¹ [⁶¹ *City Press* 9 July 1989] The boycott ended two weeks later when the council suspended the increase.⁶² [⁶² *The Weekly Mail* 21 July 1989]

A six-month commuter boycott of the Ciskei Transport Corporation (CTC) was suspended in mid-November 1989. The boycott had begun on 1 May following a 25% fare increase.⁶³ [⁶³ *New Nation* 17 November 1989] Fares had been increased in January as well, by 15%. During the boycott, the company had reduced fares by 50% but the reduced fares applied only outside of peak hours, and the boycott had continued. The company had also introduced a R6 000 competition in which commuters had to buy weekly bus tickets and answer questions on the new fare structure.⁶⁴ [⁶⁴ *Ibid* 6 October 1989] In June South African Transport Services (SATS) had slashed its East London/Mdantsane fares. A SATS spokesman

said that the offer had nothing to do with the bus boycott but that it had received numerous queries from the public about fares and the availability of trains. The spokesman said that SATS had never really advertised its services and felt it should do so, especially as it had had so many inquiries.⁶⁵ [⁶⁵ *Daily Dispatch* 17 June 1989] On 17 November buses at the East London, Mdantsane and Zwelitsha depots of the CTC were damaged in limpet-mine attacks. Several buses were destroyed or badly damaged.⁶⁶ [⁶⁶ *Sunday Times* 19 November 1989]

A 25% fare increase in January 1990 led residents of Namakgale and Lulekani (Phalaborwa) to boycott the local bus service. On 11 March 30 000 people attended a rally in Namakgale organised by the UDF, COSATU and the National Council of Trade Unions (NACTU) and the rally resolved to continue the boycott until fares were reduced.

A 12-week strike by some 22 000 SATS workers ended on 27 January 1990 with the signing of a settlement between SATS and the South African Railways and Harbours Workers' Union. The strike claimed at least 30 lives, left hundreds injured and resulted in lost wages of some R41m (see chapter on *Labour Relations*).⁶⁷ [⁶⁷ *Sowetan* 29 January 1990] It also resulted in damage to SATS property estimated at some R39m.

The Pretoria City Council and a long-term study group for public transport north of Pretoria to Bophuthatswana, chaired by the Department of Transport, held numerous discussions during 1988/89 about phasing out a train commuter service and introducing a bus service between Hammanskraal and the Pretoria city centre. The bus service was introduced on 1 March 1989 to replace the train service.⁶⁸ [⁶⁸ *Report of the Department of T, RP90/1989*] Commuters refused to use the buses and gathered at the Maubane Railway Station in protest. The police teargassed commuters when they refused to disperse. Mr John Malcomess MP (Progressive Federal Party) raised the matter in Parliament. He said that the reason given to commuters was that the route was uneconomic, but contended that all commuter services were uneconomic and that it was the government's duty to subsidise them. He added that the bus fare was almost double the cost of the train fare.⁶⁹ [⁶⁹ Public Committee on T and Communications, *Hansard* 4 col 1923, 1 March 1989] The minister of transport affairs, Mr Eli Louw, said that the decision had been taken after two independent studies had found that a bus service was more viable and that there had been a comprehensive campaign to inform commuters of the decision.⁷⁰ [⁷⁰ *Ibid* col 2035, 3 March 1989] A commuters' committee met a deputy regional manager of SATS, Mr Marius van der Westhuysen, to discuss the matter on 1 March.⁷¹ [⁷¹ *The Star* 2 March 1989] The train service was not reinstated, however.

Private transport: kombitaxis

As mentioned above, the Department of Transport's National Black Panel found that of South Africa's 250 000 African commuters, some 30% were using taxis as their main mode to travel to work by 1989. Taxis had the largest single share of this market, having overtaken buses and trains.⁷² [⁷² Morris N, 'Black

Travel Today']

There continued to be confusion about the size of the black kombitaxi industry. The press generally used a figure of some 100 000 kombitaxis. The deputy director general of transport, Mr Louis Kluever, believed that there were between 65 000 and 70 000 kombitaxis—legal and illegal.⁷³ [⁷³ McCaul C, *No Easy Ride: The Rise and Future of the Black Taxi Industry*, SAIRR, 1990] The national adviser to the Southern Africa Black Taxi Association (SABTA), Mr James Chapman, estimated in August 1989 that there were 55 000 kombitaxis—15 000 illegal and 40 000 legal.⁷⁴ [⁷⁴ Ibid] A paper presented to an Annual Transportation Convention in August 1989 suggested a mid-range estimate of 55 000 African kombitaxis by crossbreed relevant data and testing the feasibility of various estimates using assumptions based on numerous studies, field counts and surveys. This estimate implied that between 22% and 31% of commuters used taxis as their only mode of commuting. This tallied with the findings of the National Black Panel that some 30% of commuters did so. But the estimate could be as high as 70 000 or as low as 45 000, depending on assumptions made about occupancy rates in taxis. The same paper also approached the question of the scale of the industry by looking at the number of minibus-type vehicles registered in South Africa and reached a total of 60 000 (made up of some 45 000 African-owned kombitaxis, including 5 000 homeland taxis; 10 000 Indian- or coloured-owned taxis; and 5 000 company- or white-owned taxis).⁷⁵ [⁷⁵ Morris N and Freeman M J, 'Just how many black taxis are there? Facts, Fallacies and Fictions about the Kombitaxi Industry', paper presented at session 3C of the Annual Transportation Convention (ATC), Pretoria, 9 August 1989]

Since the government's *White Paper on National Transport Policy* in 1987, the local road transportation boards have issued permits far more freely, in what has generally been regarded as a process of de facto deregulation. This has considerably reduced the number of illegal taxi operators. SABTA has contended that this process has flooded the industry and led to overtrading.

The table below shows the number of taxi permits granted in 1987/88 and 1988/89 (only 3 782 applications had been successful in 1985/86):⁷⁶ [⁷⁶ *Report of the Department of Transport*, RP66/1989 and RP90/1989]

Taxi permits granted

For up to 8 passengers

For up to 15 passengers

Total

1987/88

4 816

34 788

39 604

1988/89

1 693

19 667

21 360

The following table shows the breakdown by area of the successful applications in 1988/89:

Successful applications for taxi permits: 1988/89

For 4 to 8 passengers

For 9 to 15 passengers

Bloemfontein

109

559

Cape Town

170

1 435

Durban

261

1 616

East London

70

498

Kimberley

39

222

Johannesburg

291

4 603

Pietermaritzburg

94

1 083

Potchefstroom

270

1 414

Port Elizabeth

101

1 063

Pretoria

288

7 174

Total

Accidents

Kombitaxi accidents received extensive media coverage in 1988 and 1989. The Department of Transport's National Black Panel found that attitudes of taxi users were hardening towards the safety of taxis. It found that 54% of taxi users were dissatisfied with safety standards and 46% were dissatisfied with the driving habits of taxidriviers.⁷⁷ [⁷⁷ Cameron B, "The Use of the National Black Panel to Monitor the Effectiveness of Policy", paper presented at seminar on the National Black Panel]

The minister of transport affairs, Mr Eli Louw, said in Parliament in April 1988 that kombitaxi accidents had to be put into perspective. He said that the accident rate per 100m kilometres was 1372 for buses, 896 for ordinary cars, and 761 for minibuses.⁷⁸ [⁷⁸ *Hansard* (D) cols 7371-7372, 25 April 1988] Minibuses (not all of which are taxis), in other words, had a lower accident rate than other vehicles. However, the injury and fatality rate was higher: 12 per 1(X)m kilometres, compared with the average for all vehicles of six, as they carry far more passengers.⁷⁹ [⁷⁹ *Cosset, Social and Economic Update* 7, November 1988-March 1989] Statistics indicated that the minibus accident rate had been increasing since 1986, however. The press reported that in 1986, 26% of all minibuses in South Africa were involved in accidents. In 1987 the figure was 29% and in 1988 it had risen to 33%.⁸⁰ [⁸⁰ *The Natal Mercury* 19 January 1990] In the last six months of 1988 there was an average of 103 minibus accidents, injuring about 30 people and killing almost two people every day.⁸¹ [⁸¹ *Hansard* (R) 19 q cols 1137-1138, 17 May 1989] It was claimed in January 1990 that only between 10% and 15% of kombitaxis bought three years previously were insured.⁸² [⁸² *Sowetan* 1 February 1990]

SABTA was very concerned about the accident rate and in 1988 ran a R1m media campaign based on the slogan, 'You pay the fares, take the taxi that cares'. It established disciplinary committees to deal with reckless drivers. SABTA appointed the Council for Scientific and Industrial Research (CSIR) in 1988 as a research adviser and to develop training manuals. It was to investigate whether the minibus was the most suitable vehicle for the taxi industry, look at ways of improving safety standards and conduct attitude surveys to see where improvements were needed. The Department of Transport allocated R254 000 to funding this research.⁸³ [⁸³ *Financial Mail* 9 September 1988, *City Press* 11 September 1988] More than 400 radio commercials were flighted in 1989 as part of SABTA's road safety campaign. This was sponsored by the Anglo American and De Beers Chairman's Fund.⁸⁴ [⁸⁴ *Business Day* 22 August 1989]

Taxi feuds

According to one report some 20 people died and many more were seriously injured in taxi feuds in 1989.⁸⁵ [⁸⁵ *The Weekly Mail* 8 December 1989] In one of the worst incidents, three people were killed with AK-47 and R4 rifles, and 12 injured, near Baragwanath Hospital (Soweto) in an ambush following a dispute over plying a newly founded Baragwanath/Pretoria route. In early 1989 eight people died in clashes

between the Alexandra Taxi Association and the Alexandra/Randburg/Midrand/Sandton Taxi Association (ARMSTA). The president of the Alexandra Civic Association, Mr Moses Mayekiso, announced on 8 March 1990, however, that the Alexandra Taxi Association and ARMSTA would merge. A committee of five members each from the taxi associations and three from the civic association would facilitate the merger.⁸⁶ [⁸⁶ *The Citizen* 9 March 1990]

In late October 1989 a four-day war broke out between two SABTA affiliates, the Western Cape Black Taxi Association and the Western Province Black Taxi Association, over routes from Cape Town's townships to the southern and northern suburbs. The feud claimed at least one life, three people were seriously injured, Guguletu houses were firebombed and about 100 minibuses were maliciously damaged.⁸⁷ [⁸⁷ *Finance Week* 15 November 1989, *South* 9 November 1989] A number of passengers travelling in taxis when fights broke out were injured as well. Residents had threatened to boycott the taxis until the taxi war ended. On 2 November the two associations met the police and called a truce.⁸⁸ [⁸⁸ *Cape Times* 3,4 November 1989]

Other serious taxi wars occurred in 1988 and 1989 in Daveyton (east Rand), Katlehong (Germiston), Pietersburg (northern Transvaal), Stanger (Natal north coast), Thokoza (east Rand) and Umlazi (Durban).

Katlehong taxi war

A series of battles between two rival taxi associations in Katlehong in February and March 1990 developed into factional violence that enveloped the whole community.

On 24 February two people died and scores were injured when 300 taxi operators clashed in Katlehong (east Rand). More than 80 taxis were damaged. The conflict was between operators from the Germiston and District Taxi Association (GDTA), a SABTA affiliate, and the Katlehong Taxi Association (KTA). The conflict, which started at the Natalspruit Hospital taxi rank, was caused by a dispute about the use of routes in the township.⁸⁹ [⁸⁹ *Sowetan* 27 February 1990] The Katlehong Civic Association called for a boycott of the GDTA.⁹⁰ [⁹⁰ *The Star* 2 March 1990]

On 27 February six pupils and teachers were killed and more than 80 others injured when the taxi feud spilled over into Katlehong schools.⁹¹ [⁹¹ *Business Day* 8 March 1990] SABTA suspended the GDTA on 7 March and announced the appointment of a one-person commission of inquiry to investigate the taxi violence.⁹² [⁹² *The Citizen* 8 March 1990] It also called on the KTA to disband and submit to the jurisdiction of the Transvaal Taxi Association (a regional SABTA body), in anticipation of the election of a single association.⁹³ [⁹³ *Sowetan* 8 March 1990]

On 6 March a group of heavily armed men drove around Katlehong attacking pupils with guns, pangas and sticks.⁹⁴ [⁹⁴ *Ibid*] The taximen and vigilantes accused pupils of burning six taxis.

On 7 March a mass rally and march to the Katlehong Town Council offices attracted 75 000 people. The protests were aimed at high rent and electricity rates and to demand more police intervention to end the taxi war. Violence erupted and 28 people were injured when the police used teargas and shotguns to disperse the crowd. The police said that fighting had broken out between the demonstrators, and that shots had been fired at them.⁹⁵ [⁹⁵ *The Citizen* 8 March 1990] At a meeting following the march residents resolved to boycott taxis until they resolved their differences. Fighting continued late into the night between youths and taximen supported by vigilante gangs. Armed men drove from street to street dragging people from their homes. House-to-house hunts for youths were made by vigilantes. Many youths fled or sought refuge at Natalspruit Hospital, but 30 vigilantes raided the hospital's casualty ward.⁹⁶ [⁹⁶ *The Star* 8,9 March 1990; *Sowetan* 8 March 1990] The hospital's superintendent, Dr Norman Kerns, said that it had been chaotic, with warring factions entering the hospital with pangas and knobkerries.⁹⁷ [⁹⁷ *Sunday Times* 11 March 1990] On 8 March five people died in a panga fight.⁹⁸ [⁹⁸ *The Star* 9 March 1990] Residents said that taxi owners had gone from school to school searching for pupils they claimed were responsible for damaging their vehicles.⁹⁹ [⁹⁹ *Business Day* 9 March 1990]

The police said on 9 March that they had picked up 25 bodies from various parts of the township, mostly from the area around the Kwesine hostel (mainly housing Zulu-speaking hostel dwellers).¹⁰⁰ [¹⁰⁰ *The Star* 10 March 1990] The following night two people died when hostel dwellers and householders clashed in two sections of the township.¹⁰¹ [¹⁰¹ *Ibid* 12 March 1990] Police reinforcements were sent to the township.

By 11 March the violence had subsided but had claimed between 45 and 50 lives and left 350 injured.¹⁰² [¹⁰² *Business Day*, *Sowetan* 12 March 1990; *The Citizen* 13 March 1990] Hundreds had fled the township and the roads were littered with burnt cars and taxis. A committee of 30 people, made up of equal numbers of hostel dwellers and householders was established.¹⁰³ [¹⁰³ *Sowetan* 12 March 1990]

Householders believed that taxi operators had recruited vigilantes from other areas. The GDTA was reported to represent predominantly Zulu-speaking taxi operators. Some lived in Katlehong, but many lived in hostels around the areas. They evidently believed that pupils favoured the rival KTA because most of its members came from the area.¹⁰⁴ [¹⁰⁴ *Sunday Times* 11 March 1990]

A mass funeral was held in Katlehong on 17 March. SABTA said that in conjunction with the Katlehong Civic Association and the United Democratic Front (UDF) it had decided to dissolve the warring associations and to replace them with a working committee of 13—four members each from the KTA, the GDTA, and the Katlehong Civic Association, and one representative from SABTA. It would function until a unitary body could be formed. SABTA said that taxis would start running normally once the funeral was over.¹⁰⁵ [¹⁰⁵ *The Star* 17 March 1990]

Taxis and deregulation

The minister of transport affairs, Mr Eli Louw, appointed a joint SABTA/departmental committee in February 1989 to investigate ways to implement deregulation. SABTA had expressed concern on numerous occasions that uncontrolled deregulation would lead to a flooding of the industry with new entrants, which would lead to chaos at taxi ranks, and that whites would take over the industry, which had been established with difficulty by blacks. Mr Louw accepted the committee's proposals. One of these proposals was that in order for an organisation to be recognised by the department as a body representative of the taxi industry (SABTA was the only one recognised by the end of 1989) various conditions had to be met. These included national representativeness, the number of members, the number and types of vehicles for which members held permits, bona fide promotion of taxi operators' interests and having a code of conduct. Mr Louw also accepted a proposal that such recognised taxi associations could negotiate with local authorities and the department over matters such as the issuing of permits in particular areas while deregulation was phased in over three years. Another proposal was that local authorities establish taxi liaison committees to serve as forums for discussing local taxi problems such as rank space and law enforcement. Mr Louw also said that measures would be applied to prevent the 'undesirable practices' of white owners of taxis which served black communities. These included making it compulsory that the owner's name be displayed on the vehicles so that commuters could choose not to travel in a vehicle if it was white-owned.¹⁰⁶ [¹⁰⁶ *The Citizen* 6 June 1989; Cosser E, *Social and Economic Update* 8, March 1989-July 1989, p24; McCaul, *No Easy Ride*]

White ownership in the taxi industry

SABTA made numerous claims *in* 1989 about white ownership in the kombitaxi industry. Estimates by various officials of the organisation ranged between 50% of the whole industry to 30% 'in some areas'. SABTA used its claims about white ownership to support its arguments against the full-scale deregulation of the taxi industry and its demand to be involved in administering the deregulation process. However, a publication by the South African Institute of Race Relations, *No Easy Ride: The Rise and Future of the Black Taxi industry*, arrived at a figure of not higher than 14% at the outer limit and found it more likely that white ownership was insignificant. This conclusion was based on an analysis of a racial breakdown of minibus registrations since 1979.¹⁰⁷ [¹⁰⁷ McCaul, *No Easy Ride*]

Organisations in the taxi industry

The Southern Africa Black Taxi Association (SABTA) claimed 45 000 members. These included taxidriviers, taxi owners and linked' members (such as hawkers at the taxi ranks). While constitutionally it accepted only legal operators as members, SABTA claimed to represent informally some 35% of the operators unable to get permits.¹⁰⁸ [¹⁰⁸ *Ibid*] It had ten provincial associations, some 46 regional associations and about 400 local associations.

A new umbrella taxi body, the Southern African Long Distance Taxi Association (SALDTA) was launched in July 1987 to organise long-distance taxi and truck drivers. By November 1989 it claimed 13

700 members, with 17 830 vehicles between them, and 68 affiliated organisations. SALDTA members served some 40 destinations from Johannesburg alone, usually to the homelands and other cities. SALDTA said that its members consumed almost 200m litres of fuel, 900 000 litres of oil, R20m of spares and would contribute R200m to the economy in 1988. By the end of 1989 SALDTA had access to at least seven ranks in Johannesburg's central business district, and had also secured ranks in Bloemfontein (Orange Free State), Durban (Natal), Gaborone (Botswana), Mmabatho (Bophuthatswana), Newcastle (northern Natal), Pretoria (Transvaal), Rustenburg (western Transvaal) and Sibasa (Venda). The organisation planned to develop operations in Namibia. It sent 350 taxis to Namibia during the Namibian elections in November 1989 to assist in getting voters to the polls. The Mass Democratic Movement, the Congress of South African Trade Unions, the National African Federated Chamber of Commerce and Industry and others sponsored this service.¹⁰⁹ [¹⁰⁹ Ibid]

In November 1989 the Black Union of South African Taxi Operators (BUSATO), SABTA and SALDTA, amid severe feuding between taxi operators in the western Cape which caused residents to threaten to organise a taxi boycott, met and issued a joint call for peace in the industry. SABTA's long-distance members gave it a mandate to work together with SALDTA and BUSATO to form an umbrella long-distance body.¹¹⁰ [¹¹⁰ *Business Day* 14 November 1989] SABTA suspended the launch of its long-distance body, the United Long Distance Taxi Association, pending the outcome of the unity talks.

In December 1989 NAFCO, however, announced that it was forming a transport wing called the National African Federated Transport Organisation (NAFTO). Members would include BUSATO and SALDTA, as well as the Federated International Transport Organisation, the Vaal Taxi Owners' Federation and two local associations in the Orange Free State. NAFTO was to be launched on 28 March 1990 at the Standard Bank Arena in Johannesburg.¹¹¹ [¹¹¹ McCaul, *No Easy Ride*]

Labour relations in the taxi industry

By August 1989 the Transport and General Workers' Union (TGWU) had organised 453 taxidriviers in the Vaal Triangle. Most of the employers of the organised drivers belonged to the Vaal Taxi Owners' Federation. Three drivers were dismissed after joining the union. Two were reinstated before their case went to the Industrial Court and the other dismissal case was pending. The federation and the union had formed a committee of three members each to facilitate uniting all 18 taxi associations in the Vaal Triangle into a regional body. The union said that this in turn would facilitate the signing of a recognition agreement with the union. The drivers' main grievance was a system of payment based on drivers' having to meet a quota of passengers. They said that they had to drive dangerously fast and overload to meet the quota. Drivers not meeting the quota were not paid. Pay ranged between R50 and R110 a week.

While only drivers in the Vaal are fully unionised, others have formed informal drivers' unions and there were at least five strikes by drivers in 1988 and 1989.¹¹² [¹¹² Ibid]

SABTA's marketing company, Taxi SA Marketing, headed by Mr James Chapman, was engaged in developing policy on labour issues (minimum wages, merit-related increases, courses for drivers, pension and medical aid benefits, and mechanisms for addressing grievances).¹¹³ [¹¹³ Ibid]

Future plans

In November 1988 SABTA launched its strategic plan entitled *SABTA 2000: Black Economic Empowerment*. It was a ten-year plan with two main elements: an education and training plan to improve the standards of operation of existing taxi operations, and a programme to develop new business opportunities. In August 1989 SABTA launched a company called Project Spear to implement the plan. It planned to introduce training courses for drivers at some 300 local taxi centres to be set up in southern Africa based at motor service stations. These were to have lecture and recreational facilities.

SABTA announced various expansion plans in 1988 and 1989. These included developing a taxi industry in Mozambique, penetrating the white market, taking over municipal bus services that were operating at a loss, expanding into the 30- to 40-seater bus sector, starting an airline between Johannesburg and New York, establishing a R40m minibus assembly plant and setting up a financial institution to provide loans for small business. In March 1990 SABTA's public affairs director, Mr Mike Ntlatleng, said that with the exception of the financial institution (which SABTA planned to have operating by July 1990), all these plans had been 'put on the backburner' and SABTA was using all its energies to deal with the accident problem in the taxi industry.¹¹⁴ [¹¹⁴ Interview with Mr Mike Ntlatleng, March 1990]

Hire purchase protest

In February 1990 taxi owners protested in Cape Town (western Cape) against an increase in hire purchase instalments by parking 400 vehicles in streets in the city centre, blocking traffic.¹¹⁵ [¹¹⁵ *Sowetan, The Star* 22 February 1990] It was reported that Wesbank had responded by softening its repossession policy and by extending its repayment period.¹¹⁶ [¹¹⁶ *Cape Times* 22 February 1990]

HOUSING

Legislation

Housing Development Schemes for Retired Persons Amendment Act

In March 1989 the Housing Development Schemes for Retired Persons Act was amended. Section 10 of the principal act was repealed. This section had discouraged building societies from advancing loans for the development of housing schemes for retired people. The amendment act also made provision for any share in a housing scheme for retired persons to be alienated to a person who was not retired, provided that only a retired person or the spouse of such a person could occupy the accommodation in question.¹ [¹ *Hansard* (A) 3 q cols 1478-1482, 24 February 1989]

Rent Control Amendment Act

The Rent Control Amendment Act was gazetted in March 1989. It amended section 37 of the principal act, allowing a lessor to invest with a financial institution the deposit accepted when a dwelling was rented to a tenant. This measure would allow such deposits to earn interest, which would be refunded to the lessee on the termination of his lease.² [² *Government Gazette*, no 11776, 23 March 1989]

Deeds Registries Amendment Act

In March 1989 the Deeds Registries Act of 1937 was amended. The amendment act, inter alia, made provision for the registration of a transfer of right of leasehold. It also gave the South African government the authority to enter into agreement with the non-independent homelands regarding the registration of property title deeds there. The agreement would entitle a specified South African registrar to register property deeds on behalf of the homeland authority.³ [³ *Government Gazette*, no 11777, 23 March 1989]

Development Trust and Land Amendment Act

The Development Trust and Land Amendment Act, which amended the Development Trust and Land Act of 1936, was also gazetted in March 1989. Sections 1 and 3 of the amendment act redefined released areas, so as to ensure that 'state-owned land in scheduled black areas which was transferred to the [South African Development] Trust does in fact include land which was vested in the trust after the commencement of the [Development Trust and Land] Act of 1936'. Section 2 of the amendment act ensured that if land which was held in trust by a minister of the South African government was to be transferred to a non-independent homeland, the rights of any African person, community or tribe which occupied the land would remain intact. Section 4 of the amending legislation made provision for the minister of development aid to suspend or cancel servitudes and other restrictive conditions on trust land. This section had particular application to land which would be developed as an African township.⁴ [⁴ *Hansard* (A) 5 q col 3206, 7 March 1989]

In the second reading debate of the amendment act in March 1989, Mr Andrew Fourie MP (National Party) described the most important section in the amending legislation as section 5, which provided that persons who were not African and who acquired land in African townships for the purposes of

development could not only lease such land (as had been the case under the principal act), but they could also acquire the right of leasehold to the land.⁵ [⁵ Ibid]

Development and Housing Amendment Act (House of Assembly)

The Development and Housing Amendment Act (House of Assembly) was promulgated in April 1989. The minister of local government and housing (white own affairs), Mr Amie Venter, said in the second reading debate in Parliament in March 1989 that the amending legislation sought to rationalise legislation regarding white housing. It made the following provisions:⁶ [⁶ *Hansard* (A) 6 q cols 2798-2817, 14 March 1989]

- the objects of the white housing development board were extended to include not only the construction of housing, but also its repair and improvement;
- the duties of local authorities regarding white housing were extended to include taking measures against ‘nuisances’, ie unhygienic, overcrowded or inadequate housing within their areas of jurisdiction. Local authorities were seen as the bodies best equipped to deal with such matters;
- local authorities were empowered to grant permits to ensure the demolition of buildings deemed to be unsuitable for human habitation; and
- the housing development board was empowered to grant housing loans to whites without mortgage bonds being registered in favour of the board. Instead, an endorsement would be registered against the land or building owned by the person taking out the loan.

Housing Amendment Act (House of Representatives)

In June 1989 the Housing Amendment Act (House of Representatives) was gazetted. It made the following provisions regarding coloured housing:⁷ [⁷ *Government Gazette*, no 11973, 23 June 1989]

- the minister responsible for coloured housing was given the power to appoint regional committees, which would carry out the functions of the coloured housing board;
- regulations were laid down regarding the use of moneys in the housing fund (for coloured housing) and the maintenance of accounts;
- a procedure was outlined for legal action by the coloured housing board against property owners who failed to repay loans to the board; and

- provision was made for the granting of housing loans in rural areas.

Policy

Coloured housing

The minister of local government and housing, Mr David Curry, outlined the official housing policy for coloured people in a speech to Parliament in March 1989. He said that the provision of conventional houses was too limited to meet the need for housing. His department's approach was to ensure that there were sufficient serviced erven in each coloured group area, and to provide a 'variety of options' to the community for the provision of homes. Mr Curry felt that the 'self-help building option' had 'the advantage of giving the best end product for the smallest amount of capital invested'. He said that a self-help manual had been designed as an architectural and planning aid to assist the self-help housing programme. It contained a range of plans for houses ranging from 36 square metres to 68 square metres in area.⁸ [⁸ *Hansard (R)* 7 q cols 3392-3398, 20 March 1989] Mr Curry believed that a very serious problem was the high cost of providing a serviced erf and a dwelling. The cost of laying on services to an erf of 250 square metres was between R8 000 and R15 000. The erection cost of a dwelling of 54 square metres 'with a fair standard of finish' was between R20 000 and R25 000, and these costs were increasing by 2% each month. Many coloured people could not afford such high costs.⁹ [⁹ *Ibid*]

In July 1989 Mr Curry said in an article in the *South African Builder* that a solution to the housing crisis would require that:¹⁰ [¹⁰ *South African Builder* July 1989]

- the community be consulted before a housing project was undertaken;
- realistic 'accommodation densities' be applied;
- bureaucratic procedures be streamlined; and
- greater private sector participation in house construction be encouraged.

Indian housing

In May 1989 the chairman of the ministers' council of the House of Delegates and minister of housing, Dr J N Reddy, said that the primary role of his department was not to provide a house for everyone, but to promote the provision of affordable housing for people in the lower-income groups who needed to be assisted in acquiring their own homes. He argued that it was his policy to bring home ownership within the reach of as many Indian families as possible, 'by providing the necessary finance ... and land to local authorities who service sites and build houses for sale to buyers whose incomes do not exceed set

limits'.¹¹ [¹¹ *Hansard (D)* 17 q cols 8825-8828, 12 May 1989]

Dr Reddy said that various subsidy schemes were available to Indian home owners, including the following:¹² [¹² *Ibid*]

- a differentiated interest rate subsidy, based on personal income;
- a subsidised saving scheme, which encouraged prospective home owners to accumulate funds to buy housing;
- a 33,3% interest subsidy scheme for first-time home owners; and
- a 90% loan scheme, repayable at a rate of interest of 11,25%.

White housing

The minister of health services, welfare and housing in the House of Assembly, Mr Sam de Beer, said in January 1990 that the main objective of the government's white housing policy was to assist people who were otherwise unable to afford to erect or purchase housing. He said that 20 000 white home owners were receiving benefits in terms of the interest subsidy scheme for first-time home owners, while 8 000 prospective home owners were participating in the state-sponsored home-owners' saving scheme.¹³ [¹³ *Housing in Southern Africa* January 1990] In February 1990 Mr De Beer announced that the rules of the 33,3% interest subsidy scheme for first-time home owners had been made more stringent to save funds. (In December 1989 it had been reported that the administration of the House of Assembly had run out of funds for first-time white home owners.) The subsidy was payable on an amount not exceeding R40 000, providing that maximum building costs were R45 000 and maximum costs, including purchase of the land, were R65 000 (or in 'exceptional' cases R75 000). Mr De Beer said that the following rules would apply from 1 March 1990:¹⁴ [¹⁴ *The Star* 28 February 1990]

- only 200 new applications a month would be granted;
- only families with a gross family income of not more than R3 500 a month would be able to participate;
- the concessions to compensate for unfavourable soil conditions on building sites and high plot prices would be 'limited'; and
- only families and single parents would be eligible for the scheme.

In addition to the 33,3% interest subsidy scheme, the government also provided a 100% housing loan scheme for civil servants and officials of statutory bodies. In the 1987 calendar year alone, 35 000 applications for housing aid had been received in terms of this scheme, and R1,8bn had been spent by the scheme.¹⁵ [¹⁵ *Hansard* (A) 5 col 2376,8 March 1989]

African housing

The minister of constitutional development and planning, Mr Chris Heunis, said in January 1989 at a meeting of the National Housing Commission in Pretoria that the government was serious in involving the private sector and individual Africans in decisions affecting housing. However, Mr Heunis pointed out that funds were scarce and that they would have to be stretched *as far as possible* to meet the demand for housing. I trust that local authorities will be prepared to bring building standards into line with financial ability, and that they will not insist on standards totally above the abilities of the communities which require housing,' he added. Mr Heunis also maintained that land for African housing was becoming scarce, and he urged African members of the commission to start acclimatising Africans to the idea of high-rise and high-density buildings.¹⁶ [¹⁶ *The Citizen* 12 January 1989]

Speaking in Parliament in May 1989, the deputy ministers of constitutional development and planning, Mr Roelf Meyer, said that the National Housing Fund provided subsidies for members of lower-income groups of all races (including Africans). However, he pointed out that in the government's view, nobody was entitled to a free site, home or services. The government adhered strictly to the principle of 'user charging'.¹⁷ [¹⁷ *Hansard* (joint sitting) 16 cols 8215-8218,9 May 1989]

Mr Meyer emphasised that it was government policy that serviced sites rather than housing units be provided for Africans. This applied equally to formal and informal settlements.¹⁸ [¹⁸ *Ibid*]

Informal settlements

Mr Meyer said in Parliament in May that an informal settlement would be upgraded if its position, the purpose for which the land had been designated and other criteria permitted it. However, 'the government cannot be expected merely to condone illegal settlement on any land, be it private or public land. Specific areas could be identified for informal towns with permanent housing and where people could erect their own dwellings which may initially be of moderate format. Depending on the available funds, the relative authorities will provide land and basic services. An individual will be able to erect his own structure according to his own means and improve it as his position improves,' he said.¹⁹ [¹⁹ *Ibid*]

A senior lecturer in the Department of Development Administration and Politics at the University of South Africa (UNISA), Mr Frik de Beer, said in June 1989 that in theory the government acknowledged the need to use informal settlements to overcome the African housing shortage. However, he said, in

practice it was the lower-middle and middle class Africans who benefited most from the government's housing policy. Only about 17% of Africans could afford economic 'standard' housing, and a further 27% could afford 'standard' housing if it was subsidised. The housing needs of these two groups were addressed by government-subsidised self-help schemes (for both core and shell housing) and by utility companies. Mr De Beer said that the remaining 56% of the African population found themselves in informal settlements, which the authorities were doing little as yet to upgrade.²⁰ [²⁰ *Africa Insight*, vol 19 no 2, June 1989]

Housing shortages

The housing shortages given below refer to the number of housing units which would be required if every family were to be accommodated in formal housing, and if present overcrowding were to be eradicated. At present most of these people are housed in informal settlements, backyard shacks or overcrowded formal dwellings.

According to the 1989 annual report of the South African Housing Trust, the total shortage of housing in South Africa (including the ten homelands) was 1 260 000 units. This figure comprised a shortage of 820 000 units in the white-designated area of the country and a shortage of 440 000 units in the ten homelands. A breakdown by race was not available.²¹ [²¹ South African Housing Trust, Annual report, 1989]

The Institute for Futures Research at the University of Stellenbosch said in January 1990 that the latest available figures for the shortage of housing in South Africa (including the ten homelands) were those given for 1988. They were as follows:²² [²² *Sanlam Economic Survey*, January 1990]

Shortage of housing in South Africa: 1988

African

1 050 000

Coloured

110 000

Indian

36 000

White

25 000

Total

1 221 000

The minister of local government and housing, Mr Amie Venter, said in Parliament in March 1989 that 35 139 whites had registered with the housing data bank as requiring accommodation. He revealed that not all of these people were without accommodation, but that they were 'not suitably housed' or they required better accommodation. Whites above 60 years of age constituted 71% of the total of whites needing housing, and 84% of this group had an income of less than R850 a month.²³ [²³ *Hansard* (A) 7 q col 3374, 20 March 1989]

Official figures for the housing shortages of other race groups were unavailable at the time of writing. See *1988/89 Survey* p190 for the latest available official figures.

In May 1990 the director of the division of building technology at the Council for Scientific and Industrial Research, Dr Tobie de Vos, said that South Africa had a housing shortage of 2m units, about 90% of which were needed by African households. He said that an additional 1,2m units would be needed before the year 2000. Dr De Vos pointed out that about 320 000 houses needed to be built each year until then, if the housing shortage was to be eliminated. This rate was about four times the current building rate

The South African Housing Trust said in January 1990 that the shortage of housing in South Africa (including all ten homelands) was 3,4m units. The shortage in the 'independent' homelands was 1 093 808, while that in the non-independent homelands was 980 962. These figures were calculated assuming an average of 6,5 persons per household, and then deducting existing housing stock from the total required by an estimated African population of 28m.²⁵ [²⁵ Kelly J, *Social and Economic Update 10*, South African Institute of Race Relations (SAIRR), 2 July 1990]

Constraints on reducing the housing shortage

Social and Economic Update 8, published by the South African Institute of Race Relations in the second quarter of 1989, quoted figures provided by the National Building Research Institute about housing affordability. It said that some 71% of Africans needed a subsidy in order to afford housing, and 45% of Africans could not afford to make any contribution at all to housing costs. Finance was said to remain the single greatest obstacle to housing provision. About half of the African population still had to live in informal dwellings.²⁶ [²⁶ Cosser E, *Social and Economic Update 8* (SAIRR), March 1989-July 1989]

Social and Economic Update 8 also said that even sites made available in informal towns to homeless

people were unaffordable. The publication quoted charges by the Transvaal Provincial Administration for an unimproved site with water and sewerage facilities, which stood at R6 500. According to the deputy managing director of the residential development and construction division of the Urban Foundation (UF), Mr Matthew Nell, the poorest 20% of the African population could afford only up to R3 500 towards housing costs.²⁷ [²⁷ Ibid]

Mr John Mavuso, a member of the executive council for the Transvaal, remarked in November 1989 that present loan requirements put housing out of the reach of many Africans. He claimed that 91% of Africans could not afford the minimum requirements of the UF, while 83% could not afford the minimums required by the South African Housing Trust (see *Urban Foundation and South African Housing Trust* below).²⁸ [²⁸ *The Star* 22 November 1989]

The annual report of the UF, which was published in the same month, said that African local authorities were insisting on higher levels of services to new townships, and that this had pushed up the price of houses. It said that the UF saw 'informal housing' as the only solution to the shortage of affordable housing for the poor.²⁹ [²⁹ *The Weekly Mail* 17 November 1989]

A national organiser for the National Union of Metalworkers of South Africa, Mr Geoff Schreiner, argued in November that the following factors hampered the provision of housing:³⁰ [³⁰ *Trustee Digest* November 1989]

- building societies and banks were not willing to provide small housing loans. They were 'generally' unwilling to lend less than R30 000, and no institutions were willing to grant individual loans of less than R12 500;
- insufficient land was released for African housing. Most of the released land was sold to developers (whose only interest was in making a profit) and none sold directly to community groups or individuals;
- little low-cost housing was coming onto the market for sale, and no new low-cost housing was available for rental;
- the state subsidy for African housing discriminated against the very poor and it assisted home buyers only; and
- company housing schemes generally assisted only higher-paid workers rather than workers with lower incomes, who were most in need of housing assistance.

Strategies to reduce shortages

Social and Economic Update 9, published by the South African Institute of Race Relations in March

1990, suggested that the government would introduce a capital subsidy of serviced sites before June 1990. It said that such a measure would significantly improve the African community's access to housing.³¹ [³¹ Cosser E, *Social and Economic Update 9*, 19 March 1990]

Another strategy to make housing affordable to more people was the introduction in early 1990 of a loan guarantee fund of R20m by the Urban Foundation, to enable financial institutions to grant housing bonds of between R12 500 and R35 000 (see *Banks and building societies* below).

The building of high-rise accommodation was also suggested as a means of reducing the cost of housing. During 1989 the Soweto City Council approved a R560m project in which private developers were to build a set of apartment blocks in Soweto. Some 40 000 people would be accommodated in these blocks.³² [³² *The Star* 7 June 1989]

Provision

Agencies involved

The following agencies were involved in the provision of housing in South Africa:

- the Department of Development Aid provided serviced sites and assistance for self-built housing for Africans in the non-independent homelands and South African Development Trust areas;
- the Department of Development Planning developed African townships in the white-designated areas and provided funding for African housing through the National Housing Fund;
- the housing departments of the houses of Assembly, Delegates and Representatives provided subsidies for the erection of white, Indian and coloured housing respectively;
- the Urban Foundation and the South African Housing Trust built low-cost housing for lower-income groups in the black communities through their housing utility companies; and
- a large number of private companies were involved in the erection of housing, with or without government subsidies.

Central government

The Department of Development Planning budgeted to spend R278m on African housing outside the homelands during the 1989/90 financial year, in comparison with R317m during the previous financial year. The amount was made up as follows:³³ [³³ Republic of South Africa, Prime Minister *of the Expenditure to be Defrayed*

from the State Revenue Account During the Financial Year Ending 31 March 1990, RP2-1989]

Budgeted expenditure for African housing outside the homelands: 1989/90

R

Construction programmes-addition to capital of the national housing fund

22Less repaid capital

(10 000 000)

Less interest earnings

(10 000 000)

Sub-total

200 888 000

Purchase of land for township development

69 000 000

subsidies on home loans

8 000 000

Total

277 888 000

While expected expenditure on the provision of dwellings and infrastructure for Africans showed a 22% decrease over the comparable figure for 1988/89, the budgeted expenditure on the purchase of land for township development increased by 130% over the 1988/89 figure.

The Appropriation Bill introduced in Parliament in March 1990 included an allocation of R495m for the 'development of land and services in black areas', which included the provision of African housing outside the homelands. A breakdown of this amount was not available.³⁴ [³⁴ Appropriation Bill, W70-90] Figures for expenditure on housing in the ten homelands were not available.

The Department of Local Government, Housing and Agriculture (coloured own affairs) budgeted R95m for coloured housing, in comparison with R125m during the previous financial year. The amount was made up as follows:³⁵ [35 Republic of South Africa, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP9-1989]

Budgeted expenditure for coloured housing: 1989/90

R

Construction programmes-addition to capital of the national housing fund

18Less repaid capital

(36 400 000)

Less interest earnings

(93 600 000)

Sub-total

52 000 000

Purchase of land

9 749 000

subsidies on home loans

8 127 000

Building and service projects

25 069 000

Total

94 945 000

The Appropriation Bill introduced in the House of Representatives in March 1990 included an allocation of R307m for local government, housing and agriculture'. A breakdown of this amount was not available at the time of writing.³⁶ [³⁶ Appropriation Bill (House of Representatives), B72-90]

The amount budgeted for Indian housing for 1989/90 by the Department of Local Government, Housing and agriculture (Indian own affairs) was R39m. The figure given for 1988/89 in the 1988/89 *Survey* is not comparable as it does not take into account repaid capital and interest earnings of the Housing Development Fund. The amount was made up as follows:³⁷ [³⁷ Republic of South Africa, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP12-1989]

Budgeted expenditure for Indian housing: 1989/90

R

Construction programmes-addition to capital of the national housing fund

10Less repaid capital

(22 746 000)

Less interest earnings

(60 969 000)

Sub-total

25 899 000

Purchase of land

22 250 000

subsidies on home loans

6 500 000

Building and service projects

18 758 000

Less repaid capital for service projects

(34 000 000)

Total

39 407 000

The Appropriation Bill introduced in the House of Delegates in March 1990 included an allocation of R168m for local government, housing and agriculture', but a further breakdown of the expenditure was not available.³⁸ [³⁸ Appropriation Bill (House of Delegates), B73-90]

The Department of Local Government, Housing and Works (white own affairs) planned to spend R48m on white housing in 1989/90. A breakdown of expenditure is given below.³⁹ [³⁹ Republic of South Africa, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP6-1990]

Budgeted expenditure for white housing: 1989/90

R

Construction programmes-addition to capital of the national housing fund

12 Less repaid capital

(48 000 000)

Less interest earnings

(69 000 000)

Sub-total

10 000 000

subsidies on home loans

28 900 000

Subsidies on private sector financing of housing

9 000 000

Total

47 900 000

The Appropriation Bill introduced in the House of Assembly in March 1990 included an allocation of R332m to the Department of Local Government, Housing and Works. However, it was unclear what proportion of this amount was to be spent on housing.⁴⁰ [⁴⁰ Appropriation Bill (House of Assembly), B71-90]

Regional services councils

At the time of writing there were 37 regional services councils (RSCs) in South Africa (excluding the homelands and Natal) (see chapter on *Government and Constitution*). The RSCs were not involved in the provision of housing, but one of their objectives was the provision and improvement of infrastructure, including the provision of electricity, roads, sewerage and water to African townships.

The deputy chairman of the East Rand RSC, Mr A W Kors, said in July 1989 that basic infrastructure and municipal services in African townships were 20 years behind those in white areas, and he estimated that it would cost R6bn to bring them to the same standard as white infrastructure and services. He said that this figure did not include the provision of new infrastructure to keep pace with increased urbanisation.⁴¹ [⁴¹ *The Star* 18 July 1989]

The Central Statistical Service reported in September 1989 that in the 1988/89 financial year RSCs had contributed R92m to the upgrading of infrastructure, most of these funds being spent in African townships.⁴² [⁴² *The Weekly Mail* 16 August 1989]

Social and Economic Update 9, published by the South African Institute of Race Relations in March 1990, remarked that most RSCs in the Transvaal were spending most of their funds on black, and particularly African, areas, which were most 'needy'. However, some of the smaller RSCs were allocating the major part of their funds to white areas. In the period July 1988 to June 1989, the Central Witwatersrand RSC allocated 81% of its funds to African areas; the East Rand RSC, 76% to African areas; and the Pretoria RSC, 55% to black areas. By contrast, the Northern Transvaal RSC allocated 84% of its budget to white areas.⁴³ [⁴³ *Social and Economic Update 9*]

The most significant expenditure by RSCs on infrastructure in 1989 and 1990 was as follows:⁴⁴ [⁴⁴ *Cape Times* 10 May 1989; *The Star* 24 July 1989, 16 August 1989]

- the Central Witwatersrand RSC budgeted R162m in the 1989/90 financial year for the upgrading of services and the provision of new services in 14 areas. These services included the provision of roads, refuse removal, high-mast lighting, storm-water drainage and the renovation of recreation facilities;
- the East Rand RSC agreed in July 1989 to spend R12m in the following two years on the upgrading of electricity provision to Tsakane (Brakpan); and
- in June 1989 the Western Cape RSC decided to allocate R21m for, inter alia, the upgrading of streets and the provision of street lights and storm-water drains in coloured areas.

Private sector

South African Housing Trust

The South African Housing Trust was created in November 1986 with a grant of R400m from the government (see 1986 *Survey* pp366–367). The trust said in its annual report for 1988/1989 that its aim was ‘the improvement of the quality of life of lower-income communities through the funding and initiation of affordable mass housing in such a way as to maximise job creation, opportunities for entrepreneurs and the application of own resources by individuals’.

The trust planned to provide housing for those people who could not afford to spend more than R20 000 on a house and stand, and who comprised about 51% of the African population. The minimum cost of a house and stand provided by the trust was R12 000.⁴⁵ [⁴⁵ South African Housing Trust, Annual report, 1989] In June 1989 the trust proposed the establishment of agricultural villages in rural areas, in which farm labourers could acquire full property rights. The proposal was outlined in a document drawn up at the request of farmers in the Ceres district (western Cape). It suggested that the villages would be set up on land adjacent to farms. They would be constituted like townships, except that they would not be subject to town planning procedures. Farm workers from more than one farm could be accommodated in such a village, and they could acquire full home ownership. The document suggested that the trust should set up a trust to buy rural land and be financially responsible for its development. It was reported that a pilot project was being implemented in the Ceres and Koue Bokkeveld districts (both in the western Cape).⁴⁶ [⁴⁶ *Business Day* 5 June 1989]

In November 1989 it was reported that the trust had raised R200m through a second sale of stock on the Johannesburg stock market. (In November 1977 its first issue of registered stock had raised R100m.) The second issue was well supported by long- and short-term insurers and by pension and provident funds. The managing director of the trust, Mr Wally Conradie, said that he was heartened by the response. It demonstrates that influential members of the investment community are fully aware of the importance of the low-cost housing sector. The fact that the issue was oversubscribed is proof that the private sector is willing to assist in the provision of affordable housing.⁴⁷ [⁴⁷ *Sunday Tribune* 27 November 1989]

In April 1990 it was reported that since its inception the trust had contracted to spend R1,2bn, which would in the next few years provide about 50 000 houses and 46 000 serviced stands. The trust's market development manager, Mr Mike Fowlds, said that by the end of 1989 the trust had built 13 941 houses and provided 23 388 serviced stands.⁴⁸ [⁴⁸ *Business Day* 2 April 1990]

See *Conventional Housing* below for housing projects supported by the trust.

Urban Foundation

The Urban Foundation (UF) was founded in 1977 by a group of businessmen to raise funds in the private sector with the aim of improving the quality of life in African townships, especially with regard to education and housing.

In April 1990 the UF said in a public statement that its new role was to move downmarket and to provide housing in informal settlements. It said that as a leading policy analyst of housing, the foundation had to prove to the housing industry that it was not only possible, but also profitable, to become involved in low-cost housing.⁴⁹ [⁴⁹ *The Star* 14 April 1990]

The chief executive officer of the UF, Mr Sam van Coller, said at its annual general meeting in November 1989 in Johannesburg that in developing an overall strategy to address the housing crisis, the organisation had focused on three key areas in the previous year: the provision of finance for home owners, the provision of subsidies for home owners and the development of informal housing. 'The major breakthrough has been securing a commitment from home loan institutions to make substantial sums of finance available for bonds down to R12 500 following the establishment of the Loan Guarantee Fund' (see *Banks and building societies* below). This step will facilitate access to housing for an additional 35% of black South African households,' he said.

Mr Van Coller felt that the present challenge was for the UF to address the needs of those unable to finance the minimum loan which building societies made available to home owners. He argued that if the foundation's proposals for a new once-off capital subsidy on land rather than on buildings was supported by the authorities, it would provide access to land and security of tenure for the very poor.⁵⁰ [⁵⁰ *The Citizen* 16 November 1990]

Mr Van Coller said that in the previous year, the UF, through its housing utility companies, had sold 5 877 houses and 5 575 serviced stands for a total sales value of R245na, which was an increase of 60% on the value of the housing provided in the previous year.⁵¹ [⁵¹ *Ibid*]

Banks and building societies

In October 1989 the UF announced a loan guarantee scheme which would enable banks and building societies to extend home mortgage finance to lower-income groups for the first time. The scheme

comprised a fund of R1bn, which would be used to enable the private insurance industry to provide cover for home loans between R12 500 and R35 000. (Previously financial institutions had been reluctant to provide individual home loans of less than R35 000, because of a lack of profitability and the perception that small loans in African areas were high risk.)⁵² [⁵² *The Star* 6 October 1989]

The scheme was sponsored by the governments of the Federal Republic of Germany, Switzerland and the United Kingdom, as well as 18 large South African companies, including the Anglo American Corporation of South Africa, Barlow Rand, First National Bank, Liberty Life and Standard Bank. Mr Van Coller said that a further R2bn had been earmarked by banks and building societies in South Africa for the scheme, once it was in operation. Building societies and banks which undertook to provide home loans as low as R12 500 included the Allied Group, Eastern Province Building Society, First National Bank, Natal Building Society, Santambank, Standard Bank, the United Building Society and Volkskas Bank.⁵³ [⁵³ *Ibid* 5 October 1989] A spokesman for the UF said that it was estimated that 264 000 African families would be able to buy homes of their own as a result of the loan guarantee scheme. The scheme had meant that whereas previously only 10% of Africans could afford to buy their own homes, the figure had now increased to 43%.⁵⁴ [⁵⁴ *Ibid*]

The deputy managing director of the residential development and construction division of the UF, Mr Matthew Nell, said that he had calculated that there was sufficient land available in urban areas to meet the demands of the scheme for the next three to four years. He added that beyond this period, it was vital that restrictive legislation such as the Group Areas Act of 1966 be repealed, to permit more housing to be provided at low cost.⁵⁵ [⁵⁵ *Ibid*] The president of the Mortgage Lenders' Association, Mr Bob Tucker, said that the scheme had been arranged in consultation between the association, the UF and the short-term insurance industry. He believed that the initiative could have a 'snowball effect', creating employment opportunities and resulting in an overall improvement in the quality of life of Africans.⁵⁶ [⁵⁶ *Sowetan* 9 October 1989]

Joint initiatives

Housing trust fund

In his budget speech to Parliament in March 1990 the minister of finance, Mr Barend du Plessis, announced that the government would create a special fund of R3bn, representing the loan surplus for the 1989/90 financial year, to 'overcome the backlog in the socio-economic development' of Africans. Some R1bn would be spent directly by the government to eliminate capital backlogs in education, such as the shortages of equipment and schools (see chapter on *Education*) and to purchase land for African urbanisation. The remaining R2bn would be used to establish a trust fund, to which the private sector would be asked to contribute. The fund would, inter alia, be used to finance the provision of low-cost housing (see chapter on *The Economy*).⁵⁷ [⁵⁷ *The Citizen* 19 March 1990]

It was reported later that the chairman of the UF, Mr Jan Steyn, had agreed to resign from the foundation

in order to become director of the trust fund. Mr Steyn said that before he had accepted the appointment, he had obtained an undertaking from the government that it would move quickly to repeal discriminatory legislation. I did have a real concern that racially discriminatory legislation still on the statute book could inhibit the dynamism of this initiative,' he said. Mr Steyn added that he would talk to community leaders and political movements such as the African National Congress (ANC) and the Mass Democratic Movement about their participation in the project.⁵⁸ [⁵⁸ *Sunday Star* 18 March 1990] The state president, Mr F W de Klerk, said that the government would appoint a board of trustees to manage the trust fund after consultation with community leaders and the private sector. I am fully aware that R3bn will not suffice to eliminate all of South Africa's socio-economic problems. However, there is a compelling need to provide as many South Africans as possible with a better quality of life. It is thus my earnest hope that this initiative will receive the widest possible support from every quarter in South Africa and abroad,' Mr De Klerk said.⁵⁹ [⁵⁹ *The Star* 17 March 1990]

The deputy president of the ANC, Mr Nelson Mandela, welcomed the announcement of the trust fund's establishment, saying that it was 'good news' but 'not sufficient to give us the resources we require to solve the problems facing our people'. Mr Richard Maponya, a prominent African business man, described the funds as 'a great move'. The executive chairman of Gencor, Mr Derek Keys, said that the fund sounded like an intelligent allocation of resources, while the president of the Afrikaanse Handelsinstituut, Mr Tom de Beer, described it as a 'major step in the right direction'.⁶⁰ [⁶⁰ *Sunday Times* 19 March 1990]

Land proclamation

Between the end of 1988 and the end of 1989 the area of land proclaimed for the development of African townships increased by 65%. According to the minister of planning and provincial affairs, Mr Hernus Kriel, the following areas of land in each of the provinces had been proclaimed for African township development as at 31 December 1988 and 31 December 1989 respectively:⁶¹ [⁶¹ *Hansard* (A) 14 q cols 1138-1139, 4 May 1990]

Land proclaimed for African township development outside the homelands: cumulative totals in 1988 and 1989

Areas in hectars

Province

31 December 1988

31 December 1989

Cape province

10 316

12 294

Natal^a

1 241

1 422

Orange Free state

3 943

4 765

Transvaal

22 856

44 997

Total

38 356

63 997

a

The figure for townships proclaimed in Natal is low as most townships adjacent to white towns in Natal actually lie within KwaZulu.

Social and Economic Update 9, published by the South African Institute of Race Relations in March 1990, suggested that the land proclaimed for African township development up to the end of September 1989 would be sufficient to accommodate 1,2m housing units, at a density of 20 housing units per hectare. The land proclaimed could therefore theoretically meet the existing backlog of ho

Infrastructure and services

Social and Economic Update 8 reported in July 1989 that a large number of projects upgrading infrastructure in African townships were funded by the National Housing Fund on a loan basis. In 1988/89, 81% of the fund's expenditure was on the installation and upgrading of services. In 1989/90 funds allocated to the National Housing Fund for expenditure on Africans increased by 12% in real terms, compared to the allocation for 1988/89.⁶³ [⁶³ *Social and Economic Update 8*]

Electricity

During 1989 Eskom continued with its 'electricity for all' campaign, which had been launched in August 1987 (see *1988/89 Survey* p215). The campaign involved the establishment of joint-venture initiatives with local authorities. However, the negative attitudes of African local authorities and problems experienced in finding suitable institutional frameworks were said to be hindering the implementation of the campaign.⁶⁴ [⁶⁴ *Ibid*]

In June 1989 the minister of constitutional development and planning, Mr Chris Heunis, said in Parliament that there were 208 African townships in South Africa where 70% or more of the households were without an electricity supply. Of 259 townships mentioned by Mr Heunis, only nine had been fully electrified. In each province, the following number of townships had less than 10% of their households electrified: Cape province, 68 out of 89 townships; Natal, 15 out of 20; Orange Free State, 63 out of 70; and the Transvaal, 39 out of 80.⁶⁵ [⁶⁵ *Hansard* (A) 9 q cols 977-982, 15 April 1989]

In May 1989 Eskom announced that it had submitted proposals to the administrator of the Transvaal for the 'normalisation' of the supply of electricity to Soweto. Soweto was already more than 70% electrified, but as a result of the rent boycott (see *Rent boycotts* below) and reluctance on the part of the residents to pay service charges, Eskom had received little income from Soweto since the start of the boycott in June 1986.⁶⁶ [⁶⁶ *The Star* 16 May 1989]

Eskom said that it had found that the non-payment of electricity charges was not 'politically motivated' as was the boycott of rents, but that residents of Soweto were reluctant to pay as they believed that electricity charges were higher in Soweto than in Johannesburg. It said that the 'normalisation' of the electricity supply would require the upgrading of infrastructure, the setting of an affordable tariff and 'community participation'. According to Eskom, to achieve viability the new system would have to be subsidised or the cost of the bulk purchase of electricity would have to be reduced.⁶⁷ [⁶⁷ *Ibid*]

One proposal to reduce the cost of electricity to Soweto was to link the supply infrastructures of Soweto and Johannesburg. The linking would have 'an ameliorative effect on the load curves', ie the difference between the peaks and troughs of demand (which affects the tariff) would be reduced. Soweto, which

had a large disparity between peak and minimum demands because of the chiefly domestic nature of consumption, would save between R1m and R2m each month. However, at the time of writing the Johannesburg City Council had not responded to this suggestion.⁶⁸ [⁶⁸ *Social and Economic Update 9*]

In August 1989 the manager of the engineering group at Eskom, Mr Peter Spencer, argued that South Africa would have to invest in nuclear power stations if electricity needs projected for the next 50 years were to be met. He pointed out that already by the year 2020, the country's population would reach 80m. Mr Spencer said that the country's coal reserves were sufficient only for energy needs for another 30 years. 'But the time will come when we will have to look at another source of energy-and the only economical alternative is nuclear,' he maintained.⁶⁹ [⁶⁹ *The Star* 17 August 1989]

In September 1989 the Alexandra Town Council (Johannesburg) opened an electricity information centre in the township, offering a free advisory service to residents about the use of electricity. It was reported to be the first service of its kind in an African township.⁷⁰ [⁷⁰ *The Star* 22 September 1989]

In October 1989 the Soweto City Council introduced a new water and electricity metering system in newly built houses in Protean South, which were occupied mainly by civil servants. The meters measured consumption of both water and electricity, which were supplied only after the home owner had inserted a prepaid plastic card. The cards were obtainable from council offices. The council was alleged to have introduced the system to break the boycott of rent and service charges, and it was considering introducing the metering system in other areas if it was successful in Protean South.⁷¹ [⁷¹ *Sowetan* 6 October 1989]

It was reported in February 1990 that the KwaNobuhle electricity supply company, which comprised companies in the Midlands Chamber of Industries and Eskom, was to expand its supply of electricity in KwaNobuhle (eastern Cape) by means of prepayment devices (see *1988/89 Survey* p214). The scheme had been opposed by local representatives of the Congress of South African Trade Unions (COSATU). By the end of 1989, 1 100 prepayment meters had been installed in KwaNobuhle, and another 250 households had applied for such meters. There were about 17 000 houses and shacks in the township.⁷² [⁷² *Eastern Province Herald* 12 February 1990]

Social and Economic Update 9 reported in March 1990 that Eskom was proposing that a new entity, to be known as Econolec, should be established to oversee the supply of electricity to Soweto, including the upgrading of the electrical infrastructure, the implementation of a customer service system and the reorganisation of the accounting system to allow for direct individual billing. It was expected that Econolec would secure supportive finance from the Development Bank of Southern Africa and the Central Witwatersrand Regional Services Council. Eskom's proposals had been put to the Soweto People's Delegation (see *Rent Boycotts* below) for their comment.⁷³ [⁷³ *Social and Economic Update 9*]

In April 1990 Eskom said that the following numbers of houses in African townships in South Africa (excluding the ten homelands) had been electrified: at the end of 1985, 636 544 houses; at the end of

1988, 688 656 houses; and at the end of 1989, 698 988 houses.⁷⁴ [⁷⁴ *Financial Mail* 13 April 1990] In May 1990 an Eskom spokesman said that it would cost about R6bn to lay on the supply of electricity to about 20m people in the country who did not have electricity.⁷⁵ [⁷⁵ *Business Day* 11 May 1990]

Sewerage

In 1988/89 the Department of Water Affairs approved subsidies totalling R1,6m for five sewerage schemes in African areas and R12,8m for 25 sewerage schemes which were shared by African and white areas.⁷⁶ [⁷⁶ Figures supplied by the Department of Water Affairs, January 1990]

Water supply

In 1988/89 regional services councils in the Transvaal budgeted to spend the following amounts on water works: Bosveld, R70 000; Central Witwatersrand, R14m; East Rand, R8m; Highveld, R900 000; Lowveld and Escarpment, R150 000; Northern Transvaal, R4 000; Pretoria, R4m; Rustenburg-Marico, R1,5m; Vaal Triangle, R4m; West Rand, R14 000; and Wesvaal, R1m.⁷⁷ [⁷⁷ Information supplied by Transvaal Provincial Administration, September 1989]

In the 1988/89 financial year the DBSA allocated R121m (or 11% of its total budget) to water and sewerage schemes. Some R65m was to be used to upgrade water works in Umlazi and KwaMakutha (both in KwaZulu). An amount of R8m was to be spent on the construction of water works in QwaQwa and R2m on upgrading works in the Transkei.⁷⁸ [⁷⁸ *The Weekly Mail* 21 July 1989]

In April 1989 the minister of environmental and water affairs, Mr Gert Kotze, announced that a levy of four cents a cubic metre would be charged on water supplied from any government water works on the Vaal River after 1 October 1989, in order to finance the Lesotho Highlands Water Project (see *1988/89 Survey* p214). The purpose of the early implementation of the levy is to prevent a sudden large increase in water tariffs when the first water is delivered by the project and, in the long term, to reduce the water tariff that will apply,' Mr Kotze said.⁷⁹ [⁷⁹ *Business Day* 24 April 1989]

The managing engineer (planning) of the Department of Water Affairs, Mr Claus Triebel, said in September 1989 that South Africa's water resources were not evenly distributed. Water had to be brought from areas where it was plentiful to areas where people worked but where there was little or no natural supply. The older cities had adequate supplies of water, which had been established when the cost of establishing infrastructure was low. In contrast, Mr Triebel said, new African local authorities had to make use of existing resources or pay the exorbitant cost of installing new infrastructure for their water supply. 'We have to find ways of equalising tariffs so that people pay roughly the same for water,' he maintained.⁸⁰ [⁸⁰ *The Star* 15 September 1989]

Mr Triebel believed that water had become a 'political hot potato'. He said that whites felt threatened

that 'their' water was used by Africans, and Africans were resentful that whites had taken all the 'cheap' water and used all the best sites for their dams.⁸¹ [⁸¹ Ibid]

Mr Triebel was reluctant to say how many people South Africa's water supply could maintain, but he admitted that a common estimate was 80m people, a figure which could be attained by 2010. 'The water supply could support even fewer people if everyone wants abundant and affordable water... With desalination, of course, we have an endless supply, but that process is very costly and it is unlikely that we will be able to desalinate water on a large scale,' he argued.⁸² [⁸² Ibid]

Conventional housing

The principal housing schemes under construction during the period under review are shown on pp114–115, in the table *Major housing schemes: November 1989*.⁸³ [⁸³ SPT Housing Consultants (Pty) Ltd, *The Housing Monitor*, November 1989]

Informal housing

Speaking in Parliament in February 1989, the deputy minister of constitutional development and planning, Mr Roelf Meyer, said that in the 1989/90 financial year the government had set aside R34m for expenditure on informal settlers, including informal housing. This allocation comprised R3,9m for the eastern Cape, R3,6m for Natal, R1,3m for the northern Cape, R1,5m for the Orange Free State, R18,7m for the Transvaal and R5m for the western Cape.⁸⁴ [⁸⁴ *Hansard* (A) 3 cols 1045-1046, 20 February 1990]

A large number of formal housing schemes included provision for informal settlement in the form of site-and-service schemes (see *Major housing schemes* overleaf). In addition, local and provincial authorities provided informal housing in the following informal settlements during the period under review:⁸⁵ [⁸⁵ *The Natal Mercury* 26 April 1989; *The Star* 27 June 1989, 14 September 1989, 6 January 1990; *Sowetan* 17 August 1989; *Cape Times* 20 November 1989]

Informal housing provided: January 1989-March 1990

Informal settlement

Nearest town

Number of sites developed

Fochville

Carletonville

392

Inanda

Durban

10 000

Khutsong

Carletonville

11 000

KTC

Cape Town

2 442

Orange Farm

Vereeniging

4 300

Rietvallei

Randfontein

12 000

Wildebeestfontein

Evaton

4 000

The Ibhayi City Council (Port Elizabeth) announced in August 1989 that it planned to rehouse 145 000 people who were living in the informal settlement of Ibhayi. The town clerk, Mr Flip Alberts, said, however, that it might take five to ten years for the council to acquire new land within the Port Elizabeth municipal area for this purpose. No major housing development had taken place in Ibhayi between 1985 and 1987, despite the fact that the population had grown by at least 40

Leasehold and freehold sales

In 1983 the government had announced a sale of government-owned housing. Initially, coloured, Indian and white housing was sold under freehold while African housing was sold under 99-year leasehold (see 1983 *Survey* p270). In 1986 the government extended freehold rights to Africans. However, as most African townships had not been adequately surveyed, most African housing could not be sold under freehold.

By the end of September 1989, 61781 houses (39% of the total coloured housing stock built by the government) had been sold to coloured people. This compared with 35% of the coloured housing stock, which had been sold at the end of June 1988. At the end of September 13 834 houses (77% of the total Indian housing stock erected by the government) had been sold to Indians. The comparable proportion sold at the end of June 1988 was 61%. Some 4 040 houses (37% of the white housing stock owned by the government) had been sold to whites as at the end of September, as compared with 35% sold by 30 June 1988.⁸⁷ [⁸⁷ Information supplied by the Department of Community Services, Transvaal Provincial Administration]

Major housing schemes: November 1989

To

To

DeRace group

Number of house/ sites

Nature of development

Price range R

Cape Province

Be

StUnited development Corporation

Co

30Houses, serviced sites

24

De

Ca

Ga

Co

1 Houses, serviced sites

11

Fo

Ca

Sc

Co

1 Houses, serviced sites

17

KwPort Elizabeth

Unifound housing

Af

55Hou35

No

Ca

Ga

Co

1

Ho58

(u

Ca

Ga

Af

4 Hou

10 Natal

Hi

Du

In

In

1 Hou

19

In

Du

In

Af

2 Hou

12

Oh

Du

In

Af

90Hou

4 4

Os

NeKwaZulu Finance and Investment Corporation

Af

25

Se

19Orange Free State

Bo

BeDomenico Construction

Af

45

Ho17

Bo

Bo

Kha

Af

2 Hou

7 3

Bo

BoMin

Af

20

Ho

37

Ka

Bl

Blo

Af

71Hou

8 9

Mel

We

Blo

Af

1 Hou

50

Ph

Bl

Qwa

Af

23Hou

2 5

Su

We

Blo

Af

98Hou

8 0

Tu

PaDom

Af

25

Ho11

Major housing schemes: November 1989

To

To

DeRace group

Number of house/ sites

Nature of development

Price range R

Transvaal

Do

So

FH

Af

75Houses, serviced sites

12

Do

SoWietpro Housing

Af

4

Ho41

Ev

VeEva

Af

40

Ho

22

Fou

BrHollywood Housing Property Developers

Af

2

Ho

25

Ka

OrDom

Af

30

Ho20

Kh

KlPhaAfr

3

Ho20

Mh

Mi

FH

Af

25Houses, serviced sites

12

Mo

Ra

FH

Af

50Houses, serviced sites

12

Mo

Ge

FH

Af

70Houses, serviced sites

11

Li

BoInterland Construction

Af

53

Ho37

Ph

Wi

FH

Af

20Houses, serviced sites

6 0

Pr

SoGou

Af

1

Ho66

So

Pr

Be

Af

25

Ho

22

So

Pr

Lo

Af

25

Ho

22

So

PrMandel Wonings

Af

36

Ho

22

Sp

Be

Un

Af

25

Ho63 000 upwards

Te

KeGou

Af

30

Ho47

Th

Al

FH

Af

1 Houses, serviced sites

4 0

Vo

Br

FH

Af

40Houses, serviced sites

12

The Department of Development Aid announced in January 1990 that by the end of September 1989 it had sold 119405 houses to Africans in non-independent homelands and South African Development Trust areas. This figure represented 72% of the total number of houses owned by the government in these areas.⁸⁸ [⁸⁸ *The Star* 21 January 1990]

In August 1989 it was reported that more than 50 000 of a total of 90 000 houses in KwaZulu townships had been sold to their occupants.⁸⁹ [⁸⁹ *The Citizen* 1 August 1989]

By October 1989 the Department of Public Works and Land Affairs had registered the leasehold and freehold sale of 113 403 houses to Africans outside the homelands. This figure represented 34% of the available housing stock, as compared with 31 % sold at the end of January 1989. The breakdown by province was as follows:⁹⁰ [90 Figures provided by the Transvaal Provincial Administration, January 1990]

State sale of houses to Africans: 1 July 1987-31 October 1989

Number sold

Proportion sold

Balance available

Cape province

19 590

28%

50 373

Natal

5 096

52%

4 705

Orange Free State

9 755

46%

11 452

Transvaal

78 797

34%

152 959

Total

113 238

34%

219 489

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in April 1989 that 99 509 plots had been surveyed in African townships outside the homelands in 1988, which would permit their sale under 99-year leasehold. The breakdown by province was: Cape, 35 581 plots; Natal, 2 625 plots; Orange Free State, 14 640 plots; and Transvaal, 46 663 plots.⁹¹ [⁹¹ *Hansard* (A) 14 q col 888,28 April 1989]

Between the introduction of freehold property rights for Africans in November 1987 and the end of September 1989, 1 902 freehold properties were sold to Africa

Rent boycotts

Rent boycotts involving the non-payment of rent and service charges, which had begun in 1984, continued in an unknown number of African townships countrywide during 1989 and 1990. (See the chapter on *Political Developments* and the *1988/89 Survey* pp208–213.) There were negotiations between several community organisations and African local authorities to resolve the rent boycott, particularly in the Transvaal, although at the time of writing these had not yet ended the boycott.

In October 1989 the Transvaal Provincial Administration (TPA) said that Soweto had lost over R1bn in income as a result of the rent boycott.⁹³ [⁹³ *New Nation* 6 October 1989]

In May 1990, in answer to a question in Parliament, the minister of planning and provincial affairs, Mr Hernus Kriel, said that R764m was owing in rent, service charges and other levies to African local authorities as at 31 December 1989. Of this amount, R84m was owing in the Cape province, R4m in Natal, R35m in the Orange Free State and R641m in the Transvaal. The African local authorities which had the largest arrears were Soweto (R306m); Lekoa, southern Transvaal (R114m); Diepmeadow, near Johannesburg (R76m); Ibhayi, Port Elizabeth (R20m); Mamelodi, near Pretoria (R19m); Katlehong, east Rand (R16m); Tembisa, north Rand (R15m); Vosloorus, east Rand (R14m); Evaton, southern Transvaal (R9m); Dobsonville, west Rand (R9m); Alexandra, Johannesburg (R7m) and Tumahole, Orange Free

State (R7m).⁹⁴ [⁹⁴ *Hansard* (A) 14 q cols 1149-1160, 4 May 1990]

In April 1989 the acting chairman of the management committee of the Johannesburg City Council, Mr Jan Burger, rejected the demand of the Soweto People's Delegation that Johannesburg and Soweto should become one city. (The delegation had released a report in March 1989 on proposals for ending the rent boycott. It had included the proposal that there should be a single tax base for the two cities-see *1988/89 Survey* p212.) Mr Burger claimed that the demand overlooked the 'vital role' already being played by the RSC in the re-allocation of resources. He pointed out that the present financial year, the Central Witwatersrand RSC had allocated the bulk of its income of R140m to the upgrading of African townships.⁹⁵ [⁹⁵ *The Star* 5 April 1989]

In the same month it was reported that the mayor of Soweto, Mr Sam Mkhwanazi, had announced at a public meeting of the Sofasonke Party in Soweto that the Soweto City Council would in future charge residents a flat rate for water, electricity and other services. In the past charges had been proportional to the amount of electricity and water consumed. Mr Mkhwanazi was also reported to have said that the council had resolved to write off all rent arrears accumulated as a result of the two-year rent boycott. However, he later claimed that he had been 'misquoted' by the media regarding rent arrears and that he had actually said that about half of the outstanding amount should be written off and that 'the defied should be frozen for some time, possibly two years, until a solution *is* reached as to how the money should be paid back'.⁹⁶ [⁹⁶ *Sowetan* 3,7 April 1989]

The proposal that a flat rate should be charged for services in Soweto was rejected by the Soweto Civic Association (SCA) and the Soweto People's Delegation. A spokesman for the SCA said that the SCA rejected any suggestion that residents should pay while talks were being held between the Soweto City Council and the delegation about the rent boycott. He added that any pressure on residents to pay would lead to conflict in the townships.⁹⁷ [⁹⁷ *Ibid* 22 May 1989]

The member of the executive council of the Transvaal responsible for local government, Mr Olaus van Zyl, said in June 1989 that the TPA had advanced R161m in the 1987/88 financial year and R223m in the 1988/89 financial year to African local authorities as bridging finance, as a result of the rent boycott. Mr Van Zyl said that none of the 30 African local authorities in the Transvaal was collecting all rent and service charges from residents. He urged the local authorities to take steps to collect rents and hence to ensure their financial viability.⁹⁸ [⁹⁸ *Ibid* 20 June 1989]

In July 1989 the Lekoa town Council (Vaal Triangle) agreed to reduce its rent charges to R30 a month from August. The chairman of the executive committee of the Lekoa Town Council, Mr Edwin Neko, said that his council had met the TPA twice about the reduction of rents and that he had obtained the TPA's approval of the decision. The new charges were expected to be applicable to 700 000 residents of Bophelong, Boipatong, Refengkgotso, Sebokeng, Sharpeville and Zamdela.⁹⁹ [⁹⁹ *City Press* 23 July 1989]

Mr Van Zyl met the Soweto City Council in the same month to urge that the council 'recover at least the

current rent debits'. He said that the running costs of Soweto had been financed by the TPA through a short-term private sector loan, but that the province could no longer carry the financial burden. At the meeting it was agreed that the TPA and the council would establish a body to be known as the Soweto Foundation, which would comprise Soweto residents and representatives of the private sector, and which would aim to raise funds to meet the 'needs' of Soweto residents.¹⁰⁰ [¹⁰⁰ Ibid 16 July 1989]

The Soweto People's Delegation met representatives of Eskom in August 1989 to discuss ways to resolve the rent boycott. The meeting resulted in Eskom's proposing in 1990 that a utility company, to be known as Econolec, be established to provide electricity to Soweto (see *Electricity* above).¹⁰¹ [¹⁰¹ *The Star* 4 August 1989]

The delegation subsequently called on residents of Soweto not to pay the flat rate for electricity, saying that the rate was 'unscientifically calculated and inequitable'. It said that a more acceptable formula would be found through negotiations between Eskom, the TPA, the Soweto City Council, the Johannesburg City Council and the delegation.¹⁰² [¹⁰² *Business Day* 4 August 1989]

In the same month, in an attempt to persuade residents to pay rent and service charges, the Soweto City Council stopped issuing the documentation necessary to residents who wished to extend their homes and who consequently wanted to obtain loans from financial institutions. Several building construction companies were reported to be going insolvent as a result of the Council's action, as they were no longer building as many additional rooms and garages as in the past.¹⁰³ [¹⁰³ *Sowetan* 7 August 1989]

Also in August, 92 families were evicted from their homes in Daveyton (east Rand) for non-payment of rent and service charges. An official of the Daveyton Town Council said that the families had not paid rent for three years, and that they would not be allowed back into their houses until they had paid their full arrears. If the evicted families did not pay their arrears within 21 days, the council threatened to rent or sell their houses to other people. Some 31 families had been evicted earlier in July for the same reason.¹⁰⁴ [¹⁰⁴ Ibid 7 August 1989]

In September 1989 the acting town clerk of Lekoa, Mr J van der Westhuizen, announced that 38 Lekoa town Councillors had been given 14 days in which to pay their rent arrears or, in terms of the Black Local Authorities Act of 1982, lose their status as Councillors.¹⁰⁵ [¹⁰⁵ *The Star* 22 September 1989]

The Soweto People's Delegation met a TPA delegation in October 1989 to discuss the rent boycott in Soweto. In a press statement after the meeting, the Soweto delegation said it was 'pleasantly surprised' at 'significant common ground' shared by the two parties at the meeting. The statement declared that the TPA had agreed that:¹⁰⁶ [¹⁰⁶ *Sowetan* 3 October 1989]

- writing off part of the rent arrears of R265m was 'negotiable';

- houses should be transferred to their occupants. The TPA was prepared to negotiate the process and costs of transfer;
- an affordable service charge formula should be designed for Soweto; and
- Soweto's financial base was inadequate. The interdependence of Johannesburg and Soweto 'should be investigated'.

The administrator of the Transvaal, Mr Danie Hough, said after the meeting that he could not agree to the demand by the Soweto People's Delegation that people who had rented houses for 20 to 30 years should be able to acquire ownership of them for free. He also rejected the idea of a single tax base for Soweto and Johannesburg, saying that such a base had already partially been created by the establishment of the Central Witwatersrand RSC.¹⁰⁷ [¹⁰⁷ *The Citizen* 3 October 1989]

In the same month 15 000 residents of Tumahole, near Parys (Orange Free State), met to discuss the five-year rent boycott in the township. Members of the Tumahole Civic Association said that residents were willing to end the boycott if they were allowed to pay a site rent of R 18,50 per month. They said that the boycott had started in 1984, in response to the Tumahole Town Council's decision to increase the site rent from R 18,50 to R38 per month. The mayor of Tumahole, Mr Andrew Pule, was shouted down when he said that residents should pay whatever they could afford until the rent issue had been settled in court. The meeting ended without agreement about a solution to the boycott.¹⁰⁸ [¹⁰⁸ *City Press* 15 October 1989]

Also in October, the Mamelodi Civic Association published a report which suggested solutions to the rent boycott in Mamelodi (Pretoria). The report contrasted the expenditures on services in Mamelodi and Pretoria, pointing out that while the Pretoria City Council spent R2 000 a year on services for each white resident, the Mamelodi Town Council spent only R80 a year for each African resident. It added that the Pretoria City Council derived income of R80m a year from property rates, while the Mamelodi Town Council received only R5m from site rents, the township equivalent of rates. The report argued that African local authorities had a weak financial base and that they were therefore unable to provide acceptable services to residents at affordable rates. In conclusion, the report recommended that Mamelodi and Pretoria should have a single tax base to finance services in both black and white areas. (A similar recommendation had been made by the Soweto People's Delegation in March 1989 for Soweto and Johannesburg-see *1988/89 Survey* p212.)¹⁰⁹ [¹⁰⁹ *New Nation* 6 October 1989]

In November 1989 it was revealed that the TPA had written to the Lekoa and Soweto Councils, complaining about maladministration, fighting among Councillors, lack of financial control and 'failure to collect outstanding debts and rent and service levies', which was seen as a clear reference to the rent boycott. The councils were given until 31 December to start rectifying these matters. It was reported that the TPA had provided bridging loans of R890m to African local authorities as a result of the rent boycott

and that it was unable to continue to do so.¹¹⁰ [¹¹⁰ *The Star* 1 November 1989]

Mr Van Zyl said that if the councils failed to settle their accounts with suppliers of bulk services (such as Eskom and the Rand Water Board), the suppliers could 'terminate' their services. However, in December it was reported that Eskom and the Rand Water Board considered it unlikely that services would have to be ended because of non-payment. The companies said that they expected payment to be forthcoming once the quality of the services improved. A spokesman for Eskom said that discussions were being held with the Soweto People's Delegation and the Soweto City Council to find a solution to the unwillingness of residents to pay for essential services.¹¹¹ [¹¹¹ *Ibid* 22 December 1989]

In the same month the TPA published a report by the chief executive of the Development Bank of Southern Africa, Dr Simon Brand, on the finances and economy of Soweto. The report included recommendations which, it was hoped, would end the rent boycott. Dr Brand felt that one of the fastest ways for the Soweto City Council to realise capital and to release itself from the responsibility of maintenance was to sell off houses to residents. He recommended that the conditions for the sale of houses and for the repayment of housing loans should be simplified, that service charges should be separated from rent accounts and that outstanding charges should be paid over an extended period. Dr Brand said, 'The Soweto council, the TPA and other authorities should agree on a systematic plan to recover revenue, in terms of which a further agreement on planned levels of expenditure can be decided upon.' He acknowledged the interdependence of Soweto and Johannesburg as a single urban economy. Dr Brand did not exclude the idea of reincorporation with Johannesburg, but he argued that this was an 'extreme step'.¹¹² [¹¹² *Ibid* 8 November 1989]

In December 1989 the Soweto City Council held a public meeting at which it called on residents to pay for service charges. The meeting was apparently held as a result of the letter received from the TPA in November. The chairman of the management committee of the Soweto City Council, Mr Butana Tshabalala, urged residents to 'forget about the rent and pay for what you consume. We urge you to co-operate with us and solve this problem by paying your service charges. If you don't pay, that will mean that you don't co-operate with us and we will be replaced by the TPA'. Mr Tshabalala said that if the residents did not respond to the Council's call, the Council would resign en masse.¹¹³ [¹¹³ *Ibid* 11 December 1989]

In January 1990 the Lekoa City Council used its municipal police to distribute letters to 36 000 households, warning them that if they did not pay rent and service charges within 21 days they would face eviction. The letters were sent out in reaction to the appeal from the TPA in November 1989 to the Council to get its financial affairs in order (see above). The town clerk, Mr Nic Louw, said that only rent and service charges promulgated in March 1988 and charges for metered services were payable. He added that rent arrears accumulated in previous years did not have to be paid as the Council was negotiating with the TPA about these debts.¹¹⁴ [¹¹⁴ *Business Day* 22 January 1990]

Residents of Thokoza (east Rand) decided at a meeting in the township in February 1990 to stop paying rent until their grievances were met. Earlier in the day more than 80 000 residents had marched to the

offices of the local authority to present a memorandum containing their grievances to the town clerk, Mr H A Combrinck. The memorandum mentioned the shortage of housing in Thokoza and demanded that more houses should be built. It also said that residents were being charged between R150 and R300 per month for rent and service charges, and complained that these rates were unaffordable for most families.¹¹⁵ [¹¹⁵ *Sowetan* 16 February 1990]

In the same month it was reported that the Soweto City Council had been unable to pay back any part of the R464m bridging loan granted to it over the previous four years by the TPA.¹¹⁶ [¹¹⁶ *The Citizen* 21 February 1990]

In March 1989 about 60 000 residents of Daveyton (east Rand) attended a meeting at the Sinaba Stadium in the township, at which it was decided to boycott rent payments until their grievances were addressed by the Council. The grievances, which were outlined in a memorandum submitted to the town Council, included high rents, the shortage of accommodation for shack dwellers and the absence of electricity provision to Etwatwa East.¹¹⁷ [¹¹⁷ *Sowetan* 1 March 1990]

In April 1990 Mr Tshabalala announced at a press conference that with effect from 1 May 1988 households in Soweto would no longer pay rent, but merely a flat rate charge for electricity, water, sewerage and refuse removal, based on the size of the house occupied. He also said that all property in the township would be available for freehold sale before the end of the year. Furthermore, the Council had decided that tenants of older 'matchbox' houses, which formed the bulk of Soweto's housing stock, would have to pay only for the ground if they bought their houses, and not for any improvements. Prices would be fixed after negotiations with the TPA.¹¹⁸ [¹¹⁸ *The Citizen* 4 April 1990]

Group areas

The minister of constitutional development and planning, Mr Chris Heunis, said in Parliament in May 1989 that 38 coloured, five Indian and three white group areas were proclaimed in 1988.¹¹⁹ [¹¹⁹ *Cape Times* 30 May 1989] According to the minister of planning and provincial affairs, Mr Hernus Kriel, in 1989 some 28 coloured, 11 Indian and two white group areas were declared. As at 31 December 1989 the following number of group areas had been declared:¹²⁰ [¹²⁰ *Hansard (A)* 6 q col 503, 14 March 1990]

Group areas proclaimed as at 31 December 1989

Number of group areas

Area in hectares

Coloured

561

104 654

Indian

266

52 789

White

586

747 175

Total

1 413

904 6

Opinion polls

In July 1989 the Human Sciences Research Council (HSRC) published the results of a countrywide survey to determine attitudes to desegregated residential areas. The sample comprised 600 Africans, 600 coloured people, 600 Indians and 1 200 whites. The survey found that 61% of African respondents, 78% of coloured respondents, 76% of Indian respondents and 62% of white respondents were in favour of 'grey' or open areas. The study found that whites, especially those with low education and income levels, were the 'most territorially defensive', ie they were the most reluctant to allow people of other races to live in their areas. 'But attitudes of whites with higher educational status were more in keeping with those of the other population groups,' the study said.¹²¹ [¹²¹ *The Natal Mercury* 31 August 1989, *Business Day* 31 August 1989]

The HSRC report said that the implementation of integrated areas among whites with a low socio-economic status should be dealt with cautiously 'as it could result in potential conflict'. Some 46% of people in this category said that they were 'not willing' to stay in racially mixed neighbourhoods. Among whites of a higher socio-economic status, it was found that 'although this group professes generally to be in favour of integration, half would actually consider moving in the event of actual neighbourhood integration'. The report said that 'although there is a general attitudinal willingness to

share neighbourhoods with members of other race groups, there is significantly less support for the idea at the level of actual intentions'.¹²² [¹²² Ibid]

In October 1989 the Sunday newspaper *Rapport* published the results of a poll conducted by Market and Opinion Surveys in August to determine white attitudes to racially mixed suburbs. The poll asked respondents: 'Suppose that a referendum was held among residents in your residential area to establish how they felt about opening the area to all race groups. How would you vote in such a referendum?' The sample consisted of 2 000 people throughout the country. The results are given below, together with the results of similar polls conducted by Market and Opinion Surveys in January 1982 and January 1988 respectively.¹²³ [¹²³ *Rapport* 1 October 1989]

White attitudes to open residential areas: 1982, 1988 and 1989^a

January 1982

January 1988

August 1989

In favour

17%

25%

30%

Opposed

72%

67%

55%

Would not vote in a referendum

10

8%

3% Undecided

2%

1%

13%

^a Percentages may add up to more than 100% owing to rounding off

The poll in August 1989 found that Afrikaans-speaking respondents were most opposed to residential desegregation, with only 15% in favour of open areas. Some 52% of English-speaking respondents were in favour of open areas. Support for open areas was strongest in the Cape (37% of respondents), followed by the Transvaal (28%), Natal (26%) and the Orange Free State (20%).¹ [¹²⁴ *The Citizen* 2 October 1989]

Free settlement areas

Policy

In November 1989 the first four free settlement areas were announced by the government. They were Country View (Midrand), Warwick Avenue Triangle (Durban), Windmill Park (east Rand) and Zonnestraal, formerly District Six (Cape Town). However, the proclamation declaring them to be free settlement areas was gazetted only in March 1990.¹²⁵ [¹²⁵ *The Star* 25 November 1989; *The Citizen* 29,30 November 1989; *Business Day* 30 March 1990]

Shortly after the announcement of the first free settlement areas, a spokesman for the Department of planning and Provincial Affairs said that the government believed that the procedures involved in declaring residential areas open to all races were too cumbersome and that it would take steps to *simplify* the process. He added that it might be necessary to amend the Free Settlement Areas Act of 1989 to do this, but that the department was hopeful that the process could be simplified without an amendment. The spokesman also announced that the minister of planning and provincial affairs, Mr Hernus Kriel, would begin to use his powers in terms of the Free Settlement Areas Act to order investigations into the opening of areas in cities and towns where local authorities had been ‘tardy’ in applying for areas to be opened.¹²⁶ [¹²⁶ *SA Digest* 1 December 1989]

Speaking in Parliament in February 1990, Mr Kriel said that the government was sympathetic to the idea of proclaiming entire cities as free settlement areas. He added that the government was also looking at the possibility of a nonracial franchise for electing single integrated local authorities in such areas.¹²⁷ [¹²⁷

The Star 28 February 1990]

In April 1990 Mr Kriel announced that 14 further areas were to be investigated by the Free Settlement Areas Board. They were Alwijn Balmoral near Uitenhage (eastern Cape), Bishopstowe (Pietermaritzburg), Cato Crest (Durban), Cato Ridge (Natal), Cosmo City near Randburg (Johannesburg), Diepsloot near Midrand (central Transvaal), Ironside near Sebokeng (southern Transvaal), Messina Extension 8 (northern Transvaal), Mooikloof (Pretoria), Ottery/Wetton (Cape Town), The Reeds Extensions 4 and 17 (Pretoria), Waterval (Johannesburg), Sea-Cow Lake (Durban) and Zuurbekom (west Rand).¹²⁸ [¹²⁸ *The Citizen* 19 April 1990]

Comment

Professor S P Cilliers, the head of the Department of Sociology at the University of Stellenbosch, said in an article in *Indicator SA* in mid-1989 that reaction to the new legislation, ie the Free Settlement Areas Act of 1989, had been mixed. On the positive side, he believed, the act had recognised the legitimacy of the desire of some people to live in an open environment. According to Professor Cilliers, the act had shown a slight shift by the government away from its previously unrelenting commitment to strict residential segregation. However, he pointed out that it had been almost unanimously rejected by coloured and Indian leaders as inadequate in view of their total opposition to the Group Areas Act of 1966.¹²⁹ [¹²⁹ *Indicator* ^Winter 1989]

Professor Cilliers felt that the concept of free settlement areas was unsound. He said that given the imbalances between the property markets in white and black areas, the disparities in standards between white and black residential areas and the cumbersome procedures involved in declaring a free settlement area, it was unlikely that 'meaningful progress' would be made soon in the proclamation of free settlement areas.¹³⁰ [¹³⁰ *Ibid*]

The director of the Centre for Policy Studies at the University of the Witwatersrand, Professor Lawrence Schlemmer, said in November 1989 that free settlement areas in their present form would lead to increased political frustration and a sense of exclusion among Africans. He believed that because of the slow and cumbersome procedure involved in declaring free settlement areas, such areas could become overcrowded, leading to a deterioration of standards and a 'flight' of whites from such areas. It will do very little good to race relations if the transition produces ghetto conditions,' he said. Professor Schlemmer suggested that the government should repeal the Group Areas Act but allow communities to remain residentially segregated if they indicated in a referendum that they wished to do so.¹³¹ [¹³¹ *Daily Dispatch* 30 November 1989]

In March 1990 the Urban Foundation (UF) released a policy document about the effects of the Group Areas Act which also contained comments about free settlement areas. The UF said that free settlement areas legislation was 'unworkable'. It estimated that only about 10% of urban Africans were in a

financial position to move into areas previously reserved for other race groups. If the pressure is concentrated in a few limited free settlement areas, it is a foregone conclusion that they will become almost entirely African areas,' the UF said. It added that free settlement areas were no substitute for free open cities and that they were unlikely to solve the problems of urban development and economic growth.¹³² [¹³² *Business Day* 28 March 1990]

The urbanisation policy director of the UF, Ms Ann Bernstein, said in the document that the maintenance of the Group Areas Act was the main legal obstacle to effective urban management in the 1990s. She maintained that free settlement laws were unlikely to bring about change on the required scale. There was also no clarity regarding the existence, nature and voting powers of the management committees to be established in free settlement areas in terms of current legislation, Ms Bernstein said.¹³³ [¹³³ *Ibid*]

Major developments

Cape province

The Cape Town City Council announced in August 1989 that it had withdrawn from Headstart, the company which was to redevelop District Six, Woodstock and Salt River (all in Cape Town) as an 'open' area. The council said in a press statement that it did not regard the declaration of part of District Six (Zonnestraat) as a free settlement area as 'adequate'. When the council had originally agreed to become involved in the redevelopment project, it had set a precondition that the whole of District Six should be an 'open' area (see *1988/89 Survey* pp224–225).¹³⁴ [¹³⁴ *Cape Times* 30 August 1989]

Speaking in response to the council's announced, the president of the South African Institute of Race Relations, the Reverend Dr Stanley Mogoba, urged the council to reconsider its decision. Dr Mogoba urged a gradualist approach to the opening of Cape Town to all races, saying that development of part of District Six was better than no development at all.¹³⁵ [¹³⁵ *The Citizen* 11 September 1989]

British Petroleum Southern Africa (BP), which along with 18 other private companies had agreed to collaborate with the Cape Town City Council on the development of the three areas, said in November that it would not go ahead with its plans. The chairman of BP, Mr Ian Sims, said, 'Affordable inner-city housing and the righting of the wrong of District Six remain top priorities. We have worked long and hard to achieve open residential areas. Clearly the current legislation would not permit us to proceed at this time. We call for the major opening of residential areas, an open Cape Town and the repeal of the Group Areas Act.'¹³⁶ [¹³⁶ *Business Day* 28 November 1989]

In October 1989 a survey of the residents of Plettenburg Bay (southern Cape) showed that 82% of the respondents were in favour of opening residential areas to all races, while only 17% opposed the idea.¹³⁷ [¹³⁷ *The Citizen* 4 October 1989]

In the same month the land usage committee of the Port Elizabeth City Council (eastern Cape) decided that plans for the development of a free settlement area on the outskirts of the city were 'premature'. The decision followed an application by Wonderwonings, a housing development company, for the development of a free settlement area on 522 hectares of land in the Hunters Retreat area. The council said that it was not opposed in principle to an area being set aside as a free settlement area, but that it felt that development should rather take place to the west of Port Elizabeth.¹³⁸ [¹³⁸ *Eastern Province Herald* 27 October 1989]

In November 1989 the policy and resources committee of the Port Elizabeth City Council rejected an application by two city Councillors, Messrs Ivan Krige and Bobby Stevenson, to have all the residential areas opened to all races. The director of administration for the council, Mr Carl Fischer, said that the Group Areas Act was 'an expression of the central government's policy and as such does not fall within the ambit of the council's responsibility'. He pointed out that the Council had rejected a proposal in May that the Port Elizabeth municipal area become a free settlement area.¹³⁹ [¹³⁹ *Ibid* 8 November 1989]

It was reported in December 1989, following the government's announcement that District Six was to be opened to all races (see *Policy* above), that most of the area had been bought by property developers. One developer alone, Leisure Development, had bought 85 % of the land available in the area for housing development, and intended to erect townhouses ranging in price from R83 000 to R122 000. It was reported that prices of as much as R100 per square metre were being paid for the remaining land available for sale. At such prices, it was said, most of the original coloured residents of District Six, who had been forcibly removed from the area in the 1960s, would not be able to afford to return to the area.¹⁴⁰ [¹⁴⁰ *Sunday Tribune* 3 December 1989]

In March 1990 the chairman of the Free Settlement Board, Mr Hein Kruger, announced that the board would investigate an application to have Hougham Park, near Port Elizabeth, proclaimed a free settlement area.¹⁴¹ [¹⁴¹ *Eastern Province Herald* 13 March 1990]

Natal

In March 1989 the Tongaat Town Board (Natal north coast) decided to apply for free settlement area status for the entire town. The town was the only local authority in the country with a legally constituted multiracial town board. The town clerk, Mr Victor Parkhouse, said that it was unclear whether the application would be supported by the 22 500 voters in the town. However, he hoped that a referendum would be held to assess the views of residents of Tongaat.¹⁴² [¹⁴² *The Natal Witness* 8 March 1989; *Financial Mail* 24 March 1989]

The member of the executive committee for local government in Natal, Mr Peter Miller, announced in June 1989 that the Free Settlement Board would investigate the proclamation of the Cato Crest area (Durban) as a free settlement area. The land, which was owned by the Development and Housing Board, was zoned for white housing. However, Mr Miller said, the minister of local government and housing

for the House of Assembly, Mr Amie Venter, had announced that the government had no objection to the opening of the area to all races.¹⁴³ [¹⁴³ *The Citizen* 16 June 1989]

In the same month the Durban City Council agreed, by 23 votes to four, to support the application to have Cato Crest declared a free settlement area.¹⁴⁴ [¹⁴⁴ *Ibid* 20 June 1989]

In July 1989 the Council rejected an application to have one block in the Albert Park area of the city declared a free settlement area. (Although it was a white group area, Albert Park had become desegregated during the previous five years-see *1987/88 Survey* p499.) The National Party (NP) MP for the Point, Mr Cliff Matthee, said that it would be impractical to declare one or several blocks as an open area, as a free settlement area should be defined by such 'natural boundaries' as parks, freeways and railway lines. However, Mr Matthee said that the Free Settlement Board would consider the opening of two other areas in the city, the Warwick Avenue Triangle and Block AK, to all races.¹⁴⁵ [¹⁴⁵ *The Natal Mercury* 6 July 1989]

The Pietermaritzburg City Council agreed to hold a referendum in January 1990 among ratepayers of all races in the city, to determine whether they wished the city to be opened to all races. However, about a fortnight before the referendum was to take place, the Pietermaritzburg Combined Residents and Ratepayers Association, an affiliate of the Mass Democratic Movement (MDM) (see chapter on *Political Developments*) said that it objected to the timing of the poll. The association said that there had not been enough consultation with it about the issue and that there would not be enough time for the association to canvass other MDM affiliates.¹⁴⁶ [¹⁴⁶ *The Weekly Mail* 26 January 1990]

Shortly before the referendum was due to be held, it was reported that the minister of planning and provincial affairs, Mr Hernus Kriel, had put pressure on the council to postpone the poll, allegedly because a vote rejecting open residential areas by a large margin would have been an embarrassment to the government. It was also suggested that the government was to introduce new legislation on open areas within the next parliamentary session, which would render the holding of a referendum unnecessary.¹⁴⁷ [¹⁴⁷ *Ibid*]

The mayor of Pietermaritzburg, Mr Mark Cornell, who had initiated the call for a poll on opening the city to all races, said that it had not been his intention to turn the referendum into a party political issue, and that he was disappointed that the poll had had to be cancelled. He said that he was 'sick and tired' of having to apologise for apartheid in the city.¹⁴⁸ [¹⁴⁸ *Sunday Tribune* 21 January 1990]

The leader of the NP in Natal and minister of transport and of public works and land affairs, Mr George Bartlett, announced in February 1990 that he intended to apply to the Free Settlement Board to have his 715 hectare farm at Inchanga (Pietermaritzburg) proclaimed a free settlement area, so that he could develop it as a township. Mr Pierre Cronje MP (Democratic Party) said in response to Mr Bartlett's announcement that the Group Areas Act created an artificial shortage of residential land for black people

and that Mr Bartlett was trying to ‘cash in’ on the situation.¹⁴⁹ [¹⁴⁹ *Business Day* 16 February 1990]

Transvaal

In April 1989 it was alleged that the government was blocking attempts by Indian residents of Pageview (Johannesburg) to have the area declared a free settlement area. (Some 67 Indian families were still living in the area, which had been declared a white group area in 1956—see *1988/89 Survey* pp230–231.) The chairman of the Save Pageview Association, Mr M F Varachia, said that the deputy minister of constitutional development and planning, Mr Roelf Meyer, had refused to support an application to the Free Settlement Board for the area to be opened to all races. Mr Meyer said that he had opposed the application, saying that the families should move to Mayfair (also in Johannesburg), which was on the board’s list of top priorities for proclamation. He pointed out that there were only 42 houses occupied by Indians in Pageview, and he claimed that most of them were in a dilapidated condition.¹⁵⁰ [¹⁵⁰ *Business Day* 19 April 1989; *The Star* 22 April 1989]

In June 1989 all Councillors on the Johannesburg City Council representing the DP and the Conservative Party (CP), as well as two Independent Councillors, walked out of a council meeting in protest against two motions proposed by NP Councillors. The motions objected to Pageview’s being declared a free settlement area and supported Mayfair’s being declared an open area. The council meeting had to be adjourned as there was no quorum present after the walkout. Both the CP and the DP complained about lack of debate about the two motions. The motion in support of declaring Mayfair a free settlement area was passed by the council in September.¹⁵¹ [¹⁵¹ *The Citizen* 28 June 1989; *Business Day* 27 September 1989]

In November 1989 about 20 residents of Midrand held a protest meeting on the roads leading to the offices of the Development Bank of Southern Africa, in anticipation of an announcement by the state president, Mr F W de Klerk, that Countryview would be declared a free settlement area. Mr De Klerk, who spoke at the opening of the bank’s new offices, made no reference to the issue. The protesters held up placards demanding that the Group Areas Act be repealed or that municipalities be opened up as a whole. A petition opposing the opening of Countryview was also presented to Mr De Klerk.

(Countryview was gazetted as a free settlement area in March 1990—see *Policy* above.)¹⁵² [¹⁵² *The Star* 23 November 1989]

Mr Sakkie Blanche MP (NP) said in November 1989 that two areas in the east Rand were under consideration for declaration as free settlement areas. They were Phinalls Pan (near Boksburg) and Roodekraal (near Brakpan). His suggestion followed the government’s announcement earlier in the month that Windmill Park (Boksburg) would be opened to all races.¹⁵³ [¹⁵³ *Business Day* 27 November 1989]

The minister of foreign affairs, Mr Pik Botha, said in the same month that the NP wanted Hillbrow and neighbouring suburbs (Johannesburg) to be declared a free settlement area as soon as possible. (The area had become a ‘grey’ area inhabited by people of all races in the early 1980s.) It was suggested that Mr

Botha's announcement had caused major dissatisfaction within the NP caucus in the Johannesburg City Council, as it had preempted the caucus's discussion of the issue. The leader of the DP in the council, Mr Ian Davidson, said that opening Hillbrow would cause severe problems as it would cause overcrowding and the formation of more slums. He called for the opening of the whole of Johannesburg to relieve pressure on Hillbrow to house black people.¹⁵⁴ [¹⁵⁴ Ibid 9 December 1989]

In December 1989 it was reported that Indians had bought most of the properties in the two areas in the Transvaal which the government had announced would become free settlement areas (see *Policy* above). About 98% of the houses in Windmill Park and 90% of the sites in Countryview had been bought by Indian families. The DP spokesman on planning and provincial affairs, Mr Tony Leon, said that the Free Settlement Act had failed in its aim of creating racially integrated areas with a balanced racial composition. He believed that the act had created 'islands of integration', leading to panic selling of property by whites and creating de facto group areas. Mr Leon said that he was not surprised that whites in Windmill Park had sold their homes, as there was an artificially deprived market in the area which gave them higher prices. He believed that this would not have happened if the government had repealed the Group Areas Act or declared whole municipalities open.¹⁵⁵ [¹⁵⁵ Ibid 8 December 1989]

It was reported in the same month that the average cost of accommodation in Countryview and Windmill Park, including stand and building costs, exceeded R 100 000, which meant that only upper middle-class people would be able to afford to live in these areas.¹⁵⁶ [¹⁵⁶ *The Star* 4 December 1989]

In January 1990 the Sandton Town Council announced that it was to hold a referendum within three months to determine whether its rate-payers wanted the entire municipal area to be opened to all races. The chairman of the committee dealing with free settlement area issues, Mr Peter Jardine, said that if the council received a mandate from the residents of Sandton, it would petition the state president for an amendment to the Group Areas Act to exempt Sandton from the provisions of the act. The committee had argued that it was not possible to use the free settlement areas legislation to achieve an open residential area for the entire municipality, as it was 'bad legislation' which did not allow for an acceptable form of municipal franchise or a workable management system. The committee opposed the fragmentation of Sandton into a number of free settlement areas with 'an attendant multiplicity of management committees'.¹⁵⁷ [¹⁵⁷ Ibid 31 January 1990]

In February 1990 the chairman of the Free Settlement Board, Mr Hein Kruger, announced that, following representations from the government, the board would investigate declaring parts of the northern and eastern suburbs of Johannesburg a free settlement area. The area under investigation included Bellevue, Berea, Bertrams, Doornfontein, a portion of Houghton Estate, portions surrounding Joubert Park, Judith's Paarl, Lorenzville, New Doornfontein, Norwood, Oaklands, Orange Grove and Yeoville.¹⁵⁸ [¹⁵⁸ Ibid 23 February 1990]

Responding to the announcement, Mr Leon said that the investigation was nothing more than 'racial roulette' and that a 'distorted dog's leg has been drawn up on a map which makes no sense from a socio-economic, racial harmony or demographic point of view. The parcel of land which the board has put

together shows reckless disregard for community interests, particularly in Houghton Estate, which has simply been sliced in half, despite the fact that many Indians are happily living in the half which will remain white'. He also pointed out that Hillbrow, which was believed to be more than 40% African, had inexplicably been excluded from the investigation.¹⁵⁹ [¹⁵⁹ Ibid]

The investigation was also criticised by the Urban Foundation (UF). The chief executive officer of the UF, Mr Sam van Coller, said that the proposal was 'totally flawed and unworkable'. He said that the UF had made a submission to the board, setting out the dangers of the plan. Ms Bernstein argued that the proposals were ludicrous when they excluded racially mixed areas of Johannesburg such as Bezuidenhout Valley, Fordsburg, Mayfair and Pageview. 'Drawing lines on maps solves nothing,' she said. 'All it does is to add to the fragmentation and cost of local government, and acts *as* an invitation to racial division.'¹⁶⁰ [¹⁶⁰ Ibid 28 March 1990]

Also in February, DP members of the Johannesburg City Council, supported by CP and Independent members, succeeded in passing a resolution opposing the declaration of the proposed areas as free settlement areas.¹⁶¹ [¹⁶¹ *Business Day* 28 February 1990]

In April 1990, following the election of a new management committee to the Johannesburg City Council, the council unanimously passed a resolution opposing the opening of Mayfair and Pageview to all races. The leader of the NP in the council, Mr Jan Burger, said that the change of position by NP Councillors reflected a change in government policy. He pointed out that Mr De Klerk had told Parliament that the Group Areas Act would be amended or repealed in 1991 (see chapter on *Political Developments*). Mr Burger said that he had never been happy with the Free Settlement Areas Act and that in the light of Mr De Klerk's statement, he could see no point in the creation of free settlement areas as a temporary measure.¹⁶² [¹⁶² Ibid 26 April 1990]

Mr Davidson, who became chairman of the management committee in April 1990, said that the policy of the DP was that Johannesburg as a whole should be open to all. The DP opposed the declaration of parts of the city as free settlement areas.¹⁶³ [¹⁶³ Ibid]

SECURITY

Security Services

Defence

Arms production and procurement

During the period under review South Africa's need for armaments lessened and it began to cut back on

the manufacture and purchase of arms. Nevertheless, the arms embargo meant that unorthodox channels were used to procure arms and technology and there were a number of allegations about covert activities.

The minister of defence, Mr Magnus Malan, said in July 1989 that South Africa had exported armaments worth more than R2bn to 39 'selected countries' over the previous 13 years. He said that the achievements of the Armaments Corporation of South Africa (ARMSCOR) meant South Africa did not have to depend on any other nation for its weaponry, and thus no political goals had to be sacrificed 'to ensure our security or to seek assistance'. South Africa's military and technological supremacy had also played a role in securing the Namibian settlement plan, he said.

Mr Malan added that apart from ARMSCOR's affiliates, there were more than 900 main contractors and other organisations in the private sector involved in the development and production of armaments and by-products.¹ [¹ *Diamond Fields A advertiser* 27 July 1989]

In April 1989 an alleged South African National Intelligence Service (NIS) agent, Mr Daniel Storm, was reported as having arranged an exchange of a Blowpipe anti-aircraft missile for South African weapons. The deal was with three Northern Irish guerrillas, who had stolen the missile parts from a British army base in Northern Ireland, and an American arms dealer. The South African embassy in Paris, where the alleged deal took place, refused to comment, although a Department of Foreign Affairs spokesman confirmed that Mr Storm was on its Paris mission staff complement.² [² *Sunday Tribune* 23 April 1989] The French daily, *Le Monde*, alleged that ARMSCOR planned to copy the weapon and possibly export a South African version.³ [³ *Sunday Star* 23 April 1989]

Three South African embassy officials, including Mr Storm, were expelled as a result of the deal which, it is alleged, was one of a series of Paris-based European arms deals. There was speculation that the expulsion was also linked to the assassination of African National Congress (ANC) representative, Mrs Dulcie September, in Paris in March 1988.⁴ [⁴ *Ibid* 30 April 1989]

After an official investigation into the matter Mr Malan said that while state officials had been involved in authorised 'matters or activities, neither the South African government nor ARMSCOR were involved in the sale or delivery of weapons to terrorist organisations'. He added that in attempting to counter the arms embargo ARMSCOR had entered into a world with moral codes which did not always coincide with the accepted principles of diplomacy and international laws.⁵ [⁵ *The Star* 3 May 1989]

In May 1989 ARMSCOR participated in Turkey's International Defence Equipment and Avionics exhibition. South African equipment on display included the Rooikat (a fighting vehicle), a grenade launcher, field ambulance, rocket system, submachinegun, aircraft bomb, howitzer and a cluster bomb.⁶ [⁶ *Ibid*] According to the exhibition magazine. South Africa was competing with 11 international arms companies to supply Turkey with a 155mm cannon.⁷ [⁷ *Ibid* 5 May 1989] An ARMSCOR spokesman said that it was the first time that ARMSCOR had been allowed to exhibit in a North Atlantic Treaty

Organisation (NATO) country and that there had been 'quite a bit of interest' in its exhibit.

ARMSCOR's efforts were a conscious attempt to increase South Africa's export of arms, he said.⁸ [⁸

Business Day 5 May 1989]

West German submarine engineers alleged in August 1989 that a submarine using German submarine technology was being built at an ARMSCOR subsidiary's shipyard in Durban (Natal). The acquisition of the technology, which the West German government claimed was insufficient for South Africa to start its own submarine building programme, had occurred in 1984, in contravention of the 1977 United Nations arms embargo.⁹ [⁹ *Ibid* 30 August 1989]

ARMSCOR said in October 1989 that owing to a substantial decline in the demand by the South African Defence Force (SADF) for quick-fire and small arms ammunition the activities of one of its subsidiaries, Pretoria Metal Pressing, were being rationalised. This entailed the closure of Pretoria Metal Pressing's plant in Pretoria West (central Transvaal), with the exception of a few special activities. The rationalisation of the company followed the already completed rationalisation of Naschem, ARMSCOR's heavy-calibre ammunition company. 'The rationalisation of the two ARMSCOR companies means that production levels have been brought in line with the SADF's present stock levels of, and requirements for, basic ammunition types,' ARMSCOR said.¹⁰ [¹⁰ *The Citizen* 28 October 1989]

According to a Central Intelligence Agency (CIA) report, revealed by an American television network programme (National Broadcasting Corporation) in the same month, a South African missile launched on 5 July from the De Hoop (Cape) test range was built by ARMSCOR using technology supplied by a Tel Aviv-based company. The programme also claimed that South Africa and Israel were jointly developing a medium-range nuclear-tipped missile. It alleged that Israel was providing South Africa with rocket technology in return for access to the De Hoop site and supplies of uranium for its own weapons programme. South Africa publicly confirmed the launch, believed to be part of a satellite launch programme rather than of an offensive weapons system. The Department of Defence referred inquiries to ARMSCOR, which described the NBC report as 'speculative'.¹¹ [¹¹ *Cape Times* 27 October 1989]

Also in October, aerospace analysts said that South Africa had extensive military links in the field of aerospace technology with both Israel and Taiwan, despite official denials to the contrary. It was 'only natural' that the three countries, all of which were subject to embargoes in one way or another, should share their technology.¹² [¹² *Eastern Province Herald* 25 October 1989]

The chief of the South African Air Force (SAAF), Lieutenant General J P B van Loggerenberg, said in November 1989 that the development of a new fighter aircraft for South African needs would take place even if the defence budget were cut. South Africa needed an effective airforce, he said, even if the new aircraft was not 'right on the edge of technology'.¹³ [¹³ *The Citizen* 17 November 1989]

Three South Africans and two Americans were charged in the United States (US) in the same month for allegedly conspiring to export about R135m worth of missile guidance equipment to South Africa

through Israel. The devices were allegedly destined for ARMSCOR, which, together with the SADF, denied any knowledge of the allegations.¹⁴ [¹⁴ *The Star* 17 November 1989] A US attorney, Mr Jay Stephens, said that the inference to be drawn was that ARMSCOR either 'requested' the defendants to obtain the equipment or that arms brokers knew ARMSCOR would be an 'interested purchaser'.¹⁵ [¹⁵ *Daily Dispatch* 18 November 1989] In January 1990 two of the five men appeared in court in the US and pleaded guilty to the charges. They were to be sentenced in April.¹⁶ [¹⁶ *City Press* 7 January 1990]

The first attack helicopter to be built in the southern hemisphere was unveiled by ARMSCOR in Kempton Park (near Johannesburg) in January 1990. The Rooivalk XH-2 combat support helicopter was designed, developed and manufactured over a 14-year period to specifications supplied by the SAAF.¹⁷ [¹⁷ *The Citizen* 16 January 1990] The chief of staff (operations) of the SAAF, Major General James Kriel, said that the SAAF was not planning to buy the helicopter. Changing operational requirements and the advanced state of the peace process in South Africa had made the requirement for such a helicopter redundant, he said. The aircraft was to be marketed internationally through the 'usual marketing channels', said a spokesman for ARMSCOR.¹⁸ [¹⁸ *Ibid*]

Expenditure

In November 1989 Mr Malan said that a reassessment of defence expenditure and priorities was being carried out by Gen Van Loggerenberg. The formation of a committee of inquiry into manpower needs had been announced in April 1989 by Mr Malan (see below).¹⁹ [¹⁹ *Business Day* 21 April 1989]

The chief of staff (finance) of the SADF, Vice Admiral Bert Bekker, said in December 1989 that the SADF was sensitive to finance, savings and productivity and had been taking a smaller share of the state budget each year. 'The perception that an increase in SADF expenditure is crowding out government spending in other areas is unfounded.' He said that the SADF's cash allocation as a percentage of state expenditure had decreased from 18,4% in 1977 to 14,4% in 1987.²⁰ [²⁰ *The Star* 17 December 1989]

When the Additional Appropriation Bill was published in Parliament in February 1990, a zero increase in the defence budget for 1989/90 was revealed, confirming the trend to reduce defence expenditure.²¹ [²¹ *Ibid* 19 February 1990]

The proposed defence allocation for the year ending 31 March 1991 as published in the Appropriation Bill was R10bn (14,4% of the budget). In his budget speech in March 1990, the minister of finance, Mr Barend du Plessis, said that there was a smaller increase in defence spending than in previous years as a result of the government's curtailment of defence expenditure. The release of funds that previously were necessarily devoted to defence purposes should improve the ability to address socio-economic development questions as part of the programme of restructuring,' he added.²² [²² *Business Day* 15 March 1990] The ending of hostilities in Namibia and Angola, and the subsequent withdrawal of South African

troops from these areas, was one reason for the decrease in defence expenditure.

The deputy minister of defence, Mr Wynand Breytenbach, said in March 1989 that the estimated value of immovable defence equipment and infrastructure erected by the SADF, or on its behalf, in Namibia was R480m. He said that negotiations were under way to give South Africa the time to bring back to the country those things that could be brought back.²³ [²³ *Hansard* (A) 5 q col 227-232, 7 March 1989] Mr Malan said in April 1989 that the withdrawal of South African troops from Namibia would cost R 146,4m.²⁴ [²⁴ *Hansard* (A) 11 q col 697 18 April 1989]

The defence force announced a variety of cuts in January 1990. These included the following:

- the **navy** was to disband the marines, close down five bases and scale down the Simon's Town and Walvis Bay naval bases. In addition two naval commands. Naval Command West at Silvermine (Cape Town) and Naval Command East (Durban), were to be disbanded. Altogether 2 000 members of the navy were to be retrenched or retired;
- the **army** was to introduce drastic curtailments to its running costs and 11 major weapons and equipment projects were cancelled, with another 49 projects to be curtailed or postponed. It would end a special training project for coloured people in Kimberley (northern Cape) and a horse breeding farm at De Aar (north-eastern Cape) was to be closed down;
- the **airforce** was to disband six bases and their air crews would be absorbed into other units. Five types of aircraft would be permanently withdrawn from service; and
- the **medical service** was to phase out its step-out uniforms for national servicemen, and its quartermaster stores in Bloemfontein (Orange Free State), Cape Town (Cape Province) and Pretoria (Transvaal) were consolidated.

No citizen force units would be disbanded or affected, however, and camp commitments of citizen force soldiers remained the same.²⁵ [²⁵ *The Star* 20 January 1990] The building of the SADF's proposed R250m headquarters in Pretoria was 'indefinitely postponed' in January 1990.²⁶ [²⁶ *The Citizen* 12 January 1990]

Mr Malan said that the curtailment and rationalisation of the SADF and ARMSCOR would not weaken the country-the SADF would continue to ensure security and defend essential values, such as democracy. In addition, the SADF and ARMSCOR were doing everything possible to assist people affected by the cuts.²⁷ [²⁷ *Business Day* 11 January 1990]

The spokesman on security for the Democratic Party (DP), Mr James Selfe, said that the effects of the cuts would be huge ARMSCOR retrenchments, a reduction in the defence budget, and a potential shift

in expenditure to areas such as housing and education.²⁸ [²⁸ *The Weekly Mail* 26 January 1990] Mr Harry Schwarz MP (DP) said that the cuts were welcomed ‘both fiscally and politically’ and would contribute to an atmosphere of peace and reconciliation in South Africa. The Conservative Party (CP) supported the cuts but expressed ‘shock’ at the sudden retrenchment of thousands of defence force personnel and the scrapping of certain projects. It also said that the government was caught up in a ‘peace psychosis’ and that peace would not instantly follow a relaxation of military preparedness.²⁹ [²⁹ *The Citizen* 20 January 1990]

The SADF spent nearly R450 000 on direct funding for 15 publications in the 1988/89 financial year and also indirectly financed another 97 publications. Mr Malan said in May 1989 that the SADF had spent R240 000 on *The Warrior*, a newspaper aimed at black people, and R205 648 on direct subsidies to another 14 publications.³⁰ [³⁰ *The Weekly Mail* 26 May 1989]

Military service

Casualties

In October 1989 two black soldiers were burnt to death in Kubusie near Stutterheim (eastern Cape).³¹ [³¹ *Sowetan* 2 October 1989]

A 24-year-old Cape Corps soldier died at Mpumalanga (near Pietermaritzburg) in April 1990 after he had been shot by an unknown gunman in an ambush.³² [³² *The Citizen* 16 April 1990]

Conscription

The state president, Mr F W de Klerk, announced in December 1989 that national service was being cut from two years to one year, with effect from 1990. This followed an interim recommendation by the Van Loggerenberg commission of inquiry (see above). The committee was set up in April 1989, and, according to Mr Malan, would ‘specifically investigate the manpower needs and application in the SADF. Consequently, matters such as the national service system, the system of voluntary service and various forms of military service will receive attention. The committee must indicate how the defence family can stay in the forefront in relation to security, technology and the application of human material’.³³ [³³ *Ibid* 21 April 1989] It was reported that the change in the system came about largely through the ending of hostilities in Angola and Namibia, and as a result of the country’s deteriorating financial situation. Military authorities stressed that military service would be increased/if the security situation changed.³⁴ [³⁴ *The Star* 8 December 1989]

The SADF also announced that the length of service of conscripts still completing their national service would be cut by several months according to a sliding scale. Discharge dates would be staggered for reasons of continuity, road safety and transport. A voluntary, three-year short service system was to be

introduced to make up for the reduction in manpower. Volunteers would receive a R5 000 bonus at the start and end of each year of short service, as well as other benefits.³⁵ [³⁵ Ibid]

With the exception of the CP, the announcement was welcomed by political parties and commerce and industry.³⁶ [³⁶ *The Citizen* 8 December 1989] Anti-conscription groups welcomed the cut in national service but insisted that the government should seek alternatives to the 'harsh choices' facing conscientious objectors.³⁷ [³⁷ *Sunday Times* 10 December 1989]

An End Conscription Campaign (ECC) representative welcomed Mr De Klerk's announcement and suggested that it was 'a response to the extensive dissatisfaction felt by conscripts and an acknowledgement that the perceived threat facing South Africa is no longer as great' as it was. The ECC also called for the release of jailed objectors, a moratorium on all trials of objectors, permission for exiled objectors to return to South Africa without fear of prosecution and a 'genuine, non-punitive form of community service' for all objectors.

Mr Paul Boule, a spokesman for 771 conscripts who publicly announced their refusal to serve in any capacity in the SADF (see *Conscientious objection* below), said that Mr De Klerk's announcement was a possible explanation for the state's tardiness in charging objectors. 'Several of us no longer have any grounds for deferment but are being left alone.' A researcher at the University of the Witwatersrand Business School's Centre for Policy Studies, Mr David Shandler, said that the announcement could reduce the rate of emigration from South Africa.³⁸ [³⁸ *The Weekly Mail* 8 December 1989]

Speaking at a workshop in November on alternatives to national service, Mr Shandler had said that compulsory service was one of the main reasons why 4 500 white university graduates (one quarter of the total number) left South Africa each year. He suggested that the 'brain drain' problem could be solved partly by a new approach which combined an 'extension of national service to include the civilian component'.³⁹ [³⁹ *Business Day* 1 November 1989]

The government's decision to reduce military service to one year had been effective in virtually halting South Africa's brain drain, commercial, industrial and academic sources said in January 1990. Mr Shandler said that there were strong indications that many students would not leave South Africa now that military service had been reduced. The head of the Human Sciences Research Council, Professor Joubert Botha, said that the decrease in military service would have an important marginal effect on emigration.⁴⁰ [⁴⁰ Ibid 29 January 1990]

Mr Breytenbach said in April 1989 that the euphoria which had come about as a result of the prospect of peace in Namibia should not lull people into thinking that a properly equipped defence force was no longer needed. The peace process in Namibia did not affect the situation in South Africa, which was still facing a revolutionary onslaught, he said.⁴¹ [⁴¹ *The Citizen* 22 April 1989]

In April 1989 the minister said that citizen force members would be called up for only 30 days a year, regardless of how much service they were liable for; consideration was being given to not calling up citizen force members in the sixth cycle; commando force members would be called up for only 30 days a year instead of the 50 days allowed by law; in some cases part-time servicemen might not be mobilised at all; and in all cases citizen and commando force members would be credited for the full period of service in any year even though they had served only half of it.⁴² [⁴² *Business Day* 21 April 1989] Mr Malan said in March 1989 that 107 national servicemen from the previous three intakes had been placed in organisations and institutions outside the SADF.⁴³ [⁴³ *Hansard* (A) 6 q col 376-378 14 March 1989]

The head of the South African Police (SAP) public relations division, Colonel Vic Haynes, confirmed in October 1989 that about 4 000 national servicemen would start their national service in 1990 in the SAP instead of the SADF. This was aimed at alleviating the staff shortage in the SAP.⁴⁴ [⁴⁴ *Eastern Province Herald* 10 October 1989]

Conscientious objection

Between February 1984 and September 1989 a total of 1 890 SADF conscripts had applied to the board for religious objection to be recognised as religious objectors. Of these, 1 722 applications were successful, 44 were unsuccessful and 124 were withdrawn. The board had dealt with an average of 25 applications per month.⁴⁵ [⁴⁵ *The Weekly Mail* November 1989]

The minister of manpower, Mr Eli Louw, said in April 1989 that 222 national servicemen (out of 329 applicants) who had been granted religious objector status had been placed in alternative service in 1988 in various government, provincial and local government departments. The departments of home affairs and finance were not allowed to place national servicemen because religious objectors could not be granted security clearance.⁴⁶ [⁴⁶ *Hansard* (A) 9 q cols 582-584, 10 April 1989]

Of a group of 143 men who publicly refused to serve in the SADF in 1988, the call-up of 64 was deferred, the addresses of 13 were unknown, 12 were classified as religious objectors, eight liable for camps were not called up, seven refused to report for national service, six were exempted, three were out of the country, two refused to report for camps, and two had already done camps in 1988. The rest (26) chose to report for service.⁴⁷ [⁴⁷ *Financial Mail* 20 October 1989]

Mr Malan said in February 1989 that no national servicemen had requested in 1988 to be exempted from duty in African townships. He refused to say whether any people had failed to report for military service in July 1988 and February 1989.⁴⁸ [⁴⁸ *Business Day* 28 February 1989]

Mr Malan said in April 1989 that 24,6% of citizen force and commando members called up for camps in 1988 had applied for a deferment and 14,5% had failed to report for service. He added that 0,4% had asked to be exempted from doing service in townships. In that year 165 men had requested exemption

from military service on religious grounds and 820 on other specified grounds.⁴⁹ [⁴⁹ *Hansard* (A) 11 q col 743, 19 April 1989]

Mr Malan announced in January 1990 that as from 1 February 1990 the period of community service for religious objectors was to be halved from six to three years and that non-religious objectors (in jail) would be able to benefit from the remissions policy available to other prisoners. If their conduct was considered by the commissioner of prisons to be satisfactory, they could have their sentences cut by up to 50%. This meant that, potentially, Messrs David Bruce and Charles Bester, two jailed objectors, could be released in July 1991 and December 1991 respectively. At the time of writing five conscientious objectors were on trial for refusing to serve and at least four others were expected to be charged.⁵⁰ [⁵⁰ *The Weekly Mail* 2 February 1990]

An ECC spokesman, Mr Chris de Villiers, welcomed the announcement but said that the government had not addressed the issue of conscientious objection and had 'passed the buck' to the prison authorities.⁵¹ [⁵¹ *Business Day* 30 January 1990]

In December 1989 several religious conscientious objectors doing six years' community service instead of military training had their service reduced by one year. They had all completed five years of their community service. The national secretary of the National Community Service Group, Mr Dawie Bosch, called on the government to reduce the period of community service in the light of the reduced national service period (see *Conscription* above) and for the release of the three conscientious objectors in jail (the third being Mr Saul Batzofin).⁵² [⁵² *The Citizen* 22 December 1989]

In February 1990 religious objectors complained that the system of community service seemed to be punishment rather than a service to the community; that servers were put into dull, monotonous junior administrative positions rather than ones which utilised their abilities; that the period of three years of community service was out of proportion to the one year of military service; that the label 'religious objector' separated them from political or moral objectors; and that they were forced to take leave within a specified three-month period. Mr Bosch said that servers demanded the opportunity of using their training and talents for the communal good.⁵³ [⁵³ *The Star* 9 February 1990]

Two conscientious objectors, Dr Ivan Toms and Mr Bruce, were to appeal against their sentences in the Appellate Division of the Supreme Court (Bloemfontein) in February 1990. Dr Toms had already served nine months of an 18-month sentence and was released on bail in December 1988. Mr Bruce was imprisoned for six years in March 1989.⁵⁴ [⁵⁴ *Cape Times* 9 December 1989]

A workshop on alternative national service was held in Cape Town in October 1989. It drew together senior representatives of the SADF, the security police, the National Party and the DP, the ECC and other anti-war groups, church leaders, academics and representatives of employer bodies. A supreme court judge who was chairman of the board for religious objectors, Mr Justice Willem Edeling, described the 'inordinately long' period of alternative service, as being 'inherently unjustifiable'. He

also questioned the six-year maximum prison sentence for non-religious objectors, and asked whether the definition of religious objectors should not be broadened to include other categories of objector. Among many suggestions to be forwarded to the SADF was one for a new-style national service which would include women and people of all race groups, not necessarily in a military context.⁵⁵ [⁵⁵ *The Weekly Mail* 3 November 1989, *Cape Times* 8 November 1989]

Volunteers

Mr Malan said in May 1989 that of those serving in the citizen force as at 31 December 1988, 3,7% were coloured people, and 96,3% were white. There were no African or Indian members. Of those serving in the commandos 1,5% were African, 2,9% were coloured people, 1,1% Indian and 94,5% were white.⁵⁶ [⁵⁶ *Hansard* (A) 16 q col 968, 8 May 1989]

Mr Malan also said that 1 268 Africans had applied to join the permanent force in 1988 and 1 231 had been accepted. Figures for the other race groups were: 1576 and 208 respectively for coloured people, 144 and 63 for Indians, and 8 499 and 2 363 for whites.⁵⁷ [⁵⁷ *Ibid*]

Mr Malan said that six Africans had volunteered to do national service in 1988 but none had been accepted. The respective figures for other race groups were as follows: coloured people, 6 499 and 3 111 respectively; Indians, 506 and 400; and whites, 728 and 211 respectively.⁵⁸ [⁵⁸ *Hansard* (A) 17 q col 1028, 10 May 1989]

Speaking in the House of Representatives on the defence budget vote in April 1989, Mr Les Abrahams MP (Labour Party) said that coloured people 'are doing their bit. Let us not forget that no fewer than 33 000 coloured soldiers have voluntarily served in Namibia'. He said that the coloured community did not need national service to demonstrate its loyalty to South Africa.⁵⁹ [⁵⁹ *Diamond Fields Advertiser* 24 April 1989] Fewer coloured people reported for two years' voluntary national service in January 1990. Only 1 800 recruits out of an expected 2 500 reported at 2 South African Cape Corps Battalion, with 1300 being accepted.⁶⁰ [⁶⁰ *The Natal Witness* 13 January 1990]

The chief of staff for personnel in the SADF, Lieutenant General Len Meyer, said in June 1989 that military service was likely to be spread over a larger part of the country's population in future. He said a greater percentage of defence manpower needs would have to be met by the African population.⁶¹ [⁶¹ *The Star* 9 June 1989]

It was reported in the same month that an African permanent force soldier was refused permission to receive a medal of merit together with 70 white colleagues at the Delmas (east Rand) sports grounds on 31 May. The town council had requested the SADF to ensure that no blacks would be present on the day, a Republic Day celebration. The officer commanding Witwatersrand command, General Christoffel van der Westhuizen, said that the SADF had decided to comply with the council's wishes but stressed

that the army had ‘many black soldiers’ and that there was no element of apartheid in the defence force.⁶² [⁶² *Sunday Star* 4 June 1989]

Proceedings against military personnel

In January 1989 a civil claim against the SADF by 52 people, mostly University of the Witwatersrand students, was settled, with 47 of the applicants receiving various amounts totalling R20 000. The claim arose from an incident on May Day in 1986 when soldiers fired teargas into a bus of students who were returning from a rally in Orlando (Soweto).⁶³ [⁶³ *The Citizen* 28 January 1989]

It was reported in the same month that Mr Samuel Mbongo was awarded R62 500 in a claim against the SADF. Mr Mbongo’s left arm was amputated after he had been shot by a soldier in an incident in Soweto (Johannesburg) in October 1985.⁶⁴ [⁶⁴ *City Press* 22 January 1989]

Mr Malan said in March 1989 that seven official complaints had been lodged in 1988 with the SADF regarding the actions of troops in African townships. The charges related to assault, harassment, pointing of a firearm, rape and murder.⁶⁵ [⁶⁵ *Hansard* (A) 6 q col 379-380 14 March 1989]

A spokesman for the legal assistance centre in Namibia said in April 1989 that more than 100 complaints of assault, intimidation and destruction of property had been filed against South African security forces by Namibians since the beginning of the month. He said that most complaints had been lodged by people from northern Namibia, where South African soldiers in civilian clothes had apparently harassed residents.⁶⁶ [⁶⁶ *City Press* 30 April 1989]

In April 1989 Lieutenant N J A Prinsloo and several other SADF members were charged in Namibia in connection with an assault in 1987, which had led to the death of a civilian. Lt Prinsloo was one of six SADF soldiers who had been granted amnesty by the former state president, Mr P W Botha, when they were due to stand trial for murdering South West African People’s Organisation supporters in 1986 (see *1988/89 Survey* p522).⁶⁷ [⁶⁷ *The Star* 20 April 1989]

Other personnel

Mr Malan said in April 1989 that 294 national servicemen had attempted suicide in 1988 and 11 national servicemen had committed suicide. Comparative suicide figures for national servicemen and white males between the ages of 20 and 24 were 19,7 per 100 000 for the servicemen and 27 per 100 000 for civilians.⁶⁸ [⁶⁸ *Ibid* 24 April 1989] The figures for permanent force members were 44 attempts and four suicides, and for citizen force members, six attempts and six suicides.⁶⁹ [⁶⁹ *Hansard* (A) 11 q col 750, 19 March 1989] He added that during 1988 the suicide rate for the whole of the SADF was 16,6 cases per 100 000, while in white-designated South Africa the civilian rate was 18 cases per 100 000.⁷⁰ [⁷⁰ *Hansard* (A) 12 col

6130, 21 April 1989] The public relations officer for the South African Medical Services, Commandant Gideon Brink, said in April 1989 that ‘the SADF places a high premium on human life, and ongoing research on suicide is conducted by the defence force’. He said that the main reason for suicide remained personal and family problems.⁷¹ [⁷¹ *The Star* 24 April 1989]

Mr Malan said in May 1989 that during the first three months of the year, 30 national servicemen had attempted suicide but none had died. He said that steps taken to prevent suicides included the early identification of high risk cases and the establishment of military community development committees which would develop a healthy lifestyle among SADF members, initiate preventive programmes and create channels to specialist personnel for members in need.⁷² [⁷² *Hansard* (A) 16 q col 966-967, 8 May 1989]

Border security

Electric fences

Mr Malan said in April 1989 that 70 people had died as a result of contact with the electrified fences on South Africa’s northern and eastern borders since their erection in 1986. He said that 26 people had died in 1988.⁷³ [⁷³ *Hansard* (A) 10 q col 641-642, 12 April 1989]

Intelligence and security services

National security management system

The state president, Mr F W de Klerk, announced in November 1989 that the national security management system (NSMS), with its 402 joint management centres (JMCs), was to be dismantled. The state security council (SSC) would be downgraded to cabinet-committee status, except for its statutory functions; the council’s staff would be ‘rationalised’; and the JMCs abolished. The SSC’s statutory function is to formulate national policy in relation to security and determine intelligence priorities. Mr De Klerk stressed that the new system ‘confirms the cabinet as the highest policy making and co-ordinating authority’. The powers acquired by JMCs were to be restored to functional government departments. A new form of co-ordination on regional and local levels would be created through special committees, while at central government level, co-ordination would take place between the cabinet and cabinet committees, between senior officials and between inter-departmental task groups.⁷⁴ [⁷⁴ *Cape Times* 29 November 1989]

A cabinet committee consisting of Mr De Klerk; the minister of foreign affairs, Mr Roelof (Pik) Botha; the minister of justice, Mr Kobie Coetsee; the minister of law and order, Mr Adriaan Vlok; and the minister of defence, Mr Magnus Malan, was to take control of national security.⁷⁵ [⁷⁵ *Business Day* 29 November 1989]

JMCs were to be replaced with a system of joint co-ordinating committees (JCCs) which would elect their own chairmen and meet only when the need arose. It was expected that there would be nine JCCs, appointed through consultation between the various government departments involved.⁷⁶ [⁷⁶ *The Citizen* 29 November 1989] One of the Democratic Party's co-leaders, Dr Zach de Beer, said that it was 'welcome news' that the NSMS was to be largely demilitarised'. The Conservative Party's spokesman on defence, Mr Koos van der Merwe, criticised the announcement, saying that it was partly a result of tension between Mr De Klerk and Mr Malan.⁷⁷ [⁷⁷ *Cape Times* 29 November 1989]

In March 1989 the Human Sciences Research Council (HSRC) strongly condemned an incident in which the National Intelligence Service (NIS) used the HSRC's name and letterhead to obtain information from trade unions in Durban.⁷⁸ [⁷⁸ *The Star* 3 March 1989]

Security Police

A self-confessed South African security police spy in the African National Congress (ANC), Ms Olivia Forsyth, revealed in February 1989 that a confession she had made to the ANC in 1988 was planned (see *1988/89 Survey* p526). Ms Forsyth said that she was not at liberty to divulge any details of the circumstances surrounding her confession and 'defection' to the ANC. The executive chief of the security branch, Major General Basic Smit, announced in February 1989 that 'Olivia Anna Marie Forsyth and Joy Harnden are trained intelligence operatives of the security branch of the South African Police. Forsyth was held prisoner by the ANC's security department at Quatro prison camp, Angola, for seven months. She spent a further 15 months under ANC guard in Luanda. On May 2 1988 she managed to evade her guards and take refuge in the British embassy. During her seven years (as an agent) she was able to perform her secret task and gathered valuable information. On November 16, 1988 she left Luanda for London and subsequently returned to South Africa. Harnden spent five years as an infiltration agent'.⁷⁹ [⁷⁹ *Ibid* 3 February 1989]

The ANC refuted many of Ms Forsyth's allegations and criticised the British government's role in securing her freedom.⁸⁰ [⁸⁰ *Ibid* 17 February 1989]

South African Defence Force (SADF) intelligence

Three directors of a construction company, JALC Holdings, alleged in March 1989 that they were involved in undercover security work for the NIS. They claimed to be conducting 'state security work' in independent states in which JALC had plans for development or was involved in construction projects. These states included Botswana, Lesotho and Mauritius, as well as the 'independent' homelands of Bophuthatswana, Ciskei and the Transkei.⁸¹ [⁸¹ *Sunday Tribune* 5 March 1989]

The Harms Commission of Inquiry into Cross-border Irregularities, appointed in August 1989 to investigate alleged cross-border irregularities involving the Transkei and the Ciskei (see *1988/89 Survey*

pp81–84), revealed in the same month that a military officer, Brigadier M J Deyzel, was forced to retire in 1987 after he became involved in alleged corruption during an under-cover assignment with JALC. Brig Deyzel apparently retired on a full pension of R48 000 a year and received a gratuity of R150 000.⁸² [⁸² *The Star*, *The Citizen* 22 March 1989]

In July 1989 the alleged leader of South African commandos, Mr Dennis Beahan, was jailed for life in Zimbabwe for trying to free six detained South African agents from the Chikurubi Maximum Security Prison in Harare in 1988. Of the six, two men, Messrs Kevin Woods and Michael Smith, were under sentence of death for murder following the bombing of an ANC house, in Bulawayo in January 1988.⁸³ [⁸³ *The Star* 8 June 1989, *The Citizen* 1 July 1989] Messrs Woods and Smith, along with Mr Barry Bawden, were sentenced to 40 years each for their role in an attack on ANC premises in Harare in May 1986.⁸⁴ [⁸⁴ *Business Day* 12 June 1989]

An alleged self-confessed South African spy, Mr Velapi Mbiwa, was sentenced to nine years' imprisonment in Zimbabwe in February 1989 for allegedly taking photographs of buildings in Harare used by the ANC and Zimbabwe's Central Intelligence Organisation (CIO).⁸⁵ [⁸⁵ *The Citizen* 6 February 1989]

In April 1989 the Lusaka Supreme Court reduced the prison sentence imposed on a South African soldier for spying, from 50 to 30 years. Mr Isiah Moyo was found guilty of gathering intelligence reports on strategic military installations for the SADF in 1986. He was a serving member of the SADF at the time.⁸⁶ [⁸⁶ *Ibid* 5 April 1989]

A former Bureau for Information liaison official, Ms Sue Dobson, revealed in October 1989 that she and her husband, Mr Peter Dobson, had been ANC activists for ten years. She said that they had gained access to the plans and strategies of organisations such as the NIS and the SADF. Mr Dobson worked in the SADF as a lieutenant in the military psychological institute and subsequently in the computer industry, where he had access to government-related institutions.⁸⁷ [⁸⁷ *Ibid* 20 October 1989] The couple fled from Namibia with official documents they said revealed details of South Africa's sanctions-breaking and intelligence operations and of a plan to undermine the South West African People's Organisation (SWAPO) and the United Nations (UN) forces in Namibia and to promote the Democratic Turnhalle Alliance in the independence elections there.⁸⁸ [⁸⁸ *Business Day* 20 October 1989]

Justice

The legal system

The national director of the Legal Resources Centre (LRC), Mr Arthur Chaskalson, said at a conference in April 1989 that legislation 'provides the foundations on which a racially discriminatory society is built. The interpretation of the law defines the boundaries of that society and law enforcement provides

the means whereby discrimination is kept in place'. Because this legislation had spawned a massive bureaucracy, conflict had developed between the bureaucratic state and common law. 'This attempt to create an apartheid superstructure upon an infra-structure of Roman Dutch common law calls for an almost schizophrenic approach by courts to problem-solving,' Mr Chaskalson noted.

Resistance to laws and practices 'that could be enforced only by coercion achieved a momentum that proved to be unacceptable to the government, and a state of emergency was enacted'. Mr Chaskalson maintained that there were signs of change but felt that there was still much to be done. Among his suggestions were the following:

- that lawyers develop efficient and equitable principles to protect rights and develop a good administration;
- that every person should have effective access to the profession; and
- that the profession should make itself accessible to the broad public in an effective and not merely a formal way.⁸⁹ [⁸⁹ *New Nation* 20 April 1989]

In September 1989 the national director of Lawyers for Human Rights (LHR), Mr Brian Currin, announced the launch of a programme to monitor racial discrimination in the application of justice in South Africa. The programme, to be known as LHR Project Article 7, would closely monitor prosecutions, convictions and sentences and highlight cases where there was discrimination. Mr Currin said that the LHR was 'particularly distressed' by the following trends:

- where a group of black people were involved in a killing, 'as many as can be identified' were charged with murder based on the common purpose doctrine and 'vigorously prosecuted';
- where a group of white people—'particularly farmers and policemen'—were involved in the killing of a black person, 'invariably only the main perpetrator is charged with murder', while the others were charged with offences ranging from culpable homicide to assault. The prosecution also 'proceeds apologetically';
- where blacks were convicted of murder, particularly when a white person was a victim, a 'disproportionately high percentage' of them were sentenced to death; and
- where whites were convicted of murder, particularly when a black person was a victim, a 'disproportionately minute percentage' were sentenced to death.

'In making this allegation about discrimination in the administration of justice, we are mindful of the fact that there are many judges and magistrates who dispense justice fairly,' Mr Currin said.⁹⁰ [⁹⁰ *The Star*

6 September 1989]

In October 1989 a lawyer attached to the University of the Witwatersrand's Centre for Applied Legal Studies, Mr Edwin Cameron, argued that the government's policy of allowing a 'disregard of unjust, unpopular and often unenforceable laws for the sake of political expediency' had threatened the coherence and integrity of the legal system. Similarly, inconsistent and selective prosecution leads to disrespect for the law and to mounting scepticism about the role of the courts. The legal system, no less than our economy and the fabric of our community life, requires a decisive and immediate commitment to proper reform. Piecemeal change effected through measures injurious to the legal process places our future at risk as much as the continuation of apartheid does'.⁹¹ [⁹¹ *Sunday Star* 29 October 1989]

Mr Currin said in March 1989 that the report by the South African Law Commission on a negotiated bill of rights was 'probably the most profound and brave document ever produced by the South African government'. He said that it would be a tragedy if the report, which gave the Freedom Charter and African National Congress (ANC) constitutional proposals 'a lot of space', lay and gathered dust. He said further that the report was significant in that it created a starting point for a political solution in South Africa and could do much to break down legitimate fears in the African community about bills of rights.⁹² [⁹² *Cape Times* 13 March 1989]

A 491-page working paper was published by the commission for comment and criticism in March 1989 (see *1988/89 Survey* pp504–505).

The minister of information, Dr Stoffel van der Merwe, said in June 1989 that he believed that the general principle of a bill of rights was acceptable to the government. 'But I think it is advisable for the government not to take too definite a stand at too early a stage, so as not to shorten the debate or make the debate too controversial.' He indicated that the government accepted that Africans would have to be granted the vote before a bill of rights could be instituted.⁹³ [⁹³ *Leadership* vol 8 no 4, June 1989]

The minister of justice, Mr Kobie Coetsee, said in the same month that the first step towards implementing a more democratic system of government in South Africa was to introduce a full bill of human rights which precluded domination and protected group rights. He conceded that all South Africans did not have a vote with regard to matters which affected them both personally and generally.⁹⁴ [⁹⁴ *Business Day* 30 June 1989]

The head of the investigation into the bill, Mr Justice P J J Olivier, said at a bill of rights symposium (also in June) that fundamental rights had to be recognised and protected in South Africa and that group privilege and racial discrimination had to disappear. In its place, if we are to survive, must come a great and strong constitution based on justice.'⁹⁵ [⁹⁵ *Ibid* 16 June 1989]

Mr Coetsee said in May 1989 that 69 claims and eight applications were brought against him in 1988 in his capacity as minister of justice by members of the public. No money was paid out as a result of

successful law suits but R70 906 was paid out in out-of-court settlements. This included actions instituted before 1988 but settled in that year.⁹⁶ [⁹⁶ *Hansard* (A) 22 q col 1305, 26 May 1989]

The South African Law Commission announced in June that it was conducting an investigation into the protection of child witnesses and asked for suggestions by 31 August 1989.⁹⁷ [⁹⁷ *Government Gazette*, no 11964, 23 June 1989; Notice 678 of 1989] The commission included among its proposals the identification of assailants from behind a one-way mirror, the taking of evidence in a special room in the presence of a qualified assistant, and the making of a special effort to avoid postponements of a case so that it could be completed as soon as possible.⁹⁸ [⁹⁸ *The Citizen* 16 June 1989]

Legal aid

In December 1989 the assistant director of the Legal Aid Bureau in Johannesburg, Mr Brian Leveson, argued that the funds made available for legal aid by the government were inadequate. An amount of R15 020 200 was made available for the 1989/90 financial year. This represented an average expenditure of approximately 50c per capita and compared unfavourably with other western countries, he said. Another problem was that the onus was placed on accused persons to seek out a legal aid officer, when they were often ignorant of their rights, being indigent, semi-literate and too bewildered to find their way in an alien environment. Furthermore, accused persons had little to offer in the way of fees and many did not have the resources to obtain legal representation. Mr Leveson offered the following possible solutions: state funds for legal aid should be increased, public defenders could be appointed to ease the burden on private practitioners, judicial officers should actively intervene at every critical stage of the court process, and the Criminal Procedure Act of 1977 should be amended to avoid delays in matters being brought to court and finality.⁹⁹ [⁹⁹ *Sunday Star* 17 December 1989]

During the year 1 April 1987 to 31 March 1988, the Legal Aid Board paid out R7,3m in white-designated South Africa and R45 000 in Namibia for legal aid. A total of 67 874 applications were received and 20 021 granted. A total of 9 286 cases were pending. A breakdown of the applications is as follows:

Application for legal aid: 1987/88

Nu

Nu

NuNumber of cases resolved by mediation by board's representatives or referred to state or other institutions

Criminal cases

10 239

7 836

1 529

824

Civil cases and applications

44 233

12 034

13 302

18 897

Quasi-judicial matters

4 116

101

98

3 917

Total number of cases pending

9 286

Total

67 874

19 971

14 929

During this period the board was forced to suspend legal aid for criminal and civil appeals and civil matters where the claim amounted to R1 200 or less. No advocates were instructed in the lower courts and no senior advocates in the Supreme Court. As from 8 July 1987 legal aid for actions in the Industrial Court were also suspended for the year ending 31 March 1988. The board was also forced to impose restrictions on legal costs for the duration of the year ending 31 March 1988 in divorce and related cases, in criminal cases, in respect of applications or petitions after imposition of the death penalty and in all actions in the Industrial Court. The director of the board was able, however, to overrule these restrictions, to instruct advocates and senior advocates, and to increase or remove restrictions.

The board also adjusted the means tests for legal aid. Single persons or estranged spouses would qualify for legal aid if they had a calculated income of not more than R500 a month. An additional R150 per dependant child was allowed. Married persons qualified for legal aid if they had a calculated income of not more than R1 000 a month, with R150 being allowed per dependant child.

Mr Coetsee said that the following amounts, at least, would be appropriated for the board over the next five years: R12m for the 1988/89 financial year; R15m for the 1989/90 financial year; R17m for the 1990/91 financial year; R19m for the 1991/92 financial year and R22m for the 1992/93 financial year.¹⁰⁰ [100 *Report of the Legal Aid Board 1 April 1987-31 March 1988*, (ISSN 0250-2208)]

Mr Ray Swart MP (Democratic Party) said in Parliament in April 1989 that high legal costs in South Africa continued to inhibit access to the courts and called on the government urgently to address the problem. I believe there is a strong need to streamline procedure to bring access to the courts closer to the people, whether they can afford fees or not.¹⁰¹ [101 *The Star* 18 April 1989]

Personnel

The **Judges' Remuneration and Conditions of Employment Act**, passed in June 1989, provided for the remuneration and conditions of employment of judges of the Supreme Court of South Africa. It had as its main purpose the amendment of sections relating to retirement and leave conditions.¹⁰² [102 *Judges' Remuneration and Conditions of Employment Bill*, B112b-89]

In terms of the act, judges would hold the position of judge for life and receive the same salary as serving colleagues; and they would be removed from active service if they were 70 years old and had completed ten years' service—but might be allowed to continue to 75 or until 15 years' active service had been completed, whichever occurred first. They could choose to retire under the existing dispensation as long as they informed the minister of justice within one month of the act being published in the *Government Gazette*. The existing dispensation obliged judges to retire at 70 years of age, with a choice of retiring at 65, to receive a proportional pension and a proportional gratuity.¹⁰³ [103 *Ibid*]

Mr Coetsee said that the act intended to make appointments to the bench more attractive, to increase the volume of work of the bench without enlarging it, to entrench the independent status of a judge for life and to 'embody the absolute uniqueness of the judicial office in legislation'.¹⁰⁴ [¹⁰⁴ *The Citizen* 25 May 1989]

In April 1989 there were six Africans practising at the Johannesburg bar, which had 381 practising members at the time. Of these, five were opposed to the appointment of an African judge at that time and all six were opposed to the idea of an African person being appointed as a judge on the grounds of race. The first African woman advocate, Ms Lucy Mailula, noted that an African person appointed as a judge while apartheid laws were still on the statute books would experience problems enforcing those laws.¹⁰⁵ [¹⁰⁵ *The Star* 5 April 1989]

Mr Coetsee said in May that the attorney general's office was to be extended by 27 senior officers in a further effort to reduce the periods of detention of people awaiting trial. He said that as at 30 June 1978 awaiting trial prisoners comprised 13% of the total prison population (13 000 out of 98 000); as at 30 June 1984 the figure was 24% (24 000 out of 99 000); and at 31 March 1989 the figure was 18% (20 028 out of 111 000). This was a fluctuating situation, he said. In the lower courts, a total of 230 390 new criminal cases had been recorded from July to September 1988. As at 30 September 1988, 645 awaiting trial prisoners had been in custody for longer than three months. Mr Coetsee said that the minister of finance had agreed to appoint the following new officers: six deputy attorneys general, nine senior state advocates, and 12 state advocates. He added that for the first time in South Africa's history there were more qualified regional magistrates than there were positions and posts.¹⁰⁶ [¹⁰⁶ *Hansard* (A) 18 q col 1091-1097, 16 May 1989]

As at 31 December 1988 there were 27 African, 54 coloured, 28 Indian and 847 white people serving as prosecutors in South Africa, excluding the 'independent' and non-independent homelands.¹⁰⁷ [¹⁰⁷ *Hansard* (A) 9 q col 548, 6 April 1989] There were only white magistrates (144) in South Africa (excluding all the homelands) as at the same date.¹⁰⁸ [¹⁰⁸ *Ibid*, col 549]

There were 27 African, 61 coloured, 40 Indian and 2 409 white people with legal qualifications employed in the Department of Justice in professional capacities in South Africa (excluding all the homelands) as at 31 December 1988.¹⁰⁹ [¹⁰⁹ *Ibid*, col 546]

Sentencing

In April 1989 the LHR condemned as 'shocking' a case in which two Krugersdorp (west Rand) farmers, Mr Louis Venter and Mr Pieter Fouche, were fined R1 200 or four months' imprisonment and a further six months suspended for five years for assaulting a farmworker, Mr Stephen Mononye, who subsequently died.¹¹⁰ [¹¹⁰ *The Natal Witness* 24 April 1989]

In July 1989 a white man, Mr Mathys Pretorius, who shot and killed a Soweto (Johannesburg) school pupil, Mr Hendrik Nxumalo, when his South African Defence Force (SADF) unit was called out to restore order at a school in Orlando West in August 1986, was fined R2 000 or one year's imprisonment. He was also sentenced to a further two years, suspended for four years. The magistrate, Mr A Auret, said that he would have sent Mr Pretorius to jail had he not been among soldiers called to the school to restore order.¹¹¹ [¹¹¹ *Sowetan* 20 July 1989]

A former member of a SADF special unit, Mr Petrus Leeb, was jailed in November 1989 for eight years by the Tzaneen circuit court for murdering a farmworker, Mr Simon Snyders. He had beaten Mr Snyders until he died and had then hidden his body in a hole. In passing sentence, Mr Justice J Coetzee said that the right to life was most important and that Mr Leeb had violated Mr Snyders' right to live. The *Sowetan* newspaper said that such lenient sentences 'erode people's confidence in the administration of justice'.¹¹² [¹¹² *Ibid* 14 and 15 November 1989]

Mr Lester Fuchs MP (DP) said in February 1990 that he was to challenge the minister of justice on a case in which a Piet Retief (eastern Transvaal) farmer was fined R 100 for assaulting an employee, Mr Ekathi Xaba, who had later died. Two witnesses who had made statements to the police claimed they had not been called to give evidence. The prosecutor said that the witnesses had been called but had not been present at court because they could not be found. The farmer, Mr Wilhelm Rabe, had whipped Mr Xaba with an electrical cord but the magistrate found that Mr Xaba's subdural haemorrhage of the brain and ruptured spleen had not been caused by the assault.¹¹³ [¹¹³ *Ibid* 23 February 1990]

The national president of the South African National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO), Mr Justice J Trengove, said in May 1989 that the South African courts should explore alternative forms of sentencing because the existing system of imprisonment, which did not always effectively rehabilitate offenders, was an 'oppressive burden' on taxpayers. Of 191 000 convictions in magistrates' and regional courts from October 1986 to December 1988, only 30 000 offenders were granted totally or partially suspended sentences. Of these, only 2 500 came with 'positive conditions' -such as community service orders or compensation to their victims. 'Only 54 of the 2 500 offenders were granted community service orders, and I believe there is still a lot of scope for our courts to investigate alternative forms of sentencing,' Judge Trengove said. One of the benefits of the orders was that the offender remained in society and did not have to face the problem of reintegration. The offender was also able to maintain his employment, thus minimising the cost to taxpayers, and overcrowding in prisons was reduced. One of the objectives of the order was to provide a positive form of punishment which would be beneficial to both the community and the offender, and to provide an alternative to imprisonment while maintaining the confidence and credibility of the courts and the public. Community service was an alternative sentencing option to imprisonment for all race groups, but was not suitable for every offender, he said.¹¹⁴ [¹¹⁴ *The Star* 18 May 1989]

Punishment

Corporal punishment

In May 1989 Mr Coetsee gave the following figures for corporal punishment:¹¹⁵ [¹¹⁵ *Hansard* (A) 22 q col 1399,26 May 1989]

Corporal punishment coupled with imprisonment

1/7/86-30/6/87

1/7/87-30/6/88

African

2 516

3 271

Coloured people

1 808

1 998

Indians

35

38

Whites

259

222

Total

4 618

5 529

Corporal punishment not coupled with other sentences

1/7/86-30/6/87

1/7/87-30/6/88

Africans

21 223

22 712

Coloured people

11 997

11 461

Indians

404

267

Whites

1 086

964

Total

34

Capital punishment

The Human Rights Commission (HRC) said in December 1989 that 1 335 people had been hanged between 1978 and 1988, excluding the 'independent' homelands.¹¹⁶ [¹¹⁶ *The Weekly Mail* 8 December 1989]

Mr Coetsee said in May 1989 that of 213 people who had been sentenced to death in 1988, 118 had been

refused leave to appeal, 11 had been executed, 17 had had their sentences commuted, one conviction had been reversed and three people had had their sentences altered or reduced by the Appellate Division of the Supreme Court.¹¹⁷ [¹¹⁷ *Hansard* (A) 22 q col 1365, 26 May 1989]

Mr Coetsee said in March 1989 that of the total number of those executed in 1988, 76 had been African men, 38 coloured men and three white men. No females had been executed.¹¹⁸ [¹¹⁸ *Hansard* (A) 5 q col 288, 8 March 1989] Mr Coetsee said that in 1988, 38 Africans, four coloured people, two Indians and five whites had had their death sentences commuted.¹¹⁹ [¹¹⁹ *Ibid*, col 289]

Mr Coetsee also said that six persons had been sentenced to death in 1988 for the murder of policemen and two people had been executed in 1988 for that crime. In addition, eight people had been sentenced to death in 1988 for the murder of suspected informers.¹²⁰ [¹²⁰ *Hansard* (A) 22 q col 1417, 26 May 1989]

He added that 17 persons had been sentenced to death for so-called 'necklace' murders in 1988.¹²¹ [¹²¹ *Ibid*, col 1398]

In May 1989 Mr Coetsee said that 227 African men, 40 coloured men, five Indian men and 13 white men were awaiting execution. One African and one coloured woman were also awaiting execution, giving a combined total of 287.¹²² [¹²² *Ibid*, col 1365]

According to the LHR, 285 people were on death row at the end of November 1989 and 52 people had been executed since the beginning of that year.¹²³ [¹²³ *New Nation* 1 December 1989] It said that 42 death sentences had been handed down in 1989 for political offences in South Africa, including the 'independent' homelands. Of these, 26 were in terms of common purpose law in two trials: 14 at the Upington trial in May and 12 at Mdantsane, Ciskei in June.¹²⁴ [¹²⁴ *The Weekly Mail* 17 November 1989] At least 60 people had had their sentences commuted.

The South African Prison Services said at the beginning of October 1989 that 289 people were awaiting execution.¹²⁵ [¹²⁵ *Business Day* 8 November 1989, *The Weekly Mail* 17 November 1989]

In October 1989 it was reported that there were 88 political prisoners on death row. A few of the 88 were captured while on 'missions' for the ANC. In the trials which led to their conviction, the government pursued a policy of de-politicisation or criminalisation. Thus they were charged with common law murder rather than, for example, statutory terrorism under the Internal Security Act of 1982. Most of the 88 were convicted of murder for killings during the township turmoil which lasted from 1984 to 1986. The best known case was that involving the 'Upington 14' who were sentenced to death for the murder of an African policeman under the controversial 'common purpose' doctrine. They were granted leave to appeal in September 1989.¹²⁶ [¹²⁶ *The Star* 14 October 1989]

According to the HRC, in February 1990 there were 79 people on death row for politically related reasons. They were among 302 prisoners facing the death penalty when Mr De Klerk announced the suspension of all death sentences.¹²⁷ [¹²⁷ *Eastern Province Herald* 5 February 1990]

A spokesman for the National Association of Democratic Lawyers (NADEL), Mr Greg Knott, said in November 1989 that the sentencing of five African men, Messrs Mzwandile Gqweba, Lundi Wana, Thembinkosi Pressfeet, Mzwandile Mninzi and Monde Tingwe to less than two years in jail for a murder for which they were once sentenced to death was 'a stunning decision and an enlightened one'. Mr Justice C Jansen of the Eastern Cape Division of the Supreme Court accepted evidence by a British social anthropologist, Mr Andrew Coleman, about the effects of crowd hysteria on personal behaviour, known as deindividuation. The five men had already spent two years on death row for taking part in a 'necklace' murder in 1985. They had been found not to be directly responsible for the death of Ms Nosipho Zanela in their original trial, but had been convicted of murder because they had shared a 'common purpose' with the unidentified killer. Explaining deindividuation in his ruling, Judge Jansen said that 'the person in a group follows the group and becomes anonymous, being inclined to do things which under normal circumstances he would not do'. He was only the second judge at the time to accept this principle. Mr Knott said that the case emphasised the unacceptable dangers of capital punishment.¹²⁸ [¹²⁸ *The Citizen* 23 November 1989]

Mr Paulos Maseko was released from death row in November 1989 after the Appellate Division (AD) of the Supreme Court (Bloemfontein) found that the original judge had acted in a seemingly prejudiced and partial manner. Three AD judges found that Mr Acting Justice W J Human had acted in such a way as to make it seem as though he had rejected Mr Maseko's evidence and had closed his thoughts to the possible innocence of Mr Maseko before the trial was concluded. In the original trial, Judge Human had told Mr Maseko when he was giving evidence to hurry up so that the court could get the trial over and done with.¹²⁹ [¹²⁹ *The Weekly Mail* 24 November 1989]

A former security policeman and death row prisoner, Mr Butana Almond Nofemela, alleged in October that he had participated in political assassinations by a police hit squad under orders of senior security policemen. He named Captain Dirk Coetzee, who confirmed the allegations, as the hit squad's field commander. As a result of his affidavit, Mr Nofemela's execution was postponed pending investigations into his allegations. The Department of Justice agreed to postpone his execution until the investigation, conducted by the attorney general of the Orange Free State, Mr T P McNally, and the head of the Criminal Investigation Department, Lieutenant General Alwyn Conradie, was completed.¹³⁰ [¹³⁰ *Sunday Star* 19 November 1989]

The attorney general of Natal, Mr Mike Imber SC, announced in February 1990 that he was withdrawing the murder charge against Mr Nofemela for killing Mr Griffiths Mxenge, a lawyer. He had already been sentenced to death for the murder of a Brits farmer. The charge was withdrawn at this stage so that Mr Nofemela could testify before a commission of inquiry appointed to investigate 'alleged incidents of murders and other unlawful acts of violence committed in South Africa and the homelands in order to

achieve, effect or promote constitutional aims in South Africa' (the Harms commission), Mr Imber said. The commission was to inquire into and report on alleged murders and other unlawful acts of violence in respect of which the judicial process had been completed or which had not been solved, or in cases which were not progressing for lack of evidence.¹³¹ [¹³¹ *The Star* 22 February 1990] (For further information on the hit squads and the Civil Co-operation Bureau's involvement therein, see chapter on *Political Developments*.)

An LHR spokesman, Mr Shuks Sefanyetso, said in November 1989 that a number of death-row prisoners had expressed concern that the Department of Justice had refused the LHR access to vital information on the recently executed Mr David Shongwe on the grounds that the LHR was not his legal representative. Mr Shongwe had been sentenced in 1989 and had not appealed to the chief justice or petitioned the state president for clemency.¹³² [¹³² *Ibid* 15 November 1989]

A Department of Justice spokesman said that Mr Shongwe had been informed by the prison authorities of remedies available to him before he was executed, but he had declined to take any action or to indicate that he wished to have legal representation. The department reiterated its policy of providing information to a lawyer who was acting on behalf of a prisoner on death row. Mr Dave Dalling MP (DP) accused the department of being obstructionist. 'They should think of the individual concerned and not use legal technicalities to prevent lawyers from having access to the prisoner.'¹³³ [¹³³ *Ibid* 13 November 1989]

Three ANC guerrillas convicted of murder in the Delmas 2 trial, Messrs Jabu Masina, TingTing Masango and Neo Potsane, were sentenced to death in April 1989 (see *1988/89 Survey* p572).¹³⁴ [¹³⁴ *Ibid* 28 April 1989]

In June 1989 a former policeman who killed eight people and attempted to murder a further 16, Mr Barend Strydom, was refused leave to appeal in the Transvaal Provincial Division of the Supreme Court against eight death sentences imposed on him in May 1989.¹³⁵ [¹³⁵ *Sowetan* 19 June 1989] His lawyers indicated that every possible avenue would be followed to save Mr Strydom from hanging, even a nationwide petition if necessary.¹³⁶ [¹³⁶ *The Citizen* 16 June 1989]

A survey into sentencing in the Cape Provincial Division of the Supreme Court by three University of Cape Town legal academics, Ms Christina Murray, Ms Julie Sloth-Nielsen and Mr Colin Tredoux, showed significant disparities in the use of capital punishment by individual judges for comparable case loads. 'We believe a judge's personal predisposition to the imposition of capital punishment does indeed play a crucial role in explaining our statistics,' said the researchers. They said that it could alternatively be alleged that some judges were routinely assigned to cases where the death penalty was more probable, while others were given less serious cases. There was also some evidence that differential allocation had taken place in political cases.¹³⁷ [¹³⁷ *Business Day* 18 September 1989] Of the 32 judges who had heard possible death penalty cases from 1986 to 1988, three accounted for more than half of the accused who had been sentenced to death. While some judges had not passed the death penalty at all, one judge had imposed it in 44% of the cases he had heard, the researchers said.¹³⁸ [¹³⁸ *The Weekly Mail* 15 September

1989]

The national vice president of NADEL, Mr Mathole Motshekga, said in October 1989 that judges presiding over political trials involving the death penalty had three options:

- to take the norms of contemporary international law as mitigating circumstances in order not to impose the death penalty;
- to take participation in armed resistance against the 'crime of apartheid' as a mitigating circumstance in itself; and
- to treat captured members of liberation movements as prisoners of war under the Geneva protocol.

The South African judiciary had failed to accept the Bangalore (1988) and Harare (1989) declarations on human rights, he said, and commented that it was disturbing that South Africa had fallen out of step with the standards of justice in the rest of Africa. Mr Motshekga averred that 'contemporary international law has freed the South African judiciary from the binding force of apartheid capital offences and judges are therefore free to refrain from imposing the death penalty'.¹³⁹ [¹³⁹ *New Nation* 6 October 1989]

A survey conducted on capital punishment by the Human Sciences Research Council (HSRC) concluded in June 1989 that 74% of African respondents, 63% of the coloured and Indian respondents, and 70% of the white respondents believed that more crime would be committed if the death sentence were abolished. Furthermore, nearly 50% of the African respondents, 50% of the coloured respondents, 52% of the Indian respondents and 50% of the white respondents believed that it should be applied more frequently.

The survey measured attitudes in separate random surveys among the groups mentioned above. The researcher, Dr Keith Smith, said that although most people supporting the death penalty cited its deterrent effect as the main reason for their support, research findings also showed that most supporters would continue to back it even if it were shown to have no deterrent effect.¹⁴⁰ [¹⁴⁰ *The Citizen* 12 June 1989]

A survey by NICRO of attitudes to capital punishment showed that the gap between those in favour of hanging and those against it was closing significantly. NICRO's nationwide survey of urban dwellers found in February 1990 that 42% of respondents thought the death penalty should be retained, 38% were against its retention and 20% were uncertain. Africans were most in favour of its abolition (65 %) and whites least in favour.¹⁴¹ [¹⁴¹ *The Star* 10 February 1990]

In February 1990 the state president, Mr F W de Klerk, announced that all death penalty executions had been suspended and none would take place until Parliament had decided on new proposals. The following principles were adopted by the government:

- that reform in the area was indicated;
- that the death penalty should be limited to extreme cases, ie judicial discretion in the imposition of sentences should be broadened; and
- that an automatic right of appeal should be granted to those under sentence of death.

Mr De Klerk said that new and uncompleted cases would still be adjudicated in terms of existing law. Only when the death sentence was imposed would the new proposals be applied, as in the case of those awaiting execution.¹⁴² [¹⁴² *The Citizen* 3 February 1990]

The last prisoner to be hanged, Mr Solomon Ngobeni, died on 14 November 1989. Controversy surrounded his case, with the LHR claiming he had not exhausted all his legal remedies. A spokesman for the Department of Justice denied this.¹⁴³ [¹⁴³ *The Star* 9 February 1990]

Mr Coetsee announced proposals for legislative reform of the death sentence in February 1990. The proposals included giving regional courts the power to try murder cases but not to impose the death sentence and giving attorneys general the right to appeal against sentences. All people awaiting sentencing for capital offences and those already sentenced could benefit from the new dispensation, and each sentence would be evaluated in terms of the new guidelines. Should a death sentence still be passed the matter would be referred to the AD which would judge the matter against the background of new criteria. The accused would be able to make submissions. Where the death sentence was found unsuitable, a heavy sentence, such as genuine life imprisonment, could be imposed. Shortening of such a sentence would be allowed only in the interests of justice.

Mr Coetsee said that in terms of the Criminal Procedure Act of 1977 a judge was still obliged to impose the death sentence for murder where there were no extenuating circumstances. The courts also had discretion to impose the death sentence for high treason, kidnapping, robbery or housebreaking with intent to commit an offence and where aggravating circumstances were present.¹⁴⁴ [¹⁴⁴ *The Citizen, The Star* 8 February 1990]

Police

Policy and structure

In his annual report for 1988, the commissioner of the South African Police (SAP), General Hennie de Witt, said that it was clear that the SAP and other security forces had succeeded in countering the so-called military onslaught of 'revolutionary' organisations. It has become clear to the African National Congress (ANC), the United Democratic Front (UDF) and their sympathisers that they will not be able

to force South Africa and its peoples to their knees by means of violence.’ He said that the emphasis had therefore shifted to increased political activity ‘of which intimidation and other forms of extortion are, unfortunately, still an important element against which an effective counter-measure is still in its development stages’.¹⁴⁵ [¹⁴⁵ *Annual Report of the Commissioner of the South African Police (SAP), 1988, RP57-1989*]

In the report Gen De Witt also referred to the De Witt committee of investigation into present, as well as future, ways of dealing with the crime and security requirements of South Africa, established in January 1988. A critical evaluation by the committee of the structure of the SAP identified the following shortcomings:

- the structure was too bureaucratic and centralised;
- lines of communication between head office and the operational level were cumbersome and sometimes ineffective;
- the structure had difficulty in accommodating population growth, political development and the increased cost of policing; and
- it was unable to become part of the country’s ‘physical development plan’, resulting in overlapping of duties and less than ideal personnel development.

The following changes to the structure were approved:

- communication would have to be improved and more decisions taken at lower levels, allowing the top structure to pay more attention to strategic management;
- authority would be decentralised, allowing for flexible management and the complementary use of skills; and
- South Africa would be divided into ten regions, each under a regional commissioner responsible for all police duties in that region.¹⁴⁶ [¹⁴⁶ *Ibid*]

Three of the ten new regions, eastern Transvaal, Natal and western Cape, came into operation on 1 August 1989 and the remaining seven, eastern Cape, northern Cape, northern Transvaal, Orange Free State, far western Transvaal, and Witwatersrand were expected to come into operation on 1 January 1990.¹⁴⁷ [¹⁴⁷ *The Citizen* 23 June 1989]

The deputy minister of law and order, Mr Leon Wessels, said in April 1989 that the government rejected attempts to label it as a group that was ‘power drunk’ and was misusing national security to entrench its

power. The SAP protected the interests of society but the force would not allow itself to be used for the protection of a government against its political opponents. He added that every community in South Africa was clamouring for more police stations in its area, illustrating the ‘bond of trust and friendship’ between the police and people of all races.¹⁴⁸ [¹⁴⁸ Ibid 20 April 1989]

The minister of law and order, Mr Adriaan Vlok, said in November 1989 that it was generally accepted that the status quo could no longer be maintained in South Africa. Political actions had to be handled by political counter-action and security action was at best ‘holding action’. This did not mean the police had no role to play, he said. ‘On the contrary, it is of decisive importance that the police should remain prepared.’¹⁴⁹ [¹⁴⁹ *The Natal Mercury* 3 November 1989]

The new commissioner of police (appointed on 1 January 1990), General Johan van der Merwe, said in February 1990 that the SAP had no alternative but to act within the law in cases of terrorism, sabotage or subversion. The task of the SAP was to compile evidence and where required to arrest the accused and thereafter to place the case before the attorney general. Gen Van der Merwe was commenting on inquiries received by police on their standpoint on people found guilty of such acts.¹⁵⁰ [¹⁵⁰ *The Citizen* 8 February 1990]

Mr Vlok said in the same month that the SAP had no desire to see the country under communist rule and that it was time for a transition from the security forces’ ‘holding action’ to political methods that would ‘kill communism in the hearts of our people’. The police would do everything in their power to ensure that negotiations and talks succeeded, he said, Mr Vlok said that the SAP welcomed, liked and understood the state president’s clear and unambiguous speech when he opened Parliament.¹⁵¹ [¹⁵¹ *Business Day* 7 February 1990]

Mr De Klerk had said that the government was not ‘going soft’ on law and order with regard to demonstrations, meetings and marches and that the police should not get embroiled in politics. The government was adopting a more relaxed approach to these matters and ‘would try and handle difficult issues in such a way as to ease the task of the police force’, Gen Van der Merwe said.¹⁵² [¹⁵² *Eastern Province Herald* 29 January 1990]

In his address, Mr De Klerk said that in the past the police had been asked to handle situations which had nothing to do with ordinary crime, ‘but circumstances have changed and we have reviewed our definition of crime. In this category of activities which are not criminal or harmful we are engaged in a process of drastic reform. And I want to plead with you to take a positive view of these reforms in the sense of how they affect your work’, he said.¹⁵³ [¹⁵³ *Sunday Times* 28 January 1990]

Mr Vlok said in May 1989 that 25 members of the police had been dismissed in 1988 and 35 suspended, following arrests, interrogations, detentions and other unrest-related activities (no breakdown was available). ‘Complaints and charges lodged against members of the police were fully investigated. Offences are not tolerated and suitable steps are taken without hesitation against members who commit

departmental and/or criminal offences,' Mr Vlok said.¹⁵⁴ [¹⁵⁴ *Eastern Province Herald* 23 May 1989]

Personnel

South African Police (SAP)

Gen De Witt said in his annual report for 1988 that of 7 800 people who had joined the SAP in that year, 101 had degrees and/or diplomas.¹⁵⁵ [¹⁵⁵ *Annual Report of the Commissioner of the SAP, 1988*]

A *Sunday Times* investigation at the end of 1989 revealed that an average of 12 policemen were leaving the SAP every day. Some of the reasons given for these resignations were poor salaries, excessive (unpaid) overtime, virtually non-existent housing facilities for new families, the fact that experienced policemen leaving the force were being replaced by special constables and national servicemen, the introduction of railways policemen into the force at higher salaries and a belief that senior police officers and the minister of law and order were out of touch with the working conditions of the average policeman and woman.¹⁵⁶ [¹⁵⁶ *Sunday Times* 3 December 1989, *Cape Times* 11 December 1989]

A police spokesman for the Witwatersrand region, Captain Eugene Opperman, said in February 1990 that 957 Reef policemen had left the force between January and December 1989. The figure represented 8,7% of the total percentage of resignations and indicated an average loss of four policemen a day, he said. A total of 166 policemen on the Witwatersrand left the force between 1 January 1990 and 8 February 1990.¹⁵⁷ [¹⁵⁷ *The Star* February 1990]

Gen Van der Merwe said in January 1990 that in a confidential meeting with the SAP on 17 January, Mr De Klerk had acknowledged that the SAP was in a 'critical condition' and the government would urgently look to solving grievances over salaries and working conditions in the near future.¹⁵⁸ [¹⁵⁸ *Eastern Province Herald* 29 January 1990]

When approached for comment about reports that police morale was at an all-time low because of poor working conditions and the low level of police salaries, the head of the public relations division of the SAP, Major General Herman Stadler, said that although members of the police force were having difficulty in making ends meet, more than 90% of them were loyal and morale was high. He said that the minister of law and order and the general staff were doing 'their utmost' to improve police salaries and working conditions. But they faced an 'exterior problem', he said, because police salaries were linked to salaries of other civil servants on the basis of equal pay for equal rank. The financial situation was also very difficult, he added.¹⁵⁹ [¹⁵⁹ *Ibid* 14 December 1989]

Mr Vlok promised in January 1990 to give SAP members a better deal, both in salaries and in working conditions. He said that a 'dramatic' increase in the size of the police force, and better physical facilities and equipment, were needed to improve the conditions in which policemen performed an essential

service to the public.¹⁶⁰ [¹⁶⁰ *The Citizen* 23 January 1990]

It was revealed in Parliament in May 1989 that the lowest-paid constables started on a salary of R484,51 a month. Mr Roger Burrows MP (Democratic Party) said that ‘the staggering low starting salary for the position is a cause of concern for all South Africans’. He called for an immediate reconsideration of the starting pay scales of the police.¹⁶¹ [¹⁶¹ *Business Day* 26 May 1989]

Brigadier Leon Mellet, a spokesman for the minister of law and order, said in November 1989 that as an interim measure, family members of Africans in the SAP and the South African Prison Services received an allowance rather than the full benefits of a medical aid scheme. It has been approved at cabinet level and in principle that as soon as the funds are available and the infrastructure has been created, black family members will enjoy the same full benefits as other members.’ He could not say when this was likely to happen and neither did he reveal the amount of the allowance or how long African family members had been receiving it.¹⁶² [¹⁶² *Echo* 9 November 1989]

Gen Stadler said in the same month that the SAP was implementing a ‘participatory management’ committee system to handle complaints within the force. He denied that it was a reaction to the ‘Rockman affair’ (see *Prisons* below), saying, ‘It’s not new, we’ve been working on it for a number of years.’ The system involved the formation of committees at each rank level to which complaints could be directed.¹⁶³ [¹⁶³ *The Star* 15 November 1989]

It was announced in October 1989 that about 2 500 national servicemen would be allocated to the SAP to help alleviate the staff shortage in the force. Although national servicemen had been drafted to the SAP before, the numbers had averaged only 140 each year, a spokesman said.¹⁶⁴ [¹⁶⁴ *Business Day* 16 October 1989]

The SAP public relations division said in a statement in September 1989 that the force had been inundated with applications for enlistment from African women. Applications were subsequently suspended until April 1990.¹⁶⁵ [¹⁶⁵ *Echo* 21 September 1989]

The minister of finance, Mr Barend du Plessis, said in March 1990 in his budget speech that the government realised that the police were burdened by a shortage of manpower and resources. It is recommended, therefore, that an additional amount be set aside for specific salary adjustments for the police. This forms part of the package for the improvement of conditions of service. It is also proposed that a supplementary non-recurrent amount of R100m be made available for the purchase of badly needed equipment.’¹⁶⁶ [¹⁶⁶ *Business Day* 15 March 1990]

The minister of law and order, Mr Adriaan Vlok, said in February 1990 that ‘murder and attacks on the police are on the increase. Since the beginning of the year seven have been gruesomely murdered in 108 attacks in Natal,’ he said. According to Mr Vlok, more than 20 members of the police force had been

murdered in Natal in the past two years, and more than 100 seriously injured by people who were 'hunting the police'.¹⁶⁷ [¹⁶⁷ *Cape Times* 28 February 1990] (For more details of attacks on the police, see chapter on *Political Developments*.)

Police Reserve

By 31 December 1988 there were 16 486 inactive and 3 572 active members of the Police Reserve. During 1988, 134 national servicemen were allocated to the Police Reserve. After completion of their training, they were posted to various police stations. Because of restrictions on government expenditure, maximum utilisation of the Police Reserve was impossible, said Gen De Witt in his annual report for the SAP for 1988.¹⁶⁸ [¹⁶⁸ *Annual Report of the Commissioner of the SAP, 1988*]

Reserve Police Force

As at 31 December 1988 there were 15 019 members of the Reserve Police Force.¹⁶⁹ [¹⁶⁹ *Ibid*]

Special constables

Mr Vlok said in May 1989 that a number of claims for damages against the SAP had been made for actions taken by special constables in 1988. In six of the claims, the cases had been settled for a total amount of R42 849.¹⁷⁰ [¹⁷⁰ *Hansard* (A) 22 q col 1303, 26 May 1989]

According to a memorandum attached to the Department of Law and Order's proposed budget for 1989/90, the SAP planned to employ more special constables to perform guard duties, in order to release permanent force members for functional duties.¹⁷¹ [¹⁷¹ *The Weekly Mail* 17 March 1989]

Finding two special constables guilty of assault and murder in March 1989, Mr Justice J H Conradie said that the crime had elements of provocation, bravado and a show of force. This happened when public officials were undisciplined and poorly trained, he noted. It often occurs that when officials are bestowed with a small amount of power it goes to their heads,' the judge added. The men were each sentenced to 18 years in prison.¹⁷² [¹⁷² *Sowetan* 23 March 1989]

A special constable convicted of four counts of murder with extenuating circumstances in 1989 in the Eastern Cape Division of the Supreme Court (Grahamstown) revealed that he had received only six weeks' training before being sent into Tanti Location (Grahamstown), had performed only guard duty in his six months in the force, was the most senior policeman with six months' training and had been drunk on duty. Four people died in the shooting spree in Tanti Location and seven others were injured.¹⁷³ [¹⁷³ *The Weekly Mail* 26 May 1989]

The attorney general of the Witwatersrand, Mr Klaus Von Lieres und Wilkau SC, said in June 1989 that

he had received a police dossier on an SAP/South African Defence Force (SADF) incident in which two SAP special constables and a civilian were killed in Soweto in December 1988. Four members of the SADF were watching a Soweto house in the belief that it contained an ANC arms cache. The civilian, Mr Morris Alexander, took three special constables to the same house, suspecting that his stolen car was there. Upon storming the house, Mr Alexander and two of the constables were shot dead by the SADF members. Mr Von Lieres said that it would be some time before he took a decision on the matter.¹⁷⁴ [¹⁷⁴ *Business Day* 29 June 1989]

Municipal police

The Police Third Amendment Act of 1989, which amended the Police Act of 1958, was aimed at obtaining full control over the municipal police forces of African local authorities, the commissioner of the SAP having obtained partial control over such forces in November 1988 (see *1988/89 Survey* p539). However, African local authorities would continue to employ municipal policemen and to some extent dictate policy regarding their functions. The act provided for:

- the establishment in the SAP of municipal police units for every African local authority and certain development areas under the command, supervision and control of the commissioner;
- the appointment and conditions of service of municipal policemen;
- the powers and duties of the policemen; and
- the transfer of existing policemen to the new units.¹⁷⁵ [¹⁷⁵ Police Third Amendment Bill, No 101B-89 of 1989]

The public relations directorate of the SAP confirmed in July 1989 that the SAP were to take over the control of the municipal police on 1 October 1989. A spokesman for the SAP said that the aim was to render a better service to the community. He said that the SAP planned to retrain all the existing municipal police to upgrade their standard of work. He added that about 10 000 municipal police would be trained by the year 1990.¹⁷⁶ [¹⁷⁶ *The Citizen* 11 July 1989]

Mr Vlok agreed in Parliament in May 1989 that the image of the municipal police was bad. He wanted to improve their image by giving them longer training and instilling them with greater discipline. He said, however, that 'at the end of the day all of us will be glad that we have brought more municipal police on to the beat'.¹⁷⁷ [¹⁷⁷ *Business Day* 24 May 1989]

Prisons

Finance

The minister of justice, Mr Kobie Coetsee, said in March 1989 that in the 1987/88 financial year it had cost R13.28 a day to keep a prisoner.¹⁷⁸ [¹⁷⁸ *Hansard* (A) 7 q col 463, 21 March 1989]

Mr Coetsee revealed in Parliament in the same month that a jailed African National Congress (ANC) leader, Mr Nelson Mandela, had been treated for tuberculosis at Cape Town's Constantia Clinic at a cost of R16 170 for his 98-day stay. Mr Mandela had stayed 'as long as it seemed necessary to the doctor for the convalescence of his patient', Mr Coetsee said.¹⁷⁹ [¹⁷⁹ *City Press* 5 March 1989]

Mr Peter Soal MP (Democratic Party) said in May that the R92,5m set aside for building and extending prisons throughout South Africa was unnecessary when the government was aiming to decriminalise the country. He said that the repeal of apartheid laws should have reduced the prison population.¹⁸⁰ [¹⁸⁰ *Sowetan* 9 May 1989]

Personnel

Eleven prison warders who joined Lieutenant Gregory Rockman's Police and Prisons Civil Rights Union (POPCRU), established on 5 November 1989, were fighting their suspension from service in the Cape of Good Hope Provincial Division of the Supreme Court (Cape Town) in November 1989. The union's aims were, inter alia, to attempt to phase out discrimination in the prisons and police service, to foster recognition and respect for the basic human rights of members and to strive towards equality of treatment and facilities for all employees and prisoners. The union claimed to be non-political and unaffiliated.¹⁸¹ [¹⁸¹ *The Star* 22 November 1989]

In February 1990, 30 warders and one policeman at the Victor Verster Prison at Paarl (western Cape) joined POPCRU. Lt Rockman told a meeting in Paarl that the organisation had adopted the Freedom Charter and was discussing affiliation to the Congress of South African Trade Unions (COSATU).¹⁸² [¹⁸² *South* 15 February 1990]

In March 1990 there were dismissals and suspensions of POPCRU members who had been striking for the desegregation of the Prison Services, the sharing of prison facilities by all regardless of race, salary increases and the recognition of POPCRU. The striking warders also threatened to reveal 'all the atrocities that have occurred behind prison walls'.¹⁸³ [¹⁸³ *The Weekly Mail* 30 March 1990]

Population

In a memorandum attached to his 1989/90 budget, Mr Coetsee said in March 1989 that measures were to be taken to keep the prison population below 113 500: 80 890 Africans, 27 200 coloured people, 750 Indians and 4 660 whites. This would keep the department's budget below R750,9m. The average daily

prison population for the 1988/89 financial year had been 118 000, Mr Coetsee said.¹⁸⁴ [¹⁸⁴ *Cape Times* 17 March 1989]

Mr Coetsee said in May 1989 that as at 31 March 1989 the prison population was 110 000, of whom 20 028 were awaiting trial prisoners. He said that in the previous five years the state had expanded the available accommodation in prisons by almost 10 000 places.¹⁸⁵ [¹⁸⁵ *Hansard* (A) 18 q col 1091-1092, 16 May 1989]

Mr Coetsee admitted that prisons were overpopulated but said that overpopulation was a relative concept. The accommodation figure for South African prisons was determined against a broad norm and the highest standards of hygiene and health were maintained. Prisons with an above average influx of admissions transferred prisoners to prisons with a lower occupancy level. This deconcentration policy, he said, resulted in a more even distribution of the prison population. As at 31 January 1989 the most overpopulated prison was Pollsmoor Maximum Security Prison in Cape Town (western Cape) which had an overpopulation rate of 99,6%. The least populated was Brandfort Prison (Orange Free State), with a 2% overpopulation rate.¹⁸⁶ [¹⁸⁶ *Hansard* (A) 14 q col 855, 26 April 1989]

Mr Coetsee said in April 1989 that a new prison for 226 prisoners was to be built at Kokstad (eastern Cape). It was estimated that work on the new prison would begin in 1993 and the construction period would be at least 24 months, he said.¹⁸⁷ [¹⁸⁷ *Cape Times* 6 April 1989]

Mr Coetsee announced in June 1989 that the first minimum security prison in South Africa was to be erected at Pollsmoor (Cape Town). A reclassification study revealed that a large number of prisoners classified in the medium category were in fact a lower security risk. 'These prisoners do not warrant the strictest possible security measures whilst in detention,' the study said. Those at minimum security jails could be given day parole so that they could work at their usual jobs and return to prison at night.¹⁸⁸ [¹⁸⁸ *Ibid* 17 June 1989] Minimum security would not involve the use of conventional steel doors and bars.¹⁸⁹ [¹⁸⁹ *Cape Times* 4 June 1989]

It was announced in August 1989 that a new prison was to be built at Voortrekkerhoogte (Pretoria) and that an old prison in the area was to close down on 31 August 1989.¹⁹⁰ [¹⁹⁰ *Government Notice*, no 1808,25 August 1989]

Mr Coetsee said in March 1989 that two 14-year-olds were among the 3 756 juveniles serving sentences in prison institutions-they were the youngest sentenced juvenile prisoners. Juveniles were housed in two prisons provided specifically for them at Pollsmoor Prison and Leeuwkop Prison (Johannesburg), and at a further 15 centres where they were incarcerated on a centralised basis.¹⁹¹ [¹⁹¹ *Cape Times* 31 March 1989]

Community service

Mr Coetsee announced in January 1989 that owing to the country's large prison population in comparison with other countries, there was a need for alternative options to punishment, particularly short-term imprisonment. Hence, legislation passed two years previously providing for courts to impose community service sentences as an alternative form of punishment would come into operation on 1 February 1989, he said (see *1987/88 Survey* p569).

In terms of the Criminal Procedure Amendment Act of 1987, community service would be performed under the supervision or control of a person, organisation or institution which would, in the opinion of the court, promote the interests of the community. Provision was also made for state liability for damages arising from the performance of such service.¹⁹² [¹⁹² *The Citizen* 28 January 1989]

Conditions

The Paper, Printing, Wood and Allied Workers' Union demanded an investigation in November 1989 into allegations that African convicts were still being used as forced labour on farms and industries in rural areas and that many of them suffered serious abuse. *The Weekly Mail* reported that the use of convicts and parole labour was widespread in parts of the Transvaal and Natal despite an undertaking by the government in 1986 to phase out the system because it violated international trade agreements.

A representative of the South African National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) confirmed the organisation's awareness of the abuse of parolees but said that NICRO felt the prison authorities went to great lengths to prevent such exploitation. A spokesman for the South African Prison Services said that prisoners voluntarily went out to work as part of a training programme designed to reintegrate them into society.¹⁹³ [¹⁹³ *The Weekly Mail* 3 November 1989]

In a formal reply the prisons service indicated that:

- section 75 of the Prisons Act of 1959 provided for prison labour to be made available to government departments, schools, hospitals and even private individuals, under specific conditions;
- prison labour was not available to farmers on a daily basis;
- parole labour allowed prisoners to work voluntarily away from hardened criminals and receive remuneration, under specific conditions;
- prisoners were eager to make use of parole and to partake in labour outside prisons; and
- allegations of assault and escape were untrue.¹⁹⁴ [¹⁹⁴ *Ibid* 27 October 1989]

In March 1989, 24 serving and awaiting trial prisoners made pleas to prison authorities to improve

conditions at Umtata's Wellington Prison (Transkei). Eight political prisoners accused the authorities of trying to starve them to death after they complained about appalling conditions. The 16 awaiting trial prisoners, who shared a cell with one lavatory, claimed that conditions had worsened after authorities had investigated their complaints a few months previously. The chairman of the Transkei's ruling military council, Major General Bantu Holomisa, said that his administration was still trying to attend to earlier complaints from prisoners and had built another prison to help alleviate overcrowding.¹⁹⁵ [¹⁹⁵ *New Nation* 2 March 1989]

In February 1990 the state asked for convictions in the Pinetown magistrate's court against eight of 20 prison warders accused of assaulting Westville (Durban) prisoners in July 1988. The hearing was adjourned until 4 April for judgement.¹⁹⁶ [¹⁹⁶ *The Natal Mercury* 6 February 1990]

In the same month about 300 death-row prisoners, 80 of whom were political, allegedly embarked on a hunger strike at Pretoria Central Prison against 'poor prison conditions'. In addition, 20 political prisoners who were awaiting trial at the Johannesburg Prison entered the 13th day of a hunger strike (begun on 4 February) in support of two fellow activists who were placed with common-law prisoners. The South African Prison Services confirmed the two hunger strikes but disputed the numbers involved. The Pretoria prisoners demanded: the right to sufficient clothing, to study and to greater access to literature; access to their children and specifically that the age restriction on children who might visit them be dropped; and that family visits be allowed without prior application. The Prison Services said that all requests or complaints brought to the attention of the prison authorities through the proper channels received 'due and prompt attention' and were dealt with in a responsible manner within the ambit of prevailing policy.¹⁹⁷ [¹⁹⁷ *The Star* 17 February 1990]

Deaths in prison

In July 1989 it was reported that a young woman prisoner, Ms Carol Meyer, had died after allegedly being held in a straitjacket for 24 hours before being admitted to hospital for shock and internal bleeding. Lawyers for Human Rights (LHR) called for a moratorium on the use of straitjackets on prisoners 'until a full public inquiry has been concluded'. A spokesman for the Prison Services said that a departmental investigation was being conducted into the matter.¹⁹⁸ [¹⁹⁸ *The Weekly Mail* 14 July 1989]

Political prisoners

Mr Coetsee said in May 1989 that as at 31 December 1988 there were 353 prisoners serving sentences for crimes against the security of the state, all of whom were over 18. Of these, 20 were serving life sentences.¹⁹⁹ [¹⁹⁹ *Hansard* (A) 22 q col 1399, 26 May 1989]

The Appellate Division (AD) of the Supreme Court (Bloemfontein) upheld an appeal in March 1989 by

five men against their convictions and sentences for terrorism. The appellants, Messrs Jan Tsheba, Mlandeli Khetye, Elby July, Michael Gqamana and Bonise Nkabinde, had their convictions set aside because evidence was too vague to justify the conviction of any of the men in terms of Section 54 (4) of the Internal Security Act of 1982.²⁰⁰ [²⁰⁰ *City Press* 26 March 1989]

Four former Soweto Students' Congress members were released from prison in the same month after successfully appealing against their jail sentences.²⁰¹ [²⁰¹ *New Nation* 22 March 1989]

Five Queenstown Youth Congress members, Lindi Wana, Mzwandile Gqeba, Mzandile Mninzi, Monde Tingwe and Thembinkosi Fiti, who were released from death row in May 1989 were re-arrested five hours later. Their original conviction was set aside owing to irregularities in the trial. According to their lawyers, they were being held in single cells in severe conditions in an East London prison.²⁰² [²⁰² *Ibid* 2 June 1989]

Two Robben Island prisoners, Messrs Fikile Gwadana and Mzwanbantu Dapula, won an appeal in the Eastern Cape Division of the Supreme Court (Grahamstown) in September 1989 against their convictions and sentences on charges of terrorism and other related counts. Mr Gwadana's conviction was overturned on the basis of his confession not having been made freely and voluntarily and Mr Dapula's on the basis that he was convicted for an act committed outside the jurisdiction of 'South Africa', in the Transkei.²⁰³ [²⁰³ *South* 21 September 1989]

The AD refused in October 1989 to grant applications for leave to appeal against their sentences by two men, Messrs Simon Dadla and Ebrahim Ebrahim, convicted in 1988 for land-mine attacks near the Swaziland/South African border in 1986.²⁰⁴ [²⁰⁴ *The Citizen* 3 October 1989]

In November 1989 five people convicted of terrorism in the Pan-Africanist Congress (PAC)/Qibla terrorist trial had their sentences reduced following an appeal to the Transvaal Provincial Division of the Supreme Court (Pretoria). The appellants, Messrs Mabatu Zulu, Soyabulela Gcanga, Vincent Mathunjwa, Sestiba Mohohlo and Daniel Nkopodi were found guilty of offences under the Internal Security Act in a trial which began in December 1986.²⁰⁵ [²⁰⁵ *Ibid* 7 November 1989]

In the same month the Eastern Cape Division of the Supreme Court (Grahamstown) ordered that three people convicted in the Kenton-on-Sea terrorism trial be released on bail pending the outcome of an appeal against their convictions. The three, Mr Mawonga Wellem, Mr Mzolisi Dyasi and Ms Lauretta Mengezeleli, along with a fourth trialist, Lizo Pityana, whose appeal had been heard the previous week, were granted bail of R1 000. The first three had spent two years as awaiting trial prisoners and had served effective sentences of two years or more since being sentenced on 8 September 1989.²⁰⁶ [²⁰⁶ *Eastern Province Herald* 2 December 1989]

Also in November a notice of appeal against sentence was lodged in the Pretoria magistrate's court on behalf of the 'Broederstroom three', Mr Iain Robertson, Mr Damian de Lange and Ms Susan Donnelly,

who were members of an ANC cell. According to the appeal (there were 15 points listed) the sentences were excessive, the court had failed to take into account the political reasons of the accused for joining the ANC, it had erred in finding actions by Africans similar to those of the accused as understandable and it had misdirected itself.²⁰⁷ [²⁰⁷ Ibid 13 December 1989]

A Robben Island prisoner and prominent official of COSATU, Mr Alfred Ndlovu, had his appeal against an Internal Security Act conviction and five-year jail sentence turned down in the Natal Provincial Division of the Supreme Court (Pietermaritzburg) in December 1989. According to the state, Mr Ndlovu had committed acts likely to have endangered its authority and/or to have promoted unlawful change.²⁰⁸ [²⁰⁸ *Sowetan* 13 December 1989]

An ex-political prisoner (see *Release of political prisoners* below), Mr Roland Hunter, called in October 1989 for the integration of all political prisoners on humanitarian grounds. Although male and female political prisoners were separated, African non-political and political prisoners were usually held together once charged. White political prisoners faced the prospect of spending years in the company of, in some cases, just one other person.²⁰⁹ [²⁰⁹ *City Press* 16 October 1989]

Release of political prisoners

Mr Coetsee said in May 1989 that 42 males and three females serving sentences for offences against the security of the state had been released in 1988. Four of the released renounced violence. 'The fact that they renounced violence was an important factor which was considered together with individual circumstances and all other relevant factors which are normally taken into account when the release of prisoners is considered,' Mr Coetsee said.²¹⁰ [²¹⁰ *Hansard* (A) 22 q col 1426, 26 May 1989]

The South African Youth Congress (SAYCO) president, Mr Peter Mokaba, was released from prison in the same month after the state had dropped charges of terrorism against him. Mr Mokaba had been in and out of detention after being released from Robben Island (Cape Town) in 1984 for being an ANC member, for terrorism, for bringing in arms and for recruiting for the ANC.²¹¹ [²¹¹ *New Nation* 26 May 1989]

Two PAC members, Mr Funani Ntoele and Mr Johnson Nyathi, were released from Robben Island in July 1989 after serving ten years in prison for furthering the aims of the then banned organisation.²¹² [²¹² *The Star* 5 July 1989]

A political prisoner, Mr Roland Hunter, who as a South African Defence Force (SADF) intelligence corporal exposed the defence force's active support for Rename, was freed in September 1989 'completely unrehabilitated'. Mr Hunter was sentenced to five years' imprisonment for passing on military secrets to unauthorised persons.²¹³ [²¹³ *The Weekly Mail* 29 September 1989] Mr Hunter was arrested with Mr Derek Hanekom and Mrs Patricia Hanekom, now living in Harare and members of the ANC.²¹⁴ [²¹⁴ *The Star* 29 September 1989]

Eight political prisoners, Messrs Ahmed Kathrada, Jafta Masemola, Raymond Mhlaba, Wilton Mkhwayi, Andrew Mlangeni, Elias Motsoaledi, Oscar Mpetha and Walter Sisulu, were unconditionally released in October 1989. In a joint statement read by Mr Sisulu the eight said, 'Our dedication and determination has not been weakened by the long years of our imprisonment-on the contrary we have been strengthened by the developments in the country and by our own clear vision and confidence in the future of South Africa.'²¹⁵ [²¹⁵ *The Citizen* 16 October 1989]

Mr Masemola, one of South Africa's longest-serving political life prisoners, had spent 27 years in jail for conspiring to commit acts of sabotage and to overthrow the government by violent means. He said that he had been unjustly sentenced to life imprisonment because he did not have legal representation. Mr Masemola was a PAC member, and the other seven ANC members, at the time of their incarceration.²¹⁶ [²¹⁶ *Sowetan* 16 October 1989]

Amnesty International welcomed the release of the eight men and said that while these releases were seen as a sign that the South African government might be reconsidering its policies and practices concerning political imprisonment, they should not draw attention away from the fact that detention without charge or trial under the state of emergency was still being used to silence political activists.²¹⁷ [²¹⁷ Amnesty International, press Release, 25 October 1989]

A co-leader of the DP, Dr Zach de Beer, said that his party was 'pleased with the news', adding that it was interesting that the release of an ANC leader, Mr Nelson Mandela, was not on the cards. The information officer of the Conservative Party (CP), Mr Koos van der Merwe, said that 'it is clear the releases have been made contrary to government's stance in the past that the trialists must abandon violence'.²¹⁸ [²¹⁸ *Business Day* 11 October 1989]

In a statement released in Lusaka the ANC said that the release was an important victory and 'the most eloquent vindication of the struggles we have waged over the years. It is, therefore, an important destruction of apartheid'.²¹⁹ [²¹⁹ *City Press* 22 October 1989]

Five Delmas treason trialists (see *1988/89 Survey* pp571–572), Messrs Popo Molefe, Patrick Lekota, Moses Chikane, Tom Manthata and Gcinumuzi Malindi, were released from Robben Island in December 1989 after the AD of the Supreme Court overturned their convictions and sentences. They had spent four-and-a-half years in prison on trial after being sentenced for treason. The AD found that Mr Justice K van Dijkhorst's refusal to restart the trial after dismissing one of the assessors, Dr Willem Joubert, for having signed the million signature campaign of the United Democratic Front (UDF) against the Tricameral Parliament was an error. It said he should have given the defendants an opportunity to be heard on the matter and that he had made a ruling on Dr Joubert without giving him an opportunity to state his case.²²⁰ [²²⁰ *City Press* 17 December 1989, *Sowetan* 18 December 1989] The question as to whether the UDF had played a treasonable role as an ally of the ANC remained, in legal terms, undetermined.²²¹ [²²¹ *Sunday Star* 17 December 1989]

Human rights lawyers commented that the AD was beginning to restore the credibility of the South African judiciary as it had destroyed the perception that judges were the agents of ‘the system’.²²² [²²² *Sunday Times* 17 December 1989]

As part of the AD record it became public knowledge that early in the trial Judge Van Dijkhorst had believed the bench was ‘dealing with an attack on our whole system of government’, that he had bet Dr Joubert a bottle of whisky that the defence ‘would not risk placing the accused on oath to give evidence on their own behalf and that the judge had indicated ‘acute displeasure’ when Dr Joubert had differed with him on assessments of defence witnesses’ credibility and demeanour.²²³ [²²³ *Sunday Star* 17 December 1989]

In addition the bar council approved the professional conduct of advocates in the trial, questioned by Judge Van Dijkhorst, when they pursued attempts to have the proceedings quashed in the Transvaal Provincial Division of the Supreme Court nearly three years previously.²²⁴ [²²⁴ *Ibid*]

When he opened Parliament on 2 February 1990 the state president, Mr F W de Klerk, announced that people serving prison sentences because they were members of banned organisations, or whose actions constituted an offence because of the organisations’ banned status, would be released.²²⁵ [²²⁵ *Business Day* 5 February 1990]

South African prison officials said that ‘preliminary calculations’ showed that about 77 political prisoners might benefit from Mr De Klerk’s announcement. The ANC maintained that all those imprisoned for ‘acts of war’ should be regarded as political prisoners.²²⁶ [²²⁶ *The Weekly Mail* 9 February 1990]

The minister of law and order, Mr Adriaan Vlok, said at the same time that an amnesty for political prisoners convicted of common-law crimes could be negotiated which would ‘make life easier for all of us’.²²⁷ [²²⁷ *The Star* 8 February 1990]

In the same month 343 Robben Island prisoners went on a hunger strike to ‘expose the sham of state president, Mr De Klerk, who has not yet met all the demands of the Harare Declaration’. They demanded the immediate and unconditional release of all political prisoners.

The Human Rights Commission (HRC) confirmed in February 1990 that 14 political prisoners were believed to have been released following the state president’s parliamentary address that month. They were Messrs Rob Adams, Nicholas Kgasi, Eddie Khumalo, Lucas Mabe, Bushi Mape, Vuyisile Mavundla, David Mokgabudi, Mohan Moledi, Andries Nkabindi, Nelson Qubeka, Amos Rammego, Cederick Rapudi, Norman Yengeni, and Ms Barbara Hogan.²²⁸ [²²⁸ *City Press* 18 February 1990]

At a press conference after his release (with two others) Mr Mape read out a statement saying they were the first of 350 prisoners he believed were to be released. He said they were ‘happy and sad. We have

left 347 behind, but we are happy to return to our friends'.²²⁹ [²²⁹ *The Citizen* 15 February 1990]

Ms Hogan, the first white South African woman to be jailed for treason, said that the lifting of the banning order on the ANC was one of the most moving moments of her life-it was a vindication, she said. I was jailed for being a member and I'm still a member,' she added. Mr Adams said that 'there's a recognition that we had a right to come out of prison'. Both freed prisoners were impressed by the 'different mood' in South Africa and said they had noted 'a lot of optimism'.²³⁰ [²³⁰ *Sunday Times* 11 February 1990]

A leader of the ANC, Mr Nelson Mandela, was released from prison on 11 February 1990 after 27 years of imprisonment, ending one of the longest and most famous campaigns for the release of a political prisoner. At least one person died and many were injured when violence broke out as thousands of people waited in Cape Town to receive Mr Mandela. A similar rally in Soweto was largely incident free. In concluding his first speech as a free man, Mr Mandela ended with words he used in his treason trial in 1964, I have fought against white domination and I have fought against black domination. I have carried the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunity. It is an ideal which I hope to live for and to achieve. But, if needs be, it is an ideal for which I am prepared to die.'²³¹ [²³¹ *The Weekly Mail* 16 February 1990]

The response to Mr Mandela's release was mostly positive. An ANC information spokesman, Mr Tom Sebina, said that 'for us it is very, very welcome news. It is what we have been calling for for so long. I believe it is another step De Klerk has taken towards creating conditions for negotiations.' The leader of the PAC, Mr Zeph Mothopeng, said I am very happy that my colleagues will be released and I am glad that most of the long-term prisoners are out.' He added that Mr De Klerk was carrying out reforms for the interests of oppressed black South Africans as well as the international community. The UDF described the release as 'a great victory' for the people of South Africa. A COSATU representative said, 'We welcome the release of Comrade Mandela. We do not believe that at this stage we need to relax our efforts to achieve the democratic country we have been fighting for.' SAYCO said that the release was a result of the 'unflinching struggle' which had been waged by progressive people inside and outside South Africa. The acting general secretary of the National Council of Trade Unions, Mr Cunningham Ngcukana, said, 'We welcome the release of Mandela and we hope he will play an important role within the liberation movement in finding consensus on the strategic question of negotiations.' A representative of the Black Consciousness Movement, Mr Muntu Myeza, said that the release 'heralds a new era in our liberation struggle'. The Five Freedoms Forum said that Mr Mandela's release was necessary for progress in the country. Dr De Beer said that blacks and whites would have to work together to build a future South Africa. 'Neither can succeed without the co-operation of the other,' he said. The CP described the release as 'a complete capitulation' by the government.²³² [²³² *Ibid*] The reaction of the international community was positive and many leaders commended Mr De Klerk's decision to release Mr Mandela.

In the same month the ANC published a draft report listing 750 names of political prisoners of an estimated 3 000 still being held. A proposal by the South African government that the release of political

prisoners was a matter for negotiation was rejected outright by the ANC on the basis that ‘this suggests an intention to use the remaining political prisoners as hostages’. The report, produced by the International Defence Aid Fund, included people convicted of violent crimes such as murder, arson and public violence where it could be ascertained that these had a political motivation. A South African Council of Churches spokesman, Mr Saki Macozoma, said that the call for the release of prisoners who had been involved in fatal bombings had to be seen against a background of violence and murders committed by the state. He was not contending that the ‘crimes of the state’ cancelled out any crimes of political prisoners, he said, but ‘the state should not take the moral high ground and say that they are free of blame’.²³³ [²³³ *The Citizen* 23 February 1990] (For further details on Mr Mandela’s release, and that of other political prisoners, see chapters on *Political Developments* and *Political Organisations*.)

Security Action

At the opening of Parliament on 2 February 1990, the state president, Mr F W de Klerk, announced amendments to some state of emergency regulations, unbanned some organisations, rescinded restriction orders on 33 organisations, created conditions for the release of some political prisoners and rescinded restrictions on 374 people. It was the government’s intention, he said, to normalise the political process in South Africa without jeopardising the maintenance of good order. Speaking specifically on the state of emergency, he said, I have been advised that an emergency situation, which justifies these special measures which have been retained [see below], still exists, it is my intention to terminate the state of emergency completely as soon as circumstances justify it and I request the co-operation of everybody towards this end. Those responsible for unrest and conflict have to bear the blame for the continuing state of emergency.’²³⁴ [²³⁴ *Sowetan* 5 February 1990] (See chapter on *Political Developments* for further details of Mr De Klerk’s reform measures.)

When wide-ranging unrest and violence broke out in South Africa (including the ‘independent’ homelands) in February and March 1990, the minister of law and order, Mr Adriaan Vlok, threatened to use his emergency powers to restore order, even if it meant inflicting ‘discomfort, misery and pain’ on some people. Lawlessness and anarchy were unacceptable to the majority of South Africans, he said.²³⁵ [²³⁵ *Business Day* 9 March 1990] The only way unrest and violence could be tackled, Mr Vlok added, was through security action, good government and the seeking of a constitutional and political solution.²³⁶ [²³⁶ *The Citizen* 9 March 1990]

Bannings

Bannings of gatherings

The minister of law and order, Mr Adriaan Vlok, said in February 1989 that 194 people had been arrested in 1988 for attending gatherings prohibited in terms of section 46 of the Internal Security Act

(ISA) of 1982.²³⁷ [²³⁷ *Hansard* (A) 4 q col 149-150, 28 February 1989]

The banning of gatherings under the ISA occurred frequently throughout the period under review. In March 1989 the South African Musicians Alliance (SAMA) expressed dismay at the banning in terms of the ISA of the Human Rainbow Concert, which had been planned for that month. The concert was aimed at raising funds for SAMA, in order to provide a range of benefits for its members.²³⁸ [²³⁸ *Sowetan* 7 March 1989] Attempts by the promoters to have the magistrate's decision overruled in the Transvaal Provincial Division of the Supreme Court failed.²³⁹ [²³⁹ *City Press* 5 March 1989]

Permission for the holding of a march planned by the Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU) and the Orange Vaal General Workers' Union in October 1989 to protest against the amended Labour Relations Act of 1956 was refused (see chapter on *Labour Relations*).²⁴⁰ [²⁴⁰ *The Star* 27 October 1989] According to the Human Rights Commission (HRC), in February 1990 restrictions in terms of the Public Safety Act of 1953 on the holding of funerals in over 70 townships were also still in effect.²⁴¹ [²⁴¹ Repression Monitoring Group, *Weekly Fact Sheet*, 12 February 1990]

Permission for gatherings

Top-level discussions within the government towards the end of 1989 led to an easing of restrictions on gatherings and protests and in many cases permission was granted for marches to take place.²⁴² [²⁴² *The Citizen* 16 September 1989]

In September 1989 the state president, Mr F W de Klerk, gave permission for a protest march to be held in Cape Town, marking the high point of a civil rights campaign launched by the Mass Democratic Movement (MDM) on 2 August. Mr De Klerk agreed to the march in the interests of promoting the search for 'common ground' and peaceful dialogue. He stressed that the march should take place 'within the ambit of the law'. The ministers of justice and of law and order received a pro forma undertaking from the organisers that the march would be peaceful and would not be a 'march on Parliament'.

Technically, the organisers should have applied for magisterial permission to march.²⁴³ [²⁴³ *The Star* 14 September 1989]

Marches also took place in Durban, East London, Johannesburg, Pietermaritzburg, Pretoria and many other smaller centres (see chapter on *Political Developments*).

Mass rallies in a number of centres to welcome African National Congress (ANC) leaders after their release from prison in October 1989 were allowed to take place. The South African Police (SAP) monitored the rallies but kept a low profile.²⁴⁴ [²⁴⁴ *Ibid* 27 October 1989] Permission was also granted in February 1990 for the holding of rallies in major centres to welcome another released ANC leader, Mr Nelson Mandela, and in May 1990 to welcome home exiled leaders of the ANC who were in South

Africa briefly for talks with the government.

Bannings of organisations

According to the HRC, 98 organisations were banned in South Africa, including the ‘independent’ homelands, between 1950 and 1988.²⁴⁵ [²⁴⁵ *New Nation* 16 March 1989] Fifty-six of these organisations were in ‘South Africa’ (excluding the ‘independent’ homelands), 39 were in the Transkei, one was in the Ciskei and two were in Bophuthatswana.²⁴⁶ [²⁴⁶ *City Press* 5 March 1989]

In February 1990 the state president unbanned the ANC, the Pan-Africanist Congress (PAC) and the South African Communist Party (SACP) by amending schedule 4 of the ISA.²⁴⁷ [²⁴⁷ *Government Gazette*, no 12287, Proclamation R21,3 February 1990]

Mr De Klerk said that the activities of the unbanned organisations ‘no longer entail the same degree of threat to internal security which initially necessitated the imposition of the prohibitions’, events in the Soviet Union and eastern Europe had weakened the capabilities of organisations receiving support from these areas, there had been important shifts in emphasis in the statements and viewpoints of the most important of the unbanned organisations, and the SAP was convinced it could combat violence and crime perpetrated by the organisations’ members without the aid of prohibition.²⁴⁸ [²⁴⁸ *Sowetan* 5 February 1990]

The secretary general of the SACP, Mr Joe Slovo, credited internal resistance and international sanctions for forcing Mr De Klerk’s hand. It would be inaccurate and ungenerous to say Mr De Klerk had not shown ‘a degree of freshness and courage’, Mr Slovo said, but argued that it was premature for western nations to consider lifting economic sanctions against Pretoria.²⁴⁹ [²⁴⁹ *The Star* 5 February 1990]

The Pan-Africanist Movement said that the unbanning had no meaning for it and called for the struggle to be intensified on all fronts. ‘We have not, for the past 30 years, recognised the banning of our organisations and therefore Friday’s announcements mean nothing to us.’ A spokesman said that the organisation demanded ‘the return of the land to its rightful owners and the establishment of a socialist order’. The Black Consciousness Movement of Azania (BCMA) said that Mr De Klerk’s announcements merely restored the position of the oppressed to that which had prevailed prior to the bannings in 1960. It cautioned Africans against complacency and said that developments around the announcements had the potential of ‘making our dispossession and impoverishment permanent’. It added that the agenda for negotiation had already been limited in order to protect white privilege under the term ‘minority group rights’.²⁵⁰ [²⁵⁰ *Ibid*]

The ANC’s director of information, Mr Pallo Jordan, said that the organisation would not halt its military campaign as a result of the organisation being unbanned. ‘We have always said that the notion of unilaterally abandoning the armed struggle is out of the question. Any cessation of hostilities will

have to be negotiated and will arise out of a mutually binding ceasefire.²⁵¹ [²⁵¹ *Cape Times* 5 February 1990]

Bannings and restrictions of persons

The state has the power to ban and restrict people both under the ISA and the emergency regulations. At the time of writing no one was banned or restricted in terms of the ISA. See section on *Emergency regulations* for information on bannings and restrictions under these regulations.

Listings

A total of 163 previously listed people could be legally quoted as a result of the unbanning by Mr De Klerk of the ANC, the PAC, the SACP, and Umkhonto We Sizwe.²⁵² [²⁵² *The Star* 5 February 1990]

However, a total of 279 people, were still listed' and could not be quoted. They were all people who had been convicted of political offences under the ISA or had been convicted of treason.²⁵³ [²⁵³ *The Weekly Mail* 16 February 1990.]

Censorship of the media

The new Natal weekly publication, *The New African*, was informed by the Department of Home Affairs in March 1989 that it had to pay a R20 000 deposit before it could be granted official registration. *The New African* was initiated by the Durban Newspaper Group and one of the objections of the minister of justice was that this group was committed to the liberation struggle.²⁵⁰ [²⁵⁰ *The Star* 30 March 1989]

In June 1989 the Johannesburg magistrate's court found *Vrye Weekblad* guilty of contravening the Internal Security Act (ISA) of 1982 in publishing a report on the Leverkusen conference in West Germany in November 1988. One of the lectures at the conference was delivered by a listed person, Mr Joe Slovo, who was the general secretary of the South African Communist Party. The editor of the newspaper, Mr Max du Preez, was given a six months' suspended sentence and the publisher a R1 000 suspended sentence. The magistrate found that the article was an indirect version of Mr Slovo's speech.²⁵⁰ [²⁵⁰ *The Citizen* 22 June 1989]

In August 1989 the co-editor of *The Weekly Mail*, Mr Irwin Manoim, said in response to the number of publications facing prosecution that the government had now decided to prosecute the press in the hope that this new strategy would draw less public condemnation compared to the outright closure of publications. 'We think the warnings and suspension procedures they used last year failed. There was always a deafening public and international outcry, which caused them a lot of embarrassment, and they have now decided on the more low-key strategy of taking us to court instead.'²⁵⁶ [²⁵⁶ *The Star* 17 August 1989]

In August 1989 the editor of the *Sunday Times*, Mr Tertius Myburgh, and a reporter, Mr Mandla Tyala, were found not guilty of quoting a listed person. However, the owner of the *Sunday Times*, Times Media Limited, was found guilty and fined R2 000 for quoting African National Congress (ANC) activist, Mr Harry Gwala, without the permission of the minister of law and order.²⁵⁷ [257 *Business Day* 1 September 1989]

The chairman of the Publications Appeal Board, Professor Kobus van Rooyen, said in September 1989 that South Africa had the strictest form of censorship in the western world. However, the censorship authorities did their utmost to ensure the system was tolerant of 'works of merit', the 'standards of adults' and of the interests of likely readers and viewers, he said. He acknowledged that freedom of speech and choice were principles which deserved to be guarded.²⁵⁸ [258 *The Citizen* 7 September 1989]

The Anti-Censorship Action Group (ACAG) reported in September 1989 that there was 'a steady increase in the level and gravity of censorship over the year, as has been reflected in our reports at various times since the beginning of 1989'.²⁵⁹ [259 Anti-Censorship Action Group, monthly report, September 1989] According to ACAG, a total of over 100 journalists were arrested at scenes of unrest between August and mid-September 1989.²⁶⁰ [260 *The Weekly Mail* 3 November 1989]

According to the Human Rights Commission (HRC), in November 1989 the following publications, publishing companies and individuals faced charges against them:

- *The Weekly Mail*, *Vrye Weekblad*, *The Cape Times*, and *Die Suid-Afrikaan* for contravening the emergency media regulations;
- the *Sowetan*, the Argus Printing and Publishing Company, *New Nation* and the Catholic Bishops Publishing Company for contravening the ISA;
- *Saamstaan* for contravening the Prisons Act of 1959; and
- Mr Rashid Seria, Ms Kathrine Savage, Ms Annalisa Bosman, and Mr Allie Parker of Allied Press for contravening the emergency media regulations.²⁶¹ [261 Repression Monitoring Group, *Weekly Fact Sheet*, November 1989]

For information on censorship under the state of emergency, see *Emergency regulations* below.

Deportations

A Daveyton (east Rand) man who had worked and lived in South Africa for more than 25 years, Mr Frans Manisi, was deported to Mozambique in April 1989. He had been actively involved in the struggle

for housing of about 50 squatter families in Daveyton. Mr Manisi was married with four children and was a minister of the Christian Coronation Salem Church.²⁶² [²⁶² *Sowetan* 12, 13 April 1989]

Detentions

Statistics

The minister of justice, Mr Kobie Coetsee, said in April 1989 that no one was being detained in terms of section 28 of the Internal Security Act (ISA) of 1982 as at 31 December 1988 and that no one had been detained in terms of that section during 1988.²⁶³ [²⁶³ *Hansard* (A) 9 q col 551,6 April 1989]

The minister of law and order, Mr Adriaan Vlok, said in February 1989 that 316 persons had been detained in terms of section 29 of the ISA between 9 February 1988 and 15 February 1989.²⁶⁴ [²⁶⁴ *Hansard* (A) 3 q col 87, 21 February 1989] A Pretoria police spokesman said in the same month that the number of people held under section 29 of the ISA had decreased from 108 in January 1989 to 24 in December 1989.²⁶⁵ [²⁶⁵ *Cape Times* 28 December 1989]

Mr Coetsee said that one woman had been detained in terms of section 31 of the ISA in 1988, but had been released by 31 December.²⁶⁶ [²⁶⁶ *Hansard* (A) 9 q col 551,6 April 1989]

He said in April 1989 that as at 31 December 1988, the following people had been held for the following periods in terms of section 31(1) of the ISA: one person for three days, one for 17 days, one for 23 days, four for one month and five days, three for one month and 15 days, one for three months, two for seven months and 21 days, one for seven months and 29 days and two for nine months and six days.²⁶⁷ [²⁶⁷ *Hansard* (A) 10 q col 669, 17 April 1989]

A spokesman for the Detainees Parents' Support Committee, Dr Max Coleman, said in March 1990 that more than 50 000 people had been detained in the previous nine years, predominantly under the emergency regulations. In this period, more than 20 people had died in detention while two former detainees, Dr David Webster and Mr Sicelo Dhlomo, had been murdered. Dr Coleman said that the sense of relief which had settled on the anti-apartheid community was premature. 'Security legislation and detention without trial still exist on the statute books. There is no need to give up the fight now,' he said.²⁶⁸ [²⁶⁸ *Sowetan* 13 March 1990]

Detention of juveniles

For information on the detention of juveniles, see *Emergency regulations* below.

Treatment of detainees

The minister of national health and population development, Dr Willie van Niekerk, said in May 1989 that during 1988, 3 006 visits had been made by state doctors to examine security legislation detainees. Reports had been submitted to the four provincial administrations (as opposed to his department as in previous years) in each case but no action had been requested from his department as a result of the reports.²⁶⁹ [²⁶⁹ *Hansard* (A) 15 q col 959, 3 May 1989]

In a 'breakthrough' application in October 1989, a section 29 detainee, Ms Margaret Stofile, was served papers which had the effect of advising her of her legal rights and informing her of an application to secure her release. Section 29 detainees were usually prohibited access to their families or legal representatives. 'Such detainees live in a vacuum, totally cut off from any contact with the outside world for months on end. We hope this order will assist in protecting the rights of detainees,' said Ms Stofile's attorney, Mr Chris Walters.²⁷⁰ [²⁷⁰ *The Star* 21 October 1989] (See also *Emergency regulations* below.)

Allegations of torture

Mr Vlok said in April 1989 that investigations into allegations of torture by the Brixton (Johannesburg) Murder and Robbery Squad were under way after a judge of the Supreme Court had made comments about allegations of torture during judgement in a criminal trial in October 1988. Mr Vlok claimed that calculated attempts were being made to discredit the unit and said that of 2 156 people detained by the unit during 1987/88, 21 had lodged complaints of assault. In eight of these cases the attorney general had declined to prosecute, in six cases the allegations had proved to be false and seven cases were still being investigated. During this period not one of the investigating officers of the unit was charged with assault. He added that should allegations of torture and assault be proved, the department would not hesitate to institute prosecution against the persons responsible.²⁷¹ [²⁷¹ *Hansard* (A) 11 q col 693, 18 April 1989]

In October 1989 a Soweto activist, Mr Aaron Mazibuko, alleged that he was tortured and assaulted after being detained in August. He had just been released from the Johannesburg Hospital where hospital authorities had refused police permission to continue their interrogation. A police spokesman said that the matter would be properly investigated if an affidavit was filed.²⁷² [²⁷² *New Nation* 13 October 1989]

A security policeman, Warrant Officer Jeff Benzien, denied in November 1989 that he had suffocated jailed African National Congress (ANC) guerrillas, Messrs Ashley Forbes and Peter Jacobs, and terrorism accused, Messrs Tony Yengeni and Gary Kruser, by smothering them with a wet bag pulled over their heads. WO Benzien was being cross examined on 'shock tactics' used by the Terrorism Detection Unit in obtaining information from suspected guerrillas shortly after their arrest. He denied these and other allegations of torture against the unit.²⁷³ [²⁷³ *The Citizen* 24 November 1989]

Three people claimed in statements to lawyers in February 1990 that they heard a youth's screams as he was allegedly tortured to death by policemen. Police admitted that the youth, Mr Nixon Phiri, died

during 'interrogation' at a police station near Carletonville (western Transvaal) and said that circumstances surrounding his death were being investigated. The three alleged that they too were assaulted and tortured by policemen.²⁷⁴ [²⁷⁴ *The Star* 22 February 1990]

Deaths in detention

Mr Vlok said in April 1989 that one person, Mr Alfred Makaleng, had died in August 1988 while being detained in terms of the security laws. He had died of natural causes.²⁷⁵ [²⁷⁵ *Hansard* (A) 9 q col 531, 6 April 1989]

A Boksburg (east Rand) magistrate found in March 1989 that nobody could be held responsible for the death of a detainee, Mr Simon Marula, who died of kidney failure in the Boksburg-Benoni Hospital after he was transferred there from Modderbee Prison (east Rand). Counsel for the Marula family, Mr Eric Dane, alleged that Mr Marula's death could have been prevented if his disease had been detected earlier by means of routine tests carried out during a medical examination.²⁷⁶ [²⁷⁶ *The Star* 6 March 1989]

A member of the South African Youth Congress, Mr Michael Zungu, died while in police custody in January 1990, allegedly in the back of a police van. According to *New Nation* this brought to 72 the number of people who had died in detention since 1963.²⁷⁷ [²⁷⁷ *New Nation* 2 February 1990]

According to a Durban lawyer, Ms Linda Zama, Mr Zungu was arrested after going to the Masibonisane Junior Secondary School at Mtubatuba (near Durban) to claim back his registration fees. 'He was allegedly handcuffed and assaulted. He was allegedly unconscious when put in a police van. When family members later that day took him food, they were informed that he was found hanged with his shoelaces,' Ms Zama said.²⁷⁸ [²⁷⁸ *The Star* 6 February 1990]

A commission of inquiry under the chairmanship of Mr Justice R J Goldstone into the death in detention of Mr Clayton Sithole at John Vorster Square (Johannesburg) on 30 January 1990 heard in February that regulations on the conditions of detention for section 29 detainees were not followed at that prison because they were impossible to implement. The regional commissioner of police for the Witwatersrand, General Gert Erasmus, said that he believed the regulations, which had the status of 'delegated legislation' and covered aspects such as exercise and the removal of potential suicide materials, ought to be regarded as 'orders-stroke-guidelines' and were impossible to keep. The Sithole family's legal representative, Mr Chris Laxton, said that he accepted that Mr Sithole's death was by his own hand but criticised the system which had failed to prevent the suicide. Judge Goldstone said after the inquiry that he would report to the state president as soon as possible.²⁷⁹ [²⁷⁹ *Ibid* 13, 19 February 1990]

A spokesman for the Department of Law and Order said that Mr Sithole's death was 'extremely sensitive' as he was the father of one of Ms Zinzi Mandela's three children. Ms Mandela is the daughter of a released ANC leader, Mr Nelson Mandela.²⁸⁰ [²⁸⁰ *Business Day* 1 February 1990]

Mr Nixon Phiri died in detention in February 1990 in Carletonville and his death was being investigated at the time of writing (see *Allegations of torture* above).

Disappearances in detention

Mr Vlok said in April 1989 that an investigation into the disappearance of Mr Stanza Bopape from police custody on 12 June 1988 was continuing (see *1988/89 Survey* p555). Later in the month he refused to reveal the names of the South African Police (SAP) members who had accompanied Mr Bopape at the time of his alleged disappearance, in their interests and in the interests of the public. He did say that the attorneys representing Mr Bopape's family were free to contact the deputy chief of the detective branch, Major General Joubert, who had been appointed to co-ordinate the investigation.²⁸¹ [²⁸¹ *Hansard* (A) 9 q col 601, 11 April 1989, *Hansard* (A) 13 q col 802, 25 April 1989]

Human rights activists held a memorial service for Mr Bopape in June 1989, a year after his disappearance. Mr Bopape was the general secretary of the Mamelodi Civic Association and a researcher at the Community Resource and Information Centre.²⁸² [²⁸² *Cape Times* 12 June 1989]

Action by detainees

Hundreds of detainees, most of them emergency detainees, went on hunger strikes in protest against their continued detention. For more information see *Emergency regulations* below.

Deployment of troops

Troops in the townships

The minister of defence, Mr Magnus Malan, said in March 1989 that seven complaints about troop action in African townships had been lodged with the South African Defence Force (SADF) in 1988. These had been investigated and action had been taken against the SADF members concerned.²⁸³ [²⁸³ *Natal Witness* 15 March 1989]

In January 1990 Soweto's new police chief, Major General Johan Swart, announced that Casspirs would be withdrawn from Soweto (Johannesburg). He said, I want to make it clear that I want to replace six Casspirs with ordinary patrol vans. A Casspir is a large vehicle, cumbersome and costly to operate. I also believe that the people of Soweto would prefer to see ordinary patrol vans in the streets. We would like to concentrate more on the prevention of crime and the carrying out of normal police duties. I don't know when we will be able to withdraw all Casspirs, or if we will eventually be in a position to do so.²⁸⁴ [²⁸⁴ *City Press* 7 January 1990]

In February 1990 the deputy minister of defence, Mr Wynand Breytenbach, said that there were 800 SADF troops in African townships, mostly in Natal.²⁸⁵ [²⁸⁵ *Cape Times* 9 February 1990]

In March 1990 the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, alleged that black soldiers were 'running amok' in townships in the homeland in spite of his appeals to the state president, Mr F W de Klerk, to have them removed.²⁸⁶ [²⁸⁶ *Natal Mercury* 28 March 1990] After a meeting with Chief Buthelezi, the minister of law and order, Mr Adriaan Vlok, said that the soldiers concerned would be removed and replaced by police reinforcements.²⁸⁷ [²⁸⁷ *Sunday Star* 1 April 1990]

At the beginning of April 1990 Mr De Klerk unveiled a plan to restore order in South African townships, particularly in Natal and KwaZulu, through the deployment of SADF troops over a wide area.²⁸⁸ [²⁸⁸ *Business Day* 3 April 1990] Subsequently, troops from 32 Battalion and 61 Mechanised Battalion arrived in Pietermaritzburg in an attempt to deal with the conflict in the area.²⁸⁹ [²⁸⁹ *The Star* 9 April 1990]

The chairman of the interim leadership corps of the African National Congress (ANC), Mr Walter Sisulu, criticised the deployment of 32 Battalion, alleging that it consisted mainly of notorious Angolan civil war soldiers and mercenaries from European countries. 'It is unbelievable that the government could have decided to choose such a unit for the purpose of keeping peace in the Natal region.' An SADF spokesman said that the Battalion was completely impartial and was receiving orientation briefings.²⁹⁰ [²⁹⁰ *Ibid* 16 April 1990] Troops prevented an impending Inkatha attack on Mpumalanga (near Pietermaritzburg) after four days of violence which left at least 30 people dead.²⁹¹ [²⁹¹ *The Citizen* 10 April 1990] Later in April 356 members of the security forces were airlifted to African residential areas on the Natal south coast as violence in those areas increased.²⁹² [²⁹² *Ibid* 26 April 1990]

Emergency regulations

Restrictions on organisations

In January 1989 four organisations were restricted in terms of the emergency regulations. They were the Democratic Teachers' Union, the National Detainees' Forum, the Western Cape Students' Congress and the Western Cape Teachers' Union. They were all prohibited from carrying out or performing any activities or acts whatsoever in terms of regulation seven of the security emergency regulations.²⁹³ [²⁹³ *Sunday Times* 1 January 1989] In the same month the White Nationalist Movement was restricted. The movement was a right-wing organisation founded in November 1988.²⁹⁴ [²⁹⁴ *The Citizen* 17 January 1989]

In March 1989 the Black Students' Society at the University of the Witwatersrand rejected an offer by the minister of law and order, Mr Adriaan Vlok, to lift restrictions on the society if it would confine itself to 'bona fide student activities'.²⁹⁵ [²⁹⁵ *The Star* 10 March 1989]

In June 1989, when the then state president, Mr P W Botha, renewed the state of emergency, restrictions on 32 organisations were renewed. The organisations were: the Azanian Co-ordinating Committee, the Azanian People's Organisation, the Azanian Youth Organisation, the Black Students' Society (University of the Witwatersrand), the Blanke Nasionale Beweging van Suid Afrika, the Cape Youth Congress, the Committee for the Defence of Democracy, the Cradock Residents' Association, the Democratic Teachers' Union, the Detainees Parents' Support Committee, the Detainees' Support Committee, Die Blanke Bevrydingsbeweging van Suid Afrika, the End Conscription Campaign, the Mitchell's Plain Student Congress, the National Detainees' Forum, the National Education Crisis Committee, the National Education Union of South Africa, the Port Elizabeth Black Civic Organisation, the Port Elizabeth Youth Congress, the Release Mandela Campaign, the Rhodes University Black Students' Movement, the South African National Students' Congress, the South African Youth Congress, the Soweto Civic Association, the Soweto Students' Congress, the Soweto Youth Congress, the Transvaal Students' Congress, the United Democratic Front, the Vaal Civic Association, the Western Cape Civic Association, the Western Cape Students' Council, and the Western Cape Teachers' Union.²⁹⁶ [²⁹⁶ *Government Gazette*, no 11950, 9 June 1989] Also renewed was a restriction on Afrikaner Weerstandsbeweging members that they could not attend or participate in a gathering of the movement if they visibly carried or had on their person a firearm (or a replica). In addition the Congress of South African Trade Unions (COSATU) was restricted, inter alia, from mounting campaigns against negotiations for a new constitution, or in support of the unbanning of unlawful organisations, for the release from detention of a prisoner, from calling for changes in prison sentences and from calling for disinvestment or asking for the abolition of a local authority. The other 32 organisations were prohibited from carrying on or performing any activities or acts whatsoever.²⁹⁷ [²⁹⁷ *The Star* 9 June 1989]

On 20 August 1989 the United Democratic Front (UDF) declared itself and its affiliate organisations 'unbanned'. High-ranking Mass Democratic Movement (MDM) leaders went into hiding, fearing police harassment. Brigadier Leon Mellet, the press secretary to the minister of law and order, said that those who defied the law had to face the consequences.²⁹⁸ [²⁹⁸ *Ibid* 21 August 1989] An MDM spokesman, Mr Cas Coovadia, said that the MDM considered all restricted organisations to be 'unbanned' and these organisations would operate normally among their people.²⁹⁹ [²⁹⁹ *The Citizen* 21 August 1989]

In the same month the Johannesburg branch of the End Conscription Campaign (ECC) officially 'unbanned' itself at the University of the Witwatersrand. The ECC move, part of the MDM's defiance campaign, was echoed in similar meetings by various organisations, leading to police action and renewed tension on several university campuses.³⁰⁰ [³⁰⁰ *The Star* 22 August 1989]

In September 1989 the Soweto Students' Congress (SOSCO) decided to unilaterally lift the restrictions imposed on it in October 1988, in line with the campaign of the MDM to 'unban' restricted organisations. SOSCO stressed that it was the rise of crime in the township and the failure of the police and the army to maintain law and order, that had prompted it to 'unban' itself.³⁰¹ [³⁰¹ *Sowetan* 15 September 1989]

The Detainees' Support Committee (DESCOM), restricted in February 1988, 'unbanned' itself in October 1989. It pledged to intensify its work on all fronts against repression in South Africa.³⁰² [³⁰² *The Star* 31 October 1989]

When he opened Parliament on 2 February 1990, the state president, Mr F W de Klerk, announced that restrictions in terms of the emergency regulations on 33 organisations were being rescinded.³⁰³ [³⁰³ *Sowetan* 5 February 1990]

Restrictions on funerals

Restrictions were placed on the funeral of a member of the Federation of Transvaal Women, Mrs Selina Sebina Molefe, who was buried at Doornkop Cemetery in Soweto (Johannesburg) in February 1989. Only 200 mourners were allowed to attend the funeral, which was characterised by slogans and freedom songs.³⁰⁴ [³⁰⁴ *Ibid* 10 February 1989]

Bannings and restrictions of gatherings

The minister of law and order, Mr Adriaan Vlok, said in February 1989 that three people were arrested in 1988 for attending gatherings prohibited by the emergency regulations.³⁰⁵ [³⁰⁵ *Hansard* (A) 4 q col 149-150, 28 February 1989]

All meetings planned in February 1989 to show solidarity with detainees who had embarked on a hunger strike were banned by the commissioner of police, General Hennie de Witt. The chairman of Lawyers for Human Rights, Mr Jules Browde SC, said that 'the banning shows just how far down the road we are, where the rule of law is being destroyed in this country'.³⁰⁶ [³⁰⁶ *Sowetan* 13 February 1989]

A meeting organised by the Soweto Students' Co-ordinating Committee and the Progressive Teachers' Committee in March 1989 to discuss violence in Soweto schools was banned when police arrived at the Jabavu (Soweto) Methodist Church.³⁰⁷ [³⁰⁷ *City Press* 19 March 1989]

Services in Mamelodi (Pretoria) in April 1989 to commemorate the tenth anniversary of the execution of an African National Congress (ANC) guerrilla, Mr Solomon Mahlangu, were banned under the emergency regulations by the divisional commissioner of police in the northern Transvaal, Brigadier Sarel Strydom. Only family members were allowed to honour Mr Mahlangu in the confines of their home. Mr Mahlangu, who was arrested in 1978 after a shootout in Johannesburg, was convicted of murder on the grounds of common purpose and hanged in 1979.³⁰⁸ [³⁰⁸ *Ibid* 9 April 1989]

In the same month a welcoming home party for former treason trialist, Mr Moses Mayekiso, and other

Alexandra (Johannesburg) activists was banned in terms of the emergency regulations. The party had been organised by the Alexandra Action Committee (AAC) and the Alexandra Youth Congress.³⁰⁹ [³⁰⁹ *Business Day* 5 May 1989]

A tea party organised by the Detainees' Aid Movement and Detainees' Education and Welfare in Johannesburg in April 1989 was stopped in terms of regulation 2 of the emergency regulations. Police denied that the singing of the anthem, Nkosi Sikelel'iAfrika, was the reason for stopping the meeting and stated that 'we are sure that the officer who issued the instructions did so after assessing the situation existing at the time'. Reporters from *The Star* said that the meeting was orderly and peaceful.³¹⁰ [³¹⁰ *The Star* 25 April 1989] The event was organised for former detainees and the families of those still in detention to get expert advice in an informal setting and to discuss common problems.³¹¹ [³¹¹ *Ibid* 24 April 1989]

In August 1989 the police banned a number of meetings under the emergency regulations in the Cape Peninsula. Among them was an MDM meeting to criticise the World XV rugby tour, an education summit at the University of the Western Cape and a National Sports Congress meeting.³¹² [³¹² *Daily Dispatch* 26 August 1989]

An MDM rally in the same month, at which restricted organisations intended to 'unban' themselves, was banned in terms of the emergency regulations. An MDM spokesman said that the organisations would still 'unban' themselves 'even if the rally is stopped by the state'.³¹³ [³¹³ *City Press* 20 August 1989]

A meeting which was to be held in August 1989 by COSATU and the National Council of Trade Unions (NACTU) in Johannesburg was prohibited by the commissioner of police, General Hennie de Witt, unless certain conditions were met. The conditions included that it could not be attended by any person who was not a member of a trade union and no person acting as a speaker at the meeting could deal with a subject not dealt with under the Labour Relations Act of 1956.³¹⁴ [³¹⁴ *Daily Dispatch* 26 August 1989]

A ban on a Cape Democrats meeting in September 1989 was extended to a church meeting at the Buitenkant Street Methodist Church (Cape Town). Leaders of the church successfully applied to the Cape of Good Hope Provincial Division of the Supreme Court to have the ban overturned. Mr Justice J G Foxcroft said that nothing he had heard showed him that the intended service would be 'misused as a vehicle for something else'.³¹⁵ [³¹⁵ *Dimension* vol 5 no 9, October 1989]

A protest march through the streets of Alexandra planned by the AAC in November 1989 was banned by Randburg's chief magistrate. No reasons were given for the ban on the march, aimed at highlighting the housing crisis in the township.³¹⁶ [³¹⁶ *The Star* 15 November 1989]

Bannings and restrictions of persons

Mr Vlok said in February 1989 that restrictions in terms of emergency regulations had been imposed on 135 emergency detainees in 1988 after their release from detention, excluding restrictions imposed on people who had not been detained.³¹⁷ [³¹⁷ *Hansard* (A) 2 q col 27, 14 February 1989]

Prominent emergency detainees were released from prison in May 1989 after nearly three years (in most cases) in detention. They were served with severe restriction orders. Among them were the UDF regional vice president, Mr Henry Fazzie, and a consumer boycott spokesman, Mr Mkhuseleli Jack.³¹⁸ [³¹⁸ *Cape Times* 17 May 1989]

With the re-imposition of the state of emergency in June 1989, new restriction orders were placed on many of the estimated 500 people restricted under general or specific emergency regulations. The senior chief deputy commissioner of the SAP, General Johan van der Merwe, said that those restricted in terms of general emergency regulations would not have to be served with new orders.³¹⁹ [³¹⁹ *The Citizen* 9 June 1989]

Two prominent political figures, a leader of the UDF, Mr Archie Gumede, and a leader of the ANC, Mr Govan Mbeki, had restriction orders imposed on them in June 1989. Restrictions had been placed on Mr Mbeki in December 1987, a month after he was released from prison after serving 23 years.³²⁰ [³²⁰ *The Star* 14 June 1989] The restrictions on Mr Mbeki were lifted in November 1989. He said that he was happy to be able to talk to the media and was 'now looking forward to being granted a passport, probably to see the ANC leadership abroad'. Mr Mbeki had been confined to the Port Elizabeth magisterial district and could not be in the company of more than ten people at a time.³²¹ [³²¹ *The Star* 10 November 1989, *Eastern Province Herald* 10 November 1989] In June 1989 the restrictions on Mr Gumede were modified to allow him to take part in peace talks in Natal.³²² [³²² *Cape Times* 17 June 1989]

In the same month a Pietersburg (northern Transvaal) activist, Mr Kubushi Moleko, became the first known activist to be convicted for breaking his restriction order. His one-year jail sentence was suspended for three years. The maximum penalty for the offence was R20 000 or ten years' imprisonment without the option of a fine.³²³ [³²³ *New Nation* 30 June 1989]

In August 1989 about 250 former detainees living in Soweto openly defied their restriction orders by leaving their homes after 6pm to attend supper with white guests as part of an encounter programme. The encounter formed part of a growing resistance to restriction orders, unofficially a part of the MDM's defiance campaign.³²⁴ [³²⁴ *The Star* 19 August 1989] In the same month at least 25 people were arrested for defying their restriction orders.³²⁵ [³²⁵ *Sowetan* 17 August 1989]

The press secretary to the minister of law and order. Brigadier Leon Mellet, made it clear that 'the SAP will not hesitate to take strict action against persons who break their restriction orders. It must be

stressed that persons breaching their restriction orders are charged in terms of the Criminal Procedure Act-in other words, they face criminal charges'. He added that Mr Vlok was not unsympathetic to the problems faced by persons restricted in terms of the emergency regulations.³²⁶ [³²⁶ *The Citizen* 17 August 1989]

The UDF's Transvaal education secretary, Mr Raymond Suttner, defied his restriction order to join the MDM's delegation to the Organisation of African Unity's conference in Harare (Zimbabwe) in August 1989. His previous attempt to leave South Africa had ended in his being detained at Jan Smuts Airport in 1986 and being kept in solitary confinement for 816 days. After he was released, a restriction order was imposed on him requiring him to report every morning and afternoon to a police station.³²⁷ [³²⁷ *The Weekly Mail* 25 August 1989]

Charges of breaking their restriction orders were withdrawn against eight MDM leaders in the Athlone (Cape Town) magistrate's court in October 1989. All the charges related to incidents after 6 August, during the MDM's defiance campaign.³²⁸ [³²⁸ *The Citizen* 26 October 1989]

All restrictions on the leader of the banned Blanke Bevrydings-beweging, Professor J C Schabort, were lifted in November 1989.³²⁹ [³²⁹ *The Star* 10 November 1989 -]

In December 1989 a leading Cape activist and ex-detainee, Ms Janet Cherry, had her restriction order lifted. Earlier in the year her application to travel to the United States to receive the Reebok Human Rights Award had been turned down.³³⁰ [³³⁰ *The Weekly Mail* 15 December 1989] Ms Cherry said that she felt her right to participate in the political life of society 'has now been restored. But that right is denied to the majority of people in South Africa'.³³¹ [³³¹ *Eastern Province Herald* 14 December 1989]

Restrictions on the national treasurer of the UDF, Mr Azhar Cachalia, in effect since February 1988, were lifted in December 1989. Mr Cachalia said that he felt he should never have been restricted and that apartheid, not the UDF, was a threat to public safety. He vowed to continue his struggle against white domination in South Africa.³³² [³³² *Business Day* 21 December 1989]

According to the Human Rights Commission (HRC), a total of 557 people were restricted under the emergency regulations as at January 1990. A total of 658 restriction orders were served on individuals between 12 June 1989 and 20 December 1989. This figure includes those restriction orders which were automatically renewed when the state of emergency was renewed on 9 June 1989. Between 20 December 1989 and 19 January 1990 a total of 101 people had their restriction orders revoked.³³³ [³³³ *The Weekly Mail* 19 January 1990]

When he opened Parliament on 2 February 1990, Mr De Klerk said that the conditions imposed in terms of the security emergency regulations on 374 people on their release from detention or prison were being rescinded and the regulations providing for such conditions abolished.³³⁴ [³³⁴ *Sowetan* 5 February 1990]

According to the HRC, the powers to impose restrictions on persons under the emergency had not been withdrawn by 12 February and the power to ban persons under the ISA still stood, but had not been used for several years. At the time of writing no person was banned or restricted under the emergency regulations and the ISA.³³⁵ [335 Repression Monitoring Group, *Weekly Fact Sheet*, 12 February 1990]

Censorship of the media

In January 1989 the publication *Work in Progress (WIP)* faced a six-month ban after the minister of home affairs and of communications, Mr Stoffel Botha, issued it with a final warning in terms of the emergency media regulations. *Al-Qalam*, *New Era* and *Grassroots* also received warnings. The editors of leading English-language newspapers condemned the minister's warning. *The Star's* deputy editor-in-chief, Mr Rex Gibson, said the minister's action threatened not just one publication but all. The editor of *Business Day*, Mr Ken Owen, said, 'The purpose of warning *WIP* can be none other than to intimidate and the purpose of suppression can be none other than to conceal the truth.' The Association of Democratic Journalists (ADJ) hosted a meeting in January to discuss the threat to the four publications' On the initiative of the ADJ, 200 journalists went on a 48-hour hunger strike in solidarity with other hunger strikers.³³⁸ [338 *The Leader* 17 February 1989]

Mr Botha said in February 1989 that propaganda was so subtle that efforts to define it to allow the courts to make decisions were futile. It also did not help to punish those disseminating propaganda, it had to be prevented. 'The media emergency regulation on subversive propaganda is thus an essential measure. It gives me the authority to act expeditiously. However, there are strict directives with which I have to comply.' The role of the courts, he said, was to decide whether he, as arbiter of what constituted propaganda, had lawfully exercised his discretion.³³⁹ [339 *Business Day* 10 February 1989]

Mr Botha said in March 1989 that leaders in the media world 'readily acknowledge that freedom of the press cannot be an absolute right'. He said that the media regulations had put a strain on relations between the government and the media at a time when 'understanding and co-operation were essential for orderly transition to an equitable new dispensation. We should endeavour to resolve our differences in this regard'.³⁴⁰ [340 *The Citizen* 17 March 1989]

He said in April 1989 that the emergency media regulations were 'a pain in the neck' but were necessary and effective—they had helped to combat propaganda aimed at 'fanning the violent overthrow of the government'. Mr Jan van Eck MP (Independent) said that the closure of newspapers was 'promoting the spiral of violence' in the country because it forced the 'oppressed people' to seek other, not necessarily peaceful, ways of expressing their grievances.³⁴¹ [341 *The Star* 20 April 1989]

When the state of emergency was renewed in June 1989, there were widespread protests against a requirement that news agencies register. As a result the clause requiring registration was subsequently dropped. According to the HRC, in the year preceding the re-imposition of the emergency, five

publications had received gazetted warnings and the *Sowetan* had received a letter that a gazetted warning was being considered against it. *The Weekly Mail* was suspended for a month and *Grassroots* and *New Era* were each suspended for three months.³⁴² [342 Repression Monitoring Group, *Weekly Fact Sheet*, 29 May 1989]

The offices of six Johannesburg publishing organisations were raided in July 1989 by security police who seized documents and publications. A police spokesman confirmed the search and said that documents had been seized in terms of section 5 of the emergency regulations. Criminal charges were being investigated.³⁴³ [343 *Business Day* 5 July 1989]

About 30 Johannesburg journalists staged a protest in the same month to demonstrate their opposition to emergency media regulations and statutory laws. The South African Society of Journalists (SASJ) said that in the light of the forthcoming general election, which would entail a substantial amount of news coverage, the 'act of defiance' was to counter perceptions that journalists were interested only in supporting the status quo.³⁴⁴ [344 *The Star* 1 September 1989]

In October 1989 *New Nation* was served with a letter from the new minister of home affairs, Mr Eugene Louw, warning that he believed the newspaper had been publishing 'subversive statements' and threatening it with suspension in terms of the emergency media regulations. The newspaper was given two weeks to make representations to Mr Louw. According to the Anti-Censorship Action Group (ACAG), this was part of 'a war of attrition against journalists and their newspapers that threatens to develop into a serious battle over freedom of speech'.³⁴⁵ [345 *A CA G Report: Update*, October 1989] The National Association of Democratic Lawyers (NADEL) called on the minister to withdraw the warning and pledged its support for *New Nation* in 'any endeavours to prevent further governmental action against it'.³⁴⁶ [346 *New Nation* 3 November 1989]

When he opened Parliament on 2 February 1990, Mr De Klerk announced that the media emergency regulations were being abolished in their entirety. However, the security emergency regulations were to be amended 'still to make provision for effective control over visual material pertaining to scenes of unrest'.³⁴⁷ [347 *Sowetan* 5 February 1990] Provision was made for this in the *Government Gazette* of 3 February, which inserted regulation 6A into Proclamation No R86 of 1989. In terms of the new regulation, no person could, without permission, publish a photograph, drawing (or other depiction) or show a television or film recording of:

- any unrest or security action; and
- damaged or destroyed property, or injured or dead persons in contravention of a provision or regulation which was in force under the act at any time from 12 June 1986 to the commencement of" the security amendment regulations.

In addition, regulation 11A (inserted into Proclamation No R86 of 1989) allowed for:

- the seizure of all copies of a publication or television or film recording in contravention of regulation 6A;
- the police to enter any premises guilty of this contravention with the necessary warrant;
- the minister of law and order to deal with the seized material in any way to safeguard the public, maintain public order or to terminate the state of emergency; and
- the application of this regulation irrespective of whether the publisher/producer was prosecuted in terms of regulation 6A.³⁴⁸ [³⁴⁸ *Government Gazette*, no 12287, vol 296,3 February 1990]

Detention

The HRC claimed in December 1989 that an overall reduction in the number of emergency detainees from January 1989 to December 1989 could be attributed to the nationwide hunger strike held by detainees (see below). The HRC said that until August 1989 ‘no key leaders of the Mass Democratic Movement were being held and the state appeared to have shifted its repression strategy to a large-scale use of restriction orders on released detainees’. However, there was a sharp increase in the number of detainees in the second half of 1989, 3 709 being detained between 10 June and 14 December 1989. Most were detained between August and December, the increase being seen as a response to the western Cape schools crisis and an attempt to halt the defiance campaign (see chapter on *Political Developments*).³⁴⁹ [³⁴⁹ *Cape Times* 28 December 1989]

In February 1990 the state president amended the security emergency regulations so that detention in terms of these regulations would be limited to six months. Detainees acquired the right to legal representation and a medical practitioner of their own choice (but only on the recommendation of the prison medical officer).³⁵⁰ [³⁵⁰ *Sowetan* 5 February 1990] A *Government Gazette* of 3 February reflected these changes. Thus a detainee could see a medical practitioner in accordance with the recommendation of a medical officer acting in terms of regulation 4(3) of the prison emergency regulations and could see a legal representative about bona fide legal matters in which the detainee had a real interest. Such a visit could take place only at times and under conditions determined by the minister of law and order or an authorised person.³⁵¹ [³⁵¹ *Government Gazette*, no 12287]

A *Government Gazette* on 3 February amended the security emergency regulations accordingly and also announced the appointment of special advisers to:

- visit detainees as often as the minister of law and order required;

- ensure that detainees were being treated according to statutory requirements;
- report in writing on matters relating to a detention which they felt deserved attention;
- submit to the minister representations from the detainee concerning his/her release; and
- perform any other function assigned to them by the minister, including any recommendations with regard to a detainee's release.³⁵² [³⁵² Ibid]

A spokesman for the Detainees' Aid Centre, Ms Audrey Coleman, said that the whole detainee support movement felt detention was 'political internment' and should be scrapped altogether. 'Appointing an adviser is like putting a plaster on a boil,' she said.³⁵³ [³⁵³ *Business Day* 6 February 1990]

In March 1990 the names of another five emergency detainees who had been held for longer than 30 days were tabled in Parliament by Mr Vlok. This brought the total number of detainees named in Parliament since the imposition of the state of emergency in June 1986 to March 1990 to 20 236. Since the emergency was reimposed on 10 June 1989, the names of 2 111 detainees had been tabled in Parliament.³⁵⁴ [³⁵⁴ *Eastern Province Herald* 3 March 1990]

The publicity secretary of the UDF, Mr Terror Lekota, said in March 1990 that police had detained 89 activists in that month under the emergency regulations. It seems the government is reverting to its old repressive measures,' he said.³⁵⁵ [³⁵⁵ *Natal Witness* 13 March 1990] The HRC said in the same month that 150 people were in detention under the emergency regulations.³⁵⁶ [³⁵⁶ *Business Day* 16 March 1990]

Detention of juveniles

According to the Repression Monitoring Group (RMG) there were 13 detainees aged 17 or under as at 25 June 1989. The RMG said that 9 700 children aged 17 or under had been detained under the emergency regulations since the first state of emergency was declared in 1986.³⁵⁷ [³⁵⁷ *The Weekly Mail* 7 July 1989]

A centre for the rehabilitation of child detainees was officially opened in Soweto in November 1989 as part of the Impumelelo community centre in Diepkloof opened by the Johannesburg Child Welfare Society. The director of the society, Dr Adele Thomas, said that children released from detention suffered from post-traumatic stress disorder, which manifested in high anxiety, depression, fear and a lack of concentration. 'There is a need for the ongoing rehabilitation of these children,' she said. Social workers at Impumelelo hoped to integrate the children back into the community.³⁵⁸ [³⁵⁸ *Sowetan* 29 November 1989]

Action by detainees

Hunger strikes

Mr Vlok said in May 1989 that between 1 January 1989 and 30 April 1989, 644 detainees had gone on a hunger strike. He added that 134 detainees had been hospitalised, 620 had been released and 129 had been relocated. He said that 24 detainees who had been on a hunger strike were still in detention. At 30 April 1989 there were no hunger strikers.³⁵⁹ [³⁵⁹ *Hansard* (A) 17 q col 1040, 11 May 1989]

According to the HRC about 790 people held under emergency regulations had embarked on hunger strikes (including some who had been on a hunger strike more than once) between 21 February and 27 March 1989.³⁶⁰ [³⁶⁰ *New Nation* 2 June 1989] According to the HRC there were 122 hunger strikes between 1 April 1989 and 27 September 1989.³⁶¹ [³⁶¹ *Ibid* 29 September 1989]

Mr Vlok said in March 1989 that 235 detainees had been released between 16 February and 2 March 1989. None of these had been on a hunger strike immediately prior to their release, he said. 'Persons who participate in a hunger strike cannot be released as long as they do not eat. Their release only took place after they had begun eating and, in the majority of instances, after they had been examined by a district surgeon and found fit to be released,' he said. Mr Vlok added that between 16 February and 14 March 1989 he had ordered the release of more than 400 emergency regulation detainees in keeping with a promise he had made to churchmen and lawyers to release 'a substantial number' of detainees. Among those released were some youths, although one 16-year-old and thirteen 17-year-olds were still in detention, he said.³⁶² [³⁶² *Hansard* (A) 6 q col 352-354, 14 March 1989]

The minister of national health and population development, Dr Willie van Niekerk, said in March 1989 that detainees on hunger strike had been given permission to see private doctors.³⁶³ [³⁶³ *Hansard* (A) 5 q col 248, 7 March 1989]

Three detainees, Messrs Rapu Molekane, Aldo Mogamo and Lybon Mabasa, who were transferred to Grootvlei Prison in Bloemfontein (Orange Free State) in May 1989 after going on a hunger strike, resumed their strike after authorities' promises for their release failed to materialise. 'Prison under the emergency is like a grave and we are sentenced to a slow death. We have exhausted all other means at our disposal and the only option left is that of a hunger strike,' they said.³⁶⁴ [³⁶⁴ *New Nation* 26 May 1989] In June 1989 the family of Mr Mabasa expressed deep concern about his health.³⁶⁵ [³⁶⁵ *The Weekly Mail* 2 June 1989] A spokesman for the Department of Law and Order, Colonel S van Rooyen, said that 'as far as he knew' no detainees were on a hunger strike in South Africa.³⁶⁶ [³⁶⁶ *Sowetan* 1 June 1989]

Brigadier Leon Mellet, the press secretary to the minister of law and order, said in May 1989 that the nine hunger strikers who had been moved to Bloemfontein the previous week had stopped their fast and that their condition was 'fine'. He said that allegations that detainees in Bloemfontein could not be seen

by lawyers or parents were false.³⁶⁷ [³⁶⁷ *The Natal Witness* 18 May 1989] The nine were transferred from Diepkloof Prison (Johannesburg) the day after they started their strike. A spokesman for the Detainees' Aid Centre, Ms Audrey Coleman, said that the transfer to Grootvlei Prison had been a deliberate attempt by the minister of law and order to isolate the hunger strikers and sow confusion among their relatives and lawyers.³⁶⁸ [³⁶⁸ *The Star* 16 May 1989]

Delegates attending the sixth annual conference of the National Medical and Dental Association (NAMDA) in May 1989 signed a petition calling for the abolition of detention without trial in the wake of the escalating hunger strikes in South African prisons.³⁶⁹ [³⁶⁹ *Sowetan* 15 May 1989]

Four hunger strikers at Grootvlei Prison, Messrs Trevor Manuel, Bulalani Ngcuka, Tsidi Mhlauli and another unnamed detainee agreed in September 1989 to suspend their strike pending further developments around their continued detention.³⁷⁰ [³⁷⁰ *Cape Times* 11 September 1989]

The government's decision to transfer hunger strikers to Grootvlei Prison was condemned in October 1989 as an attempt to isolate the protesters and discourage others from joining in. The HRC said that the ruling by the minister of law and order also made the monitoring of the number of hunger strikers and their conditions increasingly difficult.³⁷¹ [³⁷¹ *The Weekly Mail* 6 October 1989]

A batch of 69 emergency detainees went on a hunger strike in August 1989 in Durban's Westville Prison. A civil rights lawyer said that the total detainee population in the prison was refusing to take solids in a 'charge or release demand'.³⁷² [³⁷² *New Nation* 11 August 1989]

In September 1989 a Cape activist and hunger striker, Mr Willie Hofmeyr, ended a 28-day hunger strike after a meeting between the minister of law and order and Mr Hofmeyr's father and attorneys. He was released from detention subject to a restriction order. Mr Hofmeyr was never convicted of any offence but had been detained and restricted for long periods, including being banned for five years. He came close to permanent physical damage as a result of his hunger strike.³⁷³ [³⁷³ *Sunday Star* 24 September 1989]

In the same month an eastern Cape priest, the Rev Zolile Mkentane, went on a hunger strike to protest against his detention. He said in a message to the chairman of the Border Council of Churches, the Rev Bongani Finca, that four other detainees had joined him when the strike began. They were Messrs Bandile Mangali, Bejile Masweli, Nosa Mana and Evangelist Magwa.³⁷⁴ [³⁷⁴ *The Weekly Mail* 15 September 1989] At the same time an Anglican priest, the Rev Lulama Ntshingwa, was understood to be on a hunger strike in Worcester Prison (eastern Cape).³⁷⁵ [³⁷⁵ *Eastern Province Herald* 14 September 1989]

In October 1989 it was reported that there were six detainees on a hunger strike. According to the police, two of the men, Messrs Mandla Dlamini and Amos Masondo, had suspended their strike (begun on 10 October) but this was challenged by their lawyers.³⁷⁶ [³⁷⁶ *The Weekly Mail* 20 October 1989, *The Star* 19 October 1989]

1989] Mr Masondo was described as ‘the most detained person in South Africa since 1984’ and was a prominent activist in the trade union and civic association movement.³⁷⁷ [³⁷⁷ *The Star* 18 October 1989]

In the same month two Grahamstown (eastern Cape) detainees, Messrs David Sandi and Zalisile Mkontwana, embarked on a hunger strike to highlight their continued detention and to call for their release. The men were moved to Grootvlei Prison after starting their strike, which they had begun after their first 30-day detention period had passed without their having been released.³⁷⁸ [³⁷⁸ *The Weekly Mail* 13 October 1989]

In December 1989 the Alexandra Civic Organisation questioned the government’s view that four detained members of the organisation, Messrs Richard Mdakane, Mzwanele Mayekiso, Sipho Kubeka and Paul Tshabalala, who were on a hunger strike, were in ‘a very good condition’. It asked how the men could be in a good condition after not having eaten for 13 days. Mr Mayekiso was allegedly about to enter a critical stage. The Black Sash urged the state president to unconditionally release the four men, saying that their continued detention belied the government’s ‘professed policy of promoting negotiations with legitimate leaders and allowing expression of people’s grievances’.³⁷⁹ [³⁷⁹ *The Natal Witness* 13 December 1989] The men had been detained on 30 November and immediately embarked on the hunger strike.³⁸⁰ [³⁸⁰ *The Weekly Mail* 3 December 1989]

Escapes

In March 1989 the publicity secretary of the South African Youth Congress (SAYCO), Mr Simon Ntombela, escaped from Shifa Hospital (Durban) where he was being treated for depression during his detention under the emergency regulations. Mr Ntombela was one of eight detainees on a hunger strike at the hospital and had been detained in September 1988. A police spokesman confirmed the escape but denied that he was on a hunger strike.³⁸¹ [³⁸¹ *The Star* 29 March 1989] Mr Ntombela managed to reach the United States embassy in Johannesburg undetected.³⁸² [³⁸² *Sowetan* 30 March 1989] He left the embassy after 48 hours and was not rearrested.³⁸³ [³⁸³ *Sunday Times* 2 April 1989]

At the same time six former detainees, Messrs Donsie Khumalo, Sandy Lebise, Ignatius Jacobs, Michael Seloane, Selebogo Mabena and Ms Grace Dube, took refuge in the British embassy in Pretoria to protest against restrictions placed on them. The British embassy asked the refugees to leave the premises. ‘We have made it clear that the cause of the activists—would best be served by leaving the embassy,’ said a spokesman.³⁸⁴ [³⁸⁴ *The Star* 30 March 1989] The six left the following day, accusing the embassy of ‘inhuman treatment’ for refusing them food, water, lavatory and washing facilities, and blankets and mattresses. The minister of foreign affairs, Mr Pik Botha, gave his assurance that the six would not be arrested.³⁸⁵ [³⁸⁵ *The Citizen* 31 March 1989]

Four detainees, Messrs Ephraim Nkoe, Mpho Lekgoro, Clive Radebe and Job Sithole, escaped from the Hillbrow Hospital (Johannesburg) in March 1989 and sought refuge at the West German embassy in

Pretoria. They were being treated for problems relating to their participation in a hunger strike when they escaped.³⁸⁶ [³⁸⁶ *Sowetan* 21 March 1989] The four were allowed to leave without being rearrested.³⁸⁷ [³⁸⁷ *The Star* 21 March 1989]

In April 1989 a former hunger striker, Mr Tebogo Mngomezulu, fled the Johannesburg Hospital for the British consulate in central Johannesburg. Mr Mngomezulu left the consulate the same day after it had obtained an assurance from Mr Vlok that he would not be rearrested.³⁸⁸ [³⁸⁸ *Sowetan* 7 April 1989]

Police conduct

The minister of law and order, Mr Adriaan Vlok, said in August 1989 that the government would not take any pre-emptive action against members of the Mass Democratic Movement (MDM) over its defiance campaign, 'if they act within the confines of the law and do not disturb public order'.³⁸⁹ [³⁸⁹ *The Citizen* 2 August 1989] He said that the South African Police (SAP) had prepared detailed plans to cope with any outbreak of violence when the campaign got under way (see chapter on *Political Developments*).³⁹⁰ [³⁹⁰ *Business Day* 2 August 1989]

In the same month Mr Vlok agreed that police would handle the schools unrest 'with caution' after a meeting with the leader of the Labour Party in the House of Representatives, the Rev Allan Hendrickse. Mr Hendrickse said that Mr Vlok had assured him that he would ask the police 'as far as possible' to avoid the use of teargas in school buildings and grounds. 'We brought to Mr Vlok's attention the unnecessarily harsh attitude of some police in some circumstances.'³⁹¹ [³⁹¹ *The Star* 29 August 1989]

Deaths and injuries owing to police conduct

According to the annual report of the auditor general for 1988/89, the SAP paid out R2,67m in compensation in that year. The report said that R435 630 was paid out in 131 cases of unlawful arrest, R1 186 396 for injuries resulting from normal police action and R426 492 for injuries sustained in riots.³⁹² [³⁹² *The Weekly Mail* 23 February 1990] In addition, R44 500 was paid out for injuries to bystanders, R409 667 for loss of maintenance and income, R53 972 for loss of and damage to property and R116 623 for medical, funeral and other expenses.³⁹³ [³⁹³ *The Natal Mercury* 8 February 1990]

In January 1989 a spokesman for the Department of Law and Order said that the death of 12-year-old Basenki Botsani, who had been shot while running away from a constable on a bicycle in Senekal (Orange Free State), was to be investigated. A report was to be handed to the attorney general who would decide whether to prosecute or not.³⁹⁴ [³⁹⁴ *Business Day* 29 January 1989] The youth had been arrested for breaking into business premises and nine other charges of housebreaking were being investigated

against him. The commissioner of police said that it was a pity that a young boy had lost his life.³⁹⁵ [³⁹⁵ *Cape Times* 26 January 1989]

Mr Jan van Eck MP (Independent) alleged in February 1989 that security police had repeatedly assaulted two Willowmore (southern Cape) school pupils before threatening them with death. An SAP spokesman said that the youths were at liberty to lodge their complaints.³⁹⁶ [³⁹⁶ *South* 2 March 1989, *Business Day* 28 February 1989]

A spokesman for the minister of law and order said in the same month that the police would investigate an incident at the Soweto (Johannesburg) Youth Church Centre in which a number of pupils were alleged to have been injured when police dispersed them, using sjamboks. Two policemen were slightly injured.³⁹⁷ [³⁹⁷ *The Citizen* 8 February 1989] An undisclosed number of pupils were injured in the incident, including 13-year-old Selina Fella, who nearly lost an eye after being hit by a baton.³⁹⁸ [³⁹⁸ *The Star* 7 February 1989]

In March 1989 a dossier detailing 29 incidents in which policemen and Inkatha warlords allegedly co-operated in the detention, interrogation, shooting and harassment of residents from Imbali township (near Pietermaritzburg) was made public at a conference called by the Congress of South African Trade Unions (COSATU). The general secretary of COSATU, Mr Jay Naidoo, called for a public investigation into the role of the police in the Pietermaritzburg violence. Inkatha categorically denied the allegations.³⁹⁹ [³⁹⁹ *The Weekly Mail* 23 March 1989] The commissioner of police, General Hennie de Witt, ordered an investigation into the allegations and into the possibility that the document containing the allegations was a breach of the restrictions imposed on COSATU.⁴⁰⁰ [⁴⁰⁰ *The Citizen* 23 March 1989]

Mr Vlok said in April 1989 that a policeman in Pietermaritzburg (Natal) was convicted and sentenced for assault and that 29 other cases against policemen in the area were being investigated. In a further 73 cases of alleged assault by the police, the attorney general declined to institute legal proceedings.⁴⁰¹ [⁴⁰¹ *Cape Times* 6 April 1989]

In the same month five municipal policemen in Upington's Pabelello township were restrained from unlawfully arresting, detaining and assaulting certain pupils from the local high school in an interdict granted by the Northern Cape Division of the Supreme Court. Mr Justice J A Erasmus found many 'unsatisfactory features' in the applicants' allegations. He did accept that one of the pupils had been assaulted by a policeman with a meat cleaver.⁴⁰² [⁴⁰² *The Weekly Mail* 7 April 1989]

In May 1989 an order restraining the minister of law and order and members of the SAP from 'unlawfully assaulting, threatening, harassing or intimidating' residents of Mpophomeni at Howick (Natal) was granted in the Natal Provincial Division of the Supreme Court (Pietermaritzburg). The order was made by consent and without admission of liability on the part of the SAP.⁴⁰³ [⁴⁰³ *Business Day* 24 May 1989] It was alleged in papers before the court that members of the SAP were intent on enforcing a reign

of terror in the township.⁴⁰⁴ [⁴⁰⁴ *Sowetan* 24 May 1989]

According to the Human Rights Commission (HRC), between 1 August 1989 and 2 September 1989 they received reports of 46 meetings and protests which were 'broken up' by security forces. Where violence was used, twenty-two cases involved teargas, six the use of quirts, three birdshot, two shotguns, two rubber bullets, two water cannon, one stun grenades, one buckshot and one the use of batons. In some cases more than one method was employed. On 6 September, said the HRC, more than 20 people had died as a result of police action in the western Cape. In Stellenbosch one person was killed and over 200 injured after police opened fire on a crowd from a Casspir.⁴⁰⁵ [⁴⁰⁵ *The Weekly Mail* 3 November 1989]

In September 1989 the police were widely accused of continuing to use excessive and unnecessary violence to stop peaceful marches organised as part of the nationwide defiance campaign.⁴⁰⁶ [⁴⁰⁶ *New Nation* 29 September 1989]

The head of the SAP's public relations division. Major General Herman Stadler, said in that month that policemen had been forced to use batons and police dogs when protesting members of Women Against Repression refused to disperse. 'Such actions were unlawful and the police had to act to stop them. Some of the people were injured during the police action and many were arrested,' said Gen Stadler.⁴⁰⁷ [⁴⁰⁷ *The Citizen* 26 September 1989] The antigovernment march was held in Pretoria.

Also in September Mr Vlok appointed the deputy chief of the Criminal Investigation Department (CID), Major General Jaap Joubert, to conduct a probe into allegations of police brutality in the western Cape. The inquiry was to focus on Lieutenant Gregory Rockman's allegations of police brutality and would also deal with the whole unrest crisis in the western Cape, including a dispute between churchmen and the police about how many people were killed during election day protests.⁴⁰⁸ [⁴⁰⁸ *The Star* 12 September 1989] It was also announced that the police would stop using quirts (sjamboks) in unrest situations, with immediate effect.⁴⁰⁹ [⁴⁰⁹ *Ibid* 11 September 1989]

Lt Rockman had alleged that an order given by Major Charles Brazelle and Lieutenant David Roos in forcibly dispersing protestors at Mitchell's Plain (Cape Town) in September 1989 was not in conformity with the emergency regulations and that the force used in dispersing the crowd was excessive. He had said the riot policemen acted like 'wild dogs'. A magistrate initially found that excessive force had been used but that the wrong policemen had been charged. In March 1990 the attorney general of the Cape, Mr Neil Rossouw, said that evidence needed to identify the policemen was inadequate and he had decided not to bring them to court. Mr Rossouw found that the two officers had acted legally but that it was impossible to establish beyond reasonable doubt who had acted violently. Mr Rossouw noted that 'individuals were interviewed who had been subjected to repeated quirting, quite in excess of what was needed to persuade them to disperse'.⁴¹⁰ [⁴¹⁰ *Sunday Star* 11 March 1990]

Witnesses to a shooting incident at Salt River (western Cape) station in December 1989 claimed that

they heard no warning before police fired on railway strikers 'at close range', injuring 54. According to the police unrest report of 13 December, there were 14 injuries and the police warned a large group of 'aggressive and armed' Africans to lay down their weapons and move through a control point in an orderly fashion. Police used rubber bullets and birdshot to disperse the crowd when they allegedly stormed the control point.⁴¹¹ [411 *Cape Times* 15 December 1989]

Later in the same month two churchmen and a party of theology students claimed that riot police had acted like wild dogs' in dispersing 700 protesting pupils in Richmond (Natal). A 16-year-old girl was killed and two others injured. The police report said that the group had failed to disperse when ordered to do so, had assaulted a police warrant officer, had started marching against orders and had thrown stones. The original police report said that 34 people had been arrested and no one had been injured. However, the death of Miss Ntokozo Ngcobo and the injury of two others was subsequently confirmed. One student described riot police 'hunting' allegedly 'unarmed children' through the bush.⁴¹² [412 *The Weekly Mail, The Natal Witness* 29 September 1989]

In January 1990 police denied allegations that members of the SAP's riot squad had tortured and harassed residents of the Imbali township. A police spokesman, Captain Dirk Kruger, said that 'we do not know who the people are and can only investigate and comment if they lay charges which will be investigated properly'.⁴¹³ [413 *The Natal Witness* 15 January 1990]

In February 1990 sixteen people were injured and two killed when police and a crowd celebrating the release of an African National Congress (ANC) leader, Mr Nelson Mandela, clashed in the township at Barkly East (eastern Cape). A police spokesman, Major Reg Crewe, said that the shooting would be investigated and a report would be sent to the judiciary.⁴¹⁴ [414 *Daily Dispatch* 17 February 1990]

Twenty people were allegedly injured, at least 12 of them seriously, after police dispersed an illegal gathering outside St Mary's Anglican Cathedral in Johannesburg in the same month. There had been a service in the church to celebrate the unbanning of the ANC. A police spokesman denied that injuries had occurred.⁴¹⁵ [415 *The Citizen* 10 February 1990]

There was considerable police action against anti-tour demonstrators when an English 'rebel' cricket team played in South Africa in the early months of 1990 (see chapter on *Political Developments*). When the English cricketers arrived in South Africa, police clashed with anti-tour demonstrators at Jan Smuts Airport (Johannesburg). A number of people were injured and ten people were arrested.⁴¹⁶ [416 *The Star* 19 January 1990] Alexandra township (Johannesburg) was surrounded by police in February 1990 to prevent protesters from demonstrating at Wanderers Club, where the first match was to take place. Thousands of people, mostly schoolchildren, were teargassed and allegedly beaten when a convoy of taxis was stopped at roadblocks on the way to the club. A member of the National Sports Congress (NSC), Mr Moss Mashishi, claimed that 30 injured people were admitted to the Alexandra Clinic.⁴¹⁷ [417 *Sowetan* 9 February 1990]

In March 1990 at least eight people died (some reports said 17) and more than 350 were injured when police clashed with residents of Vaal Triangle townships (Boipatong, Bophelong, Evaton, Lekoa and Sebokeng). The residents had been refused permission to hold a march to protest against local councils and rentals. In Sebokeng itself police opened fire on a crowd of 50 000 armed people. 'The crowd, which acted in a threatening manner, surged forward and refused to disperse. Police were attacked and opened fire in self defence,' a police spokesman said. Some of the victims claimed that there had been no provocation and no warning.⁴¹⁸ [⁴¹⁸ *The Star* 27 March 1990]

In April there were calls for a judicial inquiry into the incident and the ANC postponed its planned 11 April talks with the government in protest against the shootings.⁴¹⁹ [⁴¹⁹ *Ibid* 9 April 1990] The state president subsequently appointed Mr Justice R J Goldstone to head such an inquiry.

Prosecutions of policemen

In February 1989 four policemen of the SAP's Port Natal Division were convicted of culpable homicide arising from the death of a suspect, Mr Mdumiseni Shangase, during interrogation. Mr Justice D L L Shearer told the accused that the only reason they had not been sent to prison was that the practice of placing a bag over a suspect's head during interrogation appeared to be standard practice in their unit. Messrs Hendrik Reyneke and Eduard Smith were sentenced to a R3 000 fine or one year's imprisonment, and two years' imprisonment suspended for five years. Messrs Sibusiso Sabela and Thembinkosi Mthombeni were fined R500 or four months' imprisonment, and eight months suspended for five years.⁴²⁰ [⁴²⁰ *The Citizen* 16 February 1989]

In March 1989 nine policemen who beat a man to death at the Mzinoni Police Station (Bethal) in 1988 were jailed for terms ranging from one to four years. The magistrate commented that 'the late [Mr Madonsela] was beaten so badly that any civilised person would be shocked by the way these police officers assaulted him'.⁴²¹ [⁴²¹ *The Star* 20 March 1990]

In May 1989 a former Oudtshoorn (southern Cape) riot policeman, Mr Andre Schutte, was sentenced to 12 years' imprisonment for bludgeoning to death a suspect, Mr Andile Kobe, in 1988. His two former colleagues, Mr Pieter Koen and Mr Cornis Serfontein, were each sentenced to seven years in jail for attempted murder.⁴²² [⁴²² *The Weekly Mail* 26 May 1989]

In June 1989 Constable Cyprian Langa was acquitted of murdering Mr Dumisane Ngubane in 1987. In acquitting him Mr Justice J J Kriek found that no fundamental criticism could be levelled at Const Langa's evidence and it could not be said that his evidence was false beyond reasonable doubt. He added that the state's case did not particularly impress him.⁴²³ [⁴²³ *The Natal Witness* 8 June 1989]

In August 1989 three former policemen, Messrs Willem Lubbe, Ferdinand Swanepoel and Frederick

Venter, were convicted of murdering Mr Thabiso Mpete and assaulting a 15-year-old boy with the aim of injuring him. They were sentenced to ten, eight and six years respectively for the murder and nine months each for the assault.⁴²⁴ [⁴²⁴ *Diamond Fields Advertiser* 31 August 1989]

In September 1989 two riot squad policemen who shot and killed a woman when they raided shebeens in Soweto in 1988 were found guilty of culpable homicide and sentenced to a total of 11 years' imprisonment. Mrs Matilda Shibe was shot in the head in her bedroom by Constable Willie Scheepers. Constable Nico van der Merwe was searching another room at the time the shot was fired.⁴²⁵ [⁴²⁵ *Sowetan* 12 September 1989]

A police spokesman, Lieutenant Henry Budhram, said in March 1990 that the death of Nokulunga Precious Gumede in Mpophomeni (Howick) was under investigation and that a docket of culpable homicide had been opened. The six-year-old girl was allegedly deliberately run down by a police Casspir.⁴²⁶ [⁴²⁶ *City Press* 25 March 1990]

Of 288 security police charged with criminal offences, between 1981 and 1989, only 21 had been convicted, according to figures made available by Security Police headquarters.⁴²⁷ [⁴²⁷ *Business Day* 2 May 1990]

Civil actions against the police

Six hawkers whose goods were damaged during a police raid at Marabastad (Pretoria) in 1988 were together paid R951.60 in damages by the minister of law and order in February 1989.⁴²⁸ [⁴²⁸ *The Star* 24 February 1989]

In March 1989 a Bhongulethu (Oudtshoorn) journalist, Mr Patrick Nyuka, was awarded R10 000 damages for being shot by a special constable when he refused to surrender his notebook and camera. Two other residents of the township won R2 000 and R1 500 damages respectively.⁴²⁹ [⁴²⁹ *City Press* 26 March 1989]

In July 1989 Mr Samuel Adams, one of two men who had been tied to a table in 1987 by two policemen who had put black plastic bags over their heads and had then electrically shocked them, was awarded R5 000 damages.⁴³⁰ [⁴³⁰ *Cape Times* 22 July 1989]

In August 1989 Mr Vlok agreed to pay Mr Anthony Ngomane R12 000 for his unlawful detention in 1985. Mr Ngomane had been detained for allegedly being a prohibited immigrant.⁴³¹ [⁴³¹ *The Natal Witness* 9 August 1989]

In September 1989 a Kagiso (east Rand) machine operator was awarded R8 000 damages against the

minister of law and order. Mr Sidwell Mazibuko was wounded by birdshot during an incident with police in 1985.⁴³² [⁴³² *Business Day* 4 September 1989]

In October 1989 Mr Vlok was ordered to pay a total of R56 000 damages to four anti-apartheid leaders, Messrs George Sewpersadh, 'M J' Naidoo, Billy Nair and Archie Gumede, who sought refuge in the British consulate in Durban in 1984.⁴³³ [⁴³³ *Natal Post* 18 October 1989]

He also agreed in that month to pay a former detainee, Mr Jan Masilela, R20 000 in an out-of-court settlement for alleged assault. The police agreed to the settlement without accepting any liability.⁴³⁴ [⁴³⁴ *New Nation* 6 October 1989]

In November 1989 an East London trade unionist, Mr David Thandani, was awarded R22 000 damages for unlawful arrest and detention in 1983. Mr Justice J F J van Rensburg said that the case displayed a 'reckless disregard' on the part of the SAP for the rights of Mr Thandani.⁴³⁵ [⁴³⁵ *The Weekly Mail* 3 November 1989]

In the same month a Guguletu (Cape Town) woman, Mrs Evalina Nomtshongwana, won R14 000 in damages from the minister of law and order. She was wounded in the neck in 1986 when police opened fire on a crowd of people who had attacked a truck.⁴³⁶ [⁴³⁶ *Cape Times* 17 November 1989]

Replying to affidavits by United Democratic Front (UDF) supporters, who alleged in January 1990 that members of the SAP and special constables participated in unlawful acts including arson and looting in Mpumalanga township (Pietermaritzburg), Lieutenant Ferdinand Kemp of the SAP said that the actions of the police had prevented a great tragedy and a probable 'bloodbath' between UDF and Inkatha factions. Lt Kemp denied that the police favoured Inkatha. He was speaking in the Natal Provincial Division of the Supreme Court (Pietermaritzburg) where Mr Justice Combrink extended an interim interdict against the police until 28 February.⁴³⁷ [⁴³⁷ *Natal Mercury* 30 January 1990]

The second private prosecution for murder against 13 police force members following the death of Michael Miranda (aged 11), when police hidden in crates on the back of a South African Transport Services (SATS) truck shot at stone-throwers (see *1988/89 Survey* p566), was withdrawn in February 1990. Michael's mother, Mrs Georgina Williams, withdrew her charge as had the father of the other child killed in the incident, Mr Martin Magmoed. Both had brought their actions after the attorney general had declined to prosecute. In December 1989 Mr Justice D M Williamson acquitted the 13 men on the grounds that the prosecutors had failed to prove that the accused had shared a prior common purpose to use excessive force.⁴³⁸ [⁴³⁸ *Cape Times* 28 February 1990]

In March 1990 a summons was served on the minister of law and order and the Soweto City Council after police allegedly shot and seriously injured a 14-year-old youth, David Monamodi, during a funeral procession in September 1989. The police and the Soweto council refused to comment.⁴³⁹ [⁴³⁹ *The Star* 13

March 1990]

In the same month a R2m settlement was announced in the case in which police were accused by KTC squatters (western Cape) of complicity in the destruction of their homes by Witdoek vigilantes in 1986 (see *1988/89 Survey* p564). The suit was regarded as a test case because of 3 000 outstanding similar claims by KTC residents totalling more than R5m. In terms of the settlement the residents and the police agreed that the case should be stopped and that it was in the public interest that, instead of incurring further legal costs (already R2,5m), a fund should be established to provide assistance for community development programmes for the communities of KTC, Nyanga Bush Camp, Nyanga Extension Camp and Portland Cement Camp; and provide ex-gratia compensation to residents of the areas who suffered loss as a result of damage or loss of property during the events which occurred between 17 to 21 May 1986, and 9 to 11 June 1986. In return, the squatters withdrew their action and allegations against the police. Each party agreed to pay its own legal costs.⁴⁴⁰ [⁴⁴⁰ *Cape Times* 6 March 1990]

The mother of a Pretoria schoolboy, Godfrey Mafuya, who died two years after being paralysed by a police bullet, claimed R100 000 damages in March 1990 from the minister of law and order. Godfrey was shot by a policeman in Atteridgeville (Pretoria) during a funeral procession in December 1985 and became paralysed from the waist downwards.⁴⁴¹ [⁴⁴¹ *Sowetan* 20 March 1990] Mr Vlok was ordered to pay R34 000 damages and the evidence of the policeman who shot Godfrey was rejected.⁴⁴² [⁴⁴² *The Citizen* 23 March 1990]

In an urgent application against police members in the Natal Provincial Division of the Supreme Court in the same month, an Imbali (Pietermaritzburg) resident, Mr Larrington Silwane, claimed that he was assaulted, threatened and then dumped in a field by police. In another application a psychologist and church worker, Mr Graeme Swan, claimed that police shot his car with a shotgun in Imbali in an attempt to frighten or intimidate him. He said he had previously been threatened by special constables. The case was adjourned to May 1990 for replying affidavits to be filed.⁴⁴³ [⁴⁴³ *Sunday Tribune* 25 March 1990]

Police casualties

For information on attacks on policemen, see chapter on *Political Developments*. See also under *Police* above.

Inquests and inquiries

In February 1989 a New Brighton (Port Elizabeth) inquest court found that the deaths of the 'Cradock four', Messrs Matthew Goniwe, Fort Calata, Sparrow Mkonto and Sicelo Mhlauli, in June 1985 were brought about by a person or persons unknown. The magistrate, Mr E de Beer, said that there was absolutely no evidence before him suggesting that any member of the SAP had participated in the killings. The four men disappeared after attending a UDF briefing in Port Elizabeth (eastern Cape) and

their badly charred bodies were found later on the outskirts of the city.⁴⁴⁴ [444 *Diamond Fields Advertiser* 23 February 1989]

A magistrate found in July 1989 that no one was criminally liable for the death of a Daveyton (east Rand) student leader, Mr Caiphus Nyoka, who died in August 1987 after being shot by police. They had alleged that they had been threatened by the youth, who, they alleged, had had a knife in his hand. The magistrate, Mr J P Myburgh, rejected the evidence of Caiphus's family and of three youths who had shared a room with him on the night of the shooting as 'highly unsatisfactory and unreliable'. While also finding the policemen's evidence to be unsatisfactory and contradictory, Mr Myburgh dismissed the family's lawyer's submission that the police had tailored their evidence. The police said that they had gone to Mr Nyoka's home heavily armed because they believed he was in possession of 'terrorist weapons'. They found four AK-47 cartridges.⁴⁴⁵ [445 *The Weekly Mail* 14 July 1989]

A Johannesburg inquest magistrate, Mr C G de Lange, found in the same month that a special constable had shot dead a youth, Vincent Tsatsimpe, in 1987 in Meadowlands (Soweto) for no valid reason. 'He was one of those special constables who received an amount of power which he could not handle,' said Mr De Lange. Mr De Lange dismissed Constable Edison Mtilene's evidence and found that the police involved in the incident had lied to the court and in their written statements.⁴⁴⁶ [446 *The Star* 26 July 1989]

Also in July 1989 an inquest magistrate found that the shot which killed an ANC guerrilla, Mr Ashley Kriel, during a tussle with police in July 1987, was fired accidentally. He said that Warrant Officer Jeff Benzien's actions had fallen within the bounds of his duty. WO Benzien had shot Mr Kriel in the back after initially knocking him out with his own (Mr Kriel's) gun. Mr Kriel came round and a struggle ensued, during which Mr Kriel was shot dead. The court heard that WO Benzien had scrawled on a poster of Mr Kriel in his office, 'Not for you' under the words, 'Victory or death, freedom is certain'. The magistrate described this action as 'tasteless, disgusting and disturbing'.⁴⁴⁷ [447 *The Weekly Mail* 28 July 1989, 4 August 1989]

In October 1989 a magistrate, Mr A Freese, concluded after an inquest into the killing of 11 people at Trust Feed in the Natal midlands in December 1988 that there was 'circumstantial evidence' placing suspicion on two special constables and 'possible complicity' on the part of a third policeman. He said, however, that the evidence was not sufficient to conclude that the policemen had murdered the people, including six women and two children. Police had said at the time that the victims had been shot dead when an unknown number of people had opened fire on a house after the door had been opened to someone knocking.⁴⁴⁸ [448 *Eastern Province Herald* 25 October 1989]

An inquest in the same month into the deaths of three Veeplaas (Port Elizabeth) residents, who were killed by police in December 1987, heard that a security policeman, Captain C P Smuts, had ordered a Casspir to demolish two shacks after the police had drawn fire as they attempted to apprehend two alleged guerrillas.⁴⁴⁹ [449 *New Nation* 6 October 1989]

Also in October 1989 a Wynberg (Cape Town) inquest court found that no one was criminally responsible for the death of seven alleged members of the ANC who were killed by police in Guguletu (Cape Town) in 1986. The magistrate said that the policemen had acted in self-defence and had taken action in line with their duty to combat terrorism. However, he criticised the investigating officer, Colonel Fanie Brits, for his handling of the case. He said Col Brits had almost decided which evidence was necessary for the inquest court. The attorney general of the Cape, Mr Neil Rossouw, had ordered that the inquest into the deaths of the seven be re-opened after new evidence had come to light in the 1987 trial of the former *Cape Times* deputy news editor, Mr Tony Weaver.⁴⁵⁰ [⁴⁵⁰ *Natal Mercury* 26 October 1989, *The Weekly Mail* 27 October 1989]

At an inquest in November 1989 into the deaths of four ANC members who were killed in a police ambush near Piet Relief (northern Transvaal) in 1988, the magistrate refused to admit as part of the record the affidavit of a death row prisoner, Mr Butana Nofemela, in which he claimed an assassination squad existed (see below). He named Major Eugene de Kock as head of such a squad. Maj De Kock was leader of the unit which killed the four ANC members. Advocates for the defence indicated that they intended to apply to the Appellate Division of the Supreme Court for a review of the magistrate's decision as they believed the four were assassinated. The deceased had allegedly been unarmed and had been killed unnecessarily, said the advocates. The hearing was postponed until May 1990. The dead were Mr Surendra Naidu, Ms June-Rose Cotoza, Ms Makhosi Nyoka and Ms Lindiwe Mthemba.⁴⁵¹ [⁴⁵¹ *Business Day* 1 December 1989]

It was announced in December 1989 that an inquest was to be held into the death of a KwaZulu policeman, Special Constable Thembinkosi Shange, who was shot and killed by a member of the SAP in Mpumalanga in November. The commissioner of the KwaZulu police, Brigadier Jack Buchner, said that the shooting was 'accidental', but no further details were released.⁴⁵² [⁴⁵² *The Natal Witness* 21 December 1989]

It was reported in January 1990 that the result of an inquiry into the death of a police constable, allegedly at the hands of three senior police officers, would 'soon' be given to the attorney general. Constable Elias Sangweni was allegedly assaulted in an argument after he had left a gate open when he was on guard duty at the Jeppe (Johannesburg) Police Station. According to the official version of the events, Const Sangweni had deserted his post, was drinking on duty and had pointed his weapon at the officers.⁴⁵³ [⁴⁵³ *City Press* 28 January 1990]

At a Pretoria North inquest in the same month into the deaths of 12 people in November 1985, the former chief deputy commissioner of police. General Albertus Johannes Wandrag, said that he suspected there would be violence when he heard that residents of Mamelodi (Pretoria) planned to stage a march on the Mamelodi Town Council offices. He called in riot control unit members when he saw the crowd bringing down the fence at the offices, stoning cars and barricading roads.⁴⁵⁴ [⁴⁵⁴ *Sowetan* 25 January 1990] The former mayor of Mamelodi, Mr Zikhali Ndlazi, told the inquest that security force members were posted in Mamelodi 'in the best interest of the majority of local residents' to protect councillors and law-abiding citizens from 'radical' elements.⁴⁵⁵ [⁴⁵⁵ *Ibid* 24 January 1990] Captain Hermanns Le Roux told the

inquest that he had shot dead a demonstrator because he regarded him as the leader of a stone-throwing mob, which had placed his life and those of his colleagues in danger.⁴⁵⁶ [⁴⁵⁶ *The Star* 16 January 1990] Capt Le Roux had said in July 1989 that although he was a 'weak shot', he had 'made sure that every shot I fired eliminated a person since I was in an emergency situation'.⁴⁵⁷ [⁴⁵⁷ *Ibid* 26 July 1989]

In February 1990 three Askaris gave evidence from behind notice boards (to protect their identities) at the inquest into the shooting of four Chesterville (Durban) youths in 1986. The three, former ANC and Pan Africanist Congress (PAC) members who had become members of the SAP, alleged that while trying to arrest some 'comrades', they had heard a shot and then had killed the four youths in the belief that they were being attacked. They denied allegations that the shooting was planned. The inquest was adjourned until May 1990.⁴⁵⁸ [⁴⁵⁸ *The Weekly Mail* 2 February 1990]

Three senior police officers, Brigadier Willem Schoon (retired), Mayor Eugene de Kock and Captain Paul van Dyk, who were alleged leaders of a police 'hit squad', denied responsibility for the incident. All three officers were part of the command structure of the unit, but claimed that they were not in charge of the field group responsible for the shooting of the youths.⁴⁵⁹ [⁴⁵⁹ *Ibid* 26 January 1990]

'Hit squads'

In November 1989 the attorney general of the Orange Free State, Mr T P McNally, and the chief of the Criminal Investigation Department (CID), Lieutenant General Alwyn Conradie, were appointed to lead an investigation into allegations by a former police captain, Mr Dirk Coetzee, that he was the head of a hit squad operating from a base in Pretoria. Mr Coetzee alleged in the *Vrye Weekblad* that the squad had had orders to murder and eliminate political and security opponents of the government. The squad consisted of former ANC and PAC guerrillas who joined the police or were paid by the police to do certain jobs for them. Among alleged activities of the squad and the security police at this stage were the murder of an ANC member, Ruth First, in Maputo in 1982; the murder of an activist, Mr Patrick Makau in Swaziland; involvement in the murder of trade unionists; the use of special drugs to kill guerrillas; and the planning of the murder of an ANC member, Mr Marius Schoon, in Botswana.⁴⁶⁰ [⁴⁶⁰ *The Citizen* 18 November 1989]

In February 1990 Mr De Klerk appointed a commission of inquiry headed by a supreme court judge, Mr Justice Louis Harms, into the alleged hit squad. The minister of justice, Mr Kobie Coetsee, said that the judge would investigate and report on 'alleged incidents of murders and other unlawful acts of violence committed in South Africa and the homelands in order to achieve, effect or promote constitutional or political aims in South Africa'. Mr Coetsee indicated that pursuant to allegations made by a death row prisoner and an alleged former police hit-squad member, Mr Almond Nofemela, about his involvement in the murder of a human rights lawyer, Mr Griffiths Mxenge, the due process of law had already taken its course and Mr Nofemela's trial would commence shortly. In a number of cases, attorneys general were considering re-opening the inquests into deaths of political activists, he said.⁴⁶¹ [⁴⁶¹ *Business Day* 1 February 1990]

In a *Government Gazette* of 2 February 1990 the terms of reference of the Harms commission were laid out. The commission was to inquire into and report on alleged murders and unlawful acts as described above 'in respect of which the judicial process has been completed or which have not been solved or in respect of which the investigations are, owing to lack of evidence, not progressing'. If such acts had been committed the commission was to report on 'who or what bodies, institutions or organisations commit or cause or instruct to be committed such murders or acts of violence as principal offender, accomplice or accessory after the fact, or have done so in the past' and 'who finances or has financed any such person, body, institution or organisation'.⁴⁶² [⁴⁶² *Government Gazette*, no 12286, Proclamation R227,2 February 1990] Pressure for an official judicial inquiry into the alleged hit squad had been mounting in many circles since November 1989 when Mr Coetzee had claimed police involvement in the deaths of several activists.⁴⁶³ [⁴⁶³ *Business Day* 1 February 1990]

Mr Coetzee said in the same month that the McNally report, the original investigation into police hit squads, would not be published until later and that the report could form part of the evidence in cases pending. He gave the assurance that everything which appeared in the report, presented to the government in December 1989, would be produced at an appropriate time. He said that Mr McNally had been assigned to the Harms commission to lead evidence.⁴⁶⁴ [⁴⁶⁴ *Ibid* 8 February 1990] The Harms commission began hearing evidence on 15 February 1990 in the Nederduitse Gereformeerde Kerk Sinodale Sentrum in Pretoria.⁴⁶⁵ [⁴⁶⁵ *The Citizen* 14 February 1990] (For further information on the proceedings of the commission, see chapter on *Political Developments*.)

On 11 February 1990 the SADF admitted the existence of a secret unit called the Civil Co-operation Bureau (CCB) which was also allegedly involved in hit-squad actions against left-wing activists.⁴⁶⁶ [⁴⁶⁶ *Ibid* 20 February 1990] The activities of the CCB also formed part of the commission's investigations. The state president said in March 1990 that he had been informed about the CCB only in January 1990. He said that he would not protect any minister found guilty of criminal malpractice. I believe covert operations must be limited to the absolute minimum. I will see to this when the inquiry I ordered is complete,' he added.

Political trials

In December 1989 the Human Rights Commission (HRC) said that there had been 306 political trials involving 2 327 people between January and October 1989. A total of 328 people had been convicted in these trials.⁴⁶⁷ [⁴⁶⁷ *New Nation* 21 December 1989]

According to the HRC, as at February 1990 there were over 300 political trials still in progress. Some of these were likely to be abandoned because of the legalisation of previously unlawful organisations (see chapter on *Political Developments*).⁴⁶⁸ [⁴⁶⁸ Repression Monitoring Group, *Weekly Fact Sheet*, 12 February 1990]

Treason trials

The minister of law and order, Mr Adriaan Vlok, said in May 1989 that investigations into a charge of treason against 32 people had been completed and the docket was with the attorney general of the eastern Cape for a decision. He said that the names of the 32 and the particulars of the case would not be revealed at this stage because it 'may possibly be to the detriment of, and anticipate, the judicial process'.⁴⁶⁹ [⁴⁶⁹ *The Star* 26 May 1989]

In September 1989 a 22-year-old African National Congress (ANC) member, Mr Edward Mokati, was found guilty of treason. Mr Justice R A Solomon said in judgement that 'when a person with hostile intent joins an organisation well knowing it has treasonable objectives, he signifies by his conduct his agreement with those objectives-he becomes a co-conspirator and makes himself guilty of treason'. Mr Mokati was involved in an explosion at a substation in Soweto (Johannesburg) and in a limpet-mine explosion at Johannesburg's Vanderbijl Square bus station, which injured 19 people in October 1988.⁴⁷⁰ [⁴⁷⁰ *Business Day* 5 September 1989]

Delmas

In December 1989 five jailed Delmas (central Transvaal) treason trialists, Messrs Popo Molefe, Patrick Lekota, Moses Chikane, Tom Manthata and Gcinumuzi Malindi, were freed after the Appellate Division (AD) of the Supreme Court overturned their convictions and sentences (see *1988/89 Survey* pp571-572 and *Release of Political Prisoners* above). The trial was believed to have been one of the most expensive ever undertaken, with total expenses of the state reaching about R4,5m. The defence costs were also reported to have run into several million rands. Legal sources considered it highly unlikely that the freed men would be able to mount any action for damages in the light of the AD's grounds for setting aside the judgement. These had been, inter alia, that the dismissal of one of the assessors, Dr Willem Joubert, had been an error.⁴⁷¹ [⁴⁷¹ *The Citizen* 18 December 1989]

Delmas III

In February 1990 nine of the 12 accused in the Delmas III treason trial, Messrs Alfred Kgasi, Reuben Khotsa, Reginald Legodi, Johannes Maleka, George Mathe, Joseph Nkosi, Francis Pitse, Ernest Ramadite and Rodney Toka, escaped from Modderbee Prison (east Rand) in a warden's vehicle after overpowering wardens. The remaining three, Messrs Peter Maluleka, Phuti Mokgonyana and Godfrey Mokube, remained in custody.⁴⁷² [⁴⁷² *Ibid* 20 February 1990]

The trial began in August 1989 in Delmas with the 12 facing charges of treason, seven alternative counts of terrorism, four counts of murder, six of attempted murder and 11 charges of damage to property. The state alleged that in March 1988 the accused killed three policemen in Atteridgeville (Pretoria) and a one-year-old child in Mamelodi (Pretoria) in May 1988. They were alleged to have attempted to murder two

women in Atteridgeville in March 1988 and four women in Pretoria in May 1988.⁴⁷³ [⁴⁷³ *Sowetan* 20 July 1989] In August 1989 the treason charges were dropped. Legal experts said that this was probably intended to have the effect of depoliticising the trial.⁴⁷⁴ [⁴⁷⁴ *The Weekly Mail* 11 August 1989] (The Delmas II trial was completed in April 1989—see *1988/89 Survey* pp572–573)

Trials under security legislation

In March 1989 a Soweto (Johannesburg) man, Mr Robert Mwandla, was sentenced to 29 years' jail (an effective ten years) for terrorism, for possession of ammunition and explosives and for being a member of the ANC.⁴⁷⁵ [⁴⁷⁵ *The Star* 21 March 1989]

Four ANC members, Messrs Samuel Mokhubela, Thekiso Mogoerane, Conrad Lekhumbi and Sello Khota, and an ANC supporter, Mr Mothsele Makwela, were jailed in the same month for terrorism. The trial was a sequel to attacks on the houses of two Mamelodi policemen in which several people, including children, were injured.⁴⁷⁶ [⁴⁷⁶ *The Citizen* 23 March 1989] The magistrate found that the five men showed no remorse and it was 'no thanks to them' that no one had been killed. He said that in sentencing them he had taken into account the time the men had spent in detention, their personal circumstances and involvement in the crimes.⁴⁷⁷ [⁴⁷⁷ *The Star* 23 March 1989]

In May 1989 an ANC guerrilla, Mr Alien Mamba, was sentenced to an effective 18 years in prison for causing the death of a pedestrian who removed an explosive device placed by him in a bin outside a Wynberg (Cape Town) bank. He had also placed a limpet mine, which subsequently exploded, on a railway line. The judge said that Mr Mamba had strong political beliefs and the court wanted to emphasise that he was not being punished for his political beliefs but for his actions.⁴⁷⁸ [⁴⁷⁸ *Cape Times* 12 May 1989]

In June 1989 three ANC members, Mr Damian de Lange, Mr Iain Robertson and Ms Susan Donnelly were found guilty on terrorism charges. They were acquitted on five other terrorism charges and five charges relating to illegal possession of weapons and explosives.⁴⁷⁹ [⁴⁷⁹ *Sowetan* 14 June 1989] The three, members of an alleged white cell of the ANC, had established a series of arms caches and a sophisticated information network, had made two attempts to bomb a military bus and had planted explosives at various electrical and radio pylons.⁴⁸⁰ [⁴⁸⁰ *Ibid* 13 June 1989] Mr De Lange was sentenced to 25 years' imprisonment, Mr Robertson to 20 years and Ms Donnelly to 18 years.⁴⁸¹ [⁴⁸¹ *Business Day* 13 November 1989]

In August 1989 two men, Mr Welcome Mhlongo and Mr Nkosinathi Mazibuko, and a woman, Ms Ntombenhle Mazibuko, were convicted of contravening the Internal Security Act of 1982. The men were found guilty of undergoing military training in Angola with the ANC and of attempting to kill Inkatha leaders and officials. Ms Mazibuko was found guilty of acting as a courier for the ANC.⁴⁸² [⁴⁸²

Natal Mercury 18 August 1989]

In September 1989, 11 Port Elizabeth activists were sentenced to jail for terms ranging from two to 16 years after being found guilty on charges ranging from terrorism to unlawful possession of weapons. The trial, which lasted more than a year, and saw the entire defence team withdraw, ended with sentences described by lawyers as some of the harshest they had ever encountered. The magistrate said that the court was not convinced that violence was a justified response by members of a community experiencing social injustice.⁴⁸³ [⁴⁸³ *New Nation* 15 September 1989] The trial was a sequel to incidents in Port Elizabeth in 1987, including attacks on South African Police and municipal police forces and the bombing of a bus during strike action.⁴⁸⁴ [⁴⁸⁴ *Eastern Province Herald* 9 September 1989]

Two ANC members, Mr Obed Madonsela and Mr Christopher Khumalo, were sentenced to a total of 51 years' imprisonment in Soweto in November 1989 for illegal possession of firearms and involvement in two limpet-mine blasts in Tembisa (east Rand), in which a number of people were injured. Mr Madonsela would serve an effective 18 years and Mr Khumalo, 12 years.⁴⁸⁵ [⁴⁸⁵ *The Star* 27 November 1989]

In January 1990 the first terrorism trial involving seven alleged members of the Black Consciousness Movement of Azania began in Klerksdorp (western Transvaal). The state alleged that they underwent political and military training in Botswana and Libya and infiltrated South Africa 'unlawfully to overthrow the government and establish a revolutionary national democracy in transition to socialism'. The trial opened with the defence challenging the admissibility of statements made by the trialists, allegedly under duress. The magistrate, Mr J D Pretorius, ruled that the onus rested with the state to prove the validity of the statements of four of the accused.⁴⁸⁶ [⁴⁸⁶ *The Weekly Mail* 19 January 1990, *City Press* 7 January 1990]

In February 1990 eight people from Duduza (Brakpan) pleaded not guilty to ten counts of terrorism. The state alleged that the eight, Messrs Julius Dubazane, Hosea Lengofane, Veli Mazibuko, Ephraim Mkhwanazi, Mpho Nolutshungo, Vusi Poolo, Tebogo Tlatzi and a youth of 16, conspired to create explosions at a Nigel (southern Transvaal) post office, at a service station owned by a Duduza mayor, at a municipal police office at Duduza, at a Duduza soccer stadium in which four people were injured and on a police vehicle. They were also charged with four counts of attempted murder and bombings of a police vehicle and police single quarters. All these incidents allegedly took place between April and November 1989.⁴⁸⁷ [⁴⁸⁷ *The Star* 2 February 1990]

Also in February an ANC guerrilla, Mr Lulamile Xate, was sentenced to a total of 23 years' imprisonment, effectively five years, for two bombings in Durban and for organising violence and possessing explosives. The magistrate, Mr H S van der Walt, said that hopefully such politically motivated offences would no longer be committed considering endeavours to find reconciliation in South Africa.⁴⁸⁸ [⁴⁸⁸ *The Citizen* 28 February 1990]

Despite the unbanning of the ANC (see *Banning of organisations* above), Mr Sipho Mokwena was

sentenced to six years' imprisonment in February 1990 by a Pretoria magistrate, Mr W J van den Bergh, for 'furthering its violent aims'. Mr Van den Bergh said that 'one had to conclude he intended to use [the weapons in his possession] to kill and maim in order to promote the murderous aims of the ANC'. No evidence was led regarding any acts of violence perpetrated by Mr Mokwena. He had been charged with terrorism.⁴⁸⁹ [489 *The Weekly Mail* 9 February 1990]

In March 1990 eight of the 14 accused in the so-called Yengeni terrorism trial (see *1988/89 Survey* p575) were acquitted in the Cape of Good Hope Provincial Division of the Supreme Court (Cape Town). Mr Justice S Selikowitz had ruled that the state bore the onus of proof in cases of alleged confessions made by the accused to a magistrate. Mr Hendrik Klem SC, for the state, said after a five-day adjournment to consider the state's position that it had formally stopped prosecution proceedings against eight of the accused. During the trial the defence stated their intention to lead evidence about the methods used by the Terrorism Detection Unit to extract confessions from detainees. Some of the defendants had alleged that their confessions were obtained under duress. The eight involved were Messrs Christopher Giffard, Gary Kruser, Sitlabocha Mahlale, Alpheus Ndude, Mtheteleli Titana, and Ms Zurayah Abass, Ms Gertrude Fester and Ms Colleen Lombard. Mr Klem said that the state had not reached the end of its case in respect of the remaining accused, Messrs Michael Lumbambo, Mbutu Nduku, Wellington Nkwandla, Tony Yengeni, Lumka Yengeni, and Ms Jennifer Schreiner.⁴⁹⁰ [490 *Business Day* 20 March 1990] The released eight made a statement in which, inter alia, they pledged to continue working for the release of all political prisoners, the end of all political trials and the unconditional return of all exiles.⁴⁹¹ [491 *New Nation* 23 March 1990]

Initially all 14 accused faced charges of high treason, later amended by the state to charges of terrorism. They were indicted for placing bombs in the women's cloakroom at D F Malan Airport (Cape Town) in 1987.⁴⁹² [492 *The Star* 10 April 1990, *The Weekly Mail* 23 March 1990] The trial was postponed until 9 April to give the state an opportunity to reorganise its evidence.⁴⁹³ [493 *South* 22 March 1990]

In April 1990 two Vosloorus (east Rand) teachers, Mr Joseph Vilakazi and Mr Ramoepi Mobeza, were convicted of 70 charges, including three of murder and 14 of attempted murder, resulting from a car-bomb explosion in Witbank (eastern Transvaal) in October 1988. Mr Justice M C de Klerk found that the two men had participated in the car-bomb conspiracy and had had the foresight to see that the result could kill or injure people. During the trial the men denied that they were members of the ANC and pleaded not guilty to all the charges.⁴⁹⁴ [494 *Sowetan* 18 April 1990]

In the same month a former journalist, Mr Muhammed Rohan, was convicted of causing three explosions in Durban between January and April 1989, in which 17 people were injured. He was also convicted of being in unlawful possession of firearms and ammunition. Mr Rohan said that he was not remorseful about what he had done and did not regard his acts as criminal.⁴⁹⁵ [495 *The Citizen*, *The Star* 11 April 1990]

Public violence trials

The minister of justice, Mr Kobie Coetsee, said in May 1989 that less than half of the 1 117 people who had been charged with public violence between July 1987 and July 1988 had been convicted. Mr Coetsee said that 387 of those charged were between the ages of seven and 17 and 184 of these had been convicted.⁴⁹⁶ [⁴⁹⁶ *Cape Times* 29 May 1989]

In the same month an alleged member of a right-wing organisation, the Wit Wolwe, Mr Barend Strydom, was found guilty of eight counts of murder, 16 counts of attempted murder and a charge under the Arms and Ammunitions Act of 1969. The trial stemmed from the incidents in November 1988 when Mr Strydom went on two shooting sprees with a pistol. In the first incident he shot dead a woman and wounded another at the Weiler's Farm squatter camp (Vereeniging). In the second he killed eight people and wounded 15 others in central Pretoria. None of Mr Strydom's victims was white. Mr Strydom was sentenced to death for his actions (see chapter on *Political Developments*).⁴⁹⁷ [⁴⁹⁷ *Ibid* 17 May 1989]

In June 1989, 14 of the 'Uppington 25' were sentenced to death for the murder of a municipal policeman in November 1985 (see *1988/89 Survey* p576). The remaining accused were sentenced to jail for periods ranging from six to eight years, with four of them receiving suspended sentences. The 25 were convicted on the basis of the controversial 'common purpose' doctrine. A spokesman for the Centre for Applied Legal Studies at the University of the Witwatersrand, Mr Edwin Cameron, said that the doctrine 'is an inappropriate legal weapon for dealing with township rebellion'. He said that the Uppington judgement 'will evoke exactly the same gut reaction as the Sharpeville judgement, rightly so'.⁴⁹⁸ [⁴⁹⁸ *The Star* 5 June 1989]

Trials for 'necklacing'

Three men who formed part of a group that 'necklaced' an elderly woman in 1986 were each sentenced to ten years' imprisonment in Pretoria in April 1989. The three believed the woman to be a witch with supernatural powers. Mr Justice H P van Dyk found the three guilty of murder with extenuating circumstances. They were all first offenders, relatively young when they committed the crime and were influenced by the actions of the crowd.⁴⁹⁹ [⁴⁹⁹ *The Citizen* 20 April 1989]

In the same month five men and two women were acquitted of 'necklacing' a shebeen owner, Ms Lindiwe Khumalo, in Soweto in 1986. Mr Justice R A Solomon said that the state had not proved beyond reasonable doubt that they had committed the crime.⁵⁰⁰ [⁵⁰⁰ *Sowetan* 3 April 1989]

Travel document controls

Passports

The Department of Home Affairs said in January 1989 that 210 passports and travel documents had been denied to South African citizens in 1988, representing a 22% monthly average increase over the June 1986 to December 1987 figure. Three passports had been withdrawn in 1988.⁵⁰¹ [⁵⁰¹ *Business Day* 5 January 1989]

The Anti-Censorship Action Group (ACAG) said in June 1989 that three passports were withdrawn and 214 passport applications refused in 1988. 'The government views the holding of a passport and the ability to travel as a privilege rather than a right,' said ACAG.⁵⁰² [⁵⁰² *Daily Dispatch* 7 June 1989]

The archbishop of Cape Town, the Most Rev Desmond Tutu, was granted a passport in January 1989, valid for six months only.⁵⁰³ [⁵⁰³ *Business Day* 24 January 1989]

In the same month an ex-detainee, Mr Vusi Khanyile, contravened restrictions on his passport and travelled to West Germany to hold talks on issues affecting South African education. Mr Khanyile had been granted a passport on condition that he travel only to the United States where he was to take up a scholarship at Princeton University.⁵⁰⁴ [⁵⁰⁴ *The Citizen* 20 January 1989]

In February 1989, the general secretary of the Congress of South African Trade Unions (COSATU), Mr Jay Naidoo, was unable to attend a meeting of Commonwealth foreign ministers in Harare (Zimbabwe) when the Department of Home Affairs failed to issue him timeously with a passport. The department was 'trying to hide its effective refusal behind a veil of bureaucratic silence', said COSATU.⁵⁰⁵ [⁵⁰⁵ *Business Day* 9 February 1989]

In April 1989 the president of the Pan-Africanist Congress and former Robben Island prisoner, Mr Zephania Mothopeng, was granted a passport to travel overseas for medical treatment. The passport was valid for three months.⁵⁰⁶ [⁵⁰⁶ *City Press* 16 April 1989]

Two Natal Indian Congress (NIC) members, Mr M J Naidoo and Mr Paul David, were given three-day passports in the same month to attend the funeral of their nephew, Mr Sahadan Naidoo, in Lusaka. Mr Naidoo and Mr David had been without passports since 1959 and 1957 respectively.⁵⁰⁷ [⁵⁰⁷ *Leader* 21 April 1989]

In May 1989 the editor of *New Nation*, Mr Zwelakhe Sisulu, was issued a passport to attend the 50th anniversary of the Nieman Foundation at Harvard University in the United States. At the same time various members of the Transvaal Indian Congress (TIC) and the NIC were refused passports to travel to India for talks with its prime minister, Mr Rajiv Gandhi.⁵⁰⁸ [⁵⁰⁸ *Natal Post* May 1989]

A founder member of the United Democratic Front (UDF) and member of the Muslim Judicial Council,

Moulana Esack, had his passport withdrawn in the same month. Mr Esack had planned to travel to Sweden in June to a conference on 'theology and liberation' and to a summer school on Muslim-Christian relations in England.⁵⁰⁹ [⁵⁰⁹ *Indicator* 26 May 1989]

Also in May 1989 an African National Congress (ANC) member, Mr Harry Gwala, was issued a passport to travel abroad to seek treatment for his motor neuron disease. Mr Gwala had been released from prison in November 1988 and could not be quoted at the time his passport application was approved.⁵¹⁰ [⁵¹⁰ *Echo* 1 June 1989]

A Rhodes University professor. Professor Peter Vale, had his passport returned in June 1989 after it had been confiscated in July 1988.⁵¹¹ [⁵¹¹ *The Citizen* 21 June 1989]

A Durban attorney and NIC executive member, Mr Thumba Pillay, was refused a passport, for the fifth time in a year, in the same month. Mr Pillay had been invited to tour the United States on an international visitor's grant from the United States Information Agency. Another NIC member, Dr Farouk Meer, and his sister, Professor Fatima Meer, were also refused passports at this time.⁵¹² [⁵¹² *Natal Post* 7 June 1989]

In June 1989 a former banned Durban journalist, Mr Marimuthu Subramoney, was refused a passport to take up a one-year scholarship in West Germany. The minister of home affairs said in a letter to Mr Subramoney that I am not prepared to deviate from previous decisions not to grant you a passport'.⁵¹³ [⁵¹³ *Natal Mercury* 13 June 1989]

In the same month, a UDF leader, Mrs Albertina Sisulu, was granted a passport to meet United States president, Mr George Bush, and to visit the wife of the president of France, Mrs Danielle Mitterrand.⁵¹⁴ [⁵¹⁴ *The Star* 17 June 1989]

In June a former Robben Island prisoner, Mr Trevor Wentzel, was refused a passport, for the second time, after being invited to visit Europe.⁵¹⁵ [⁵¹⁵ *Cape Times* 17 June 1989]

The national treasurer of the UDF, Mr Azhar Cachalia, was refused a passport to travel to Canada in August 1989. He was to have addressed the Commonwealth Committee of Foreign Ministers in Southern Africa on prospects for negotiation in South Africa and to share his experiences of a recent overseas trip. Mr Cachalia called the refusal a 'vindictive act after the highly successful (overseas) tour by the UDF'.⁵¹⁶ [⁵¹⁶ *Echo* 10 August 1989] This was the fifth time in three years that Mr Cachalia had been refused a passport.⁵¹⁷ [⁵¹⁷ *The Star* 25 April 1989]

The Department of Home Affairs confirmed in September 1989 that a restricted youth congress leader, Mr Mkhuseleli Jack, had had his application for a passport turned down. It refused to reveal the reasons.

Mr Jack had planned to travel to a conference in West Germany.⁵¹⁸ [⁵¹⁸ *Eastern Province Herald* 7 September 1989]

A former treason trialist, Mr Mewa Ramgobin, was granted a passport in October 1989, valid for six months. Since 1983, Mr Ramgobin had made six applications to travel abroad and all had been refused. He had been banned for 17 years, had been under house arrest for 12 years, and was an executive member of the NIC.⁵¹⁹ [⁵¹⁹ *Sunday Times* 15 October 1989]

The editor of *New Nation*, Mr Zwelakhe Sisulu, was granted a special 30-day passport in November 1989 to travel to Brussels at the invitation of the European Community. Mr Sisulu was to discuss the threatened closure of his newspaper, the lifting of the state of emergency and other issues affecting journalism.⁵²⁰ [⁵²⁰ *Ibid* 26 November 1989]

A Durban advocate, Mr Imran Moosa, was refused a passport in December 1989 to consult the Black Consciousness Movement of Azania (BCMA) in Harare. Mr Moosa, who was defending seven alleged members of the BCMA's military wing, the Azanian National Liberation Army, said that this was his third unsuccessful application for a passport since 1985.⁵²¹ [⁵²¹ *Sowetan* 19 December 1989]

Seven released ANC leaders, Messrs Ahmed Kathrada, Govan Mbeki, Wilton Mkwayi, Andrew Mlangeni, Elias Motsoaledi and Walter Sisulu, were granted passports in the same month to visit the organisation's leadership in Lusaka (Zambia). Another leader, Mr Oscar Mpetha, had previously been granted a passport to visit relatives in Britain.⁵²² [⁵²² *The Citizen* 28 December 1989]

In February 1990 a released ANC leader, Mr Nelson Mandela, and his wife, Winnie, had their applications for passports approved. Mr Mandela was to visit the ANC leadership in Lusaka and the president of the ANC, Mr Oliver Tambo, in Sweden.⁵²³ [⁵²³ *Ibid* 20 February 1990]

In March 1990 the 'people's poet', Mr Mzwakhe Mbuli, was granted a passport to travel to West Germany to address a trade union seminar and to Sweden to address a rally in honour of Mr Mandela.⁵²⁴ [⁵²⁴ *The Star* 7 March 1990]

Visas

It was reported in January 1989 that the minister of home affairs had written to the president of the Congress of South African Writers (COSAW), Professor Njabulo Ndebele, saying that I have to inform you that exemption from visa requirements which you enjoy as a Lesotho citizen have been withdrawn'. Professor Ndebele in future had to make a separate visa application for each proposed visit to South Africa. The national organiser of COSAW, Mr Junaid Ahmed, said that 'COSAW deplores the ruling and is perturbed at the effective banning of our president entering this country'. In December 1988 Professor Ndebele had made a speech critical of the government at a University of Cape Town

graduation ceremony.⁵²⁵ [⁵²⁵ *City Press* 29 January 1989]

ACAG claimed in June 1989 that the government had refused a total of 13 615 applications for visas to travel to South Africa in 1988. Of 898 visa applications from media representatives, 283 were refused, it said, 'making this one of the most direct and serious forms of control over the foreign press'.⁵²⁶ [⁵²⁶ *Daily Dispatch* 7 June 1989]

POLITICAL DEVELOPMENTS

Government Initiatives

Protest marches

In September 1989 the acting state president, Mr F W de Klerk, announced that a march in Cape Town (western Cape) to protest against police action would be permitted to take place. This was in keeping with the government's decision to ease restrictions on political gatherings and protests. Mr De Klerk said, 'The government has no objection to peaceful and orderly protest, provided that proper cognisance is taken of the laws of the country.'¹ [¹ *The Citizen* 16 September 1989] He said the government was committed to bringing all South Africans into government and that this was the time for dialogue, not disorderly protests or riots.² [² *Ibid* 13 September 1989]

Prelude to negotiations

In his opening speech to Parliament on 2 February 1990 Mr De Klerk said that there was a growing realisation that only a negotiated understanding among the representative leaders of the entire population would be able to ensure lasting peace (see chapter on *Government and Constitution*). In line with this, Mr De Klerk announced various steps designed to clear the way for negotiations. These were as follows:

- the banning orders on the African National Congress (ANC), the Pan-Africanist Congress (PAC), the South African Communist Party (SACP) and a number of subsidiary organisations were lifted;
- people serving prison sentences merely because they were members of these organisations or because they had committed another offence which was an offence merely because a prohibition on one of the organisations was in force would be released;
- the restrictions in terms of the emergency regulations on 33 organisations, including the United Democratic Front and the Azanian People's Organisation (see *1988/89 Survey* p560) were rescinded; and

- the death penalty would be limited to extreme cases, specifically through the broadening of judicial discretion in the imposition of the death sentence. An automatic right of appeal would also be granted to those under sentence of death. Executions were suspended and no executions would take place until Parliament had taken a final decision on various proposals about capital punishment.

Other announcements regarding security legislation were also made (see chapter on *Security*) as follows:

- the media emergency regulations as well as the education emergency regulations would be lifted in their entirety;
- the restrictions imposed in terms of the security emergency regulations on 374 people on their release from detention would be rescinded and regulations which provided for such conditions would be abolished; and
- the period of detention in terms of the security emergency regulations would henceforth be limited to six months. Detainees would also acquire the right to legal representation and a medical practitioner of their choice.³ [³ *Sunday Times* 4 February 1990]

It was widely acknowledged that Mr De Klerk's initiative had taken organisations and individuals concerned with change by surprise. They were generally welcomed overseas and locally (see chapter on *Political Organisations* for details of the response of various organisations to the initiatives).

Responding to the announcements, the ANC said that it welcomed the unbanning of the ANC, PAC and SACP, but added that Mr De Klerk's reforms had not gone far enough. Pointing to what it considered to be shortcomings in Mr De Klerk's announcements, the ANC said:

- it failed to understand why the state of emergency could not be lifted completely;
- it wanted all political prisoners to be freed immediately and unconditionally; and
- Mr De Klerk had failed to address the issue of the withdrawal of troops from black townships.

On 11 February, a jailed ANC leader, Mr Nelson Mandela, was released after spending 27 years in jail.⁴ [⁴ *The Citizen* 13 February 1990] Commenting on Mr Mandela's release, Mr De Klerk said, I want to emphasise that there can no longer be any doubt about the government's sincerity to create a just dispensation based on negotiations. I call upon Mr Mandela and all other interested parties to make their contribution towards a positive climate for negotiations.⁵ [⁵ *Ibid* 12 February 1990]

Speaking at a press conference in Cape Town following his release, Mr Mandela said that he was confident that talks between the government and the ANC would take place soon. In what was seen as a gesture of reconciliation, he committed the ANC to work towards a solution that accommodated white fears of domination by the black majority (see chapter on *Political Organisations* for more details).⁶ [⁶ *Business Day* 13 February] Mr Mandela also reiterated his support for the 'armed struggle' and continued economic sanctions against South Africa.

Constitutional policy

In a number of interviews after his announcement of the above measures, Mr De Klerk, while refusing to discuss government proposals for a new constitution, nevertheless stated that it would have to include safeguards for minority rights. This was in line with statements made by the

government in 1989 in which it reaffirmed its commitment to group rights as a non-negotiable principle in the establishment of a new constitution for South Africa (see chapter on *Government and Constitution*). Mr De Klerk said in August 1989 that the group concept could not be wished away and that whites would not enter into power-sharing if it involved majority rule.⁷ [⁷ *The Star* 9 August 1989] The minister of foreign affairs, Mr Pik Botha, said a veto system should be built into a future central government to ensure and protect the rights of every population group.⁸ [⁸ *Ibid* 17 August 1989] A document, 'The Five-Year Plan of Action', based on this group principle and which outlined the government's vision for a future South Africa, was adopted at the National Party (NP) federal congress in June 1989 (see *1988/89 Survey* p691). According to the document every South African would have the right to participate in decision-making at levels of government that affected his/her interests, subject to the principle of non-domination.⁹ [⁹ *South Africa Alert* July 1989]

Speaking at a joint sitting of all three houses of Parliament in February 1990, the minister of constitutional development and of national education, Dr Gerrit Viljoen, said the insistence of certain political organisations on a unitary system with a black majority was simply unacceptable to the NP. He said, 'The practical realities of our country require an effective form of protection for minorities as a component of any new power dispensation.'¹⁰ [¹⁰ *Hansard* (joint sitting) 1 col 65, 5 February 1990] In an interview with ABC News 'Nightline' Mr De Klerk said the NP's view was that a Westminster-type simple majority was not the right system for South Africa. He said that checks and balances would have to be built into the system to protect minorities.¹¹ [¹¹ *The Star* 14 February 1990]

In June 1989 the Transvaal member of the executive committee (MEC) responsible for local government, Mr Olaus van Zyl, said that the introduction of a legislative body representing all people of the Transvaal was one of a number of possible changes that could take place at a regional level.¹² [¹² *Business Day* 30 June 1989] According to Mr Van Zyl, the body should preferably have the power to raise finance and should be introduced only after there was clarity on the new constitution.¹³ [¹³ *Quarterly*

Countdown 14, South African Institute of Race Relations (SAIRR), 20 January 1989]

A senior government source indicated in September 1989 that Mr De Klerk did not think that it was appropriate yet to appoint Africans to the cabinet and that he would first attempt to achieve consensus with moderate Africans.¹⁴ [¹⁴ *Ibid*] The draft Constitution Second Amendment Bill, which makes it possible for the state president to appoint Africans as ministers or deputy ministers, was opposed by both the House of Representatives and the House of Delegates in May 1989.¹⁵ [¹⁵ *The Citizen* 23 May 1989] The deputy leader of the Labour Party, Mr Miley Richards, said his party would reject any bill making provision for the appointment of African ministers because black leaders whom they had consulted, including the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, were opposed to such a move.¹⁶ [¹⁶ *Sunday Times* 12 March] Mr De Klerk announced in September 1989 that the President's Council would no longer be a full-time body and that only four of its members would serve full time.¹⁷ [¹⁷ *Quarterly Countdown 14*]

In October 1989 the newly appointed chairman of the parliamentary joint committee for constitutional development, foreign affairs and development aid, Mr Tertius Delpont, said that 'because both the government and the people are fallible', he believed the country needed a non-political senate, upper house or constitutional court.¹⁸ [¹⁸ *Business Day* 2 October 1989] There had been speculation that the deadlock-breaking function of the white-dominated President's Council would be transferred to another body such as a constitutional court.¹⁹ [¹⁹ *Quarterly Countdown 14*]

Racial legislation

Group areas

According to the National Party's 'Five-Year Plan of Action', the government would 'maintain own residential areas according to the Group Areas Act of 1966 in a firm, yet sensitive manner until an acceptable alternative method can be put into practice'.²⁰ [²⁰ *South Africa Alert* July 1989] In July 1989 a Durban magistrate who found Mr Selvasagren Moodley guilty of contravening the Group Areas Act conceded that contraventions of the act were not regarded as seriously as they had been in the past. Passing sentence, he added that the government, through the utterances of a number of MPs, had created the impression that the act could be repealed and nobody could now categorically say that it would not be repealed. The magistrate postponed sentence for three years.²¹ [²¹ *The Citizen* 29 July 1989] In November 1989 the first four free settlement areas were announced. They were Zonnebloem in Cape Town, Windmill Park near Boksburg (east Rand), Country View in Midrand, and Warwick Triangle in Durban.²² [²² *Quarterly Countdown 14*] (See chapter on *Population and Settlement* for further details.) The relevant official proclamations were gazetted in March and April 1990.

Separate amenities

Opening the President's Council in November 1989, the state president, Mr F W de Klerk, said that the government had come to the conclusion that the Reservation of Separate Amenities Act of 1953 would have to be repealed as soon as possible. He added that given the fact that the opening of certain facilities would be a sensitive issue, there were a few areas where the institution of fitting measures would be necessary when the act was repealed. Expanding on the statement, the minister of planning and provincial affairs, Mr Hernus Kriel, said that the act would not necessarily be scrapped during the 1990 parliamentary session. He added that a community might have a vested right in a swimming pool, for instance, and it could happen that such a facility could be restricted to the use of people living in the area.²³ [²³ *Business Day* 20 November 1989] Mr De Klerk said later that the act would be repealed in the 1990 session.

During the period under review an increasing number of municipalities decided to open municipal facilities to all races. These included the municipalities of Bloemfontein, East London, Johannesburg and Pretoria (see chapter on *Social Segregation* for further details).

In November 1989 Mr De Klerk announced that the government had decided that all beaches should be opened to all races with immediate effect. He called on all local authorities to amend their bylaws where necessary 'in the spirit of this decision'.²⁴ [²⁴ *Ibid* 17 November 1989]

Foreign relations

Following discussions in Budapest (Hungary) in January 1990 between the minister of foreign affairs, Mr Pik Botha, and his Hungarian counterpart, Mr Gyula Horn, a joint statement was issued announcing that South Africa and Hungary had agreed to start a gradual process of establishing official ties. Mr Botha said that while his visit was purely informational and not intended to establish diplomatic relations, both countries had agreed that they would 'move forward together towards closer relations'.²⁵ [²⁵ *The Star* January 1990]

At the time of Namibia's independence celebrations in March 1990, the state president, Mr F W de Klerk, met various foreign heads of state, heads of government and foreign ministers in Windhoek (Namibia) and Cape Town. These included the Soviet minister of foreign affairs, Mr Eduard Sjewardnadze; the prime minister of Cape Verde, Mr P Pires; the Finnish minister of foreign affairs, Mr Perthi Paasio; the president of Yugoslavia, Dr Janez Drnovsek; the Swedish minister of foreign affairs, Mr Sten Anderson; the French minister of co-operation and development, Mr Jaques Pelletier; the Spanish minister of foreign affairs, Mr Francisco Ordonez; the Italian minister of foreign affairs, Mr Gianni de Michelis; the prime minister of Mauritius, Sir Anerood Jugnauth; the Norwegian minister of foreign affairs, Mr Kjell Magne Bonderik; and the West German minister of foreign affairs, Mr Hans-Dietrich Genscher. He also met the United States secretary of state, Mr James Baker.²⁶ [²⁶ *The Star* 21 March

1990; *Beeld, Business Day, The Citizen* 22 March 1990] In May 1990, in what was considered a diplomatic breakthrough, Mr De Klerk visited nine European countries: Britain, France, West Germany, Switzerland, Belgium, Italy, Portugal, Spain and Greece. The tour was the biggest international tour undertaken by a South African head of government since the National Party came to power in 1948.²⁷ [²⁷ *The Star* 4 May 1990]

Government initiatives in Africa

Talks with other African governments

During the period under review, representatives of the South African government held talks with representatives of various African states (see also chapter on *Political Organisations*).

In August 1989 the leader of the National Party (NP) and president elect, Mr F W de Klerk, held talks in Zaïre with the president of Zaïre, Mr Mobutu Sese Seko, and in Zambia with the president of Zambia, Dr Kenneth Kaunda. He also met the leader of Lesotho's Military Council, General Metsing Lekhanya.²⁸ [²⁸ *Sowetan* 28 August 1989; *The Star* 31 August 1989] In September the minister of foreign affairs, Mr Pik Botha, met the president of Mozambique, Mr Joachim Chissano.²⁹ [²⁹ *The Citizen* 19 September 1989] In October Mr Botha held talks with Mr Sese Seko in France about the conflict in Angola.³⁰ [³⁰ *Ibid* 17 October 1989] In the same month Mr Botha held talks with the Angolan minister of foreign affairs, Mr Loy van Dunem, about the security situation in Angola and Namibia.³¹ [³¹ *The Star* 19 October 1989] In his first meeting with another head of state as state president, Mr De Klerk flew to the Ivory Coast to meet the president of the Ivory Coast, Mr Felix Houphouet-Boigny, in December 1989.³² [³² *Business Day* 4 December 1989]

Coinciding with the Namibian independence celebrations in March 1990, Mr De Klerk met a number of African heads of state in Windhoek (see *Namibia* below). These included the president of Mozambique, Mr Joachim Chissano; the president of Angola, Mr Jose Eduardo dos Santos; the president of Zambia, Dr Kenneth Kaunda; the president of Nigeria, General Ebrahim Babangida; the president of Mali, Mr Moussa Traore; the prime minister of Somalia, Mr Mohammed Ali Samanter; and the chairman of the Organisation of African Unity and president of Egypt, Mr Hosni Mubarak.³³ [³³ *The Citizen* 21 March 1990; *Business Day* 22 March 1990; *Beeld* 23 March 1990]

Namibia

Progress towards independence in Namibia was brought to a successful conclusion during the period under review in terms of United Nations (UN) Security Council resolution 435. The phased implementation of resolution 435, which began in April 1989, was made possible only when, in December 1988, South Africa, Angola and Cuba signed a four-point protocol in Brazzaville (Congo), which provided for the phased withdrawal of Cuban troops from Angola and of South African troops

from Angola and Namibia. From the point of view of the South African government, the withdrawal of Cuban troops from Angola had always been a non-negotiable demand (see *1988/89 Survey* p590).³⁴ [³⁴ *The Citizen* 6 September 1989, *The Star* 13 December 1989]

However, the independence process was threatened as it began when the South African government warned that it was considering suspending its role in the Namibian peace process. The warning followed an outbreak of fighting between the South West African People's Organisation (SWAPO) and South African troops north of the Namibian border with Angola. The minister of foreign affairs, Mr Pik Botha, blamed the fighting on incursions from Angola by armed SWAPO fighters. Mr Botha said this was a violation of the peace accord, which stipulated that SWAPO forces had to withdraw north of the 16th parallel in Angola. SWAPO denied that its forces had taken the offensive and said it was imperative that the United Nations Transitional Assistance Group (UNTAG) demobilise and confine to bases the former warring sides.³⁵ [³⁵ *The Citizen* 3 April 1989] The conflict, in which about 289 SWAPO fighters and 27 members of South Africa's security forces were killed, was eventually resolved by calls from the leadership of SWAPO for troops to withdraw and an agreement that South African forces would return to base for 60 hours to allow SWAPO troops a safe passage out of the country.³⁶ [³⁶ *The Star* 26 April 1989]

In September a white senior official of SWAPO, Mr Anton Lubowski, was assassinated outside his home in Windhoek. Mr Botha condemned the killing as 'simply senseless'. The administrator general of Namibia, Mr Louis Pienaar, pledged full South West African (SWA) police action to apprehend the killer. SWAPO said the killing had undoubtedly been committed by enemies of SWAPO and Namibia's struggle for national liberation.³⁷ [³⁷ *The Star* 13 September 1989; *Sowetan* 14 September 1989] The SWA police arrested Mr Donald Acheson in September in connection with Mr Lubowski's assassination (see *Attacks on activists* below). It was later alleged by the South African defence minister, Mr Magnus Malan, that Mr Lubowski had been a spy, an allegation strongly denied by Mr Lubowski's family.

Days before an election for a constituent assembly was due to begin in Namibia in November, Mr Botha alleged that SWAPO guerrillas were invading northern Namibia. UNTAG representatives, however, described the situation in northern Namibia as calm. Mr Botha said that the information was based on intercepted radio messages from UNTAG. He said it was UNTAG's job to prevent SWAPO incursions, but that they were not doing their job. It emerged later that the intercepted messages were forgeries. The secretary general of the UN, Mr Javier Perez de Cuellar, said, 'Our experts saw the messages in the presence of South Africans and they both agreed that they were forgeries.' Mr Botha was criticised for not checking his information with UNTAG or Mr Pienaar before having publicised it.³⁸ [³⁸ *The Weekly Mail* 3 November 1989] Mr Botha said he had acted on information given to him by the South African Defence Force and verified by it as accurate. He added that he could not be held responsible for establishing the truth of intelligence reports.³⁹ [³⁹ *The Star* 6 November 1989] Subsequently Mr Botha said, 'As matters now stand there is no evidence as far as I am concerned that UNTAG was responsible for the transmissions.'⁴⁰ [⁴⁰ *Sunday Star* 7 November 1989]

On the eve of the election, the state president, Mr F W de Klerk, said South Africa would accept the results of a free and fair election in Namibia and that it stood ready to play a constructive role in its future. He said, 'The international dispute concerning Namibia must now finally be ended.'⁴¹ [⁴¹ *The Citizen* 7 November 1989] Following five days of voting the Namibian election ended on 13 November and the UN special representative, Mr Maarti Ahtisaari, declared the balloting 'free and fair'. Mr Pienaar said, 'We are completely satisfied that the election process was free and fair and that each and every Namibian had a chance to cast his vote.' The most significant result of the election was that SWAPO failed to win the two-thirds majority required to write a Namibian constitution single handed. It thus had to compromise with other parties. SWAPO won 41 (57%) of the 72 seats in the constituent assembly, receiving 384 567 of the 670 830 votes cast. The Democratic Turnhalle Alliance (DTA) won 21 seats after it polled 191 532 votes. The United Democratic Front (37 874 votes) won four seats; Aksie Christelik Nasionaal (23 728 votes) won three seats; the National Patriotic Front (10 693 votes) won one seat; the Federal Convention (10 452 votes) won one seat; and the Namibia National Front (5 344 votes) won one seat.⁴² [⁴² *Ibid* 15 November 1989] Following the announcement of the results, Mr De Klerk called on all involved in the Namibian elections to accept it and co-operate to preserve peace.⁴³ [⁴³ *Ibid*] The remaining 1 500 South African troops in Namibia withdrew in November.⁴⁴ [⁴⁴ *Ibid* 21 November 1989] At the first meeting of Namibia's constituent assembly on 21 November, the 1982 constitutional guidelines, a set of democratic principles designed by western powers to underpin Namibia's first constitution, were accepted as the framework for the drafting of a new constitution.⁴⁵ [⁴⁵ *Ibid* 22 November 1989] The essential points in the new Namibian constitution adopted in February 1990 were as follows:

- Namibia will be a multiparty democracy with an executive president;
- elections will be conducted through universal adult franchise on a proportional representation basis;
- fundamental human rights will be entrenched in a bill of rights and enforced by an independent judiciary;
- private property ownership will be protected;
- capital punishment and detention without trial will be illegal;
- equality before the law will be guaranteed; and
- there will be a mixed economy.⁴⁶ [⁴⁶ *Vrye Weekblad* 23 February 1990]

The constituent assembly resolved to turn itself from a constitution making body into Namibia's first legislature and in February, the SWAPO president, Mr Sam Nujoma, was unanimously elected by the constituent assembly as the country's first president.⁴⁷ [⁴⁷ *The Star* 16 February 1990] On 21 March 1990

Namibia became officially independent. The final death toll as at 1 November 1988 in the independence war which began in August 1966 was 715 security force soldiers, 1 087 Namibian civilians and 11 291 SWAPO insurgents and Angolan soldiers.⁴⁸ [⁴⁸ Steenkamp W, *SA 's Border War 1966-1989*]

Non-Government Initiatives and Protest

Defiance campaign

In July 1989 the Mass Democratic Movement (MDM) announced that it would engage in a defiance campaign or peaceful mass action (see chapter on *Political Organisations*). Spelling out the aims of its campaign, the MDM said, 'This is to be a peaceful programme of non-violent mass action directed against apartheid laws and addressing the immediate demands of our people.'⁴⁹ [⁴⁹ *New Nation* 11 August 1989] A spokesman for the MDM, Mr Mohammed Valli Moosa, said, 'If the state continues to uphold its apartheid structures on the one hand, and on the other condemns apartheid, then the people will dismantle it for themselves. Only direct action by the people can rid us of these laws and open all facilities and amenities to all the people of South Africa.'⁵⁰ [⁵⁰ *Sowetan* 27 July 1989] Church leaders, including the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu; the general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane; and the president of the World Alliance of Reformed Churches, Dr Allan Boesak, announced in August 1989 that they would embark on a peaceful and non-violent defiance campaign in solidarity with the MDM.⁵¹ [⁵¹ *Cape Times* 16 August 1989] At a meeting in August 1989, 11 teacher organisations, representing about 150 000 teachers, pledged their support for the MDM and the campaign.⁵² [⁵² *Post Natal* 23 August 1989]

Hospital campaign

The MDM launched its campaign on 2 August 1989 by challenging the segregation of hospitals. Large numbers of black people converged on eight white hospitals in Natal and the Transvaal.

More than 200 black patients were treated on that day at hospitals such as Addington Hospital (Durban), Johannesburg General Hospital, Vereeniging Hospital (southern Transvaal), the H F Verwoerd Hospital (Pretoria) and the Paardekraal Hospital (Krugersdorp). There were no incidents of confrontation and the organisers of the campaign claimed that it had set a precedent which would lead to the end of segregated hospitals.⁵³ [⁵³ *Cape Times* 3 August 1989] The MDM said, 'Our people will continue to demand treatment at the hospital closest to their place of residence which is able to give them competent treatment.'⁵⁴ [⁵⁴ *New Nation* 11 August 1989] A spokesman for the MDM, Mr Murphy Morobe, said the peaceful nature of the protest 'has given the lie to claims by the authorities that the MDM was interested in violence'.⁵⁵ [⁵⁵ *The Citizen* 3 August 1989] The campaign, which lasted only a short while, failed to bring about the

desegregation of hospitals.

Defiance of restrictions and bannings

Twenty Cape Town (western Cape) activists, all former political detainees, risked arrest in August 1989 by ignoring the conditions of their release and addressing an interfaith service held at the Methodist Church.⁵⁶ [⁵⁶ *Ibid* 7 August] Various rallies throughout the country to ‘unban’ restricted organisations, including the United Democratic Front (UDF) and the Azanian People’s Organisation (AZAPO), was planned for 20 August the sixth anniversary of the establishment of the UDF. Despite the fact that all these rallies were prohibited, the MDM said that all restricted organisations now considered themselves unrestricted and would speak openly under their names.⁵⁷ [⁵⁷ *The Weekly Mail* 25 August 1989] Other organisations that ‘unbanned’ themselves in August included the Congress of South African Students (COSAS), the South African National Students’ Congress (SANSCO) and the End Conscription Campaign (ECC).⁵⁸ [⁵⁸ *Business Day*, undated, August 1989] In September 1989 approximately 1 000 pupils gathered at the Immaculata High School hall in Diepkloof (Soweto) to lift’ the restrictions imposed on the Soweto Students’ Congress (SOSCO).⁵⁹ [⁵⁹ *Sowetan* 15 September] Commenting on the MDM’s campaign of ‘unbanning’, a spokesman for the minister of law and order, Brigadier Leon Mellet, said, ‘It is ironic that they unban themselves and then immediately go underground.’ The MDM, however, denied reports that some of its leaders had gone underground and vowed to continue the defiance campaign.⁶⁰ [⁶⁰ *The Star* 22 August 1989]

Beach campaign

The MDM announced in August 1989 that it would extend its defiance campaign against apartheid laws by protesting against beach segregation through its ‘Drown Beach Apartheid’ campaign. In the same month protests at two Peninsula (western Cape) beaches, the Strand and Bloubergstrand, ended in clashes between police and demonstrators, resulting in the death of a policeman and injury to several civilians. The MDM and the police blamed each other for the clashes.⁶¹ [⁶¹ *Cape Times* 22 August 1989] Another protest was held in September and about 1 000 people ‘declared’ the Strand beach open to all.⁶² [⁶² *New Nation* 6 October 1989] In September thousands of black people as well as a number of whites, converged on exclusively white beaches in Durban (Natal) for a protest picnic. A number of right-wing activists, including Afrikaner Weerstandsbewegmg (AWB) supporters, were present but there were no major incidents.⁶³ [⁶³ *The Leader* 8 September 1989] Ten people were arrested at Durban’s South Beach for allegedly displaying an African National Congress (ANC) flag.⁶⁴ [⁶⁴ *The Citizen* 4 September 1989] In the western Cape more than 2 000 people protested at Saldanha Bay and a sign saying ‘Away with Apartheid’ was erected. A spokesman for the MDM said that the march had shown that beach apartheid was over.⁶⁵ [⁶⁵ *Cape Times* 11 September 1989]

In October an estimated 1 000 people gathered at Pollock Beach in Port Elizabeth (eastern Cape) to

protest against beach segregation. A signboard declaring the beach open to all was unveiled.⁶⁶ [⁶⁶ *Eastern Province Herald* 2 October 1989]

Bus campaign

In August 1989 the police arrested three black men who tried to board a 'whites-only' bus in Pretoria (central Transvaal). The police removed the three would-be-passengers from the first step of the bus as they attempted to board it.⁶⁷ [⁶⁷ *The Citizen* 29 August 1989] Also in August, a further ten people were arrested in Pretoria when they attempted to board 'whites-only' buses.⁶⁸ [⁶⁸ *Ibid* 31 August 1989]

In response to the campaign municipal buses did not stop where black people were seen to be waiting to board, thereby ignoring white passengers as well. Asked to assess the effect of the campaign, one of the organisers, the Rev Ivor Jenkins of Koinonia, said its 'success cannot be seen in terms of the numbers of people who boarded the buses, but via the impact the campaign has had on the authorities and the bus company'. Another organiser said, 'Our point was to expose and record the fact that apartheid is still alive in Pretoria, and to let the international community know about it.'⁶⁹ [⁶⁹ *The Weekly Mail* 1 September]

Anti-election campaign

In September 1989 the MDM called for two days of protest action, mainly in the form of stayaways, against the 'racist' parliamentary elections held on 6 September (see chapter on *Government and Constitution*). This endorsed a decision taken by the Congress of South African Trade Unions (COSATU), the National Council of Trade Unions (NACTU) and unaffiliated trade unions at a workers' summit held in August to call for protest action against the elections. The Black Consciousness Movement (BCM) and the Pan-Africanist Movement (PAM) also endorsed the call.⁷⁰ [⁷⁰ *Sowetan* 7 September 1989] However, while the MDM and COSATU called for protest action on 5 and 6 September, NACTU, the BCM and PAM called for action on 6 and 12 September, the 12th being the anniversary of the death in 1977 of a black consciousness leader, Mr Steve Biko.⁷¹ [⁷¹ *Ibid* 4 September 1989]

Demonstrations, school boycotts and sporadic violence marked the final days running up to the election. As protest action intensified the police unrest report for a 24-hour period up to election day listed 30 incidents around the country. In Lenasia (west Rand) effigies of the acting state president, Mr F W de Klerk; the chairman of the ministers' council in the House of Delegates and minister of housing, Mr J N Reddy; and the chairman of the ministers' council in the House of Representatives and minister of education and culture, the Rev Allan Hendrickse, were set alight at an open air gathering organised by the MDM. A representative of the MDM said, 'Here lies the remains of the tricameral system. A system which is a farce will lie in ashes.' At an anti-election meeting in Reiger Park (east Rand), the rector of the University of the Western Cape, Professor Jakes Gerwel, called on coloured people to boycott the election.⁷² [⁷² *The Weekly Mail* 8 September 1989] Police and anti-election demonstrators clashed in central

Cape Town and more than 500 people, including Dr Boesak, were arrested.⁷³ [⁷³ *Cape Times* 3 September 1989] Following widespread unrest in the Cape Peninsula on the night of the election, Dr Boesak claimed that 23 people had been killed and that most of the deaths were due to police action. The police claimed that 19 people had been killed and that a number of deaths were not the result of police action (see *Marches* below).⁷⁴ [⁷⁴ *Sunday Star* 10 September 1989] The government subsequently said that 18 unnatural deaths had been reported to the police, of which ten had occurred as a result of unrest. The causes of the other eight had still to be ascertained in trials and inquests.⁷⁵ [⁷⁵ *Hansard* (A) q 22 col 1835, 18-20 June 1990]

More than three million workers and students were reported to have heeded the call by trade union and community organisations to stay at home in protest against the election.⁷⁶ [⁷⁶ *Eastern Province Herald* 7 September 1989] However, the majority of people stayed away on 6 September, with the call for a stayaway on the 5th not producing significant numbers. An MDM spokesman said that a 100% work stayaway was reported in many areas around the country. 'Pretoria was hit by a virtual 100% stayaway,' said Mr Alec de Beer, the general manager of the local chamber of commerce.⁷⁷ [⁷⁷ *Sowetan* 7 September 1989]

Marches

A number of protest marches took place as part of the nationwide demonstrations led by the MDM. Some of this took place before the ban on protest marches was lifted by the acting state president, Mr F W de Klerk, in mid-September, but most were held afterwards. In many cases permission was sought and granted. In others permission was sought but refused. In still others, march organisers refused to seek permission.

Dozens of unarmed policewomen, some of them black, stopped a march of about 150 clergymen and church members including Archbishop Tutu, in Cape Town's city centre in August. The march followed a service in solidarity with the MDM's defiance campaign. Archbishop Tutu said that the march was a victory for non-violence.⁷⁸ [⁷⁸ *The Citizen* 18 August 1989] About 180 people were arrested in Cape Town in August as they attempted to march to the British Embassy to deliver a note calling on the prime minister of Britain, Mrs Margaret Thatcher, to intercede to stop capital punishment and detentions in South Africa.⁷⁹ [⁷⁹ *South* 31 August 1989]

In August Archbishop Tutu warned the minister of law and order, Mr Adriaan Vlok, that South Africa was on the brink of a major disaster if the police continued to act in a 'reckless manner'. He was reacting to an incident in which he and other church and community leaders had been teargassed by riot police outside a church in Guguletu (western Cape). The incident occurred after a march to the Manenberg Police Station (western Cape) to demand the release of detained teachers and students.⁸⁰ [⁸⁰ *The Citizen* 24 August 1989]

In September 1989 a group of people, including the general secretary of COSATU, Mr Jay Naidoo, was

stopped by police as they attempted to march to the Johannesburg City Hall where Mr De Klerk was due to address his final election meeting.⁸¹ [⁸¹ *The Star* 5 September 1989] In the same month more than 35 000 people participated in a march in central Cape Town to protest against deaths in unrest in the Cape Peninsula on the night of the general election. More specifically, the march was a protest against alleged police brutality.⁸² [⁸² *Sowetan* 14 September 1989] Dr Boesak claimed that there were 23 fatalities and that most of them were a result of police action.⁸³ [⁸³ *Sunday Star* 10 September 1989] The police claimed that 19 people had been killed and that a number of the deaths were not the result of police action.⁸⁴ [⁸⁴ *The Citizen* 12 August 1989] A police officer, Lieutenant Gregory Rockman, supported the condemnation of police action and described police action in the western Cape as brutal.⁸⁵ [⁸⁵ *New Nation* 8 September 1989] A number of Democratic Party (DP) MPs, including two of its co-leaders, Dr Zach de Beer and Dr Denis Worrall, also participated in the march. Dr Boesak hailed it as a victory for justice and peace and praised Mr De Klerk for his decision to allow the march to proceed (see chapter on *Political Organisations*). He added that the march had shown that the government did not need the state of emergency. Flags of the ANC and the South African Communist Party (SACP), both then still banned, were displayed at the march.⁸⁶ [⁸⁶ *The Star* 14 September 1989]

Following a service in St Mary's Anglican Cathedral in September, a crowd estimated at about 25 000 marched through Johannesburg to John Vorster Square Police Station to present to the police a memorandum protesting against alleged police brutality, particularly in the western Cape.⁸⁷ [⁸⁷ *Ibid* 15 September 1989] Commenting on the government's granting permission for the march, Mr Chikane said it was apolitical decision to avoid confrontation. Reflecting on Mr De Klerk's more tolerant approach to dissent, Mr Chikane said, I do not believe it is a change of heart. It is facing reality, which may help to bring about a change of heart.'⁸⁸ [⁸⁸ *Ibid* 16 September 1989]

A march of about 7 500 people in Pietermaritzburg (Natal) in September 1989 erupted in violence when groups of youths broke away and went on a rampage in the Indian business area. A number of shop windows and the windows of two buses were smashed, shops looted and some commuters assaulted.⁸⁹ [⁸⁹ *The Citizen* 22 September 1989] The minister of justice, Mr Kobie Coetsee, warned organisers of protest marches that they should act within the law. He said, 'The right to hold meetings is not unlimited.'⁹⁰ [⁹⁰ *Ibid* 23 September 1989] About 20 000 people took to the streets in Durban to protest against government policies. The march went off peacefully but was marked by a row over the presence of the communist flag, which almost led to the withdrawal from the proceedings of the Roman Catholic archbishop of Durban, the Most Rev Denis Hurley and the Anglican Bishop of Natal, the Right Rev Michael Nuttall. Archbishop Hurley said, I told organisers I would pull out if they did not take the flag away.'⁹¹ [⁹¹ *The Natal Mercury* 23 September 1989]

In the same month smaller towns and cities also witnessed a spate of protest marches. Close to 7 500 people marched from the township of Galeshewe (northern Cape) to Kimberley (northern Cape). In Oudtshoorn (southern Cape) about 8 000 people went on a march, many carrying ANC flags and

placards, to deliver a petition to the local town clerk and the chief of police.⁹² [⁹² *The Weekly Mail* 29 September 1989] More than 3 500 Reiger Park residents brought central Boksburg (east Rand) to a standstill in September as they marched in protest against the reimposition of petty apartheid by the Conservative Party-run town council.⁹³ [⁹³ *Sunday Times* 24 September 1989]

Also in September an estimated 40 000 people converged on the city centre of East London (eastern Cape) in a march for ‘peace, freedom and justice’.⁹⁴ [⁹⁴ *Daily Dispatch* 28 September 1989] In the same month police prevented a march to the Union Buildings in Pretoria organised by Women Against Repression (WAR) and 139 people were arrested. WAR did not seek permission to hold the march. A spokesman for the minister of law and order, Brigadier Leon Mellet, said, ‘Our policy is clear: if the march is illegal, we will act.’⁹⁵ [⁹⁵ *The Star* 26 September 1989] WAR announced that it would plan a second march for which it would once again not seek permission from the authorities. At the time of writing no second march had been held.⁹⁶ [⁹⁶ *The Citizen* 25 September 1989]

COSATU and NACTU announced in September that there would be marches on a countrywide scale as part of a campaign against amendments to the Labour Relations Act (LRA) of 1956 passed in September 1988.⁹⁷ [⁹⁷ *The Leader* 29 September 1989] In what was possibly one of the biggest protest marches in South African history, approximately 70 000 people were said to have marched in Uitenhage (eastern Cape) in October to protest against the LRA.⁹⁸ [⁹⁸ *Business Day* 12 October 1989] In October there were anti-LRA marches in 17 centres countrywide, involving more than 100 000 people. These included marches in CP-controlled areas, such as Secunda (eastern Transvaal), where 6 000 people marched despite the fact that the town council had refused to grant permission for them to do so and in Port Elizabeth, where a crowd of around 50 000 people participated in a march.⁹⁹ [⁹⁹ *Ibid* 16 October 1989]

Commenting on the banning of a march in Klerksdorp (western Transvaal) in November 1989, one of the organisers, the Rev Eric Adolph, said it appeared that the right to peaceful protest was restricted to city centres and that the march had been banned at a time when the government was generally granting permission for such marches to take place. Mr Adolph said the march had intended to highlight the fact that Mr Boiki Thlapi had been missing since he was detained at a police roadblock in Klerksdorp in 1986.¹⁰⁰ [¹⁰⁰ *The Star* 10 November 1989] Permission for the Alexandra Action Committee to stage a march in Alexandra (Johannesburg) was also not granted.¹⁰¹ [¹⁰¹ *The Citizen* 23 November 1989] In the same month thousands of people participated in a ‘Standing for Truth’ human chain, aimed specifically at protesting against the Group Areas Act of 1966. Organisers had hoped to form an unbroken human chain from Johannesburg to Soweto but too few people turned up to make this possible.¹⁰² [¹⁰² *Ibid* 13 November 1989]

Boycotts

Sports boycott

In January 1990 a delegation of white sports administrators including the president of the South African National Olympic Committee (SANOC), Mr Johan du Plessis, and its vice president, Mr Issy Kramer, met representatives of the International Olympic Committee (IOC) in Paris. The IOC representatives urged the South African delegation to work towards the establishment of unified, nonracial sports bodies for each sport in South Africa. The delegation also met Mr Ramsamy, chairman of the South African Non-Racial Olympic Committee. A joint statement, issued by Mr Ramsamy and endorsed by Mr Du Plessis, announced that the IOC's discussions with SANOC had not been about the possible return of South Africa to the Olympic Games. The discussions had been mainly 'to inquire about SANOC and its various affiliates' activities and to inform them of the IOC and African sports movements' requirements before South Africa's situation could be reviewed'. Mr Ramsamy said that the IOC could not begin to review South Africa's isolation from the Olympic Games until the formation of a single sports body representative of all sports organisations in South Africa. Mr Du Plessis said the delegation would return to South Africa seriously to engage in uniting South African sport.¹⁰³ [¹⁰³ Ibid 10 January 1990]

Opposition to an unofficial English cricket tour

In January 1990 the National Sports Congress (NSC), the sports wing of the Mass Democratic Movement (MDM), vowed that it would stop the cricket tour by an unofficial English cricket team due to start in the same month. A representative of the NSC, Mr Benedict Tengimfene, said his organisation would make life in South Africa unbearable for the English cricketers. Another national sports organisation in South Africa, the South African Council on Sport (SACOS), also said that it would actively oppose the tour.¹⁰⁴ [¹⁰⁴ Ibid 13 January 1990]

On the day the English cricketers arrived police clashed with anti-tour demonstrators at Jan Smuts Airport (Johannesburg). A number of people were injured and ten people were arrested.¹⁰⁵ [¹⁰⁵ *The Star* 19 January 1990] In February 1990 a demonstration at the Wanderers Club (Johannesburg), the venue of the first five-day test match, was banned by the Johannesburg City Council. The NSC accused the government of 'meddling' and of influencing the city council's decision. The deputy chairman of the management committee, Mrs Marietta Marx, said the major reason for turning down the protest was fear of a traffic jam and that the government had not interfered.¹⁰⁶ [¹⁰⁶ Ibid 2 February 1990] The NSC decided to go ahead with its planned demonstrations despite the ban. The police, however, prevented a number of buses carrying anti-tour demonstrators from reaching Wanderers Club and dispersed those who had gathered at the grounds.¹⁰⁷ [¹⁰⁷ Ibid 8 February 1990]

Subsequently, the managing director of the South African Cricket Union (SACU), Dr Ali Bacher, said that his union had decided to shorten the tour by four matches. The NSC also announced that it would not stage demonstrations at the remaining matches. Dr Bacher denied reports that the curtailment of the tour was a result of government pressure but said that a third party had intervened, calling on the SACU and the NSC to reach a compromise. It was later revealed that the third party was the African National Congress (ANC). A second leg of the English tour, due later in 1990, was later also cancelled. (For

further details on 1990 sport, see chapter on *Social Segregation*).¹⁰⁸ [¹⁰⁸ *The Star, Business Day* 14 February 1990]

Cultural boycott

In August 1989 a representative of Sun International, Mrs Hazel Feldman, held meetings with the South African Music Alliance (SAMA) and the MDM. The meetings were sparked by differences over international cultural tours to South Africa. SAMA and the MDM supported the cultural isolation of South Africa, arguing that overseas artists should consult the anti-apartheid movement before coming to South Africa. Mrs Feldman argued that Sun City (Bophuthatswana) was being unfairly singled out as it was free of apartheid. These differences in approach flared up when Sun International announced a Sun City tour by an American soul group, the Commodores, and SAMA warned that it would oppose the tour as a violation of the cultural boycott. As a result of both local and international pressure, the Commodores cancelled their tour.

A group of Pakistani musicians and singers who arrived in South Africa in November 1989 for a two-month tour were accused of flagrantly violating the cultural boycott by the president of the Transvaal Indian Congress, Mr Cassim Saloojee. Mr Saloojee condemned the musicians and called on the Pakistani government to recall the group and to 'show sensitivity to the demands of the democratic majority in South Africa'. He said that a group of MDM representatives who visited India earlier in the year had tried in vain to get an appointment with the Pakistani government to discuss the continued violation of the cultural boycott.¹⁰⁹ [¹⁰⁹ *The Star* 21 November 1989]

Although some (but by no means all) black political organisations favour cultural boycotts, visits by foreign artists to South Africa sometimes draw large crowds from all race groups.

Rent boycotts

The minister of planning and provincial affairs, Mr Hernus Kriel, said in May 1990 that rent, service, and other charges owed to African local authorities were as follows:¹¹⁰ [¹¹⁰ *Hansard* (A) 14 q cols 1149-1160, 4 May 1990]

Cape Province

R84,1m

Natal

R3,7m

Orange Free State

R34,7m

Transvaal

R640,9m

Consumer boycotts

In February 1989 various organisations in Khutsong township near the Conservative Party (CP)-controlled town of Carletonville (western Transvaal) decided to launch a trade union-backed consumer boycott of the town in protest against the council's re-implementation of social apartheid (see chapter on *Social Segregation*). In September the president of the Carletonville Chamber of Commerce, Mrs Annatjie Claasen, said the consumer boycott of Carletonville had effectively ended following an order by the Transvaal Provincial Division of the Supreme Court overruling the town council's policies. She said black people returned to the town when 'whites-only' signs were removed.¹¹¹ [¹¹¹ *The Star* 25 September 1989]

In March 1989 nearly 2 000 Windmill Park (east Rand) and Reiger Park (east Rand) residents decided to continue the consumer boycott of Boksburg (east Rand) (see chapter on *Social Segregation* and *1988/89 Survey* pp379 and 594).¹¹² [¹¹² *Ibid* 7 March 1989] In November the organisation behind the boycott of Boksburg, the Save Boksburg Committee (SBC), ended the boycott following an announcement by the state president, Mr F W de Klerk, that the Reservation of Separate Amenities Act of 1953 would be scrapped as soon as possible. A member of the SBC, Mr Henry Jeffries, said, 'The government's intention is seen by local residents as a major breakthrough and achievement, so a year of commitment to the boycott was ended.'¹¹³ [¹¹³ *The Citizen* 20 November 1989]

A consumer boycott against CP businessmen in Parys (Orange Free State) was started in August. Although Parys-unlike Boksburg and Carletonville-does not have a CP-controlled town council, boycotters identified businesses owned by CP members and withdrew their buying power.¹¹⁴ [¹¹⁴ *Sowetan* 11 August 1989]

In September 1989 the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU) called for a two-week consumer boycott of white businesses. The boycott from 22 September to 6 October-was part of the campaign against the Labour Relations Amendment Act of 1988. A call was also made to people to refrain from supporting shops owned by town councillors, members of the tricameral Parliament and all 'collaborators'.¹¹⁵ [¹¹⁵ Official boycott pamphlet] The campaign was also aimed at putting pressure on specific companies deemed guilty of 'union-bashing'.

Hunger strikes

During the period under review detainees increasingly turned to hunger strikes as a means of focusing attention on their plight. In February 1989 more than 600 detainees joined an indefinite national hunger strike started in January by 20 detainees at Diepkloof Prison (near Johannesburg) (see *1988/89 Survey* p555). The detainees demanded that they be either charged or released.¹¹⁶ [¹¹⁶ *Focus* May-June 1989] Commenting on the hunger strikes, a spokesman for the National Association of Democratic Lawyers said, 'Our detainees have jerked South Africa out of complacency. They have brought South Africa into international focus and have reawakened international support against apartheid.'¹¹⁷ [¹¹⁷ *Cross Times* May 1989] In March 30 organisations formed a Hunger Strike Support Committee. The committee launched a petition demanding the unconditional release of all detainees and an end to the state of emergency. The committee also demanded that the minister of law and order, Mr Adriaan Vlok, clarify the criteria on which release or continued detention were based and that he declare a moratorium on all new detentions (see chapter on *Security*).¹¹⁸ [¹¹⁸ *Business Day* 8 March 1989]

Campaign against capital punishment

In October 1989 a Save the Patriots Campaign Committee organised a rally at the University of the Witwatersrand to commemorate international Political Prisoners' Day in accordance with United Nations Resolution 216. The committee called for a reprieve of all prisoners awaiting execution for politically related and/or security-related crimes and for them to be granted prisoner-of-war status. A letter from prisoners in Pretoria asking the international community to write to the government supporting the ending of the 'judicial murder of political prisoners' in South Africa was read out at the rally.¹¹⁹ [¹¹⁹ *Ibid* 11 October 1989]

About 140 civil rights lawyers staged a demonstration outside the Transvaal Provincial Division of the Supreme Court (Johannesburg) in November to protest against executions.

The National Association of Democratic Lawyers (NADEL) hosted an anti-death penalty campaign awareness week in November. People were urged to sign a petition and to publicise the campaign.¹²⁰ [¹²⁰ *The Weekly Mail* 3 November 1989] Delivering the keynote address at a NADEL meeting held in November 1989, a released leader of the ANC, Mr Ahmed Kathrada, said that the fact that 90% of the people executed in South Africa were black led to serious questioning of the judiciary as free, fair and colour blind.¹²¹ [¹²¹ *The Star* 13 November]

Anti-conscription campaign

The London-based Committee of South African War Resisters (COSAWR) said in February 1989 that a set of laws coming into effect could prevent conscientious objectors from being granted political asylum

in Britain and other European Community (EC) countries. The laws, to be introduced in 1992 when the EC would become a single market, aimed to cut back on immigration from non-EC countries. Those seeking asylum would also be subject to these controls.¹²² [¹²² Ibid 24 February 1989]

In May 1989 protests calling for the release of South African conscientious objectors were held outside South African embassies in 12 European and American cities.¹²³ [¹²³ *The Weekly Mail* 19 May 1989]

Anti-conscription activists launched a national register in September 1989 to facilitate contact among themselves and keep the spotlight focused on action against those refusing to do national service. About 750 objectors attended the Johannesburg conference where the register was launched. 'We have decided in good conscience and of our own accord that we cannot serve in the defence force,' said a statement on behalf of the objectors.¹²⁴ [¹²⁴ *Business Day* 22 September 1989] A servicemen's organisation, Veterans for Victory, criticised their decision to refuse to do national service.¹²⁵ [¹²⁵ *The Citizen* 2 October 1989]

About 350 people joined a Conscientious Objectors' Support Group march in October 1989 from St George's Cathedral in Cape Town to the Castle where a petition was handed to the watch commander calling for an end to conscription and the release from prison of objectors to military service.¹²⁶ [¹²⁶ Ibid 5 October 1989] Mr Tony Leon MP (Democratic Party) said that he identified with the sentiments of the group.¹²⁷ [¹²⁷ Ibid 2 October 1989] In November a researcher at the University of the Witwatersrand, Mr David Shandler, studying the 'brain-drain' from South Africa, said compulsory national service was one of the main reasons why 4 500 university graduates, a quarter of the total number of graduates, left South Africa each year.¹²⁸ [¹²⁸ *Business Day* 1 November 1989]

Stayaways

Commemorative days

During the period under review, a number of memorial days were observed through commemoration services and stayaways. There were also a number of stayaways not related to memorial days.

In March 1989 at least one person died, hundreds were arrested and police used teargas and rubber bullets to disperse demonstrators during commemorations across the country of the Sharpeville shootings on 21 March 1960 and the Langa killings on 21 March 1985 (see 1986 *Survey* Part 2 p869).¹²⁹ [¹²⁹ *The Star* 22 March 1989] Thousands of people stayed away from work and school to mark the 29th anniversary of the shootings, with the eastern Cape, Durban and Pietermaritzburg (Natal) being affected the most. Mr Justice Mavuso of Katlehong (east Rand) was killed when police dispersed people who had gathered for a Sharpeville commemoration meeting in the township. A joint commemoration service by the United Democratic Front (UDF) and the Azanian People's Organisation (AZAPO) and led by the Interdenominational Ministers' Association of South Africa was attended by about 1 500 people.¹³⁰ [¹³⁰

The Weekly Mail 23 March 1989]

Thousands of residents in Soweto and other areas stayed away on 16 June 1989 to commemorate the anniversary of the outbreak of the 1976 Soweto upheavals. According to the chief executive of the Pretoria Chamber of Commerce, Mr Alec de Beer, at least 60% of black people stayed away in the Pretoria area.¹³¹ [¹³¹ *The Star* 17 June 1989] Sporadic violence and an estimated 70% stayaway occurred in Natal. The director of the Natal Chamber of Industries, Mr John Pohl, said that this was the first time the anniversary had had an impact on Natal. Some companies gave workers a day off on full pay, while others adopted a no-work no-pay policy.¹³² [¹³² *The Natal Mercury* 17 June 1989] More than 60 people were arrested and at least six injured during unrest-related incidents on 16 June, police said in their unrest report. A 16 June co-ordinating committee said the theme for the 13th anniversary of the June 1976 protest was 'Black solidarity against repression'. A spokesman for the committee, Mr Thabo Ndabeni, said the theme had been chosen to emphasise the need for unity among the oppressed. The joint commemoration service between the UDF and AZAPO held at the Regina Mundi Church (Soweto) ended in chaos when a group of people shouting UDF slogans prevented an AZAPO official, Mr Muntu Myeza, from delivering his speech. Organisers of the rally were forced to end the service after repeated calls for calm failed. Riot police teargassed the crowd outside the church and a number of people were sjambokked.¹³³ [¹³³ *Sowetan* 19 June 1989]

The 30th anniversary of Sharpeville was marked by a stayaway on 31 March 1990. Coercion was used to enforce this stayaway in various parts of the country.¹³⁴ [¹³⁴ *Ibid* 22 March 1990]

Other stayaways

In June 1989 a three-day stayaway was held in Pietermaritzburg to protest against the continuing violence in black townships around the city. The University of Natal's Development Studies Research Group found that 31%, 27% and 26% of the African workforce in the industrial sector had stayed away on the first, second and third day respectively. In the commercial sector, there were 19%, 17% and 16% stayaways on the first, second and third days respectively.¹³⁵ [¹³⁵ *The Natal Witness* June 1989]

In August 1989 the Northern Transvaal People's Organisation called on workers and students in Venda to observe a week-long stayaway in protest against the arrest of about 200 people. Venda's commissioner of police, Lieutenant General T R Mulaudzi, denied that over 200 people had been arrested. He said that 25 people had been arrested and that 14 of them were being held under the Maintenance of Law and Order Act of 1985. Pamphlets calling for a stayaway demanded the release of all detainees and urged people to boycott the celebrations of the 10th anniversary of 'independence' in Venda.¹³⁶ [¹³⁶ *Sowetan* 31 August 1989]

Stayaways were becoming less frequent, but bigger, better organised and part of a sustained programme of protest by organised labour. This was the conclusion of the Labour Monitoring Group in the wake of

the stayaway in September to protest against the general elections and the Labour Relations Amendment Act. (See above and chapter on *Labour Relations*.)

Anti-censorship action

National Press Day, which marks the banning of two newspapers, the *World* and the *Weekend World* on the 19 October 1977, was commemorated by journalists countrywide. Several journalists' organisations called on the government to repeal restrictive media regulations, the state of emergency and all apartheid laws.¹³⁷ [¹³⁷ *The Star* 10 October 1989] In December 1989 the South African Media Council expressed the hope that the state president, Mr F W de Klerk, would 'boldly and fundamentally' address current restrictions on the media. This was in response to a statement by Mr De Klerk that he would give urgent attention to the problems faced by the media owing to emergency regulations (see *1988/89 Survey* p548).¹³⁸ [¹³⁸ *The Citizen* 1 December 1989] In the same month, journalists marched to the Department of Home Affairs in Johannesburg to deliver a petition demanding an end to media restrictions.¹³⁹ [¹³⁹ *Ibid* 2 December 1989] In February 1990 Mr De Klerk announced that media emergency regulations would be abolished in their entirety, but that the security emergency regulations would be amended to make provision for effective control over visual material pertaining to scenes of unrest.¹⁴⁰ [¹⁴⁰ *The Sunday Star* 4 February 1990]

Business initiatives

A meeting of industrialists and retailers representing about 80 Carletonville (west Rand) businesses resolved in February 1989 to send a delegation to the Conservative Party-dominated town council to discuss means of ending the consumer boycott of white-owned businesses (see *Rent and consumer boycotts* above). Some of the businesses represented at the meeting were OK Bazaars, Pick 'n Pay, Jazz Stores and Checkers. The Association of Chambers of Commerce and Industry of South Africa (ASSOCOM) said it deplored the Carletonville town council's refusal to change its 'oxwagon policies' despite the immense pressure brought to bear on white-owned businesses. The president of the Carletonville Chamber of Commerce (CCC), Mrs Annatjie Claasen, said that the chamber had sent a memorandum to the government to scrap the Reservation of Separate Amenities Act of 1953 and the Group Areas Act of 1966 because they were undesirable. The CCC also decided to take legal action against the town council.¹⁴¹ [¹⁴¹ *Sowetan* 14 March 1989] In March the chairman of the Anglo American Corporation of South Africa, Mr Gavin Relly, said city councils enforcing petty apartheid could in future expect no support from Anglo American because they interfered with the company's policy of creating wealth for the benefit of all. He said his company would achieve its aim only if it 'operates in a society freed from racial barriers'.¹⁴² [¹⁴² *The Citizen* 16 March 1989]

In June ASSOCOM and the Afrikaanse Handelsinstituut (AHI) expressed concern about the disruptive effect of military service on the economy. The chairman of the AHI, Mr Gerrie Steenkamp, said a great deal of time was wasted by servicemen doing military service and that they could be used more

productively. He said, 'The fact is South Africa must defend [itself] because of political problems' and that 'an acceptable solution for these problems will cut down defence needs'.¹⁴³ [¹⁴³ *Cape Times* 12 June 1989]

An ASSOCOM statement in September 1989 said that the outcome of the general election contained a clear mandate to the government for South Africa to proceed along a path of constitutional reform with greater urgency, not forgetting that constitutional and economic reform were interdependent.¹⁴⁴ [¹⁴⁴ *The Citizen* 8 September 1989] Addressing the 87th congress of ASSOCOM in September, Mr Relly said the sooner exiled movements like the African National Congress (ANC) were given the opportunity to participate in normalising the political process in South Africa, the better for all South Africans. This sentiment was supported by ASSOCOM.¹⁴⁵ [¹⁴⁵ *Ibid* 18 October 1989] Speaking at the annual general meeting of the Urban Foundation in November, its chairman, Mr Jan Steyn, said that 16 June should be made a public holiday to acknowledge the struggle of black communities for better housing, education and urban conditions.¹⁴⁶ [¹⁴⁶ *Business Day* 16 November 1989] In February 1990 business groups hailed a speech by the state president, Mr F W de Klerk, to Parliament in which reform measures were announced as a major step in the right direction (see *Government Initiatives* above). The director general of the South African Chamber of Business, Mr Raymond Parsons, said the reforms should be able to favourably influence foreign perceptions of South Africa and ease pressure for further economic sanctions and other economic actions against the country. The chairman of De Beers Consolidated Mines, Mr Julian Ogilvie Thompson, said, 'It is to be hoped that all parties respond positively to the moves announced by the state president with a view to creating a climate for national reconciliation.' The chief economist of Nedbank, Mr Edward Osborn, said, 'It is of fundamental importance to ease the financial pressure on South Africa and Mr De Klerk's announcement is enormously positive.'¹⁴⁷ [¹⁴⁷ *The Citizen* 3 February 1990]

Political Conflict

Statistics

According to statistics compiled by the South African Institute of Race Relations (SAIRR), there were 1403 deaths in political violence in 1989. This represented a 22% increase on the 1 149 recorded in 1988, a 112% increase on the 661 in 1987, and an 8% increase on the 1986 figure of 1 298. Accordingly, 1989 was the worst year of political violence, measured by fatalities, in modern South African history. Most of the deaths (91%) occurred in Natal (see *Conflict in Natal* below). Deaths recorded in areas excluding Natal showed a 48% decrease between 1988 (237) and 1989 (124).

Deaths in political conflict (excluding Natal): 1989^a

Jan

Feb

Mar

Apr

May

Jun

Jul

Aug

Sep

Oct

Nov

Dec

Total

Not fully explained

—

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—

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1

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1
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1
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1
—
29
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1
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Killed by security forces

5
2
3
1
—
1
2
—
29
—
1
—

46Guerrillas killed

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Security forces killed

5
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1
1
10

3

4

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4

28Blacks killed by whites

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1

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1

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—

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2

Whites killed by blacks

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3

3

11 Unrest related incidents

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1

8

Pan-Africanist Congress/United Democratic Front



5

5

Blacks killed by blacks

4

3



2



1

4

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23Total

14

8

4

4

5

2

17

7

40

2

3

18

124

^a Figure compiled by the South African Institute of Race Relati

Deaths in political conflict (whole country): 1989^a

Jan

Feb

Mar

Apr

May

Jun

Jul

Aug

Sep

Oct

Nov

Dec

Total

CAPE

Eastern Cape

1

1

1

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2

2

—

16

Western Cape

2

1

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1

1

2

4

33

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45

Crossroads

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5

5

Northern Cape

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1

NATAL

Durban and surrounding areas

40

30

29

47

31

9

25

47

49

46

62

17

59Pietermaritzburg and surrounding areas

72

57

56

48

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27

54

50

46

68

64

91

68TRANSVAAL

Alexandra

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East Rand

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Eastern Transvaal

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Northern Transvaal

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Vaal

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—

—

—

—

—

1

West Rand

3

—

—

—

—

—

—

—

3

—

—

—

6

‘INDEPENDENT’ HOMELANDS

Bophuthatswana

—

—

—

—

1

—

11

—

—

—

—

—

12

Ciskei

—

—

—

2

—

1

—

—

—

—

—

—

3

Total

126

95

89

99

89

38

96

104

135

116

129

287

1 403

a

Figures for Natal received from the Pietermaritzburg Agency for Christian Social Awareness; the University of Natal Centre for Adult Education; and the Democratic Party Unrest Monitoring Action Group. Figure for areas excluding Natal compiled by the South African Institute of Race Relations

Deaths due to political conflict by month (excluding Natal) for the first three months of 1990

Jan

Feb

Mar

Total

Not fully explained

4

5

14

23

Killed by security forces

9

30

67

106

Guerrillas killed

—

—

—

—

Security forces killed

—

—

2

2

Blacks killed by whites

—

1

3

4

Whites killed by blacks

—

—

1

1

Killed by explosives

—

—

—

—

Unrest-related incidents

—

—

33

33

PAC/UDF

—

19

—

19

AZAPO/UDF

—

—

7

7

Vigilantes/comrades

10

—

6

16

Blacks killed by blacks

3

8

34

45

Total

26

63

167

256

Deaths due to political conflict by region and month (excluding Natal) for the first three months of 1990

Jan

Feb

Mar

Total

CAPE

Crossroads

—

2

2

4

Eastern Cape

13

25

7

45

Western Cape

—

—

5

5

ORANGE FREE STATE

Bloemfontein

1

—

—

1

Elsewhere

3

6

15

24

TRANSVAAL

Alexandra

—

—

—

—

East Rand

1

7

6

14

Eastern Transvaal

1

—

20

21

Johannesburg

—

—

—

—

Northern Transvaal

2

—

—

2

Pretoria

—

—

3

3

Soweto

—

2

2

4

Vaal

—

—

18

18

West Rand

1

1

7

9

Western Transvaal

3

—

34

37

'INDEPENDENT' HOMELANDS

Bophuthatswana

—

3

20

23

Ciskei

—

10

25

35

Venda

—

3

2

5

NON-INDEPENDENT HOMELANDS

Gazankulu

—

4

1

5

Kangwane

1

—

—

1

KwaNdebele

—

—

Deaths due to political violence in South Africa for the first three months of 1990

Areas excluding Natal

256

Natal

695

Total

951

According to figures compiled by the SAIRR, the total number of deaths in South Africa owing to political violence for the first three months of 1990 was 951. This represented a 207% increase on the number of deaths for the same period in 1989 (310). According to figures released by the minister of law and order, Mr Adriaan Vlok, there were 574 deaths owing to political violence in South Africa for the first three months of 1990.

Guerrilla attacks

During the period under review, the African National Congress (ANC) remained the main organisation engaged in guerrilla activity. However, there seemed to be a shift in ANC strategy regarding guerrilla attacks away from 'armed propaganda' attacks on symbolic targets towards 'engaging the enemy' through attacks on members of the security forces, town councillors and other state functionaries (see below). There was also an increased tendency towards guerrillas being trained in the country.¹⁴⁹ [¹⁴⁹ *The Weekly Mail* 21 December 1989] Professor Mike Hough of the University of Pretoria's Institute for Strategic Studies said that there had been a decline 'in the random type of attack, which in the past caused negative publicity for the ANC'.¹⁵⁰ [¹⁵⁰ *Ibid*]

The head of the South African Security Police, Lieutenant General Basie Smith, said in January 1990 that incidents of 'terror' in South Africa (excluding the 'independent' homelands) had decreased from 281 in 1988 to 199 in 1989. He said that there were indications that the ANC was increasingly shifting the emphasis in policy away from the armed struggle to constitutional options.¹⁵¹ [¹⁵¹ *Business Day* 22 January 1990]

Preliminary statistics from the Institute for Strategic Studies listed 204 guerrilla attacks between January 1989 and the beginning of December 1989. The majority of attacks reported took place in the Transvaal, Natal being next in line. Professor Hough said that the most common targets were policemen, government and public buildings, railway lines and civilians, including people such as town councillors, and that almost all the attacks were carried out by the military wing of the ANC, Umkhonto we Sizwe.¹⁵² [¹⁵² *The Weekly Mail* 21 December 1989]

The head of the South African Police (SAP) directorate of public relations, General Herman Stadler, said in July 1989 that guerrilla attacks had been mainly against military, police and economic targets. He said a similar pattern of attacks was established in the build-up to the 1988 municipal elections but added that it would be difficult to predict the patterns 'terrorism' would follow. He said, however, that in view of the general elections to be held in September, an increase in attacks could be expected.¹⁵³ [¹⁵³ *The Citizen* 7 July 1989]

Attacks on individuals

Attacks on policemen and soldiers

The period under review witnessed a marked increase in the number of attacks on members of the security forces.

In January 1989 two municipal policemen were killed in a handgrenade attack on the Katlehong (east Rand) municipal police station. In February there was a limpet-mine explosion at the home of Katlehong's police station commander, Colonel D Dlamini.¹⁵⁴ [¹⁵⁴ *The Star* 22 February 1989] A special constable ('kitskonstabel', ie 'instant' constable) was killed and nine injured in a further hand-grenade

attack in Katlehong in February.¹⁵⁵ [¹⁵⁵ *Indicator SA*, vol 7 no I, summer 1989]

In March 1989 a Soweto municipal policeman was killed in Diepkloof (Soweto) when an unknown man opened fire on him with an AK-47 rifle.¹⁵⁶ [¹⁵⁶ *Sowetan* 14 March 1989] Also in March, four municipal policemen were injured in a grenade attack on the Dube Training Centre (Soweto).¹⁵⁷ [¹⁵⁷ *The Star* 23 March 1989] Several people were treated for shock when a bomb exploded at the South African Defence Force (SADF) Natal Command headquarters in March.¹⁵⁸ [¹⁵⁸ *The Citizen* 13 March 1989]

In April 1989 an explosion occurred at the Yeoville Police Station. There were no casualties.¹⁵⁹ [¹⁵⁹ *Business Day* 7 April 1989] In the same month there was a bomb explosion at the single quarters of the C R Swart Square Police Station in Durban, no injuries being reported.¹⁶⁰ [¹⁶⁰ *The Citizen* 8 April 1989] Five special constables were injured in an attack on a police station outpost in Katlehong (east Rand). Two municipal policemen were injured in Thokoza (east Rand) when a grenade was thrown at a town councillor's house which they were guarding.¹⁶¹ [¹⁶¹ *The Star* 21 April 1989]

In June 1989 a limpet mine exploded under a police vehicle in Duduza (east Rand), injuring four bystanders.¹⁶² [¹⁶² *Ibid* 12 June 1989] A limpet mine exploded under a police vehicle parked outside a policeman's house and a grenade was thrown at a South African Police (SAP) patrol in Brakpan's Tsakane (east Rand) township in June. Police said they were investigating a link between the incidents.¹⁶³ [¹⁶³ *Ibid* 14 June 1989] A limpet mine exploded in the rubbish bin at a policeman's house in Soweto, bringing to five the number of attacks carried out on policemen in one week.¹⁶⁴ [¹⁶⁴ *The Citizen* 19 June 1989] Police arrested two people in connection with the death of a police constable who was stoned and stabbed to death in KwaMashu (Natal) in June.¹⁶⁵ [¹⁶⁵ *The Natal Witness* 16 June 1989] A bomb blast shattered the windows of the dining hall at the KwaTherna (east Rand) police station.¹⁶⁶ [¹⁶⁶ *The Star* 23 June 1989] A suspected limpet mine exploded at the police single quarters in Ratanda near Heidelberg, no injuries being reported.¹⁶⁷ [¹⁶⁷ *Ibid* 28 June 1989]

In July 1989 a policeman was killed when three off-duty policemen were attacked by a group of people in Alexandra township (near Johannesburg). One of the other policemen was wounded in the leg.¹⁶⁸ [¹⁶⁸ *City Press* 1 July 1989]

In August 1989 suspected African National Congress (ANC) insurgents carried out a 'hit-and-run' grenade and AK-47 rifle attack on the flying squad headquarters in Brixton (Johannesburg). No one was injured and the attackers escaped.¹⁶⁹ [¹⁶⁹ *The Star* 1 August 1989] Two special constables were shot dead in separate incidents in Soweto and another special constable was killed in Nyanga (western Cape).¹⁷⁰ [¹⁷⁰ *Ibid* 21 August 1989] A former liaison officer for the SAP in Soweto, Lieutenant Colonel Frank Zwane, and his two sons were injured when a grenade was thrown through the lounge window of their home.¹⁷¹ [¹⁷¹

The Citizen 3 August 1989]

In September 1989 a mini-limpet mine exploded in front of the Mamelodi Police Station (Pretoria), damaging a police vehicle.¹⁷² [¹⁷² *Ibid* 14 September 1989] In October 1989 two black soldiers were burnt to death in Kubusie near Stutterheim (eastern Cape).¹⁷³ [¹⁷³ *Sowetan* 1 October 1989] In November 1989 three policemen were murdered in Hammersdale in Natal.¹⁷⁴ [¹⁷⁴ *The Citizen* 23 November 1989]

Attacks on town councillors and members of the tricameral Parliament

In January 1989 the chairman of the ministers' council in the House of Delegates, Mr Salem Abram Mayet, narrowly escaped death when a limpet mine exploded at his Rynsoord home near Benoni (east Rand). The explosion caused R100 000 worth of damage to his house and car.¹⁷⁵ [¹⁷⁵ *Ibid* 6 January 1989] In February 1989 the house of the mayor of Ikageng (Potchefstroom), Mr Mashape Mangoejane, was bombed. Councillors could not say what the motive for the bombing was. Mr Mangoejane dismissed claims that recent increases in service charges and an electricity switch-off for defaulters had prompted the attack.¹⁷⁶ [¹⁷⁶ *City Press* 5 February 1989]

In March 1989 the mayor of Lingeletu West (western Cape), Mr Mali Hoza, and his two bodyguards were attacked by a gang of ten men. No motive was given for the attack, which claimed the life of one of the attackers.¹⁷⁷ [¹⁷⁷ *Cape Times* 7 March 1989] In April 1989 a grenade attack was carried out on the home of a Thokoza (east Rand) councillor, Mr Abram Mzizi. The attack followed numerous obscene telephone calls. Two municipal policemen who were guarding the house were injured by shrapnel.¹⁷⁸ [¹⁷⁸ *The Star* 21 April 1989]

The house of an Indian MP, Mr Boetie Abramjee, suffered extensive damage in a limpet-mine explosion in June.¹⁷⁹ [¹⁷⁹ *The Citizen* 3 June 1989] A petrol bomb was buried at the house of the mayor of Kagiso (west Rand), Mr Lesoana Moeketsi.¹⁸⁰ [¹⁸⁰ *Sowetan* 26 June]

Attacks on activists and organisations

More than 100 left-wing activists have been killed over the past 15 years, 47 of them within the borders of South Africa, and 61 while in exile. In only one case has anyone been charged or convicted for these crimes.¹⁸¹ [¹⁸¹ *Sunday Star* 19 November 1989]

In January 1989 the health secretary of the Azanian People's Organisation (AZAPO), Dr Abu-Baker Asvat, was shot dead in his surgery in Soweto. Two men, Mr Zakhele Nhlekisana Cyril Mbatha and Mr

Thulani Shelela Johannes Nicholas Dlamini, were found guilty of his murder.¹⁸² [¹⁸² *The Citizen* 17 October 1989] Police investigating the case rejected speculation that Dr Asvat's murder was connected to the Mandela United 'football club', the unofficial bodyguard of Mrs Winnie Mandela, wife of a jailed ANC leader, Mr Nelson Mandela, and the killing of a child activist, Stompie Moeketsi (see *1988/89 Survey* p639). Stompie, whose body was found in January, had allegedly been examined by Dr Asvat after he had been assaulted by members of the football club.¹⁸³ [¹⁸³ *Sunday Star* 12 February 1989] Nine men allegedly belonging to the club were subsequently charged with his murder.¹⁸⁴ [¹⁸⁴ *The Weekly Mail* 3 November 1989] The Mass Democratic Movement (MDM) blamed Mrs Mandela for the conduct of her team and her 'obvious complicity' in its actions.¹⁸⁵ [¹⁸⁵ *Ibid* 17 February 1989] In a further twist to the controversy surrounding the Mandela United 'football club', an alleged member of the club, Mr Maxwell Madondo, was found murdered in Soweto in February 1989.¹⁸⁶ [¹⁸⁶ *The Star* 14 February 1989]

Also in February the president of the Adelaide Youth Congress, Mr Sawutini Booi, died of extensive burns after a petrol-bomb attack on his house.¹⁸⁷ [¹⁸⁷ *New Nation* 23 February 1989] Fellow students denied claims that three members of the restricted South African National Students' Congress (SANSCO), whose bullet-riddled bodies were found in a forest in Swaziland in February, were killed by ANC colleagues. Instead, the students claimed, the SANSCO members might have been abducted by what they called a death squad in South Africa, driven across the border and then killed (see below).¹⁸⁸ [¹⁸⁸ *Ibid* 9 March 1989]

In May 1989 an anti-apartheid campaigner and a senior lecturer at the University of the Witwatersrand, Dr David Webster, was shot dead outside his home in Johannesburg.¹⁸⁹ [¹⁸⁹ *Business Day* 2 May 1989] The acting publicity secretary of the United Democratic Front (UDF), Mr Mohammed Valli Moosa, said there was a strong suspicion among the 'ordinary people of this country that Dr Webster's assassin was a member of the police force'.¹⁹⁰ [¹⁹⁰ *The Weekly Mail* 5 May 1989] A trade unionist, Mrs Jabu Ndlovu, died as a result of an attack on her home in Imbali (Pietermaritzburg).¹⁹¹ [¹⁹¹ *New Nation* 26 May 1989]

In July 1989 suspicions of a 'chemical war' by right-wing groups and individuals against anti-apartheid activists began to emerge. This followed three attacks involving toxic and chemical substances within a month. In the first incident the general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane, took ill as a result of toxic chemicals traced to his clothing. In the second, 46 delegates to the SACC annual congress had to be treated at Coronation Hospital (west Rand) after inhaling toxic substances in the hall of St Barnabas College (west Rand), where the congress was being held. In the third incident, foul-smelling chemicals were sprayed in the Regina Mundi Church (Soweto) a few days before a 16 June rally was due to be held there.¹⁹² [¹⁹² *City Press* 2 May 1989]

Following the firebombing of the house of the restricted president of the Alexandra Youth Congress, Mr Paul Matshile, in July 1989, the South African Youth Congress (SAYCO) decided to embark on a campaign to defy restrictions. SAYCO said that there were two choices: to risk police harassment by

defying restrictions or to 'die of vigilante action as sitting ducks'.¹⁹³ [¹⁹³ *New Nation* 28 July 1989]

The minister of law and order, Mr Adriaan Vlok, said in July that if restricted former detainees were attacked, it was their own fault. 'These individuals have created enemies among members of their own community. The lifting of restrictions will in no way ensure their safety. These individuals must seek reconciliation in their own communities,' he said.¹⁹⁴ [¹⁹⁴ *The Weekly Mail* 28 July 1989]

In August a KwaMashu (Natal) activist, Mr Eric Gumede, was shot dead barely a week after his release. Another restricted former detainee, Mr Buti van der Merwe, was shot in October and had to be hospitalised.¹⁹⁵ [¹⁹⁵ *Business Day* 4 October 1989]

In August 1989 organisers of a defiance campaign (see *Defiance campaign* above) were the victims of incidents of shootings, petrol bombings and threats to their lives from people claiming to be members of an extreme right-wing organisation called the 'Wit Wolwe' (see *White vigilantes* below). The incidents included shots being fired at one of the organisers of the 'Standing for Truth' campaign, the Rev Ivor Jenkins, and bricks being buried at the house of the vice president of the Transvaal Indian Congress (TIC), Mr A R Dawood.¹⁹⁶ [¹⁹⁶ *The Natal Witness* 29 August 1989]

Assassination units

In October 1989, a day before he was due to hang for the murder of a farmer, a former policeman, Mr Butana Nofemela, signed an affidavit saying that he knew about the existence of assassination squads in the police and that he had been part of them, assisting in a number of political killings.¹⁹⁷ [¹⁹⁷ *The Weekly Mail* 15 December 1989] In November the man Mr Nofemela named as his superior, Mr Dirk Coetzee, a former police captain, claimed in an interview with the *Vrye Weekblad* that he had been the head of a hit or death squad, which had operated from a base in Pretoria. Mr Coetzee alleged that the squad, operating from a farm called Vlakplaas, had had orders to eliminate political and security opponents of the government. He said the squad, known as Askaris, consisted of 'turned' ANC and Pan Africanist Congress (PAC) guerrillas who had joined the police or were paid by police to do certain jobs for them. Responding to the allegations, the head of the South African Police (SAP) public relations division, Major General Herman Stadler, said the attorney general of the Orange Free State, Mr T P McNally, and the country's central intelligence division (CID) chief, Lieutenant General Alwyn Conradie, had been appointed to head an investigation into them. Gen Stadler said the police were perturbed at the identification of the Vlakplaas base as members living there were on the ANC's hit list. He said these people provided the police with valuable intelligence and played a vital role in the identification of guerrillas infiltrating South Africa. He said there was nothing sinister about the unit at Vlakplaas and that like any policemen, its members had orders to trace and arrest ANC and PAC guerrillas, but not to murder them.

Mr Coetzee also claimed that the security police had been responsible for the murder of a member of the ANC, Mrs Ruth First; that he had been ordered by a brigadier to kill Mr Marius Schoon, an ANC

member in Botswana, but that the order was later withdrawn; that he had been involved in the murder of an activist, Mr Patrick Makau, in Swaziland, the orders coming from Brigadier Johan Victor; and that he had been involved in the killing of trade unionists.¹⁹⁸ [¹⁹⁸ *The Citizen* 18 November 1989] Mr Coetzee, who left the country before making public his allegations, also gave a detailed account of the killing of a human rights lawyer, Mr Griffiths Mxenge. An alleged third member of the death squad, Mr David Tshikalange, claimed before leaving the country that he had received orders from Mr Coetzee to kill Mr Mxenge.¹⁹⁹ [¹⁹⁹ *Ibid* 21 November 1989] Reference to the unit known as Askaris first surfaced in May in the treason trial of Mr Tony Yengeni. Further reference to it surfaced during an inquiry into the refusal of an alleged ANC member, Mr Bongani Jonas, to testify for the state in the Yengeni trial.²⁰⁰ [²⁰⁰ *Ibid* 20 November 1989]

However, the state president, Mr F W de Klerk, initially rejected calls for a judicial commission of inquiry into alleged police death squads, saying that such a commission could take years to reach its conclusions. He said the matter had to be finalised as soon as possible in the most incisive and fair manner so that the government and the SAP could continue unhindered with important tasks that lay ahead.²⁰¹ [²⁰¹ *Sowetan* 8 December 1989] The cabinet decided to proceed with action against police involved in alleged hit-squad activities inside the country-but not to prosecute members of the security forces for actions taken outside the country. Actions taken outside the country were seen as authorised actions in terms of government policy 'to strike the enemy wherever he might be found'.²⁰² [²⁰² *The Citizen* 7 December 1989] In December Mr Nofemela pleaded guilty in the Pietermaritzburg magistrate's court to the murder of Mr Mxenge. Mr Nofemela said, I was instructed by Brigadier Willem Schoon and Captain Dirk Coetzee to proceed to Durban and there to kill one Griffiths Mlungisi Mxenge. At the time of the murder, I was a member of the police Special Branch assassination squad. I and three colleagues, Messrs Brian Justice Ngqulunga, David Tshikalange and Joseph Mamasela proceeded to the vicinity of Umlazi where we apprehended Mxenge and took him to Umlazi Stadium where we finally killed him.' The case was to be resumed in February 1990.²⁰³ [²⁰³ *Sowetan* 15 December 1989]

In a separate investigation police said in December 1989 that they had established the existence of a secret right-wing organisation which targeted left-wing individuals for assassination. Gen Stadler said the SAP was investigating whether a former drug squad sergeant, Mr Ferdie Barnard, was a member of this group. Mr Barnard was detained in connection with the murders of Dr David Webster and a member of the South West African People's Organisation (SWAPO), Mr Anton Lubowski. Claims by Mr Barnard that he was a member of military intelligence were denied by the South African Defence Force (SADF).²⁰⁴ [²⁰⁴ *Business Day* 4 December 1989] The arrest of Mr Donald Acheson, who was allegedly connected with Mr Lubowski's death in Namibia, had led to the arrest of Mr Barnard. According to an affidavit by Brigadier Floris Mostert, Mr Barnard was seen observing an activist with close links to Dr Webster in June. A second ex-policeman, Mr Calla Botha, was also detained in connection with the murders. Brig Mostert said that investigations had shown that Mr Botha had acted as a 'handler' for Mr Acheson. However, a judge ordered the release of Mr Botha in December on the grounds that police evidence linking him to the murders was too vague.²⁰⁵ [²⁰⁵ *The Star* 13 December 1989] An application for the release of Mr Barnard in January 1990 was rejected by Mr Justice H J Preiss, who found that Brig

Mostert's reasons for opposing the application were objectively reasonable.²⁰⁶ [²⁰⁶ Ibid 26 January 1990] Brig Mostert said his investigations had revealed that a secret organisation, with members from all levels of society and which strove to terrorise left-wing radicals, existed in the country. He said that according to his information, the organisation of which Mr Barnard was a member was responsible for the murders of Dr Webster and Mr Lubowski. He added that there was also evidence that Mr Barnard had twice been in contact with Mr Acheson prior to the murder of Mr Lubowski. Brig Mostert said that it was clear that Mr Barnard possibly had information about the structure, membership, funding and modus operandi of the secret organisation.²⁰⁷ [²⁰⁷ *The Citizen* 24 January]

A third former policeman, Mr Abraham van Zyl, was detained in February 1990 in connection with the secret organisation. However, Mr Barnard was released in February. Commenting on the release, the commissioner of the SAP, General Johan van der Merwe, said there was at present insufficient evidence to bring any charge against Mr Barnard.

The existence of a covert SADF body operating under the name of the Burgerlike Samewerkingsburo (Civil Co-operation Bureau or CCB) was revealed in February. Mr Barnard, Mr Van Zyl, and Mr Botha were all alleged members of the CCB, which was allegedly involved in death-squad operations.²⁰⁸ [²⁰⁸ Ibid 15 February 1990] It was also claimed that a chain of command involving several generals and the minister of defence, Mr Magnus Malan, controlled the activities of the CCB. In response to reports that the CCB was engaged in other activities rather than being purely a civilian intelligence-gathering operation, Mr Malan insisted that the CCB performed assignments involving intelligence and infiltration and that no orders were given by him to commit murder.²⁰⁹ [²⁰⁹ *The Star* 21 February 1989]

The police said in December 1989 that they were also investigating other independent right-wing groups which had allegedly been responsible for a number of incidents over many years. In that month five men described by police as 'ultra right-wing fanatics' were arrested. Afrikaner Weerstandsbeweging (AWB) emblems were apparently present in an arms cache belonging to the five found by police. A hit list, which contained the name of the AWB leader, Mr Eugene TerreBlanche, was also found in possession of the men.²¹⁰ [²¹⁰ Ibid 6 December 1989]

In February 1990 the appointment of a commission of inquiry chaired by Mr Justice L T C Harms into alleged police hit squads and politically motivated violence was announced by the minister of justice, Mr Kobie Coetsee.²¹¹ [²¹¹ *The Citizen* 1 February 1989]

Political violence outside the country

In January 1989 the South African ambassador to Australia, Mr David Tothill, denied that a South African hit team was responsible for a shotgun attack on the home of an African National Congress (ANC) representative in Sydney, Mr Eddie Eunde. Mr Tothill said the idea of a South African hit team was laughable' because 'my government does not do that sort of thing'. No one was injured in the attack (see *Death squads* above).²¹² [²¹² Ibid 31 January 1989] Following an explosion in south-western Zambia in

January, which resulted in the death of a woman, the Zambian government blamed the South African government for the explosion. The statement said that the blast was being treated as part of a campaign of bombings and sabotage attacks mounted by agents of the South African government against black-governed African nations which gave sanctuary to South African exiles.²¹³ [²¹³ *Sowetan* 31 January 1989]

In April 1989 a bomb exploded outside a house in Lusaka (Zambia) near a clinic used by ANC members. No one was injured.²¹⁴ [²¹⁴ *City Press* 30 April]

In the same month two ANC members, Mr Seddhan Naidoo and Mr Mtunzi Thole, were killed on an ANC farm outside Lusaka. The ANC claimed that South African agents were responsible for the killings.²¹⁵ [²¹⁵ *New Nation* 20 April 1989] A former member of the KwaMashu and Ntuzuma Youth congresses, Mr Chris Ntuli, was attacked and killed while he was returning from reporting to the Inanda Police Station (Natal) in compliance with his restriction orders.²¹⁶ [²¹⁶ *Echo* 27 April 1989]

In June 1989 the ANC accused the South African government of mounting a new sabotage campaign against its members and facilities in Zambia. This followed a series of blasts at ANC offices in Zambia in June.

In July 1989 several people were taken to hospital after a bomb exploded outside a house in Lusaka occupied by black South African exiles.²¹⁷ [²¹⁷ *The Natal Mercury* 31 July 1989] Faced by the controversy surrounding the existence of death squads in the police, the cabinet decided in December 1989 that action would be taken against police involved in hit-squad activities inside the country, but no action would be taken against security force members involved in attacks on activists outside the country.

These actions were seen as authorised actions in terms of government policy.²¹⁸ [²¹⁸ *The Citizen* 7 December 1989]

Commenting in March 1990 on the widespread controversy surrounding the existence of a covert body, the Civilian Co-operation Bureau (CCB) operating under the South African Defence Force (SADF), the state president, Mr F W de Klerk, said that the minister of defence, Mr Magnus Malan, had first informed him of the existence of the CCB and the allegations against it in January 1990 and that he had given instructions for a thorough investigation (see *Death squads* above and also see chapter on *Security*). He said that he would not be party to the protection of ministers against whom there was evidence of malpractice or crime but at the same time reaffirmed his confidence in Mr Malan. Mr De Klerk added, 'It is my conviction that covert actions must be managed carefully and firmly. Further, I believe that covert actions should be limited to the utmost minimum. I will see to this as soon as the investigation I have ordered has been completed'.²¹⁹ [²¹⁹ *Ibid* 2 March 1990]

Incidences of insurgency

Listed below are some of the incidences of insurgency which involved mainly attacks on government installations, but some of which involved casualties. This does not include attacks on government functionaries (see *Attacks on policemen and soldiers* and *Attacks on town councillors and members of Parliament* above).

In January 1989 there were three explosions in the eastern Cape within a 60km stretch. They occurred at the King William's Town Post Office, at a municipal switching station in Wilsonia and at Mount Ruth railway station on the outskirts of Mdantsane.²²⁰ [²²⁰ *Eastern Province Herald* 13 January 1989] Two bombs exploded in the Durban suburb of Glenwood, one in an electricity sub-station and the other detonated by police near the scene of the first blast.²²¹ [²²¹ *Ibid* 26 January 1989] A limpet mine exploded at a Sandhurst electricity sub-station (near Johannesburg) causing minimal damage.²²² [²²² *The Citizen* 9 January 1989] Three bombs exploded at a Ciskei aircraft factory. The building was damaged but nobody was injured. In February 1989, 12 people, eight whites and four blacks, were injured when a bomb exploded at the Witwatersrand Medical Command administration building in Braamfontein (Johannesburg). Commenting on the blast, the head of the SAP's directorate of public relations, Brigadier Herman Stadler, said its aim was to generate 'armed propaganda'. He said the fact that newspapers received an early tip-off about the blast demonstrated the ANC's intention of maximising propaganda.²²³ [²²³ *Ibid* 13 December 1989]

In March 1989 a bomb exploded at the Natal Command headquarters in Durban. No serious injuries were reported.²²⁴ [²²⁴ *The Star* 11 March 1989]

In April 1989 a bomb exploded at C R Swart Square, the SAP headquarters in Durban. Soon after the explosion, police launched a search for two white men who were seen fleeing from the scene when the bomb exploded.²²⁵ [²²⁵ *Sunday Tribune* 9 April 1989] A limpet mine exploded outside a Nigel (eastern Transvaal) post office.²²⁶ [²²⁶ *The Star* 15 April 1989] Two limpet mines exploded in Johannesburg, one outside the OK Bazaars and one in Eloff Street.²²⁷ [²²⁷ *The Citizen* 29 April 1989]

In May 1989 the Klippan radar station (western Transvaal) was attacked by a group of about 21 guerrillas. The commissioner of the SAP, General Hennie de Witt, said the attack, which included the use of mortars, was launched 2,5km from the station. There were no injuries.²²⁸ [²²⁸ *The Star* 5 May 1989]

In June 1989 a bomb exploded at the Jabavu municipal offices in Soweto.²²⁹ [²²⁹ *Ibid* 9 June 1989] A blast demolished a telephone booth in Welkom (Orange Free State).²³⁰ [²³⁰ *Daily Dispatch* 9 June 1989]

In July 1989 two students were killed when a bomb exploded opposite the Athlone Police Station (Cape Town). This was followed by a blast at the Mitchell's Plain magistrate's court (Cape Town) in which a man was killed. The explosions took place on the eve of nominations for general elections in the three houses of Parliament.²³¹ [²³¹ *Business Day* 7 July 1989] There were three bomb explosions in Johannesburg,

one at the J G Strydom Hospital, one on a railway line in Soweto in which the man who was planting the bomb was killed and one behind the municipal lavatories in Joubert Park.²³² [²³² *Cape Times* 7 July 1989]

In August 1989 a bomb exploded at the Athlone Police Station in Cape Town.²³³ [²³³ *The Star* 22 August 1989] A hand grenade exploded at a Labour Party (LP) polling station in Bishop Lavis near Cape Town.²³⁴ [²³⁴ *Ibid* 29 August 1989]

In October 1989 a bomb exploded outside the BP Centre in Cape Town and a second bomb exploded at a Woodstock (Cape Town) garage a few minutes later.²³⁵ [²³⁵ *Cape Times* 23 October 1989]

In November 1989 two bombs exploded in the eastern Cape, one at a First National Bank automatic teller in King William's Town and one at a railway station in Berlin nearby.²³⁶ [²³⁶ *The Star* 6 November 1989]

Conflict between groups

Conflict between black consciousness groups and other political groups

Clashes between black consciousness groups and other political groups, particularly those allied to the African National Congress (ANC), decreased during 1989 but increased in 1990.

A joint 16 June commemoration service between the Azanian People's Organisation (AZAPO) and the United Democratic Front (UDF) ended in chaos when UDF supporters prevented the publicity secretary of AZAPO, Mr Muntu Myeza, from speaking (see *Commemorative days* under *Stayaways* above). Commenting on the disruption, a spokesman for the Black Consciousness Movement said, 'At a time when some progress is being made to resolve the political violence in Natal, it may seem inopportune to reopen the scars of violence between the UDF and AZAPO.' He said the 16 June incident had the potential 'to kindle the damp fuse of inter-organisational intolerance' (see chapter on *Political Organisations*).²³⁷ [²³⁷ *City Press* 25 June 1989]

Violent conflict between AZAPO and the UDF re-emerged in March 1990, mainly in the western Transvaal. In Bekkersdal clashes between two youth groups, the Azanian Students' Movement (AZASM) and the Bekkersdal Youth Congress (BEYCO), which were affiliated to AZAPO and the UDF respectively, claimed the lives of seven people, mainly AZASM members.²³⁸ [²³⁸ *The Citizen* 20 March 1990] In another incident in Ikageng in March, an AZAPO official, Dr Gomolemo Mokae, said that a group of 200 people wearing ANC and UDF T-shirts had disrupted a Sharpeville commemoration meeting just when an AZAPO central committee member, Mr Lybon Mabaso, was about to speak. Dr Mokae added that Mr Mabaso was pelted with stones and had to be rescued by other AZAPO

members.²³⁹ [239 *Daily Dispatch* 23 March 1990]

Conflict between the Pan-Africanist Congress and the United Democratic Front

In the first two months of 1990 violent clashes broke out between supporters of the Pan-Africanist Congress (PAC) and the UDF in the Uitenhage area (eastern Cape), claiming 19 lives. In February 1990 a peace accord was signed following the intervention by senior ANC and PAC leaders, Mr Raymond Mhlaba and Mr Jeff Masemola respectively.²⁴⁰ [240 *City Press* 25 February 1990]

Black vigilantes

During the period under review, there were few reports of vigilante activity.

In March 1989 a member of the riot squad, Captain Johan Oosthuizen, denied that the police had plotted with 'Witdoek' vigilantes to destroy the KTC squatter camp (outside Cape Town) because it was a stronghold of 'comrades' who were anti-police and anti-state. Capt Oosthuizen was giving evidence in the R200 000 damages action brought against the minister of law and order by KTC residents who had lost their homes when most of KTC was destroyed by 'Witdoek' vigilantes in June 1986 (see 1986 *Survey* Part 2 p525).

In September 1989 six people, including executive members of the Brits Action Committee (western Transvaal), were attacked by a vigilante group known as the 'Vark Squad' ('pig squad').²⁴¹ [241 *Sowetan* 22 September 1989] At a press conference in October families of people believed to have been abducted by the Mbokotho vigilante group during the 1986/87 unrest in KwaNdebele demanded the release of their relatives dead or alive (see 1986 *Survey* Part 2 p655).²⁴² [242 *Ibid* 6 October 1989] The press briefing was organised by the Concerned Citizens of KwaNdebele to highlight the plight of the families of people who took part in the anti-independence campaign in the territory.²⁴³ [243 *The Star* 12 October 1989]

White vigilantes

During the period under review, there was a marked increase in white vigilante activity.

In January 1989 a minister of the Nederduitse Gereformeerde Sendingkerk, the Rev Aubrey Beukes, was threatened with death by an ultra-rightwing group called the 'Wit Wolwe' ('white wolves') because he helped plan a service for the Uppington (northern Cape) trialists who had been convicted of murdering a municipal policeman (see 1988/89 *Survey* p576 and p618).²⁴⁴ [244 *Diamond Fields Advertiser* 23 January 1989]

Police warned the public not to take the law into their own hands after a group of white Conservative Party (CP) supporters carrying placards and a noose forced an Indian couple out of their Mayfair West (Johannesburg) home in January 1989. The crowd demanded an assurance from the police that the couple would not return. The crowd dispersed only after the couple agreed to this.²⁴⁵ [²⁴⁵ *The Star* 30 January 1989] Following the incident, Mrs Lee Hassell, the estate agent who had sold the house to the couple, said that she had been inundated with ‘vicious calls’ from people she believed to be right-wing vigilantes. ‘One man urged me to sell houses to “kaffirs” and “coolies” in my own area, and to leave Mayfair alone,’ she said.²⁴⁶ [²⁴⁶ *The Citizen* 1 February 1989]

Three members of the National Union of Mineworkers (NUM) were attacked in Carletonville (west Rand) by a group of white men who called them ‘kaffirs’ and ordered them to stay out of the town. The NUM members believed that the attack was related to the consumer boycott of the CP-controlled town.²⁴⁷ [²⁴⁷ *Sowetan* 16 March 1989] Khutsong (near Carletonville) residents claimed in February that white vigilantes in the town were being assisted by police. One resident, a teacher, Mr Vincent Senne, said he had been assaulted in front of the Carletonville Police Station and that the police had joined in his assault. A police spokesman denied the allegations.²⁴⁸ [²⁴⁸ *City Press* 19 February 1989] A Durban youth, Mr S’busiso Ngubo, was shot dead in Inanda (outside Durban) by a white motorist who was apparently a member of a peacekeeping force.²⁴⁹ [²⁴⁹ *New Nation* 23 February]

In May 1989, Mr Simon Mukondeleli, the man who captured Mr Barend Strydom after he had shot seven black people in Pretoria, was assaulted by a group of black and white men who claimed to be policemen (see *1988/89 Survey* p618). In February two white men, allegedly members of the ‘Wit Wolwe’, attempted to kidnap Mr Mukondeleli. Mr Mukondeleli said that he had reported the latest attack to the police but added that he lived in fear of being attacked again and killed.²⁵⁰ [²⁵⁰ *Sunday Times* 7 May 1989] A black man, Mr Richard Cebisa, was assaulted by a group of whites in Boksburg (east Rand) in May.²⁵¹ [²⁵¹ *Sowetan* 19 May 1989] Also in May, the mayor of Welkom (Orange Free State), Mr Gus Gouws, was attacked by seven men who tarred and feathered him after he had opened a multiracial wheelchair marathon for the South African Sports Association for the Physically Disabled. The men, who were opposed to the multiracial nature of the marathon, were subsequently charged and fined.²⁵² [²⁵² *Sunday Star* 14 May 1989]

In July 1989 a trade unionist, Mr Stanford Mazikwana, died as a result of an assault by four young white men. A witness to the incident, Mr David Mapuna, said he heard one of the men say ‘wolwe slaan dood’ (‘wolves kill’) as he assaulted Mr Mazikwana.²⁵³ [²⁵³ *City Press* 9 July] In August 1989 letters in the name of the ‘Wit Wolwe’ were sent to various activists and trade unionists involved in the Mass Democratic Movement’s defiance campaign threatening to eliminate various leaders, including the general secretary of the Congress of South African Trade Unions (COSATU), Mr Jay Naidoo, and the president of the Transvaal Indian Congress, Mr Cassim Saloojee.²⁵⁴ [²⁵⁴ *The Leader* 25 August 1989] Pamphlets from the ‘Wit Wolwe’ saying, ‘The blood is going to flow again. Your corpses will lie around rotting’, were sent to organisers of the defiance campaign in Pretoria in August (see *Defiance campaign*

above).²⁵⁵ [²⁵⁵ *The Citizen* 29 August 1989] The police said in August that they had not found any evidence regarding the existence of an organisation called the 'Wit Wolwe' despite incidents committed in its name. Mr Strydom had said at his trial that the 'Wit Wolwe' existed. He had said he was not the leader of the organisation but that he was the leader of a cell. He had also said there were a number of cells and only the leaders knew who the members of the organisation were.²⁵⁶ [²⁵⁶ *The Star* 24 August 1989]

In September 1989 the police opened a docket of attempted murder after alleged 'Wit Wolwe' members fired shots at the house of the Rev W A Saayman, whose daughter, Miss Helena Saayman, was arrested in the bus defiance campaign.²⁵⁷ [²⁵⁷ *Sowetan* 5 September 1989] The car of the president of the Students' Representative Council (SRC) at the University of the Witwatersrand, Mr Anton Roskarn, was destroyed in September after it was set alight outside his flat in Johannesburg. This followed a series of other attacks on student leaders, including assassination attempts on a member of *Studente vir 'n Demokratiese Samelewing*, Mr Louis Bredenkamp, and Mr Mark Behr, a student leader at the University of Stellenbosch.²⁵⁸ [²⁵⁸ *The Citizen* 18 September 1989] In an exclusive interview with *City Press* in October 1989, a representative of the South African Police (SAP) directorate of public relations in Pretoria, Major GJA Everson, said a white man claiming to be the leader of the 'Wit Wolwe' had phoned in to warn police that his organisation was launching a major campaign of attacks on blacks countrywide and guerrilla warfare against the government because of moves towards including black people in the running of the country. According to Major Everson the caller said that the 'Wit Wolwe' were an existing underground terror organisation.²⁵⁹ [²⁵⁹ *City Press* 1 October 1989]

In December 1989 police arrested five white men who were allegedly members of an extreme right-wing organisation. They also confiscated a cache of firearms, ammunition and explosives (see *Assassination units* above). The police said they were investigating incidents in which members of the organisation may have carried out unprovoked attacks on black people as part of a trial run for future operations.²⁶⁰ [²⁶⁰ *The Citizen* 7 December 1989] A Durban engineer, Mr Theo Phillips Knipanandan, was attacked and tarred by three masked white men at his company-owned duplex in a white suburb on the Natal north coast. One of the men who took part in the attack told a newspaper. It is just the start of our campaign against Indians who are breaking the Group Areas Act.' Members of a coloured church group were assaulted by a large group of white men while having a Christmas braaivleis (barbecue) at the Boksburg Lake (east Rand). The attack was without provocation said one of the victims, Mr Richard Carels. In another incident at the lake, which has been the subject of much controversy since the CP-controlled Boksburg Town Council decided to re-introduce segregated facilities, a coloured family was threatened by a sjambok-wielding white man who told them to leave the picnic area (see chapter on *Social Segregation*).²⁶¹ [²⁶¹ *The Star* 8, 11 December 1989]

The conflict in Natal

Inkatha Yenkululeko Yesizwe vs the African National Congress, the United Democratic Front and the Congress of South

African Trade Unions

Inkatha declared 1989 as a 'year of peace' in Natal. At the end of 1988 the African National Congress (ANC) expressed similar hopes for the area. Despite this, violence continued.²⁶² [²⁶² *The Weekly Mail* 21 December 1989] According to SAP figures the number of unrest-related deaths in Natal between 1 September 1987 and 31 January 1990 was 1 230. Of this number, 561 people were killed between 1 February 1989 and 31 January 1990.²⁶³ [²⁶³ *The Natal Witness* 3 August 1989, *Business Day* 31 January 1990]

According to figures from the University of Natal's Centre for adult Education, and the Pietermaritzburg Agency for Christian Social Awareness (PACSA), which monitors the conflict in the Natal Midlands, 686 people died in the region between January and December 1989. The Durban area (excluding Mpumalanga), which includes the north coast, south coast, Durban and townships, Pinetown and townships, Hillcrest/ Botha's Hill and the adjacent rural areas up to and including Inchanga, Shongweni and the greater Molweni area, is monitored by the Democratic Party (DP), which recorded 593 deaths in the region between January and December 1989. According to these organisations, deaths in Natal, as broken down monthly, were as shown in the table opposite, *Fatalities in the Natal conflict: 1989*.

The total number of deaths in political conflict in Natal for 1989 was thus 1279, according to the non-official sources referred to. This represented a 40% increase on the 912 deaths recorded in 1988. In the Pietermaritzburg area, there was no significant increase in the number of deaths (0,6%) between 1988 and 1989. However, in the Durban area, there was a 157% increase between 1988 and 1989.²⁶⁴ [²⁶⁴ Based on figures received from the Centre for Adult Education (University of Natal); and the Democratic Party Unrest Monitoring Action Group]

Fatalities in the Natal conflict: 1989^a*Pietermaritzburg area*

Durbanarea

January

72

40

February

57

30

March

56

29

April

48

47

May

53

31

June

27

9

July

54

25

August

50

47

September

46

49

October

68

46

November

64

62

December

91

178

Total

686

593

a

Figures received from the Centre for Adult Education, University of Natal; Pietermaritzburg Agency for Christian Social Awareness; and the Democratic Party Unrest Monitoring Action Group.

Unofficial fatality figures are much higher than police figures. Whereas the police figure for the period 1 September 1987 to 31 January 1989 was 1230, the three unofficial groups referred to above produce a total of 2 191 in 1988 and 1989 alone.

In March 1989 a joint committee of United Democratic Front (UDF) supporters and Inkatha members was formed in Ntuzuma near KwaMashu in order to address the violence. At a meeting organised by the Ntuzuma Youth Organisation in March, community organisations in Ashdown and Pietermaritzburg also agreed to speak to Inkatha leaders. At the meeting it was agreed that all organisations should be free to hold meetings without being intimidated by supporters of other groups, no organisation should use force

to recruit people, and all organisations had the right to exist. Similar conditions had been agreed on by Inkatha and the Congress of South African Trade Unions (COSATU) when they signed a peace agreement in 1988 (see *1988/89 Survey* p670).²⁶⁵ [²⁶⁵ *New Nation* 2 March 1989]

A jailed leader of the ANC, Mr Nelson Mandela, expressed his distress at the black-on-black violence in Natal, saying the situation was a 'serious indictment against us all'. Mr Mandela's views were expressed in a letter to the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, which he read out at a meeting of the KwaZulu Legislative Assembly in April 1989. The letter expressed the hope that reconciliation would take place between Inkatha and the UDF/COSATU

COSATU supported a call for a commission of inquiry into the role of police in the violence in Natal. The call, initially made by *The Natal Witness*, was supported by community organisations who believed that the police had failed to take the necessary steps against the perpetrators of violence and had an apparent bias towards Inkatha.²⁶⁷ [²⁶⁷ *Ibid* 2 April 1989] In April 1989 Chief Buthelezi invited the presidents of the ANC, the UDF and COSATU to meet him for discussions aimed at bringing peace to the 'killing fields of KwaZulu and Natal'. Addressing Inkatha's central committee on the question of initiatives to end the violence. Chief Buthelezi said that the committee had to decide whether to proceed with its own previously formulated peace plan or to follow a proposal for peace talks by the Roman Catholic archbishop of Durban, the Most Rev Denis Hurley. The ANC supported the initiative and said its role in the peace plan would have to be decided by both Inkatha and the UDF/COSATU alliance. However, the committee felt that the proposal for peace by Archbishop Hurley was essentially a UDF/COSATU proposal and that Inkatha had had no part in its drawing up.²⁶⁸ [²⁶⁸ *Sunday Times* 30 April 1989] It therefore rejected the proposal, saying it was undemocratically conceived, and decided to push ahead with its own peace plan.²⁶⁹ [²⁶⁹ *The Star* 13 May 1989] Chief Buthelezi, nevertheless, agreed to a request by the UDF and COSATU that all three parties meet in May. This meeting did not materialise because the parties could not agree on a suitable venue for the talks (see *1988/89 Survey* p671). Chief Buthelezi insisted that the talks be held at Ulundi, the capital of KwaZulu, whereas the UDF and COSATU insisted on a neutral venue.²⁷⁰ [²⁷⁰ *The Weekly Mail*-? May 1989]

Peace initiatives were further strained with the murder of a member of COSATU, Mrs Jabu Ndlovu, in May. Following Mrs Ndlovu's murder, COSATU called for a three-day stayaway in Pietermaritzburg to protest against the continuing violence in the area, and in support of the jailing of 'warlords' alleged to be responsible for many of the killings.²⁷¹ [²⁷¹ *Business Day* 6 June] The minister of law and order, Mr Adriaan Vlok, said 'the revolutionary agents' of the ANC and the South African Communist Party were responsible for the violence in Natal. Chief Buthelezi on the other hand wanted peace, law and order and the development of his people.²⁷² [²⁷² *Cape Times* 17 May]

On the eve of exploratory peace talks between Inkatha and the COSATU/UDF alliance in June 1989, four Inkatha members were killed on their way to an Inkatha prayer meeting in KwaMashu. However, the secretary general of Inkatha, Dr Oscar Dhlomo, said the talks were still definitely on. Addressing a crowd of 5 000 people at the prayer meeting, Chief Buthelezi called for an end to the violence that was

preventing black people from getting rid of 'the totally unacceptable inequality which blacks suffer before the law'.²⁷³ [²⁷³ *Ibid* 19 June 1989] Inkatha and the UDF/COSATU alliance held 'peace talks' in June but delegates said that the talks were indecisive and that they would have to be continued.²⁷⁴ [²⁷⁴ *Sowetan* 20 June 1989] A joint statement said that, in order to attain peace, there should be 'freedom of association, freedom of expression of one's political views or affiliations, and freedom of residence regardless of one's political views. We commit ourselves to a process that will begin to expose and isolate all those elements that we believe are actually engaged in this campaign of promoting violence among our people. We believe that all efforts must be directed towards uniting our people in a way that will decisively strike a blow against apartheid and not our people.' All three parties agreed on the necessity to meet the ANC.²⁷⁵ [²⁷⁵ *The Star* 20 June 1989]

In July unrest monitors attributed a downturn in violence the preceding month to the peace initiatives. However, violence in Mpumalanga in July caused at least 25 deaths in one weekend. The co-ordinator of the DP Unrest Monitoring Action Group, Mr Roy Ainslie, said that Mpumalanga appeared to be going against the trend of a decrease in violence.²⁷⁶ [²⁷⁶ *The Natal Mercury* 19 July 1989] A report by the Inkatha Institute said that more than 90% of investigated incidents of violence in Natal townships since 1987 were carried out by youths between the ages of 14 and 25.²⁷⁷ [²⁷⁷ *The Natal Witness* 19 July 1989]

Also in July 1989, at least 6 000 people attended a UDF/COSATU peace rally at Curries Fountain in Durban. Addressing the rally, the acting press secretary of the UDF, Mr Murphy Morobe, called on the police to take action against those responsible for the violence. He said an important element in peace had to be reconciliation.²⁷⁸ [²⁷⁸ *Sowetan* 4 July 1989] A UDF/ COSATU peace rally held in Edendale (Pietermaritzburg) was attended by more than 6 000 people.²⁷⁹ [²⁷⁹ *Ibid* 11 July 1989] Representatives of Inkatha, the UDF and COSATU met in July to discuss the proposed meeting between their leaders and the ANC. A joint statement called on members of the organisations to give their leaders a chance to implement the peace process.²⁸⁰ [²⁸⁰ *The Weekly Mail* 28 July 1989] In the same month Inkatha applauded COSATU and the UDF for their participation in peace talks. Saying it upheld the ideals of black unity, Inkatha also expressed appreciation for indications that the ANC also supported moves towards peace.²⁸¹ [²⁸¹ *The Citizen* 4 July 1989]

In an unprecedented show of unity in August, Inkatha and UDF supporters in the Shongweni Valley sang freedom songs together after issuing a declaration of peace and intent to rebuild their devastated community.²⁸² [²⁸² *The Natal Witness* 28 August 1989] Police were praised for their role in the peace initiative and Inkatha and the UDF called for similar police efforts throughout Natal.²⁸³ [²⁸³ *Business Day* 29 August 1989] In the same month Mr Ainslie disputed claims by the newly appointed co-ordinator of police action to combat violence in Natal, Brigadier Gerrit Viljoen, that violence in Natal townships had tapered off. Mr Ainslie said that June was the only month in which political killings had reached a significant low.²⁸⁴ [²⁸⁴ *Post Natal* 30 August 1989] The launch of a campaign in August to bring peace to Natal by the Imbali Youth Organisation suffered a blow when two of its members were shot dead after a peace

rally.²⁸⁵ [²⁸⁵ *The Citizen* 29 August 1989]

In September 1989, a spokesman for the Inkatha Youth Brigade in Imbali, Mr Temba Mtshali, criticised the police for their lack of action. He said, 'The main duty of the police is to maintain law and order, but in Imbali we have had more than 20 deaths which have been reported and the police have not done anything.' The press liaison officer for the SAP, Major Pieter Kitching, rejected the allegations and said it was not the first time that the police had been blamed for problems in Natal by both Inkatha and the UDF.²⁸⁶ [²⁸⁶ *Eastern Province Herald* 21 September 1989] Peace talks came to a halt that month following an Inkatha central committee meeting at which a moratorium on peace talks was declared. A resolution at the meeting said that members of the committee were concerned that while peace talks were proceeding, the violence in Natal continued. Inkatha's exclusion from the defiance campaign or discussion on how best to express mass democratic opposition to apartheid was also raised.

The declaration of the moratorium on talks followed weeks of debate and discussions between the parties about a proposed meeting between the presidents of Inkatha, the UDF, COSATU and the ANC in London. The committee meeting, however, resolved to send delegates to the meeting in London.²⁸⁷ [²⁸⁷ *The Natal Mercury* 25 September 1989] A spokesman for the UDF, Dr Diliza Mji, said Inkatha's objections to the Mass Democratic Movement's defiance campaign were not relevant to the peace talks (see *Defiance campaign* above). He said Inkatha had been involved in its own initiatives, such as meeting the state president, Mr F W de Klerk. He added that Inkatha's resolution to send delegates to the London meeting was incompatible with its resolution to postpone talks. Inkatha's demand that Natal members of the Pan-Africanist Congress (PAC) also be present at the talks was unacceptable, he said.²⁸⁸ [²⁸⁸ *Echo* 28 September 1989]

Mr Naidoo said in October 1989 that Inkatha's insistence that the PAC also attend the peace conference was aimed at putting obstacles in the way of the conference. He said other obstacles included an insistence that Inkatha be allowed the same number of delegates as the ANC, COSATU and the UDF together.²⁸⁹ [²⁸⁹ *Cape Times* 23 October 1989] The breakdown in peace initiatives was accompanied by a resurgence of violence in Natal.²⁹⁰ [²⁹⁰ *The Natal Witness* 3 October 1989]

In October 1989 COSATU and the UDF said at a press conference in Johannesburg that they were seeking ways of breaking the deadlock in the peace talks. Mr Morobe said that every time peace talks broke down violence intensified.²⁹¹ [²⁹¹ *The Citizen* 5 October 1989] The UDF and COSATU alleged that Inkatha's leadership was using peace talks not to end the violence but 'to establish a national political position'.²⁹² [²⁹² *The Weekly Mail* 6 October 1989] In October violence flared in Mpumalanga, leaving at least eight people dead.²⁹³ [²⁹³ *The Natal Witness* 3 October 1989] The mayor of Mpumalanga, Mr Roger Sishi, said he believed that troops would do a better job than special constables and riot police in keeping rival factions, mainly Inkatha and UDF supporters, apart. 'The soldiers have a better record in keeping peace,' Mr Sishi said.²⁹⁴ [²⁹⁴ *The Star* 10 October 1989] A protest march by thousands of Mpumalanga residents was organised by the UDF and COSATU in October to highlight the violence and to demand the immediate

withdrawal of special constables and riot police from the township.²⁹⁵ [²⁹⁵ *The Natal Witness* 11 October 1989]

Speaking at the inaugural Dr Abu-Baker Asvat memorial lecture in October, a sociologist from the University of Natal, Professor Fatima Meer, said there was a tendency among the ‘disenfranchised’ to classify or label people as ‘collaborators’ and liberators’. She said that those who were labelled ‘collaborators’ resented it and that in Natal, this stigmatising and distancing of people had resulted in mass bloodshed. She said that this kind of labelling prevented opposing factions from resolving conflict, as had happened in Natal, where Chief Buthelezi and Inkatha resented being placed outside of the liberatory fold.²⁹⁶ [²⁹⁶ *Post Natal* 11 October 1989]

Mr A Freese, the magistrate presiding over an inquest into the Trust Feed massacre (near New Hanover), in which 11 people had died in December 1988, concluded that initial reports which blamed Inkatha vigilantes for the attack were open to question because the majority of the people killed were Inkatha supporters.²⁹⁷ [²⁹⁷ *The Star* 25 October 1989]

In November 1989 Mr Ainslie said that violence in the Durban and coastal regions was intensifying and had spread to areas such as Folweni (Umlazi), south of Durban; Ndwedwe, north of Durban; and Port Shepstone, where it had previously been relatively unknown. He said the worst affected areas were Inanda, KwaMashu and KwaMakhutha near Amanzimtoti, and Umbumbulu and Ngcolosi near Hillcrest. Mr Ainslie said that 72 people had been killed in the Durban and coastal area between October and mid-November.²⁹⁸ [²⁹⁸ *The Natal Mercury* 17 November 1989] The Imbali Support Group, made up of church and community organisations, launched an initiative in November whereby white people stayed at the homes of Imbali (Pietermaritzburg) families in an effort to stem the tide of the violence in the area. The idea apparently arose out of impromptu discussions between Imbali residents and a member of a local church organisation, Mr Graeme Swan. Mr Swan said that it was an ‘unfortunate’ fact that a white skin could have a dampening effect on violence, shown by the fact that potential attackers had run away after seeing whites. Mr Swan said the group also wanted to show concrete support for ‘our brothers and sisters in the townships who have stood alone for too long’.²⁹⁹ [²⁹⁹ *Echo* 23 November 1989] Responding to allegations that the support group was staying only with families of one political organisation, Mr Swan said that members of the group would stay with any family which was vulnerable to attack regardless of its political affiliation. Commenting on the activities of the Imbali Support Group, the Inkatha MP for Vulindlela (Pietermaritzburg) in the KwaZulu Legislative Assembly, Mr David Ntombela, said, ‘Whites who are squatting in Imbali must get out of imbali as soon as possible or we will be forced to take the law into our own hands.’ A member of the Inkatha central committee in Imbali, Mr Ben Jele, said that Mr Ntombela could not, as an Inkatha member, take the law into his own hands.³⁰⁰ [³⁰⁰ *The Natal Witness* 25 November 1989]

Violence broke out between warring factions in Mpumalanga in November, leaving six people dead. The violence, which was allegedly related to an attack on buses returning from an Inkatha rally, left hundreds of people fleeing the area.³⁰¹ [³⁰¹ *The Natal Mercury* 29 November 1989] The co-ordinator of riot control in Natal, Brigadier Gerrit Viljoen, expressed concern that there had been an increasing number

of attacks on policemen in Mpumalanga.³⁰² [302 Ibid]

In December residents of Mpumalanga accused the police of killing three residents, including a six-year-old boy. The allegations were made in court applications asking for orders preventing the police from unlawfully assaulting residents. Interim orders against the minister of law and order restraining the SAP from assaulting residents were granted by the Natal Provincial Division of the Supreme Court (Pietermaritzburg).³⁰³ [303 *Sunday Tribune* 3 December 1989] An interim ceasefire was signed by Mpumalanga leaders of the UDF and Inkatha in December.³⁰⁴ [304 *Sunday Times* 3 December 1989] In an interview with the *Sunday Tribune*, Dr Dhlomo said, 'Until the organisations agree to tackle the problem of vilification, the prospects of peace are slim.' Dr Dhlomo said neither he nor Chief Buthelezi had given up hope on the peace talks.³⁰⁵ [305 *Sunday Tribune* 3 December 1989] Fighting in the Inanda and Ntuzuma squatter settlements, north of Durban, in December led to the death of 15 people. Residents said the fighting had initially been between Inkatha and UDF supporters, but that criminal elements had seized the opportunity to burn and loot houses.³⁰⁶ [306 *The Citizen* 12 December 1989]

Violence continued into the new year. The first three months of 1990 showed a significant increase in the number of deaths (695) when compared with the number of deaths for the same period in 1989 (284).

Death figures for the first three months of 1990 received from the Democratic Party Unrest Monitoring Action Group, which monitors the North Coast, South Coast, Durban and townships, Pinetown and townships, Hillcrest/Botha's Hill and the adjacent rural areas up to and including Inchanga, Shongweni and the Greater Molweni area, and the University of Natal's Centre for adult Education, which monitors Pietermaritzburg and surrounding areas (Natal Midlands) were as follows:

Deaths due to political violence in Natal for the first three months of 1990

Durban and surrounding areas

Pietermaritzburg and surrounding areas

To January

107

77

184

February

105

115

220

March

111

180

291

Total

323

372

695

A prominent Inkatha member and Imbali councillor, Mr Thu Ngcobo, was shot dead on New Year's Day, 1990.³⁰⁷ [³⁰⁷ *The Natal Witness* 3 January 1990]

In January 1990 the president of Zambia, Dr Kenneth Kaunda, called on a veteran leader of the ANC, Mr Walter Sisulu, urgently to address the issue of violence in Natal. Dr Kaunda warned that if anti-apartheid forces inherited a divided country, 'it will be a tragedy for us all'. Mr Sisulu said he was particularly touched by Dr Kaunda's reference to Natal. 'It makes me feel as if I have not done my work and indeed, I have not.'³⁰⁸ [³⁰⁸ *The Citizen* 17 January] In the same month Mr Vlok met Inkatha officials and lawyers representing the UDF and COSATU as part of a government initiative to bring peace to Natal. Leaders of the UDF and COSATU boycotted the meeting with Mr Vlok, but afterwards the UDF said, 'We would be willing to meet Mr Vlok if he is willing to listen and talk about the evidence we have on how police actions are actually worsening the situation in Natal.' Commenting on the meeting, Dr Dhlomo said, 'One got the disturbing impression that the urgency to do something on the ground receded into the background in favour of accusations of who is most culpable.'³⁰⁹ [³⁰⁹ *Sunday Tribune* 23 January 1990]

In February Chief Buthelezi expressed the fear that the violence in Natal could get worse. He said, I fear

the violence is only going to get worse now that young ANC insurgents will be dribbling back from exile, bringing their AK-47s with them.’ He denied responsibility for the violence and claimed that much of it was committed by criminal elements beyond the control of either the UDF or Inkatha. While repeating his assertion that he was ready for immediate talks with the ANC, Chief Buthelezi accused the organisation of manipulating international opinion and getting ‘the foreign press to follow their version of events’.³¹⁰ [³¹⁰ *The Star* 8 February 1989] In the same month, Mr Vlok announced intensified police action in Natal in an attempt to contain the violence in the area. This included:

- an extension of the police presence;
- the deployment of 1 000 troops in certain areas;
- the use of more vehicles and aircraft;
- more mobile police stations;
- more security personnel; and
- intensified actions by all law and order units to catch guilty parties.³¹¹ [³¹¹ *The Citizen* 15 February 1989]

Addressing a rally at the King’s Park Stadium (Durban) attended by an estimated 100 000 people in February 1990, a leader of the ANC, Mr Nelson Mandela, who had just been released from jail, made a powerful plea for peace in Natal. Mr Mandela said, ‘My message to those of you involved in this battle of brother against brother is this: Take your guns, knives, and your pangas and throw them into the sea. Although there are fundamental differences between us, we commend Inkatha for their demand over the years for the unbanning of the ANC and the release of political prisoners, as well as their stand for refusing to participate in a negotiated settlement without the creation of the necessary climate.’ Mr Mandela called for a minute’s silence for the thousands killed in the violence in Natal. If we do not bring a halt to this conflict, we will be in grave danger of corrupting the proud legacy of our struggle. We endanger the peace process in the whole of the country.’ He added that vigilantes and thugs had taken advantage of people’s hardships for their own gain. ‘We can stop them, and the descent into lawlessness and violence, only by ceasing our feuds.’ Mr Mandela said, ‘We recognise that in order to bring the war to an end, the two sides must talk.’ He extended a hand of peace to Inkatha and said that he hoped that it might one day be possible to share a platform with its leader, Chief Buthelezi.³¹² [³¹² *The Star* 26 February 1990]

At a prayer service in Ntuzuma in March 1990 members of the UDF and Inkatha exchanged candles, embraced each other and promised that they would never again attack one another. The peace initiative was treated with a certain degree of scepticism by residents because similar grassroots initiatives had failed to bring a lasting peace.³¹³ [³¹³ *Ibid* 10 March 1990]

The Edendale valley witnessed what was believed to be the worst violence yet in the conflict between the UDF and Inkatha at the end of March 1990. Police put the death toll at 44, but observers who described the fighting as a full-scale civil war, said the figure could be much higher. There was no clear indication as to what had sparked the fighting but there was speculation that it was a revenge attack after UDF/ COSATU comrades had stoned Inkatha buses carrying supporters from a rally. The UDF/ COSATU denied that buses had been stoned.³¹⁴ [³¹⁴ *Sunday Tribune* 1 April 1990] Responding to the outbreak of the violence, the mayor of Pietermaritzburg, Mr Mark Cornell, called for martial law to be imposed in the Edendale area. He also called on the ANC to take practical steps to stop the violence.³¹⁵ [³¹⁵ *The Star* 29 March 1990]

In March 1990 a proposed joint rally to be addressed by Chief Buthelezi and Mr Mandela was cancelled because the ANC felt that the situation was too tense. Mr Mandela informed Chief Buthelezi that he had been persuaded by other leaders, including Pietermaritzburg-based ANC leader, Mr Harry Gwala, to withdraw from the meeting because of the intensity of the fighting. Chief Buthelezi strongly criticised the ANC's decision to withdraw from the rally saying the exact reason they had decided on a joint peace initiative was that the fighting had become so intense.³¹⁶ [³¹⁶ *City Press, Sunday Times* 1 April 1990]

In April 1990 Mr Mandela visited the Edendale valley. Addressing about 2 500 people at the Edendale Lay Centre, Mr Mandela said that Inkatha was not to be regarded as the enemy. He said enough people had died, and called for peace.³¹⁷ [³¹⁷ *The Citizen* 3 April 1990] Addressing a gathering of chiefs and paramount chiefs in Umtata (Transkei) in April 1990, Mr Mandela said that ANC supporters had prevented him from meeting Chief Buthelezi despite his willingness to do so. He said they had not wanted him to be seen with the man who had headed the organisation they alleged was killing them.³¹⁸ [³¹⁸ *The Star* 24 April 1990] Referring to the violence in the Edendale area, COSATU accused Inkatha in April 1990 of launching the biggest wave of violence in three years in Natal. COSATU also accused the police of playing a dubious role. COSATU claimed that since the outbreak of violence on 25 March 1990, 80 people had died, with more than 12 000 people having been directly involved in the conflict and 14 000 people having been displaced. Responding to the accusation, Dr Dhlomo said, 'COSATU's statements are just another wild outburst of unsubstantiated claims'.³¹⁹ [³¹⁹ *City Press* 8 April 1990] The chairman of the ANC's interim leadership corps, Mr Walter Sisulu, criticised reports in April 1990 that 32 battalion of the South African Defence Force (SADF) would be deployed in Natal. He said the 32 battalion was a unit consisting mainly of notorious Angolan civil war soldiers and mercenaries from European countries. 'We are sure that their presence will aggravate the situation instead of bringing peace.' In reply a spokesman for the SADF said the reason for choosing people who had fought in Angola was the fact that they were neutral and would not be seen as siding with factions involved in the unrest in Natal.³²⁰ [³²⁰ *The Star* 16 April 1990]

In May and June the newspaper *Ilanga* published a list of 72 names of Inkatha officials that it said had been murdered in KwaZulu/Natal.³²¹ [³²¹ *Ilanga* 23 June 1990] In July it was revealed that three members of an alleged ANC hit squad who allegedly had orders to murder Inkatha members in Natal had been

arrested.³²² [³²² *The Citizen* 7 May 1990] Chief Buthelezi claimed that by far the majority of those killed had been Inkatha leaders, members, or supporters.³²³ [³²³ *Sowetan* 9 July 1990]

THE ECONOMY

Macro-Economic Picture

Growth rate

According to the Central Statistical Service (CSS) real economic growth as measured by gross domestic product (GDP) increases was 2,1% in 1989, compared to 3,7% in 1988 and 2,1% in 1987.¹ [¹ Central Statistical Service (CSS), *Gross Domestic Product-Fourth Quarter 1989*, Statistical News Release, P0441, February 1990] The CSS said that growth in 1989 was mainly attributable to improved agricultural conditions. The real production of the agricultural sector increased by 10,3% in 1989, but mining reported almost no growth in 1989 compared to 1988.² [² Ibid]

The CSS also provided the following figures for the GDP at constant 1985 prices: 1987, R118bn; 1988, R122bn; and 1989, R125bn.³ [³ Ibid]

The South African Reserve Bank said that the growth rate for 1989, although lower than that for 1988, had still exceeded significantly the average expansion of the economy in the period 1980 to 1989.⁴ [⁴ South African Reserve Bank, *Quarterly Bulletin*, March 1990]

The governor of the bank, Dr Chris Stals, said in February 1990 that economic growth in 1990 would probably not exceed 1%. Dr Stals said that even if the state president, Mr F W de Klerk, were to 'solve South Africa's political problem overnight' the country would not be able to attract the foreign capital needed for growth. He believed that the economy needed to be 'restructured' to achieve a higher growth rate with less dependence on the outside world. Dr Stals argued that some of the measures required for restructuring included:⁵ [⁵ *The Weekly Mail*, 2 February 1990]

- using labour to its optimum potential;
- giving attention to education and training to improve productivity;
- saving more;
- spending less on consumer goods; and

- spending less on luxuries.

Volkskas Bank said in December 1989 that no growth in real GDP in 1990 would be ‘unsurprising’. It said that a decline in the standard of living for the next two years could result.⁶ [⁶ Volkskas Bank, *Economic Spotlight*, December 1989] *Business Day* said that it was unlikely that South Africa would achieve a real growth of 1% in 1990 and that a growth of less than 0,5% was possible.⁷ [⁷ *Business Day* 15 May 1990]

In May 1990 the CSS published figures showing that after taking into account a seasonal adjustment, GDP had decreased by 1,4% in the first quarter of 1990 in comparison with the last quarter of 1989. The largest declines in production were in the agricultural sector (a decline of 10% on the previous quarter’s figure) and the mining sector (a decline of 12%).⁸ [⁸ Ibid]

Gross domestic product per capita

In 1989 GDP per capita at current prices was R6 301. Real GDP per capita at 1985 prices was R 3 627. Real GDP per capita decreased by 0,1% between 1988 and 1989.⁹ [⁹ Figures supplied by Mr Johan Prinsloo of the South African Reserve Bank, 30 May 1990]

Savings and investment

The following table reflects savings in relation to various other economic indicators for 1974, 1981 and 1988:¹⁰ [¹⁰ *Economic Spotlight*, February 1990]

Savings in South Africa: 1974, 1981 and 1988

1974

1981

1988

Gross domestic savings relative to gross national product

28

29

24 Net domestic savings relative to net national income

19

17

9% Personal savings relative to after-tax personal income

11

3%

3% Net corporate savings relative to after-tax corporate income

17

29

19 Government savings relative to government revenue

26

11

-2

The governor of the South African Reserve Bank, Dr Chris Stals, said in a statement on interest rate policy issued in October 1989 that South African interest rates seemed to be high in nominal terms. However, they were lower than comparable rates in most western industrial countries if account was taken of the respective rates of inflation. In real terms, that is after adjustment for the rate of inflation, the prime overdraft rate of commercial banks in South Africa was 3,9%, compared with 6,3% in the United Kingdom and 6,6% in the Federal Republic of Germany.¹¹ [¹¹ *Quarterly Bulletin*, March 1990]

Gross domestic fixed investment at constant 1985 prices was R26,4bn in 1989. This was about 4% higher than the revised figure for fixed investment for 1988 (R25,4bn).¹² [¹² *Ibid*]

In a paper presented to a joint conference of the South African Institute of Race Relations (SAIRR) and the Institute for African Studies of the Academy of Sciences of the USSR in June 1990, Professor Charles Simkins, a member of the executive committee of the SAIRR, said: 'Net domestic investment (ie gross domestic investment less depreciation) in 1985 prices dropped from just over R12bn per annum between 1982 and 1984 to less than a quarter of that in 1986 and 1987, recovering to about R6bn in

1988 and 1989. This collapse in real net domestic investment is the most alarming legacy of the 1980s; until it can be reversed, the prospects for growth in the economy remain bleak.' Professor Simkins presented the following table, based on South African Reserve Bank statistics:

Investment: 1982-1989

Gr

De

Net domestic investment 1985 prices Rm

1982

20 633

12 215

8 418

12 235

1983

23 975

14 461

9 514

12 292

1984

27 207

16 386

10 821

12 686

1985

25 333

19 947

5 386

5 386

1986

28 122

25 059

3 063

2 484

1987

32 425

28 424

4 001

2 920

1988

43 090

32 879

10 211

6 516

1989

49 621

38 788

10 473

5 649

Balance of payments

South Africa's capital outflow in 1989 amounted to R5,6bn, in comparison with an outflow of R6,5bn in 1988. The outflow in 1989 was mainly the result of smaller outflows of short-term capital. The surplus on the current account of the balance of payments for 1989 was R4,1bn. In 1986, 1987 and 1988 the surpluses on the current account had been R7,2bn, R6,2bn and R2,9bn respectively. The surplus in 1989 was South Africa's fifth consecutive annual current account surplus. According to the reserve bank, the cumulative surplus of R26,3bn from 1985 to 1989 was equal to 3% of gross domestic product for this five-year period.¹³ [¹³ Ibid]

Total South African reserves, which had increased by R671m during the first nine months of 1989, decreased by R470m in the fourth quarter. Total reserves were R6,7bn in January 1989 (including gold reserves of R3,1bn) and R6,9bn in December 1989 (including gold reserves of R2,9bn).¹⁴ [¹⁴ Ibid]

The reserve bank reported in March 1990 that South Africa's reserves had increased by almost R3bn in the first two months of 1990, mainly in response to the speech by the state president, Mr F W de Klerk, at the opening of Parliament in February 1990, which announced significant political changes (see chapter on *Political Developments*). However, reserves were said to have fallen back slightly in March 1990, following various speeches by leaders of the African National Congress (ANC), expressing support for nationalisation, as well as the escalation of violence in African townships.¹⁵ [¹⁵ *The Star* 9 March 1990]

South Africa's foreign debt at the end of 1988 was \$21,5bn (R55,9bn). A figure for 1989 was not available at the time of writing. The Standard Bank said that South Africa was expected to make heavy repayments of foreign debt in 1990, possibly as high as \$2,4bn (R6,2bn). The bank added that 'gold and foreign exchange reserves were totally inadequate to meet the anticipated capital outflows.

Consequently, substantial surpluses on the current account of the balance of payments will be crucial'.¹⁶ [¹⁶ *The Citizen* 24 January 1990]

In June 1990 Dr Stals said that South Africa would repay foreign debt of about \$2bn (R5,2bn) in 1989 'reasonably comfortably'. About \$1,3bn (R3,4bn) of the total debt was due in the first six months of 1990, the heaviest repayments being due in June. 'The position has been greatly improved by the excellent buildup in gold and foreign exchange reserves during the first quarter,' Dr Stals said. He added that smaller repayments in the second half of 1990 would enable South Africa to strengthen reserves 'substantially' during that period.¹⁷ [¹⁷ *Business Day* 4 June 1990]

Dr Stals said in July 1990 that despite a slump in recent months in the gold price, South Africa was over the worst of its debt repayments for the year. He pointed out that the country had repaid about \$ 1,6bn in the first six months of 1990, and that it faced the repayment of only \$600m in the second half of the year. A decline in capital outflows and lower bills for imports, because of a slowdown in the economy, would help offset the lower price of gold and avert pressure on the balance of payments, Dr Stals remarked.¹⁸ [¹⁸ *Ibid* 5 July 1990]

The gold price

In 1988 the gold price averaged \$437, while in 1989 the average price per fine ounce was \$382. While gold was sold in London for \$404 at the beginning of 1989, the price had dropped to \$362 in September, but recovered to \$410 in December. In rand terms, the gold price averaged R992 in 1988 and R999 in 1989.¹⁹ [¹⁹ *Quarterly Bulletin*, March 1990]

According to the South African Reserve Bank, the decline in the gold price in dollars in the first nine months of 1989 was in an inverse relationship to the upward trend of the value of the dollar on international foreign exchange markets. The decline in the average dollar price of gold was, however, neutralised by the depreciation of the rand against the dollar during this period. The average rand price of gold therefore rose during the year.²⁰ [²⁰ *Ibid*]

The total rand value of South African gold output declined by 2% from R19,6bn in 1988 to R19,2bn in 1989. Gold production amounted to 618 tons in 1988 and 608 tons in 1989.²¹ [²¹ *Ibid*]

The Trust Bank suggested in March 1990 that the weakness of the United States (US) dollar and lower US interest rates would result in an increase in the dollar price of gold in 1990. It believed that the gold price could recover to a level of \$400 by June 1990. However, in mid-June 1990, the gold price was only \$362, as a result of high sales of gold reserves by the Soviet Union and a low demand for the metal.²² [²² Trust Bank, *Econovision*, March/April 1990]

The exchange rate

The commercial rand, which had traded at 46 American cents at the end of 1988, dropped to 39 American cents in December 1989. During 1989 the effective exchange rate weakened by 3,8% against

the American dollar.²³ [²³ South African Reserve Bank, *Monthly Release of Selected Statistics*, January 1990] The South African Reserve Bank said in its *Quarterly Bulletin* for December 1989 that the exchange rate depreciation in the first half of 1989 had been mainly due to the 'renewed surge of strength that was displayed by the United States dollar in the international foreign exchange markets'. In the third quarter of 1989 the rand regained 3,5% of its value in terms of the dollar.²⁴ [²⁴ South African Reserve Bank, *Quarterly Bulletin*, December 1989]

The financial rand, which traded at 25 American cents in February 1989, traded at 28 American cents in December 1989.²⁵ [²⁵ Ibid] This improvement was attributed by the bank to non-residents' favourable impressions of the South African government's socio-political initiatives and to foreign investors' resulting demand for South African securities. In May 1990 the commercial rand traded at 38 American cents, while the financial rand traded at 25 American cents.²⁶ [²⁶ *The Star* 10 May 1990]

Inflation rate

According to the Central Statistical Service (CSS) the average inflation rate for 1989 as measured by the consumer price index (CPI) was 14,7%. This was higher than the average rate for 1988 (12,9%), but lower than the corresponding rates for 1987 (16,1%) and 1986 (18,6%).²⁷ [²⁷ CSS, *Consumer Price Index: December 1989*, Statistical News Release, P0141.1, January 1990]

Sanlam expected the inflation rate as measured by the CPI to be about 14% in 1990, while the Trust Bank estimated that it would be 13,8%.²⁸ [²⁸ Sanlam, *Sanlam Economic Survey*, January 1990; *Econovision*, January/February 1990]

The CSS said that the month-on-month inflation rate for April 1990, as measured by the CPI, was 15,5% for the lower-income group, 14,6% for the middle-income group, and 14,2% for the higher-income group. The overall rate for April was 14,6%. The lower-income group had a higher rate of inflation in the first four months of 1990 than the higher-income group, in contrast to the trend in 1989, when rising house and car prices were among the factors which had raised prices more for the rich than for the poor.²⁹ [²⁹ *The Weekly Mail* 25 May 1990]

The CSS said that the average increase in the production price index (PPI) for 1989 was 15,2%, compared with 13,2% in 1988, 13,9% in 1987 and 19,5% in 1986 respectively.³⁰ [³⁰ CSS, *Production Price Index: December 1989*, Statistical News Release, P0142.1, February 1990] *Business Day* reported in April 1990 that there had been relatively low month-on-month increases in the PPI during the previous four months, with none above 1%. It said that if this trend continued, the annualised increase in the PPI for 1990 would be about 10%.³¹ [³¹ *Business Day* 12 April 1990]

The increases in the PPI for April and May 1990 (on an annual basis) were 11,6% and 11,3% respectively, and continued the downward trend in increases in the PPI which had begun in October 1989. It was reported that as the CPI usually followed trends in the PPI, the inflation rate could continue to fall.³² [³² *The Daily Mail* 11 July 1990]

In early 1990 the CSS published the following table to show the effect of inflation on the purchasing power of the rand. The table indicates the value of the rand in any specific year compared with a rand (100 cents) in different base years.³³ [³³ CSS, *Statistics in Brief*, 1990]

Purchasing power of the rand

Year

1910

100

1930

72

100

1950

47

65

100

1970

25

35

54

100

1975

16

23

34

64

100

1980

9

13

19

36

57

100

1985

5

7

10

19

29

52

100

1988

3

4

6

12

19

33

64

100

1989

3

4

6

10

16

29

56

Johannesburg Stock Exchange

The Johannesburg Stock Exchange (JSE) Actuaries Overall Index started in January 1989 at 2 158 but stood at 2 976 in December. This represented a rise of nearly 40% during the year, and the December

figure was 6% higher than the peak of 2 804 reached on 19 October 1987, the day before the JSE crash (see *1987/88 Survey* pp408–409). On 15 May 1990 the JSE Actuaries Overall Index stood at 3 173.

Share trading activity on the stock exchange for the year 1989, at R18,7bn, was up by 67% on the total turnover of R11,2bn in 1988. Some 241m shares were traded.

During 1989, 21 companies obtained listings on the JSE, bringing the total number of companies listed to 839.³⁴ [³⁴ Figures provided by the Johannesburg Stock Exchange, 15 May 1990]

The reserve bank reported that there were large numbers of net sales of securities on the JSE by foreigners in the first half of 1989, which amounted to R650m. However, in the second half of the year, foreigners made large net purchases of JSE securities. Non-residents' increased buying and selling on the JSE was attributed to overseas investors' improved perceptions of South Africa's socio-political situation and prospects.³⁵ [³⁵ *Quarterly Bulletin*, March 1990]

Business confidence

According to the South African Chamber of Business (SACOB), which had been formed in January 1990 from the merging of the South African Federated Chamber of Industries and the Association of Chambers of Commerce and Industry of South Africa (ASSOCOM), business confidence declined in 1989 in comparison with 1988. The business confidence index for 1989 was 95,7, compared with 97,5 in 1988, 95,5 in 1987 and 84,3 in 1986.³⁶ [³⁶ South African Chamber of Business, *Business Confidence Index*, April 1990]

In April 1990 SACOB put the business confidence index at 92,1.³⁷ [³⁷ *Ibid*]

Sequestrations and liquidations

According to the Central Statistical Service (CSS), 2618 private individuals and partnerships were declared insolvent in 1989, in comparison with 2 563 in 1988. (The figure for insolvencies in 1988 which was quoted in the *1988/89 Survey* was lower than the figure given here, as it was a preliminary estimate.) In 1989, 1 573 companies and close corporations were liquidated, compared with 1536 in 1988.³⁸ [³⁸ CSS, *Short-term Economic Indicators*, Statistical News Release, P0089.2, March 1990]

The informal economy

The size of the informal sector has been a source of dispute and speculation for several years. The results of the first official comprehensive survey thereof were published in March 1990 by the Central Statistical Service. The study found that the value of informal sector production in 1989 was about

R16bn, equivalent to 7,3% of gross domestic product of R202bn (excluding the four 'independent' homelands). According to the survey 2,6m Africans worked in the informal sector. Nearly two thirds of these were full-time workers, the remainder being housewives or schoolchildren who were active in this sector on a part-time basis. One in every thirteen coloured, one in every seven Indian, and one in every four African workers worked in the informal sector.³⁹ [³⁹ CSS, *Statistically Unrecorded Economic Activities of Coloureds, Indians and Blacks: October 1989*, Statistical News Release, P0315, 20 March 1990]

Fully a third of informal sector activity was in the Pretoria/ Witwatersrand/Vereeniging area (including KwaNdebele), a third in Natal (including KwaZulu), and the remainder spread elsewhere across the country. Broken down another way, nearly 40% was in the six non-independent homelands. Informal sector incomes were found to be low: of those in this sector who were in self-employment (86% of the total), nearly half earned less than R250 a month.

Trade statistics

South African imports totalled R44,5bn in 1989, an increase of 13% over the figure for the previous year. Exports totalled R57,9bn in 1989, which represented an increase of 19% over the total exports in 1988. South Africa had a trade surplus of R13,4bn in 1989.⁴⁰ [⁴⁰ Figures provided by the Department of Customs and Excise, May 1990] The rise in the trade surplus was widely welcomed as a boost to foreign exchange reserves.⁴¹ [⁴¹ *The Star* 18 January 1990]

In November 1989 the minister of trade and industry and tourism, Mr Kent Durr, said that a third of South African exports of manufactured goods were now going to African countries to the north. 'We must look at our neighbours with new eyes,' he argued. 'We have often been told that South Africa's path to political acceptance by the outside world runs through Africa—and this may equally apply when it comes to economic bridgeheads.'⁴² [⁴² *Sunday Tribune* 5 November 1990]

The minister of foreign affairs, Mr Pik Botha, visited Hungary in January 1990 with a view to establishing official ties with that country (see chapter on *Political Developments*). It was reported that Hungary was interested in increasing economic co-operation and trade with South Africa.⁴³ [⁴³ *The Star* 8 January 1990] Following Mr Botha's visit, *Business Day* suggested that recent political changes in eastern Europe could open up new markets for South African exports. It argued that countries in eastern Europe were less committed to economic sanctions than South Africa's traditional trading partners in the West. South Africa should also take advantage of the increased demand for capital goods in eastern Europe.⁴⁴ [⁴⁴ *Financial Mail* 12 January 1990]

The trade surplus for the first quarter of 1990 was R4bn, which was an increase of 38% on the trade surplus in the same period in 1989.⁴⁵ [⁴⁵ *SA Special Dispatch* May/June 1990] Between May and June 1990, South Africa's trade surplus increased by 43%, which was attributed to a surge in exports due to

increased demand for South Africa's non-metal minerals.⁴⁶ [⁴⁶ *Business Day* 19 July 1990]

Economic sanctions

Disinvestment

In January 1989 the Investor Responsibility Research Center (IRRC) in the United States (US) reported that there had been a significant decline in 1988 in the number of American companies withdrawing their direct investment from South Africa in comparison with 1987. The centre said that 25 American companies had withdrawn in 1988, compared with 57 in 1987. Some 11 non-American companies had withdrawn from South Africa in 1988 and 44 non-American companies in 1987. The centre stated that at the end of 1988 there were 138 American and 440 non-American companies with direct investment or employees in South Africa. It said that of the 149 American and Canadian companies which had stopped direct investment in South Africa since January 1986, 56 companies had kept non-equity ties, seven had 'dormant subsidiaries' in South Africa, and 86 had severed links completely.⁴⁷ [⁴⁷ *International Relations* information sheet January/February 1989]

In October 1989 the IRRC said that the United Kingdom remained the country with the largest number of companies in South Africa (172), which included the largest single employer, the Lonrho group, with 70 subsidiaries and 10 030 employees. It said that 76 British companies had disinvested since 1984. West Germany was represented by 137 companies in South Africa and the US by 131.⁴⁸ [⁴⁸ *Beeld* 13 October 1989]

According to a report published by the South Africa Review Service in January 1990, six American and Canadian companies sold all their equity in South Africa and/or Namibia in 1989. One other international company withdrew from South Africa/Namibia in 1989.⁴⁹ [⁴⁹ South Africa Review Service, *International Directory Update*, January 1990]

Major developments

In August 1989 the United Nations Center on Transnational Corporations issued a report analysing the effect of economic sanctions against South Africa. The report said that most governments had responded to appeals for some kind of sanctions. 'Over the years, there has been a tendency to progress from softer measures towards more stringent ones. Although economic sanctions against South Africa are increasing, the loopholes available to avoid them are considerable,' it added. It claimed that access to foreign capital and technology was still relatively easy, but that restrictions on the importation of 'tangible goods' had posed the greatest threat to the country's economy.⁵⁰ [⁵⁰ *The Citizen, Business Day* 24 August 1989]

The centre said that South Africa had exported some goods by labelling them with a false country of origin, processing them partially in other countries and shipping them through countries which did not apply sanctions. It believed, for example, that South African coal was exported through Belgium, Hong Kong, the Netherlands and Taiwan. Gold and platinum were sent abroad through Switzerland and Taiwan, diamonds through Israel and Switzerland, and agricultural and textile products through Singapore. 'Rises in [exports from South Africa through] Hong Kong, Israel, Singapore, Switzerland, Turkey and especially Taiwan can be read out of abrupt and inexplicable increases in trade figures for these countries,' it said.⁵¹ [⁵¹ *The Citizen* 24 August 1989]

The report said that the voluntary embargo on the export of oil to South Africa had been largely ignored by oil-exporting countries. The export of coal, South Africa's second main export earner, had been maintained by disguising its origin, shifting shipments to Asia and increasing exports to European countries which did not observe a ban on South African coal. Iron and steel exports from South Africa were banned by the European Community (EC), but found their way into the EC in the form of iron alloys and disguised scrap metal.⁵² [⁵² *Ibid*]

The summit meeting of Commonwealth heads of government in Kuala Lumpur (Malaysia) in October 1989 issued a statement on South Africa, saying, 'This is not the time to consider the relaxation of existing sanctions and pressures. That will have to await evidence of clear and irreversible change.' The statement was supported by the representatives of 48 countries at the conference, but opposed by the British prime minister, Mrs Margaret Thatcher. Speaking at the end of the conference, Mrs Thatcher accused the rest of the Commonwealth of being 'stuck in a time warp' for seeking to step up pressure against South Africa at a time when changes were taking place in the country. She said that the process of reform should not be hindered by sanctions, but should rather be encouraged actively.⁵³ [⁵³ *Business Day* 20 October 1989]

On 2 February 1990 the state president, Mr F W de Klerk, announced a number of policy initiatives in Parliament (see chapter on *Political Developments*). It was reported that Mr De Klerk's announcements had met with a favourable response from foreign bankers and investors. A London banker was quoted as having said, 'President De Klerk's measures far exceeded my expectations. There is no doubt that the path is set towards a better South Africa, yet don't expect a stampede of bankers anxious to lend to South Africa.' He added that he believed that 'the trickle of funds' would eventually 'broaden into a stream'. *The Star* said that medium- and long-term investment from abroad would not occur until the government's negotiations with black political organisations were well under way.⁵⁴ [⁵⁴ *The Star* 5 February 1990]

A spokesman for the US government said in response to Mr De Klerk's announcement that the South African government had now met two of the five conditions laid down in the Comprehensive Anti-Apartheid Act of 1986 (see 1986 *Survey* Part 1 p69) for the 'modification or suspension of sanctions'. He said that the US Congress would 'consider seriously' the alleviation of sanctions if two further conditions were met, ie the lifting of the state of emergency and the release of all political prisoners.⁵⁵ [⁵⁵

Business Day 9 February 1990] Later in the month, a bipartisan group of US senators and Congressmen released a statement 'relating to the release of Nelson Mandela and other positive developments in South Africa'. It said that Congress planned to follow a 'carrot-and-stick policy', refusing to lift sanctions until the South African government made more progress with political reform, while at the same time rejecting the request of the African National Congress (ANC) that sanctions remain in force until there had been a transfer of power to the black majority.⁵⁶ [⁵⁶ *The Star* 24 February 1990]

In March 1990 the Trust Bank said that it estimated the economic cost of sanctions and disinvestment to South Africa since 1985 as follows: loss of foreign exchange, \$16bn; loss of total production, \$32bn; loss of gross domestic product, \$8bn; and loss of jobs, 500 000.⁵⁷ [⁵⁷ *Newsweek* 26 March 1990]

Business Day said in May 1990 that the lifting of sanctions would add 1% to South Africa's annual growth rate, even if there was no net inflow of capital. It added that the country had exported R30,5bn in net capital over the previous five years.⁵⁸ [⁵⁸ *Business Day* 16 May 1990]

At the end of a meeting of Commonwealth leaders in Abuja (Nigeria) in May 1990, a press statement was released, saying, 'To relax sanctions now would abort the process towards negotiations [in South Africa] that has barely commenced.' It urged that sanctions remain 'until Pretoria is brought to the negotiating table and change is clearly and irreversibly secured'.⁵⁹ [⁵⁹ *The Citizen* 18 May 1990]

In May 1990 Mr De Klerk and the minister of foreign affairs, Mr Pik Botha, visited nine European countries (see also chapter on *Political Developments*). The countries were Belgium, France, Greece, Italy, Portugal, Spain, Switzerland, the UK and West Germany. A government spokesman said that the purpose of the tour was to convince European leaders and businessmen of the government's sincerity in bringing about change.⁶⁰ [⁶⁰ *Beeld* 9 May 1990, *Cape Times* 21 May 1990]

Speaking at a banquet in Lisbon (Portugal) in May 1990, Mr De Klerk said that foreign capital was needed in South Africa, 'for without a strong, vibrant economy, the odds against political success are greatly increased'. He argued later that he had not come to Europe 'cap-in-hand' to secure the lifting of sanctions, but that the issue had been raised in discussions. His view was that South Africa had survived sanctions but that they were retarding its ability to redress socio-economic backlogs.⁶¹ [⁶¹ *Business Day* 11, 15 May 1990]

Mrs Thatcher said after her meeting with Mr De Klerk that sanctions were 'a thing of the past' and it was reported that she had promised that she would call for the lifting of sanctions at a meeting of EC leaders in Dublin in June (see below). Speaking after Mr De Klerk's visit to Portugal, the prime minister of Portugal, Mr Anibal Cavaco Silva, said that his government favoured the removal of 'some sanctions' to encourage the process of change.⁶² [⁶² *Business Day* 15, 17 May 1990; *The Star* 22 May 1990]

Mr De Klerk said after his return to South Africa that he had gained the impression that European

leaders were willing to re-evaluate their position on sanctions, but that any change would take place only at EC level.⁶³ [⁶³ *Business Day* 25 May 1990]

During a tour of Europe in June 1990, the deputy president of the ANC, Mr Nelson Mandela, urged western governments not to ease sanctions on South Africa. 'Reviewing or lifting sanctions now would be a very grave mistake and would certainly be regarded by the people of South Africa as a stab in the back of the anti-apartheid struggle', he said. After speaking to the chancellor of West Germany, Mr Helmut Kohl, he said, 'Mr Kohl's initial reaction [to Mr De Klerk] was for a review of sanctions, but I think, after listening to our arguments, that he is now prepared to reconsider the matter.'⁶⁴ [⁶⁴ *The Citizen* 13 June 1990]

However, it was reported that leading German industrialists and bankers had rejected Mr Mandela's stance on sanctions. Mr Hans-Gerd Neglein, a member of the board of Siemens (a large German electronics company), said in Bonn (West Germany) in June 1990, 'We feel sanctions should no longer be used as a political instrument... They hit only the weakest in society. We would like Mr Mandela to put his full political weight behind the negotiation process.'⁶⁵ [⁶⁵ *The Star* 12 June 1990]

At their meeting in Dublin (Ireland) in June 1990, the 12 EC leaders decided to retain economic sanctions against South Africa. The leaders acknowledged that Mr De Klerk had brought about substantial reform and promised to relax sanctions if more progress was made. 'The EC affirms its willingness to consider a gradual relaxation of this pressure when there is further clear evidence that the process of change already initiated continues in the direction called for in Strasbourg', a press statement said. Diplomats were quoted as saying that the statement was a concession to Mrs Thatcher, who believed that the South African government would be encouraged to make further reforms if punitive measures were eased. At the time of the meeting, the UK had been the only EC member to lift its ban on investment in South Africa.⁶⁶ [⁶⁶ *The Citizen, Business Day* 27 June 1990]

Speaking in response to Mr Mandela's calls for an intensification of sanctions in the US, the US assistant secretary of state for African affairs, Mr Hank Cohen, said in June 1990 that it was the policy of his government that sanctions should continue. He said that sanctions could be lifted only once the state of emergency in Natal had been ended and all political prisoners had been released. 'We will decide whether or not to modify or suspend sanctions on the basis of how we can be helpful to the process [of negotiations].'⁶⁷ [⁶⁷ *The Citizen* 27 June 1990]

In the same month the Japanese government said that it had no plans to lift sanctions on investment in South Africa. However, the Japanese government was increasing its contacts with the South African authorities, in order to monitor the situation. (Japan remained South Africa's second-biggest trading partner.)⁶⁸ [⁶⁸ *Ibid*]

Monetary Policy

Bank rate, which had been set at 14,5% in November 1988, was increased to 16% in February 1989, to 17% in May 1989 and finally to 18% in October 1989. On 13 August 1990 the bank rate remained at 18%.⁶⁹ [⁶⁹ *Quarterly Bulletin*, March 1990; *The Star* 13 August 1990]

As a result of the increasing bank rate, the banks' prime overdraft rate was also adjusted during the period under review. It began 1989 at 18%, was increased to 19% in February 1989, to 20% in May 1989 and finally to 21% in October 1989. At the end of June 1990 prime was still 21%.⁷⁰ [⁷⁰ *Quarterly Bulletin*, March 1990; *Finance Week* 28 June 1990]

The broad money supply (M3) increased by 20% between January and December 1989. The growth in M3 exceeded the upper limit of the target range set by the reserve bank for 1989 by two percentage points. The effective broad money supply (ie M3 adjusted for changes in its velocity of circulation) increased by about 17%.⁷¹ [⁷¹ *Quarterly Bulletin*, March 1990]

The targets set by the reserve bank for 1990 allowed for a growth in M3 of only 11%-15%, implying a rapid decrease in credit creation and precluding any decline in interest rates before the fourth quarter of 1990. This was the lowest target range set by the reserve bank since the inception of monetary targeting in South Africa in 1986.⁷² [⁷² *Econovision*, March/April 1990]

The governor of the reserve bank, Dr Chris Stals, said in February 1990, 'With a new phase of economic consolidation now under way, the main emphasis of monetary policy has been switched to the curtailment of inflation... The attack on inflation must be on a broad front, spearheaded by restrictive monetary and fiscal policies.' He added that 'positive real rates of interest' (ie interest rates which exceeded the inflation rate) were essential because individuals' savings decisions were to a significant extent determined by real rates of return. Dr Stals believed that if interest rates were high enough, consumers would be encouraged to save and discouraged from using bank credit.⁷³ [⁷³ *Economic Spotlight*, February 1990]

Earlier in 1990, Dr Stals said, 'Monetary and fiscal policies are making their contributions to lower price increases and will continue to do so, but whether inflation will fall further in the year ahead will depend largely on wage increases. If wages continue to rise at the high levels experienced in recent years, then not only will inflation decelerate at a much slower pace, but unemployment will also increase.'⁷⁴ [⁷⁴ *The Star* 31 January 1990]

Dr Stals said in July 1990 that the bank had no intention of buying South Africa out of its economic recession by increasing the money supply dramatically. 'We cannot solve unemployment by printing money. There is nothing the bank can do in the short term to revive economic growth that will not result in escalating money supply growth followed by an upsurge in inflation,' he maintained. Dr Stals said that strict monetary policies would create a financial environment conducive to saving and investment. He undertook to continue the attack on inflation despite growing pressure to cut interest rates in

response to the recession.⁷⁵ [⁷⁵ *Business Day* 16 July 1990]

Fiscal Policy

The government's fiscal policy for 1989/90 was outlined by the acting state president, Mr Chris Heunis, in his address to Parliament in February 1989. He said that the government remained committed to 'an anti-inflationary package along the lines proposed by the Economic Advisory Council'. Mr Heunis also reiterated that Iscor would be privatised during 1989. Other state undertakings, including Eskom, Foscor, the South African Transport Services and the Department of Posts and Telecommunications, would become private profit-making bodies 'at a later stage'.⁷⁶ [⁷⁶ *Hansard* (joint sitting) 1 cols 1-11, 3 February 1989]

In his opening address to Parliament in February 1990 the state president, Mr F W de Klerk, described the government's policy of political reform as well as its economic policy (see also chapter on *Political Developments*). He said that the government's point of departure was to reduce the role of the public sector and to give the private sector 'maximum opportunity for optimal performance. In this process preference has to be given to market forces and a sound competitive structure'. Mr De Klerk declared that the government aimed to:⁷⁷ [⁷⁷ *Hansard* (joint sitting) 1 cols 1-18, 2 February 1990]

- reduce the rate of inflation to levels comparable to those of 'our principal trading partners';
- encourage personal initiative and savings;
- subject all economic decisions to stringent financial discipline;
- reform the system of taxation so as to ease the tax burden on individuals;
- encourage exports as an impetus to industrialisation and the earning of foreign exchange;
- sustain surpluses on the current account of the balance of payments; and
- increase gold and foreign exchange reserves.

In the same month the South African Chamber of Business submitted a report to the cabinet entitled *Budgetary Procedure and Government Expenditure Trends in South Africa*, in which it claimed that financial management systems in the government were 'conspicuously inadequate'. According to the chamber, it had become a matter of urgency that confidence be restored in the handling of South Africa's fiscal affairs. The report said that constitutional policies designed to create ten independent homelands had resulted in 'a large degree of administrative duplication', the cost of which was borne by

the South African taxpayer. It added that a 'variety of practices' had undermined effective control over public expenditure and the credibility of the annual budget estimates. In particular, it is suggested that the government uses all the tools at its disposal to force a tough annual assessment of national priorities and to put all spending programmes in the context of total expenditure and the need for revenue,' the chamber said.⁷⁸ [⁷⁸ *Business Day* 2 February 1990]

The mini-budget

The minister of finance, Mr Barend du Plessis, tabled part appropriation bills (or mini-budgets) in Parliament in February 1989 and February 1990 respectively, to 'authorise the financing of expenditure to be incurred by both the central authority and the four provinces on services already approved' until such time as the appropriation acts of 1989 and 1990 were passed. The mini-budgets for 1989 and 1990 are given below:⁷⁹ [⁷⁹ Addition Appropriation Bill, W42-89; Addition Appropriation Bill, B42-90]

Mini-budgets: 1989 and 1990

1989 Rm

1990 Rm

General affairs

1 645

493

House of Assembly

80

137

House of Delegates

6

4

House of Representatives

31

66

Cape provincial administration

191

191

Natal provincial administration

167

57

OFS^a provincial administration

40

13

Transvaal provincial administration

364

268

Total

2 524

1 229

^a Orange Fr

The main budget

The budgeted allocations of expenditure to the various government departments and functions for the

1989/90 and 1990/91 financial years are given in the table, opposite, *The national budget*.⁸⁰ [80 Republic of South Africa, *Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 11 March 1990*, RP2-1989; *Estimate of Revenue to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1991*, RP2-1990]

In the 1989/90 financial year the actual deficit before borrowing was R3,8bn, some R6,1bn lower than the budgeted figure of R9,9bn. The minister of finance, Mr Barend du Plessis, said in March 1990 that the deficit before borrowing in 1989/90 had fallen to 1,5% of gross domestic product (GDP), in comparison with 4,4% in 1988/89 and 6% in 1987/88. For the first time in many years the government had been able to maintain strict control over its expenditure, ending 1989/90 with an overrun of only 0,3% on the original budget estimate of R65bn.⁸¹ [81 *The Star* 14 March 1990]

In his budget speech to Parliament in March 1990, Mr Du Plessis said that total expenditure and revenue for the 1990/91 financial year (taking into account the supplementary budget proposals-see below) were expected to be R72,9bn and R64,9bn respectively. The estimated deficit before borrowing was therefore R8bn, or 2,8% of the estimated GDP.⁸² [82 *Business Day* 15 March 1990]

The national budget^a

Vo1989/90 Rm

Proportion of total

1990/91 Rm

Proportion of total

Increase/ decrease

State president

18

0,03%

16

0,02%

-11%

Parliament

56

0,1%

57

0,1%

2%

Bureau for information

48

0,1%

41

0,1%

-15%

Commission for administration

277

0,4%

407

0,6%

47%

Improvement of conditions of service

50

0,1%

2 233

3,1%

4 366%

Development planning^b

8 895

14,0%

—

—

—

Planning and provincial affairs^b

—

—

8 826

12,3%

—

Constitutional development^b

—

—

14

0,1%

Foreign affairs

3 255

5,1%

3 797

5,3%

17%

National education

148

0,2%

205

0,3%

39%

Development aid

5 015

7,9%

5 722

8,0%

14%

Education and training

1 952

3,1%

2 463

3,4%

26%

Defence

9 937

15,6%

10 071

14,1%

1%

Manpower

216

0,3%

328

0,5%

52%

Public works and land affairs

1 731

2,7%

1 894

2,6%

9%

Justice

349

0,5%

460

0,6%

32%

Prisons

751

1,2%

878

1,2%

17%

Agricultural economics and marketing

289

0,5%

302

0,4%

4%

Trade and industry

1 485

2,3%

2 215

3,1%

49%

Mineral and energy affairs

787

1,2%

1 134

1,6%

44%

Finance

10 785

17,0%

12 478

17,4%

16%

Home affairs

173

0,3%

241

0,3%

39%

Transport

1 509

2,4%

1 508

2,1%

-0,1%

Administration: House of Assembly

6 393

10,1%

7 657

10,7%

20%

Administration: House of Delegates

999

1,6%

1 172

1,6%

17%

Administration: House of Representatives

2 739

4,3%

3 245

4,5%

18%

National health and population development

2

4,

72

1,

-7Police

2 496

3,9%

2 928

4,1%

17%

Environment affairs

161

0,3%

178

0,2%

11%

Water affairs

375

0,6%

352

0,5%

-6%

Privatisation

—

—

3

0,01%

—

Total^c

63 570

100,0%

71 546

100,0%

13%

a

Figures for 1989/90 and for 1990/91 are initial estimates.

b

In September 1989 the ministry of constitutional development and planning (represented in the 1989/90 budget under development planning) was split into two. The new ministries were those of planning and provincial affairs, and constitutional development.

c

Rounded; figures may, theref

The 1990/91 budget was widely described as a 'budget with a social conscience', as nearly 40% of the budget was allocated to social services.⁸³ [⁸³ Ibid]

Writing in *Indicator SA* in mid-1990, professors Merle Holden and Mike McGrath of the Department of Economics at the University of Natal (Durban and Pietermaritzburg faculties respectively) said that the 1990/91 budget was similar to those implemented by many western governments in the late 1970s and early 1980s, which required high levels of economic sacrifice in the short term, in order to secure long-term growth, and which were 'much more in line with the economic interests of the middle and higher income groups than with the interests of the poor'. They believed that the budget's main aim was to restructure the economy in order to raise living standards, through policies which lowered the inflation rate, raised the propensity to save, reduced the personal tax burden and promoted the competitiveness of industry. Professors McGrath and Holden said that a secondary aim was to reduce poverty and to make up backlogs in basic needs, but that this objective was given lower priority.⁸⁴ [⁸⁴ *Indicator SA*, vol 7 no 2, Autumn 1990]

Finance Week said that in the 1990/91 budget the government had used major savings on defence costs, partly as a result of Namibia's gaining independence (see chapter *Political Developments*), to secure 'modest tax concessions' and some help for the least privileged, while preserving financial discipline. It warned, however, that the planned deficit before borrowing for 1990/91 was R8bn, and that the government was once more on a 'dissaving path', financing consumption from borrowing.⁸⁵ [⁸⁵ *Finance Week* 15 March 1990]

Special trust funds

During his budget speech in March 1990 the minister of finance, Mr Barend du Plessis, announced that a special social fund of R2bn would be setup to ‘overcome the backlog in the socio-economic development’ of Africans. This amount was not included in the 1990/91 budget as it was a transfer of the previous year’s surplus. The state president, Mr F W de Klerk, said later that the fund would be augmented by a further R1bn from the proceeds of privatisation.⁸⁶ [⁸⁶ *The Star* 15 March 1990]

Mr Du Plessis said that two separate funds would be established. In one an amount of R1bn would be used by the government to eliminate capital backlogs in education (see chapter on *Education*) and to acquire land for African urbanisation. Established agencies such as the Development Bank of Southern Africa would administer this fund.⁸⁷ [⁸⁷ *Ibid* 17 March 1990] The minister of transport and of public works and land affairs, Mr George Bartlett, said in March 1990 that the first area to be targeted by the fund would be KwaZulu/Natal.⁸⁸ [⁸⁸ *The Natal Witness* 31 March 1990]

The second fund, which amounted to R2bn, would be a private trust fund administered by a board of trustees appointed by the government. Mr De Klerk said later in March in Parliament, I am fully aware that the fund will not suffice to eliminate all of South Africa’s socio-economic problems. However, there is a compelling need to provide as many South Africans as possible with a better quality of life. It is thus my earnest hope that this initiative will receive the widest possible support from every quarter in South Africa and abroad.’⁸⁹ [⁸⁹ *The Star* 17 March 1990]

The chairman of the Urban Foundation, Mr Jan Steyn, resigned from that position to become director of the private trust fund. Addressing the Royal Institute of International Affairs in London in April 1990, Mr Steyn said that decisions about the use of the money would be made in consultation with community leaders and the private sector. The policy of the fund would be one of economic enablement rather than ‘handouts’, he argued. Mr Steyn said that the fund would be used as leverage money’ to lift the resources of the poor ‘commensurate with minimum affordability at market rates’.⁹⁰ [⁹⁰ *Ibid* 3 April 1990]

The establishment of the private trust fund met with a positive response from political leaders and businessmen. The African National Congress (ANC) and the United Democratic Front welcomed the opportunity to help administer the fund. The deputy president of the ANC, Mr Nelson Mandela, said that the fund was ‘good news’ but that it was ‘not sufficient to give us the resources we require to solve the problems facing our people’. The Labour Party proposed that a national congress of representatives from all affected communities be established to decide how the fund should be used. The executive director of Gencor, Mr Derek Keys, said that the fund sounded like an intelligent allocation of resources, while the president of the Afrikaanse Handelsinstituut, Mr Tom de Beer, described it as a ‘major step in the right direction’.⁹¹ [⁹¹ *Sunday Times* 19 March 1990]

Subsidiary budgets

The votes in the main budget for the three own affairs houses may be broken down as follows:⁹² [⁹²

Administration: House of Assembly, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP6-1989; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP6-1990;

Administration: House of Delegates, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP12-1989; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP12-1990;

Administration: House of Representatives, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP9-1989; *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1991*, RP9-1990]

House of assembly budget^a

1989/90 Rm

1990/91 Rm

Chairman of the ministers' council

4

4

Agriculture and water supply

697

666

Education and culture

4 393

5 324

Local government, housing and works

306

332

Budgetary and auxiliary services

28

42

Improvement of conditions of services

7

251

Welfare

1 019

1 088

Health services

162

433

Total^b

6 615

8 138

^a Figures for 1989/90 and 1990/91 are initial estimates

^b Rounded; figures may, therefore, n

House of Delegates budget ^a

1989/90 Rm

1990/91 Rm

Budgetary and auxiliary services

18

23

Local government, housing and agriculture

178

168

Education and culture

589

736

Health services and welfare

218

249

Improvement of conditions of service

1

43

Total ^b

1 005

1 219

House of Representatives budget ^a

1989/90 Rm

1990/91 Rm

Budgetary and auxiliary services

86

109

Local government, housing and agriculture

420

307

Education and culture

1 370

1 873

Health services and welfare

885

981

Improvement of conditions of services

3

115

Total ^b

2 764

3 386

^a Figures for 1989/90 and 1990/91 are initial estimates

^b Rounded; figures may, therefore, not add up

The budgets of the ten homelands for 1988/89 and 1989/90 and the percentage increase for 1989/90 over the previous year are given below. (Further details of the homeland budgets are given in the chapter on *The Homelands*.)

Homeland budgets

1988/89 R

1889/90 R

Increase

Bophuthatswana

1 745 591 000

2 309 219 000

32%

Ciskei

1 068 506 000

1 312 231 000

23%

Gazankulu

560 736 000

668 469 000

19%

KaNgwane

299 861 722

323 273 730

8%

KwaNdebele

294 030 000

298 799 000

2%

KwaZulu

1 967 549 000

2 415 337 800

23%

Lebowa

1 099 406 000

1 311 582 000

19%

QwaQwa

301 760 000

393 775 000

30%

Transkei

1 952 180 000

2 308 714 000

18%

Venda

590 179 400

776 054 800

31%

Total

9 879

Revenue allocated to the various homeland legislatures from the national budget for 1989/90 was as follows:

Grants from central government to various legislatures: 1989/90 ^a

R

House of Assembly

6 615 028 000

House of Delegates

1 004 597 000

House of Representatives

2 764 481 000

Bophuthatswana

526 000 000

Ciskei

654 036 000

Gazankulu

561 157 000

KaNgwane

273 894 000

KwaNdebele

228 153 000

KwaZulu

1 798 911 000

Lebowa

1 083 344 000

QwaQwa

220 819 000

Transkei

899 418 000

Venda

374 582 000

Total

17 004 420 000

a

These figures do not include all transfer payments from the central government to the homeland legislature. Some of these payments are included in the figure quoted for 'internal revenue' in the chapter on *T*

Taxation

In May 1989 Mr Du Plessis said in Parliament that in the 1987/88 tax year, in comparison with the previous year, the taxable earnings of Africans had grown by 18% to R3,5bn, those of coloured people by 16% to R3,1bn, those of Indians by 10% to R1,9bn and those of whites by 11% to R3,6bn. He said that the following numbers of each race group had paid income tax in 1987/88: 306 000 Africans, 240 000 coloured people, 125 000 Indians and 1,4m whites. A total of five Africans, three coloured people, 11 Indians and 901 whites had paid tax on incomes exceeding R250 000 in 1987/88.⁹³ [⁹³ *Business Day* 12 May 1989]

In August 1989 a director of Econometrix, Dr Azar Jammine, said that unless the government was prepared to cut nominal tax rates significantly, hundreds of thousands of Africans would fall into the tax net within the next two years. He argued that some political leaders could interpret such a situation as 'taxation without representation', and that it would increase pressure for African political rights. Dr Jammine said that between the 1985/86 and 1987/88 tax years the proportion of African taxpayers in the total population of taxpayers had increased from 6% to 15%. If trends continued at this rate, African taxpayers could outnumber white taxpayers by 1995.⁹⁴ [⁹⁴ *The Citizen* 17 August 1989]

In March 1990, in his budget speech to Parliament, the minister of finance, Mr Barend du Plessis, said that over the previous few years steps had been taken to make the total tax burden as light as possible on the less-privileged section of the population. He added that attempts to 'neutralise automatic tax increases arising from fiscal drag were not always successful'. However, it was the aim of the government gradually to reduce the maximum rate as part of a five-year plan. In the 1990/91 budget, tax concessions would give relief to taxpayers in the lower-to-middle income groups, in which the largest proportion of taxpayers were to be found.⁹⁵ [⁹⁵ *Business Day* 15 March 1990]

In his budget speech in March 1990 Mr Du Plessis outlined the government's approach to taxation. He argued that continuing reform of the tax system was an important element in the government's economic restructuring programme. The government was 'deeply concerned' that tax allowances and concessions were being misused. Mr Du Plessis said that the introduction of a minimum tax on both companies and individuals was being considered. He believed that special attention had to be given to:⁹⁶ [⁹⁶ *Ibid*]

- broadening the existing tax base, by eliminating tax concessions and rebates;
- promoting equal and fair treatment of all taxpayers; and

- placing more emphasis on indirect taxes and less on direct taxes.

Mr Harry Schwarz MP (Democratic Party) said in April 1990 that tax evasion in South Africa's hidden economy had become a major problem. He pointed out that in 1989 the Commissioner of Inland Revenue had been able to recover R1,2bn in unpaid taxes, which was 40% higher than the figure for the previous year. A spokesman for the Department of Inland Revenue said that of the total amount recovered, R297m was for unpaid general sales tax (GST), R785m for unpaid income tax, and R122m had been recovered by 'special investigations'. Some 180 000 summonses had been served on individual taxpayers for failing to submit tax returns. Mr Schwarz pointed out that after the end of 1990, with the halving of the period of national service to one year, the Department of Inland Revenue would not have the same number of chartered accountants rendering national service by working for the department. These national servicemen had given valuable assistance in the tracing of tax evaders, he said.⁹⁷ [⁹⁷ Ibid 27 April 1990]

Value added tax

In 1987 the government had accepted the recommendation of the Commission of Inquiry into the Tax Structure of the Republic of South Africa (the Margo commission) that GST be replaced with value added tax (VAT) (see *1988/89 Survey* pp339–340). In April 1989 Mr Du Plessis said that draft legislation to allow for VAT had been prepared and that it was 'in the process of refinement'. He added that the draft bill was being refined by the tax advisory committee of the Department of Finance in consultation with a team of international VAT specialists. He claimed that VAT was 'a means towards tax neutrality and equity' and that it promoted higher productivity.⁹⁸ [⁹⁸ *Daily Dispatch* 1 April 1989]

Speaking in Parliament in March 1990, Mr Du Plessis said that it would shortly be possible to publish the draft bill to introduce VAT. He said that the government confirmed its previous undertaking to 'allow sufficient time for consultation with representative organisations' before the legislation was passed, and added that the tax would not be implemented until a period of six months had elapsed after its approval by Parliament. 'It thus follows that it will probably not be possible to implement VAT before 1 October 1991,' Mr Du Plessis declared.⁹⁹ [⁹⁹ *Business Day* 15 March 1990]

It was reported in May 1990 that there was strong resistance from business and industry to the idea of replacing GST with VAT. The executive director of the Cape Town Chamber of Commerce, Mr Alan Lighten, said that the proposed switch to VAT would achieve very little additional return for the fiscus and subject the country to a costly and complicated adjustment to the new tax. He argued that the net result of VAT would be a more costly tax system, which would be funded through higher prices for goods and services. Mr Lighten pointed out that VAT was a sophisticated tax which required complex returns and an extensive control network. It added to the number of tax collection points, increasing the cost of collection. He said that it also caused financing problems to businesses which had to pay the tax before collecting it through sales of goods and services. Mr Lighten added that the government was also

faced with the difficult decision of whether or not to include foodstuffs in the new VAT tax net. If foodstuffs were not taxed, he believed that it would be impossible to bring the VAT rate down to below 15%, which would be necessary to collect the same revenue as under the present system of GST.¹⁰⁰ [¹⁰⁰ Ibid 2 May 1990]

In June 1990 the deputy minister of finance, Dr Org Marais, said that he hoped that VAT would be introduced in October 1991, at a rate lower than the current rate of GST (13%). However, the same amount in revenue would be collected from VAT as from GST, since foodstuffs would no longer be exempted from taxation. All 'private transactions' would be exempt from VAT, including the sales of houses or motor vehicles. Manufacturers of export goods would be reimbursed for VAT paid during earlier stages of the production of such goods, which Dr Marais believed would make South African exports more competitive. He said that he expected the introduction of VAT to have a 'minimal effect' on the inflation rate, increasing it by between 0,5% and 2,5%.¹⁰¹ [¹⁰¹ *The Citizen* 15 June 1990]

The Value Added Tax Bill, which comprised 100 pages, was published shortly after Dr Marais's announcement. It was to be followed by a publicity campaign, explaining VAT to the public. The government also announced that it would set up a committee to consider all comments on the draft legislation.¹⁰² [¹⁰² *Business Day, The Star* 18 June 1990]

Economic Policy

Extensive debate about the form of a post-apartheid economy followed the legalisation of the African National Congress (ANC) in February 1990 (see also chapters on *Political Organisations* and *Political Developments*.) Much of the debate focused on the issue of a free-market or a regulated economy, with particular emphasis on nationalisation.

After his release from prison in February 1990, the deputy president of the ANC, Mr Nelson Mandela, said that nationalisation was a logical step, given the historical deprivation of blacks in South Africa. 'Nationalisation is the policy of the ANC and a change or modification of our views in this regard is inconceivable,' he said.¹⁰³ [¹⁰³ *The Star* 26 February 1990] In the same month the general secretary of the ANC, Mr Alfred Nzo, said that the ANC realised that nationalisation was not the panacea for all the problems in the economy. He felt, however, that nationalisation was the only way to redistribute wealth, which was heavily concentrated in the hands of some whites.¹⁰⁴ [¹⁰⁴ *The Citizen* 7 February 1990, *Cape Times* 5 February 1990]

In March 1990 Mr Thabo Mbeki, a member of the national executive committee of the ANC, said that the ANC did not have a clear policy on nationalisation, but merely guidelines. 'However', he said, 'the present economic system has been distorted by monopolies and cartels, and the system has gross inequalities and imbalances that have produced great poverty within the black section of the population. Any democratic government will have to alter the structures inside the economy in order to create a

system that can redress these imbalances.’¹⁰⁵ [¹⁰⁵ *Sowetan* 5 March 1990]

In April 1990 Mr Mandela said that the ANC had not yet decided which sectors of the economy would be nationalised, and that it would do so only if nationalisation strengthened the economy. ‘Only the mines, banks and monopoly industries would be nationalised following thorough research by teams of experts, and if their findings do not encourage nationalisation, then the ANC would listen carefully to their advice.’¹⁰⁶ [¹⁰⁶ *The Star* 26 April 1990]

The ANC published a draft document on its approach to economic policy in June 1990, following a workshop attended by leaders of the ANC and the Congress of South African Trade Unions (COSATU) in Harare (Zimbabwe) in May (see chapter on *Political Organisations*.)

The president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that talk of nationalisation was ‘fatal talk’. If we talk nationalisation too hard, the wealth which we are disputing about will finally be consumed in a racist conflagration as white scorched earth policy meets black scorched earth policy,’ he said. There was an urgent need to redistribute wealth in South Africa as effectively as possible, Chief Buthelezi said, but there was a large groundswell demand’ for a responsible free enterprise system that could produce jobs and create wealth.¹⁰⁷ [¹⁰⁷ *The Natal Mercury* 27 March 1990]

The former chief economist of the Chamber of Mines of South Africa, Mr Mike Brown, said that the ANC should expect a ‘severe international backlash’ if it pressed ahead with the nationalisation of gold mines. He pointed out that 20% of South African gold shares were in the hands of foreign investors. ‘Nationalising their assets would invite retaliation through seizure of South African assets abroad, and would terminate all chances of fresh foreign investment.’ He also said that South African taxpayers would have to shoulder enormous new burdens in order to pay compensation for nationalisation.¹⁰⁸ [¹⁰⁸ *The Star* 27 April 1990]

The director general of the South African Chamber of Business, Mr Raymond Parsons, said in April 1990 that the chamber had drawn top businessmen and economists together to examine the issue of nationalisation and the redistribution of wealth. ‘There is a need to look at what legitimate concerns lie behind the preoccupations of the ANC and other black groups with regard to nationalisation and the redistribution of wealth. There are historical injustices to be addressed and social backlogs to be rectified.’¹⁰⁹ [¹⁰⁹ *Ibid* 4 April 1990]

In a speech in Johannesburg, the general secretary of the Pan-Africanist Congress (PAC), Mr Benny Alexander, outlined the approach of the PAC to economic issues. He said that the PAC believed in active state intervention in the economy and state control over natural resources. He said, however, that he did not wish to promote the ‘illusion’ that only the state could develop the economy, and that towards this end a PAC government would promote businesses owned individually and through the co-operation of ‘indigenous’ people. Black people would be encouraged to acquire managerial, technical and

professional skills and to increase their ownership of economic assets.¹¹⁰ [110 *Business Day* 5 June 1990]

Mr Alexander said that the PAC envisaged the redistribution of wealth in favour of 'indigenous African people' and the redistribution of land for the use of 'all Azanians'. Compensation for confiscated land would be provided in the form of interest-bearing government bonds.¹¹¹ [111 *Ibid*]

He added that privatisation of parastatal industries would not be encouraged unless it 'enhanced the political and economic aims of the PAC'. Parastatal corporations would be run autonomously by professional managers within a framework of developmental and redistributive goals. Mr Alexander also said that private sector workers would have the right to participate in all financial decisions made by their employers, with workers' representatives serving on companies' boards of directors. Workers would hold a certain percentage of companies' equity capital, initially to be financed by the state.¹¹² [112 *Ibid*]

RELIGIOUS ORGANISATIONS

General Matters

During the period under review government restrictions on left-wing political leaders were lifted. While the restrictions were still in force, a number of leading churchmen had engaged in a campaign to bring about changes in South Africa through various forms of economic and diplomatic pressure from within the country and abroad. The most visible of these leaders were the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu; the head of the Nederduitse Gereformeerde (NG) Sendingkerk and president of the World Alliance of Reformed Churches, Dr Allan Boesak; the secretary general of the South African Council of Churches (SACC), the Rev Frank Chikane; and the former general secretary of the Southern African Catholic Bishops' Conference, the Rev Smangaliso Mkhathshwa.

After assuming the office of state president in September 1989, Mr F W de Klerk agreed to meet the leaders of the SACC to hear their demands, this meeting being held at the Union Buildings (Pretoria) on 11 October 1989. The church leaders presented a memorandum outlining steps which they considered should be taken immediately, and further steps necessary within six months, before 'genuine negotiations' could take place for the ending of apartheid. Mr De Klerk acknowledged the need to address the issues raised by the delegation, but said that no government could adhere to a timetable in negotiations of this kind. He urged the church leaders to accept the bona fides of the government in its commitment to reform and to a new, fair dispensation in which blacks would be represented in all spheres of government. The churchmen were reported to have promised 'to say to our friends that the sanctions programmes should be put on hold' if the government really was committed to reform.¹ [1 *The Star, The Citizen* 12 October 1989; *Seek* November 1989]

In a Christmas message broadcast in December 1989, Mr De Klerk invited church leaders to discuss

with him the role of the churches in a changing South Africa. Some of the conservative churches accepted this offer immediately. Early in January 1990 a delegation from the Potchefstroom-based Gereformeerde Kerk in Suidelike Afrika (also known as the 'Dopperkerk') had discussions with Mr De Klerk. The substance of these was not made public. Several days later Mr De Klerk received a 12-man delegation from the Church Alliance of South Africa (CASA), an umbrella body established during 1988 with the aim of uniting Christians to bring about change in South Africa in a peaceful way. Its president, Dr M L Badenhorst, told the press that it represented 15m people in South Africa, of whom 10m were black. Its representatives wanted to have a 'heart to heart' talk with the state president on the subject of reconciliation and justice.² [² *The Star, The Citizen* 9 January 1990]

The president of the Southern African Catholic Bishops' Conference, Bishop Wilfred Napier, said in February 1990 that the Catholic bishops would like to have private discussions with Mr De Klerk. He added that they had made this decision during the previous October, and hence were not responding directly to the invitation. They intended, too, to meet representatives of the major African political groups.³ [³ *The Star* 1 February 1990]

The invitation was rejected by the SACC, which stated that if the churches needed to have joint meaningful discussions with the state president they would first have to meet on their own and address the serious issues which had left them deeply divided and mutually estranged since the Cottesloe meeting of the early 1960s (see 1961 *Survey* p63).⁴ [⁴ *Seek* May 1990]

Dr Louw Alberts, who had been appointed chairman of the steering committee for the proposed church conference, said in June 1990 that the government did not intend to interfere in any way with the autonomy of the churches. Church leaders then suggested to him that a conference should be held without state involvement. Mr De Klerk subsequently withdrew his invitation to the churches to meet him.

Delegates from some 20 churches then met in Johannesburg. This was the first time that representatives of the SACC, Afrikaans churches, charismatic churches and African churches had gathered together. It was agreed that a joint conference should be held in November 1990 on the theme 'the birth of a new South Africa'. Dr Alberts and the Rev Chikane were appointed co-chairmen.⁵ [⁵ *The Citizen* 14, 16, 20 June 1990] Earlier, in April 1990, 40 religious leaders drawn from the SACC, the Southern African Catholic Bishops' Conference and the Jewish, Muslim and Hindu communities met representatives of the African National Congress (ANC) to discuss ways to assist long-term political exiles when they returned to South Africa. At a subsequent conference, Mr Chikane was appointed to initiate the formation of structures to facilitate this task.⁶ [⁶ *Ibid* 23 April 1990, 22 May 1990]

South African Council of Churches (SACC)

During June 1989 the South African Council of Churches (SACC) held its annual general meeting at St

Barnabas College in Bosmont (Johannesburg). At the time of the meeting Mr Chikane was recovering from repeated bouts of sickness suffered during a visit to the United States earlier in the year. An analysis by the American Federal Bureau of Investigation (FBI) confirmed earlier findings that his clothing had been contaminated with a poisonous organophosphate. On the night before the meeting at St Barnabas College a noxious liquid was sprayed inside the college chapel, necessitating a change in venue for the opening services. About 46 people, including children from the college, were treated at the Coronation Hospital after they had inhaled the fumes. A spokesman for the Johannesburg Fire Department stated that the substance used had been an irritant acid but that it was non-toxic.⁷ [⁷ *The Star* 19 May 1989, *The Citizen* 20,27 June 1989]

The churches subsequently set up an independent board of inquiry to investigate these incidents and other attacks on anti-apartheid groups and activists. The board was said to have uncovered strong circumstantial evidence suggesting that a 'hit' squad of the South African Defence Force might have been implicated in the attempts to poison Mr Chikane.⁸ [⁸ *The Star* 27 July 1989, *Inter Nos* February 1990] Evidence given during March 1990 to the Commission of Inquiry into Certain Alleged Murders (the Harms commission) referred to the activities of the Civil Co-operation Bureau (CCB).⁹ [⁹ *The Star*, *The Citizen* 6,7 March 1990] Testifying before the commission in Pretoria, Mr Ferdi Barnard said that as a member of the CCB he had been involved in the surveillance of Mr Chikane.¹⁰ [¹⁰ *The Star* 4 April 1990] Another witness, Mr Edward James Gordon, was reported to have named 16 people who were on the CCB hit list, including the head of the Nederduitse Gereformeerde Sendingkerk, Dr Boesak, Mr Chikane and Archbishop Tutu.¹¹ [¹¹ *Ibid* 29 March 1990]

At a meeting held in Johannesburg in March 1990 the SACC decided to ask Mr De Klerk to receive a delegation to discuss 'the state of the nation'. Mr De Klerk agreed, and on 11 April 1990 he, together with the minister of law and order, Mr Adriaan Vlok, and the minister of constitutional development, Dr Gerrit Viljoen, received a delegation representing the Anglican, Congregational, Lutheran, Methodist, Presbyterian and Roman Catholic churches, the NG Sendingkerk and the SACC secretariat.

According to press statements the delegation was received very warmly. During the two-hour discussion there was consensus that violence in general should cease and that the necessary climate for peaceful negotiations should be created. Delegates made various suggestions, which Mr De Klerk said would receive serious consideration. In subsequent press interviews both Archbishop Tutu and Dr Boesak pleaded for an end to the 'armed struggle'.¹² [¹² *The Citizen* 10, 11, 12, 19 April 1990]

Early in 1990 the SACC, together with the Southern African Catholic Bishops' Conference, set up various task forces to deal with issues involved in the repatriation of 20 000 political exiles, including the provision of housing, education, health care and employment.¹³ [¹³ *The Star* 31 May 1990, *Seek* June/ July 1990]

Wilgespruit Fellowship Centre

The Disclosure of Foreign Funding Bill (see *1988/89 Survey* p468 and p545) became law early in 1990. The first body to be declared a 'reporting organisation' was the Wilgespruit Fellowship Centre at Roodepoort (west Rand). The consequences of the declaration were that the organisers had to declare the identity of foreign donors and to provide proof of how the money was spent. The centre's books would have to be made available for security by the authorities. In a press statement the SACC said that it had already expressed its rejection of the act in that it enabled the state to 'exercise surveillance over the church and organisations and to control activities. The state has no right to interfere in the life, witness and legitimate work of the church. When it does so, it places itself on the side of the forces of the anti-Christ. The Wilgespruit Fellowship Centre is threatened with curtailment of its work among those whom it seeks to serve. They are the very people who have been deprived and oppressed by the apartheid system with its inherent injustices'.¹⁴ [¹⁴ *The Star* 1 February 1990]

Individual Christian Organisations

African independent churches

The African independent churches (also known as 'people's churches' or 'spiritual churches') are reported to be the fastest growing religious bodies in South Africa. Members are political moderates. The movement consists of various associations of churches falling into three broad groups: Apostolic churches (which seceded from the Apostolic Faith Mission), Ethiopian churches (which broke away from the mainline churches), and Zionist churches (which originated in the United States).

In November 1989 Mr De Klerk and Dr Viljoen received two black leaders of 'moderate' church groups, the life chairman of the Reformed Independent Churches' Association, Bishop Isaac Mokoena, and the leader of the Council for Apostolic and Zion Churches in Southern Africa, Archbishop Mzilikazi Masiya, who were said to represent about 7m black Christians. It was reported that both parties to the talks had agreed that all discriminatory legislation should be repealed as soon as possible, but that this should be achieved in an orderly fashion. Certain clergy, it was alleged, were misusing the church for political ends. Those present at the meeting considered sanctions and disinvestment to be counter-productive. Bishop Mokoena and Archbishop Masiya also requested that 'moderate blacks' be consulted before the state of emergency was lifted.¹⁵ [¹⁵ *The Citizen* 21 November 1989]

Apostolic Faith Mission of Africa

The Apostolic Faith Mission of Africa is divided into African, coloured, Indian and white churches, but talks to unite the churches have been held. The black churches have been regarded as mission churches of the white body. In 1985 the African church rejected apartheid as incompatible with the gospel. A leading member in the discussions leading to this decision was the secretary general of the South

African Council of Churches, the Rev Frank Chikane, and the church authorities suspended him for one year because, they claimed, he had become involved in politics. The suspension was not reviewed until 1990, when the church's executive council apologised for the action that had been taken against him and re-instated him as a minister.¹⁶ [¹⁶ *Seek* May 1990]

Baptist Union of Southern Africa

The Baptist Union continues its mission work throughout Africa. In South Africa it organises an annual summer camp for young people of all races. The camp at Barkly West (northern Cape) in December 1989 had 1 025 participants from 114 churches.¹⁷ [¹⁷ *Baptist Today* February 1990]

Church of the Province of Southern Africa (Anglican)

Anglican leaders have continued to express their opposition to apartheid. During April 1989 a meeting was held in Maputo (Mozambique) of the synod of bishops from Lesotho, Mozambique, South Africa, Namibia, St Helena and Swaziland. A statement was issued afterwards advocating carefully targeted economic and other forms of pressure to help bring about an end to apartheid.¹⁸ [¹⁸ *Seek* May 1990]

The Primates (archbishops) from all of the 27 Anglican provinces (regions of the world) subsequently met in Cyprus. They resolved that stability in South Africa could be achieved only by the removal of banning orders on organisations opposed to apartheid, the release of political leaders under detention for their opposition to apartheid, the lifting of the state of emergency and the introduction of a bill of rights. They called for international economic and diplomatic pressure to bring about these changes.¹⁹ [¹⁹ *The Citizen* 3 May 1990]

Similar steps were advocated by a provincial synod which met in Durban during June 1989. This synod consisted of equal numbers of clergy and laymen from every diocese in the Church of the Province of Southern Africa. Among other resolutions passed at the Durban meeting were:

- a call for an end to military conscription and for the provision of appropriate alternative service for those who, in conscience, were unwilling to serve in the South African Defence Force;
- a resolution urging the abolition of capital punishment, and the commuting of death sentences on prisoners on 'death row'; and
- a resolution discouraging the use of *Die Stem* as the national anthem, and advocating the singing of *Nkosi Sikelel' iAfrika* instead.²⁰ [²⁰ *The Citizen, The Star* 7, 8, 9 June 1989]

At a later meeting of the Synod of Bishops in Soweto during February 1990, a statement was issued welcoming the changes that were taking place in South Africa. Messages of prayerful support were sent to the state president, Mr F W de Klerk, and the deputy president of the African National Congress (ANC), Mr Nelson Mandela. The bishops urged the liberation movements to suspend the armed struggle. Many of the arguments for continuing the struggle had fallen away with the lifting of restrictions on political organisations, it was said. The bishops condemned the use of violence within communities as a means of forcing political opinions on others. The South African government was urged to withdraw troops from the townships, to guarantee impartial policing and to grant a general amnesty to exiles and political prisoners. The bishops committed themselves to calling for an end to sanctions once the movement towards the dismantling of apartheid and the establishment of a democracy was irreversible.²¹ [²¹ *Seek* March 1990]

Full Gospel Church of God of Southern Africa

In May 1990 the Full Gospel Church of God of Southern Africa (a ‘pentecostal’ church) decided that its four assemblies, catering for different racial groups, should be merged into one united body.²² [²² *The Citizen* 22 May 1990]

Methodist Church of Southern Africa

The Methodist Church has consistently voiced its opposition to apartheid. Its president during the period under review was the Reverend Dr Stanley Mogoba (who was also president of the South African Institute of Race Relations).

Prior to the elections in September 1989 Dr Mogoba sent a pastoral letter to all Methodist ministers with a request that it be read from the pulpit. In the letter he expressed his hope that these would be the last elections which would exclude the majority of South Africans. The government had to be aware, he said, that apartheid had to go. He warned, however, that this would be a slow process.²³ [²³ *Ibid* 12 August 1989]

In his annual address to the ministers of his church in Cape Town in October 1989, Dr Mogoba said that South Africa required a liberating church which would continually be the voice of the voiceless and champion the rights of the oppressed. Just as the church had campaigned against apartheid (a campaign he hoped would soon be history) it now needed to campaign for the upliftment of the neglected people of the southern African region. Such a development, he suggested, could start with education.²⁴ [²⁴ *Ibid* 12 October 1989]

Speaking at a graduation ceremony of the Theological Education by Extension College in Johannesburg in May 1989, Dr Mogoba called upon warring factions in Natal and elsewhere to eliminate the evil of violence. ‘How can we explain on the one hand the tumultuous joy of welcoming a leader like Mr

Mandela, and on the other the utter indifference to the call he makes for peace?' he asked.²⁵ [²⁵ *Race Relations News*, December 1989]

At a meeting held in Durban in May 1990, the bishops of the Methodist Church sent messages to Mr De Klerk and Mr Mandela expressing joy at the 'talks about talks' that were being held. The meeting endorsed Dr Mogoba's plea for as many organisations as possible to be involved in negotiations, and urged the Pan-Africanist Congress to reconsider its refusal to do so.²⁶ [²⁶ *The Citizen* 4 May 1990, *Profile* May 1990]

The International Foundation for Freedom and Human Rights made its 1990 award to Dr Mogoba. The citation which accompanied the award stated that he had 'inspired initiatives and distinguished contributions in creating an atmosphere of reconciliation, and in building bridges between the different ethnic and political groups in [his] country by [his] functions as presiding bishop of the Methodist Church of Southern Africa, as president of the South African Institute of Race Relations, and by [his] many national and international commitments and activities'.²⁷ [²⁷ *Seek* June/July 1990]

National Initiative for Reconciliation and Koinonia Southern Africa

The National Initiative for Reconciliation is headed by Professor Dawid Bosch, and its part-time national co-ordinator is the Anglican Dean of Pretoria, the very Rev Robin Briggs. Its work is closely related to that of Koinonia Southern Africa, led by Dr Nico Smith, a Nederduitse Gereformeerde Kerk minister serving Africans in Mamelodi (Pretoria). Both bodies seek to promote fellowship between members of all races in South Africa.

Towards the end of 1989 Dr Smith organised the 'Mamelodi Encounter', during which more than 200 whites spent several days in the African township of Mamelodi, while Africans were accommodated at the homes of white families. The experience was hailed as a major success in racial reconciliation. Similar encounters were arranged in Atteridgeville (Pretoria) and in townships near Johannesburg and Port Elizabeth.²⁸ [²⁸ *The Star* 27 February 1990]

Another Koinonia initiative was to arrange for 'ordinary' South Africans of all races to meet for meals in Soweto in the form of braais (barbecues), lunches and picnics. These small multiracial groups also discussed their daily experiences and how apartheid had affected them.²⁹ [²⁹ *Ibid* 15 January]

Nederduitsch Hervormde Kerk (NHK)

The Nederduitsch Hervormde Kerk (NHK) is the second largest of the three Dutch Reformed Churches (the others being the Potchefstroom-based Gereformeerde Kerk or 'Dopperkerk' and the Nederduitse Gereformeerde Kerk (NGK) group (see below)). Formed by descendants of the Voortrekkers, the NHK

became the official state church of the South African Republic (Transvaal). Article 3 of its constitution restricts membership of the church to whites, although there is a small black 'daughter church'. A general synod of the NHK held in June 1989 voted overwhelmingly to retain Article 3.

However, one of the NHK's congregations is the Dutch-language Marantha Church in Parktown (Johannesburg) which holds more liberal views. During July 1989 it hosted an ecumenical service, attended by about 400 members of black, white and multiracial churches. Its pastor, Dr J Lensink, was subsequently charged by his church and found guilty of transgressing Article 3. However, he was not deprived of his ministry.³⁰ [³⁰ *Sunday Times* 2 July 1989; *The Star* 31 July, 30 November 1989]

Nederduitse Gereformeerde Kerk group of churches

This group consists of the Nederduitse Gereformeerde Kerk (NGK) (in practice, almost exclusively white), the (coloured) Nederduitse Gereformeerde Sendingkerk, the (Indian) Reformed Church in Africa, and the (African) Nederduitse Gereformeerde Kerk in Afrika (NGKA). In 1974 the NGK had held the view that separate nations had been established by God, and that it was within this context that individuals lived out their religious, social and political lives. In 1982 the Sendingkerk adopted the so-called *Belhar Confession of Faith*, which rejected the NGK's justification of apartheid as being a heresy. All ministers of the Sendingkerk were required to accept this document (see 1984 *Survey* pp906–907, 1986 *Survey* p316). In 1986, by majority vote, the NGK adopted a testimony called *Kerk in Samelewing* (an English version of which was entitled *Church and Society*). It was considered that in the structuring of the church provision could be made for linguistic and cultural differences between peoples, but only in such a way that church unity was not impaired. No one should be excluded on the basis of his/her origins, national allegiance, language or colour. No congregation should deprive anyone who so desired of listening to the Word of God. Racism was a grievous sin. The application of apartheid as a political and social system could not be accepted on Christian ethical grounds. To the extent that the church and its members had been party to apartheid, 'we confess it humbly and penitently' (see 1986 *Survey* Part 1 pp313–314).

The NGKA had been less outspoken on the apartheid issue than the Sendingkerk, mainly because of its financial dependence on the white church, in particular for subsidising the salaries of ministers. Efforts continued during the period under review to overcome this situation.

In March 1989 the international Reformed Ecumenical Synod (RES) arranged discussions between the NGK group of churches in South Africa and related churches in Botswana, Malawi, Namibia, Zambia and Zimbabwe. A week-long meeting was held in Vereeniging (southern Transvaal). (See also 1988/89 *Survey* p734.)

According to press reports, on 7 March members of the white church unequivocally rejected apartheid, professed the NGK's sin of complicity in the system, and asked the black churches for forgiveness. The moderator of the Sendingkerk, Dr Allan Boesak, said that these statements had opened for him a 'previously locked, bolted and rusted door'. It was decided that, overnight, a statement should be drafted

providing the basis for a new relationship between the churches.

However, in discussions that evening the white delegates decided that, while they no longer supported the government's premise that apartheid was ordained by God, their view of apartheid remained within the framework of the document *Church and Society*. This document had not dealt explicitly with political and social values: it was argued that political issues were not the concern of the church. On the following morning, black delegates rejected this view as inadequate, seeing it as a contradiction of their belief that discussions on the preceding day had led us to believe, erroneously, that the white NGK was ready to abandon truly and completely its own path and to embark on a road towards a free and democratic South Africa and a truly united Reform Church'.

During discussion the whites again confessed their sin of complicity in the system. The moderator of the NGK, Professor Johan Heyns, proposed a redrafted resolution on behalf of his church. 'We confess with humility and sorrow the participation of our church in the introduction and legitimation of the ideology of apartheid and the subsequent suffering of people. The ideology of apartheid is a political and social system whereby human dignity is adversely affected, and whereby one particular ethnic group is detrimentally oppressed by another, and cannot be accepted on Christian ethical grounds. 'We again express our concern about the ongoing state of emergency and accompanying measures, and request the government to lift it at the earliest possible moment.

'It is our conviction that all the members of the NGK family in South Africa should work together on all burning issues and approach the government together.'

Dr Boesak then submitted another resolution from the black churches reading, in part, 'We, too, confess that we have not always been willing to speak up clearly enough against apartheid, through fear. We now respond by reaching out in forgiveness and assure our brothers from the white NGK that, well aware of our own weakness and sin, we do not intend to hold the past against them.'

Thereafter, specific implications of the apartheid policy were discussed. White delegates had reservations about some of the resolutions which were passed by majority vote and embodied in a document called the *Testimony of Vereeniging*. According to press reports, only one white delegate actually voted against the adoption of this document, but various issues remained unresolved and were accepted by the whites as a basis only for future talks. Among these issues were calls for the abolition of unjust laws, the lifting of the state of emergency, the release of all political prisoners, the abolition of detention without trial and the transfer of power to the majority by free and fair elections. Black churches demanded unification into a single nonracial church rather than merely co-operation between the existing four branches.

Black delegates considered that the whites were not willing to translate repentance for apartheid into any practical political consequences. A private meeting between Dr Boesak and Professor Heyns averted a split. Representatives of the various churches agreed to seek approval from their churches of the resolutions passed at the Vereeniging meeting regarding apartheid. Doors would remain open for further

talks.³¹ [³¹ *The Star* 6, 7, 8, 9, 10 March 1989; *The Citizen* 6, 7, 8, 9, 10, 11 March 1989]

The *Sunday Times* said that the problem at the Vereeniging meeting—admitted by both sides—was ‘that the participants came from two separate and insulated worlds created by apartheid. All the political baggage of secular life was thus taken into the conference—with predictable results. Whites did not comprehend the frustration of those who feel themselves victims of an oppressive system. Blacks had scant sympathy for the dilemma of white brethren from a church racked by all the left-right tensions dividing Afrikanerdom’.³² [³² *Sunday Times* 12 March 1989]

The talks brought about closer relationships between the Sendingkerk and NGKA on the one hand, and the smaller churches from neighbouring countries on the other. All these churches had been reluctant to confront the ‘mother church’ (ie the NGK) because of their dependence on finance from the white church.

Professor Heyns said that the most important aspect of the meeting was that it promoted the concept of reconciliation, although reconciliation did not mean covering up differences nor that the NGK group of churches should all think and behave in the same way. ‘We understand each other now. We (the black and white churches) live in two worlds, but the conference showed it could be two worlds of hope.’³³ [³³ South African Press Association, 25 March 1989]

Shortly afterwards, the general synod commission of the NGK decided to refer the *Testimony of Vereeniging* to an ad hoc committee for study, with a view to reporting to the full synod, which would meet again in October 1990. It was decided that the *Belhar Confession of Faith* did not conflict with the traditional articles of faith of the NGK. Together with the document *Church and Society*’ it would serve as a basis for discussion between the white and black churches.³⁴ [³⁴ *The Star* 16 March 1990, *The Citizen* 23 March 1990]

On 14 February 1990 Professor Heyns was a participant in a panel discussion filmed by an American television crew, and which was aimed at ending violence in Natal. Questioned on the attitude of his church to racial matters, Professor Heyns was reported to have conceded that in the 1940s it had not only supported apartheid, but had also given it a biblical justification leading to the birth of ‘apartheid theology’. Attitudes had changed since then. He added, I personally believe that our problem in this country is not so much a political one, but rather a religious one. Unless we accept one another as human beings, the possibility of solving this country’s problems is remote. What is now urgently called for is a transformation of heart and a completely new attitude towards one another.’³⁵ [³⁵ *The Star* 15 February 1990]

A few days later, a meeting was held at the University of Pretoria at which Professor Heyns and Dr Boesak spoke. The speakers agreed that the Bible did not prescribe political models, but they differed on the question of how the church should exercise its judgement of an existing political system. Professor Heyns said the church should judge political systems on ethical and theological grounds, but should leave specifics to politicians and economists. Dr Boesak maintained that concepts such as peace and

justice had to be preached in concrete terms. 'We have to talk about things like the redistribution of wealth so that there can be economic justice... The church must strive towards a nonracial, undivided, democratic South Africa. Churches which have fought against this in the past can still play a role by equipping people to join in the process of change.'

Both speakers hinted at a possible unification of the four racially divided branches of the NGK.

Professor Heyns said that the coloured and African churches had already decided to amalgamate.³⁶ [³⁶ Ibid 20 February 1990]

Presbyterian Church of Southern Africa

A meeting of the general assembly of the Presbyterian Church, held at Vanderbijlpark (southern Transvaal) in September 1989, called upon the government to scrap the Group Areas Act of 1966, the Population Registration Act of 1950, the Reservation of Separate Amenities Act of 1953, the Black Local Authorities Act of 1982 and the Separate Representation of Voters Act of 1951.

In March 1990, an editorial in *Presbyterian Life* saluted Mr De Klerk for the 'bold moves' he had recently taken. He had created an atmosphere of hope in the country, it said.³⁷ [³⁷ *The Citizen* 20 September 1989, *Presbyterian Life* March 1990]

Roman Catholic Church

After extensive visits to Africa in 1988 and 1989, Pope John Paul II issued a statement of policy on racism. He said, 'The international community does not have any means of coercion at its disposal with regard to countries which, through their legal system, still practise racial discrimination towards their own peoples. Nevertheless, international law does allow for appropriate external pressure applied in this regard to lead them to abolish racist legislation in favour of legislation in conformity with human rights. However, the international community must take the greatest care in these delicate matters, lest its actions precipitate the country concerned into even more dramatic internal conflicts.'³⁸ [³⁸ *Inter Nos* July 1989]

In 1976 it had been suggested that the Roman Catholic Church should formulate a pastoral plan in terms of which the church would work for the eradication 'of all that oppresses, dehumanises and destroys'—a vision for a future South Africa 'where people are valued more than things', and where every parish would be committed to working for justice. During 1984 the Southern African Catholic Bishops' Conference circulated a brochure entitled *Pastoral Planning Working Paper* and called for responses. These were collated and analysed, together with other relevant church documents and presented to the plenary session of the bishops' conference in 1987, which accepted 'with enthusiasm' the idea of such a plan. A steering committee was instructed to prepare a theme paper for general circulation.³⁹ [³⁹ Ibid]

In May 1989 the bishops issued such a document, entitled *The Pastoral Plan*. ‘As a community serving humanity, building up the wider human community is of utmost importance to us... In Southern Africa we have inherited a legacy of barriers. There are the racial barriers erected by a political policy that has fed on people’s racial prejudices. The appalling injustices which have resulted are well known to us. There can be no meaningful search for a community that does not strive to remove these barriers... We must therefore give special attention to demolishing these barriers, removing discrimination, and fostering a genuine experience of equality before the Lord... We must seek to eradicate from our world all that oppresses, dehumanises and destroys people... To accept the Gospel means to accept the demands of justice, and to overcome discrimination and inequality,’ the document said.⁴⁰ [⁴⁰ Ibid]

A study guide was prepared to help parish councils and small Christian communities to discuss the pastoral plan. Dioceses were asked to hold consultations and to make plans to meet the specific needs in their areas.⁴¹ [⁴¹ Ibid]

Another document published by the bishops’ conference during 1989 was entitled *The Church and Racism: Towards a More Fraternal Society*. At meetings held during that year the bishops’ conference voiced its ‘unreserved condemnation’ of the government’s re-imposition of the state of emergency, and it called once again for the establishment of a single ministry of education.⁴² [⁴² Ibid]

In November 1988, during a visit to South Africa, Mother Teresa of Calcutta established a mission and convent in Khayelitsha, a sprawling African shack settlement near Cape Town (see *1988/89 Survey* p723). Four Mission of Charity nuns who came with her remained to care for destitute people in the area. During 1989 she sent three more nuns to establish a similar mission in Winterveld (Bophuthatswana).

In October 1988 arsonists had set alight Khanya House (Pretoria), the headquarters of the bishops’ conference (see *1988/89 Survey* pp605–606). Seven people who were sleeping on the premises narrowly escaped injury, but archives, furniture and fittings were destroyed. On the following day a suspicious-looking package was found in one of the offices, which was found to contain limpet mines and hand grenades that had no detonators.

In May 1990 Mr Barend Hendrik Strydom was sentenced to death on eight charges of murder. During the trial he claimed responsibility for the arson attack on Khanya House.⁴³ [⁴³ *The Star* 26 May 1990]

A plenary session of the bishops’ conference was held in Pretoria during January 1990. The apostolic delegate to South Africa, Archbishop Ambrose de Paoli, said at the opening session that the new decade ushered in the promise of meaningful changes in the country. He warned that complex, demanding work lay ahead. The president of the bishops’ conference, Bishop Wilfred Napier, emphasised that even if apartheid was scrapped by legislation, there would still be a ‘hard and long struggle to establish a more human and Christian way of dealing with one another’. One of the obstacles was the ‘dogged determination’ that white Afrikaner control and privilege should be maintained. Another was the state of

emergency, which restricted the free flow of information, thereby propagating ignorance, suspicion and fear on the one hand, and frustration, anger and resentment on the other. Furthermore, it allowed a distorted official version of events to be made known. It hindered opportunities of cross-cultural dialogue.⁴⁴ [⁴⁴ *The Citizen, The Star* 25 January 1990]

At a subsequent press conference, the archbishop of Durban, the Most Rev Denis Hurley, said that the bishops' conference had reaffirmed its backing for economic pressure to force further reform and to end apartheid in South Africa. But at the same time it had cautioned against measures which would cause hardship greater than the injustices to be eliminated and which would destroy the economy, he said.

Kagiso Trust

The Kagiso Trust, a South African organisation which channels European and Japanese government funds into a number of South African organisations, became a focus of controversy during the period under review. The trust has links with some of the church organisations referred to above. Its members include Dr Allan Boesak, Rev Smangaliso Mkhathshwa, Rev Beyers Naude, and Archbishop Tutu. The trust is a major recipient of European Community (EC) funds. Other major recipients of such funds are the South African Council of Churches (SACC) and the Southern African Catholic Bishops' Conference (SACBC).⁴⁵ [⁴⁵ *Front File*, vol 2 no 15, November 1988]

It was reported in November 1989 that a conference of supporters of the Pan-Africanist Congress (PAC) and various other South African organisations held in Harare that month had pledged themselves to 'campaign vigorously to end sectarianism such as that practised by the Kagiso Trust'. A Roman Catholic priest who addressed the conference said that the Kagiso trustees represented only one ideological tendency, that of the Freedom Charter. The conference is reported to have concluded that the money channelled through the trust flowed into pro-Freedom Charter organisations to the exclusion of the pro-Africanist camp.⁴⁶ [⁴⁶ *The Star* 27 November 1989] At a rally in Atteridgeville (Pretoria) in December 1989 to welcome Mr Japhta Masemola, a PAC leader who had been in prison for 27 years, the president of the Azanian People's Organisation (AZAPO), Mr Nkosi Molala, said that although European countries pumped hundreds of thousands of rands into the Kagiso Trust to help victims of apartheid, the directors of the trust and the SACC 'see it fit to help only victims who subscribe to one ideology'.⁴⁷ [⁴⁷ *Sowetan* 18 December 1989]

The director of the Kagiso Trust, Mr Achmat Danger, said that the trust did not subscribe to any political organisation and that members of the board had diverse political beliefs.⁴⁸ [⁴⁸ *Ibid* 22 December 1989]

It was reported that the trust had received more than R119m since its inception in 1986. A three-man delegation from the European Community which visited South Africa in April 1990 was given a memorandum in which AZAPO said that all programmes or projects emanating from the black consciousness movement were by-passed by the Kagiso Trust and that no money was given to them. AZAPO said that whenever its affiliates approached the Kagiso Trust for financial assistance they were

advised to consult United Democratic Front (UDF)-affiliated organisations. The PAC claimed that funds from the trust were distributed in favour of the African National Congress (ANC) and its affiliates.

The president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi, said that *the New African* newspaper, which was funded by the Kagiso Trust, was pro-UDF and that propaganda it published against Inkatha fanned the flames of violence in Natal.

Dr Michael Sutcliffe, a Natal regional board member of the Kagiso Trust, said the allegations were unfounded and that 90% of the more than 300 community projects financed by the trust were not politically aligned.⁴⁹ [⁴⁹ *Sunday Tribune* 29 April 1990]

In June 1990 the newspaper *Ilanga*, in which Inkatha is the main shareholder, reported that the Kagiso Trust had poured hundreds of thousands of rands into the South African Youth Congress (SAYCO), which it described as the emerging youth wing of the ANC. The newspaper quoted a SAYCO official as having called on youth in a statement published in *New African* to join the ANC and its 'army', Umkhonto we Sizwe. According to *Ilanga*, Dr Sutcliffe, whom it described as a 'UDF activist', and Mr Yunus Mohamed, a member of the UDF executive, were the key people in deciding how to spend Kagiso money in Natal.⁵⁰ [⁵⁰ *Ilanga* 16 June 1990] Dr Sutcliffe described the allegations as 'absolute lies'.⁵¹ [⁵¹ *Business Day* 18 June 1990]

Dr Sutcliffe was reported by *Ilanga* as saying: 'The claim that we fund SAYCO is not strictly true. It arises out of the fact that a contractual obligation was made in 1987 to fund youth projects. At present we do not fund SAYCO or any political organisation.'⁵² [⁵² *Ilanga* July 1990]

According to *Ilanga*, the Kagiso Trust was due to receive R78m during the 1991 financial year, the SACBC R24m, and the SACC R15m, to give a total of R117m. Apparently this total excluded funds available for trade unions.

Ilanga reported that a special meeting of trustees had been held by the Kagiso Trust in Johannesburg on 18 April 1990 at which the trust had discussed its role in helping 'the exiled broad liberation movement and its internal allies', who 'would form the core of a future government', to prepare itself to govern.⁵³ [⁵³ *Ibid*] Mr Danger said that the definition 'exiled broad liberation movement and its internal allies' would undoubtedly include the PAC and the Black Consciousness Movement of Azania. He said that the trust did not fund 'the ANC, UDF, COSATU, PAC, or the Black Consciousness Movement of Azania'.⁵⁴ [⁵⁴ *Business Day* 9 July 1990]

Ilanga reported in mid-July that a document in its possession showed quite clearly that all policy issues were discussed with the ANC. *Ilanga* also reported Mr Danger as saying that 'we do not have any links, per se, with the ANC'. He said that the documents referred to by *Ilanga* had been 'purloined from our organisation'. Mr Danger also said that a cheque given to SAYCO in April 1990 was the 'fulfillment of an earlier contractual obligation with the European Community'. It did not mean that the trust endorsed

SAYCO's political programme and he said no further applications from SAYCO would be entertained in future.⁵⁵ [⁵⁵ *Ilanga* 14 July 1990]

Dr Sutcliffe said in July that Mr Danger had been followed by 'strange men' since he had answered *Ilanga's* attacks on the trust.⁵⁶ [⁵⁶ *The Citizen* 16 July 1990]

Jewish Congress

A national congress of the South African Jewish Board of Deputies was held in Johannesburg during March 1989 to consider the political climate in South Africa. A resolution was passed calling for the abolition of the Population Registration Act of 1950, the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953, and for the cessation of forced removals. The government was called upon to reaffirm its commitment to negotiation with all peaceful and representative South African groups.⁵⁷ [⁵⁷ *Ibid* 30 March 1989]

Muslims

Large numbers of coloured and Indian Muslims were said to have refrained from voting for members of the houses of Representatives and Delegates in the general elections in September 1989. One of those who urged this boycott was the Imam Ali Gierdien, acting chairman of the Muslim Judicial Council, a tribunal with jurisdiction over 80 mosques and more than 200 000 Muslims in the western Cape. Another was Moulana Faried Essack, national co-ordinator of the left-wing Call of Islam and a member of the United Democratic Front. During May 1989 his passport was withdrawn. Mr Essack said that he did not believe the tricameral system had the morality or the viability to bring about any kind of meaningful change in South Africa.⁵⁸ [⁵⁸ *The Star* 18 May 1989, *Sunday Vines* 13 August 1989]

WELFARE

Policy

Opening Parliament on 2 February 1990, the state president, Mr F W de Klerk, said that proposed constitutional reform in South Africa involved far more than political and constitutional issues and could not 'be pursued successfully in isolation from problems in other spheres of life which demand practical solutions'. Problems such as poverty, unemployment, housing shortages, inadequate education and training, illiteracy and the lack of health care facilities, stood in the way of progress. The government was, and would be, addressing these issues 'urgently and comprehensively'. Mr De Klerk said that the capability for dealing with socio-economic problems had to be 'created in an economically accountable manner' and that existing aims and strategies were 'consequently undergoing a comprehensive revision'. He added that important policy announcements in the socio-economic sphere would be made by the

relevant ministers during the current session of Parliament (see below, as well as chapter on *Health*.)

Mr De Klerk also said, 'The state cannot possibly deal alone with all of the social advancement our circumstances demand. The community at large, and especially the private sector, also have a major responsibility towards the welfare of our country and its people.'

The state president then went on to discuss government plans and measures for the running of the economy, with particular emphasis on job creation. Measures already undertaken with a view to reducing the role of state authorities in the economy would persist, he stressed. However, this did not mean that the state would 'forsake its indispensable socio-economic development role'. This role was especially important given current circumstances and it was 'the precise intention of the government to concentrate an equitable portion of its capacity on these aims by means of the meticulous determination of priorities', Mr De Klerk said.¹ [¹ *Hansard* (joint sitting) 1 cols 8-10, 2 February 1990]

The minister of finance, Mr Barend du Plessis, told the country in his budget speech in March 1990 that almost 40% of total expenditure for the 1990/91 financial year would be spent on social services. This calculation excluded allocations to improvements in the conditions of service, he added. The figure was much higher than might be expected of South Africa at this stage of her development, Mr Du Plessis argued. Nevertheless, he added, the value of present and future priorities given to social spending could not be assessed simply through comparisons with international social spending figures. He also said that the country would have to focus increasingly on correct spending priorities within individual social functions (including education, health, housing and welfare).² [² *The Citizen* 15 March 1990]

Mr Du Plessis announced the creation of a special R2bn state fund, specially designed to remove 'socio-economic backlogs' in South Africa.³ [³ *The Citizen* 15 March 1990] In June 1990 the South African Reserve Bank said that it was looking for a way to transfer the R2bn fund to the private sector without interfering with monetary policy or disrupting the markets (see chapter on *The Economy*). Interest on the money was, in the meantime, being lost. However, a substantial injection of liquidity into the money market was contradictory to current monetary policy, the bank said. Moreover, once the problem of the transfer had been solved, spending on development infrastructure would have an expansionary effect on the economy. The reserve bank was expected to monitor closely the financing of the actual spending, according to a report in *Business Day*.⁴ [⁴ *Business Day* 29 June 1990] On 16 July 1990 the entire R2bn was transferred to the Independent Development Trust, where, by 2 August, it had earned interest at a rate of Rim a day. The trust undertook to invest the money in capital market treasury bills and gilts, where it would bypass the money markets and flow into the Reserve Bank Exchequer Account.⁵ [⁵ *Ibid* 3 August 1990]

In June 1990 the government announced that it would scrap its bread subsidy in February 1991.⁶ [⁶ *The Citizen* 20 June 1990] The decision was widely regarded as an indication of the government's firm intention to scrap all food subsidies when value added tax (VAT) replaced general sales tax (GST) on 1 October

1991.⁷ [⁷ Various newspaper reports] The price of a standard loaf of subsidised white bread rose from R1 to R1,05 on 2 April 1990, while that of a loaf of subsidised brown bread rose from 85c to 90c. At the time of writing, the subsidy paid 0,7c of the cost of a white loaf and about seven cents of the cost of a brown loaf. According to various press reports, a price rise was certain to occur in November 1990 (with the introduction of the new season's wheat price), since the government bread subsidy had been cut from R150m in the 1987/88 financial year, to R115m in the 1988/89 financial year, and to R60m in the 1990/91 financial year.⁸ [⁸ *The Citizen* 19 June 1990]

The minister of agriculture, Mr Jacob de Villiers, referring to an earlier statement he had made concerning the need to phase out the bread subsidy because it benefited all people and not only those in need, said in June 1990 that he had already received an interim report from the Committee for the Development of a Food Strategy for South Africa. The report had targeted several groups for direct food intervention programmes. These included lactating mothers, pre-school and primary schoolchildren, and the elderly. Mr De Villiers said that the government, in its 1990/91 budget, had shown a 'dramatic' new emphasis on programmes to alleviate poverty. He added that the state was 'giving attention to strategies to develop alternative methods of assistance which will deal more effectively with the problem of poverty'.⁹ [⁹ *Ibid*]

The president of the Housewives League, Mrs L Morris, welcomed the decision to do away with the subsidy but said that direct aid had to be implemented immediately. She expressed concern regarding the possibility of a time lapse between the dropping of the subsidy and the implementation of the direct aid scheme.¹⁰ [¹⁰ *Ibid* 20 June 1990]

In May 1989 the chief director of welfare services, Dr Wallace Stevens, had said that racial parity in pension payments would cost the government an additional R5bn and was hardly likely under current circumstances.¹¹ [¹¹ *Financial Mail* 9 June 1989] In June 1990, however, the government said that it would seek to equalise old-age pensions for all races once GST had been replaced by VAT.¹² [¹² *The Citizen* 15 June 1990]

Legislation

The **Social Aid (House of Assembly) Act** of 1989 provided for the payment of social pensions and social grants to white persons and regulated financial grants to national councils, welfare organisations and persons entitled to grants from the House of Assembly.¹³ [¹³ Social Aid (House of Assembly) Bill, B41-89 (HA)]

The **Social Work Amendment Act** of 1989 amended the Social and Associated Workers Act of 1978. One of the main objects of the new legislation was to do away with the concepts 'associated worker' and 'associated profession' and to make provision for 'social auxiliary workers' instead. The new category described persons with lesser training who performed social work under the supervision of a registered

social worker, and included probation officers and marriage counsellors. The designation 'Council for Social and Associated Workers' was changed to 'South African Council for Social Work'. Provision was made for the registration of social auxiliary workers with the council.

Section 6 of the act created an additional offence, aimed at employers who knowingly employed unregistered persons to perform social work. According to the memorandum of the amending bill, 'The Council is concerned about the increasing trend among employers to employ unqualified persons ... and is of the opinion that it is not just and equitable that only employees are punished and that the employer goes scot free.'¹⁴ [¹⁴ Social Work Amendment Bill (As amended by the Joint Committee on Health and Welfare), B29B-89 (GA)]

In terms of the new legislation, the minister of national health and population development might, on the recommendation of the council, withdraw approval of a social work qualification if a training institution failed to maintain certain training standards. Provision was also made for the registration of additional qualifications obtained by social workers and of specialities in social work. 'As far as the specialities are concerned there is already a need for the registration of psychiatric social workers,' the memorandum noted.

Section 12 of the amendment act was intended to eliminate past uncertainty concerning the powers of the council's disciplinary committee. It unequivocally gave the committee the power to make a ruling and to impose punishment, in addition to the power to hold an inquiry. Section 13 empowered the council to postpone the imposition of a penalty or to suspend the execution of a penalty. The amending legislation also provided that a conviction on an offence in a court of law should be handled like any other complaint lodged with the council, and that the record of the proceedings of the court be used as prima facie evidence at a disciplinary inquiry. Fines were adjusted to bring them into line with the depreciation in the value of money.

The Social Work Amendment Act also empowered the minister of national health and population development to make regulations regarding, among other things, the registration and conduct of private practices, the professional practices of social workers practising privately, the requirements for the registration of specialities, and the conditions subject to which a social worker who had registered a speciality might practise.¹⁵ [¹⁵ Social Work Amendment Act, no 48 of 1989, *Government Gazette*, no 11860, 12 May 1989]

Budgets

The following amounts were allocated to welfare services in the 1988/89 financial year:¹⁶ [¹⁶ Republic of South Africa, *Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1990*, RP2-1989; estimates of expenditure for the various homelands; estimates of revenue and of expenditure for the provinces for the financial year ending 31 March 1990, as follows: Province of the Cape of Good Hope, RP18-1989; Province of Natal, RP21-1989; Province of the Orange Free State, RP24-1989; Province of Transvaal, RP27-1989; Administration, estimates of revenue and of expenditure for the financial year ending 31 March 1990 for the three chambers of Parliament, as follows: House

of Assembly, RP6-1989; House of Delegates, RP12-1989; House of Representatives, RP9-1989]

African welfare expenditure: 1989/90

Homelands^a

R

Bophuthatswana

149 661 340^b

Ciskei

94 279 000

Gazankulu

66 525 600^c

KaNgwane

33 627 925^d

KwaNdebele

19 881 000^e

KwaZulu

496 000 000^f

Lebowa

169 183 797

QwaQwa

35 210 000

Transkei

396 743 000

Venda

92 853 000

Homelands sub-total

1 553 964 662

Provinces

Cape

193 400 000

Natal

149 921 000

Orange Free State

151 277 000

Transvaal

417 777 000

Provinces sub-total

912 375 000

Department of Development Planning

3 464 000

Total

2 469 803 662

a

The homeland welfare budget are not all strictly comparable. All homeland figures do, however, includes amounts for social pensions.

b

This figure is made up of the amounts for social pensions (which are given under the votes for Internal Affairs) and of some expenditure figures which could be related directly to welfare services. Welfare services in most of the homelands are administered in conjunction with health services and the exact expenditure with regard to certain items of welfare spending (eg total administrative costs) could not be ascertained independently of health expenditure.

c

Excludes expenditure on the administration of welfare services since this could not be ascertained in isolation from spending on health administration.

d

Excludes some of the expenditure on the administration of welfare services and on buildings, structures and repairs, as a differentiation between spending on welfare and spending on health was not obtained with regard to these items.

e

Excludes expenditure on the administration of welfare services, on building and structure and on 'related services' since a differentiation between spending of welfare and spending on health was not obtained with regard to these items.

f

Excludes expenditure on the administration of welfare services and on buildings, structures and repairs, as a differentiation between spending on welfare and spending on health was not obtained with

All welfare expenditure: 1989/90

R

African

2 469 803 662

Coloured

798 363 000

Indian

197 531 000

White

1 019 214 000

Total

4 484 911

Welfare Personnel

The number of social workers registered with the Council for Social and Associated Workers at the end of 1988 and 1989 is shown in the table below:¹⁷ [¹⁷ *Hansard* (A) 22 q col 1368, 26 May 1989; *Business Day* 12 June 1990]

Number of social workers registered with the council: 1988 and 1989

1988

1989

African

1 046

1 083

Coloured

785

831

Indian

351

388

White

4 273

4 465

Total

6 455

6 767

In April 1988 the minister of national health and population development, Dr Willie van Niekerk, proposed in a policy document that the privatisation of welfare services be speeded up. The document stated that the aim of privatisation was to recognise and protect voluntary welfare organisations. It stressed the responsibility of individuals, families and communities in the provision of these services. The document also said that the government had ‘assumed responsibility for the making of arrangements to prevent social or physical sufferin

In May 1989 the ministry of health and population development invited the 20 national welfare councils to a conference in Pretoria to comment on this document. While these national councils co-ordinated the work of independent welfare groups, they did not represent them directly. The Action Group on Social Services, a coalition of five independent welfare agencies, called a conference at the University of the Witwatersrand (Wits), which was attended by some 500 welfare and social workers.¹⁹ [¹⁹ *The Citizen* 24 May 1989] The action group held that the government conference was an attempt to get the welfare community to participate in, and implement, a policy it had not approved.²⁰ [²⁰ *The Weekly Mail* 26 May 1989] It said that the minister’s 1988 policy document had advocated privatisation in a ‘sweeping, ill-defined manner, without any of its implications being addressed. Privatisation, in the sense of services being funded largely by client fees, or of basic services being considered to be the responsibility of the private sector, can only lead to increasing inaccessibility of services to those in greatest need. An overwhelming proportion of actual and potential service recipients are economically disadvantaged, and the private welfare sector is already overburdened’. The group also rejected the ‘present wasteful, inefficient and

discriminatory practice of maintaining separate welfare structures for different racial groups'.²¹ [²¹ Ibid] The Wits conference resolved, among other things, to mobilise opposition to the government's welfare policy and to draw up outlines for an alternative, nonracial welfare system.²² [²² Various newspaper reports]

According to the chief director of welfare services, Dr Wallace Stevens, the major concerns of the Wits conference had not 'really' been at odds with concerns expressed at the Pretoria conference. He said that delegates to the latter had also called for a unitary welfare system and had looked urgently for a way to get parity between black and white welfare recipients'.²³ [²³ *Business Day* 24 May, *Financial Mail* 9 June 1989]

A study by the Human Sciences Research Council of 316 registered African social workers, published in June 1990, showed that 40% of the participants considered the introduction of a single, nonracial welfare department as the single most important change required to improve African welfare services. Other changes considered crucial by the social workers were racial parity in grants and pensions and the involvement of African social workers in decision making at government level.²⁴ [²⁴ *The Citizen* 12 June 1990]

Welfare Services

Social pensions

The minister of national health and population development, Dr Willie van Niekerk, stated in Parliament in May 1989 that there were 512 949 African, 280 479 coloured, 65 020 Indian and 212 021 white beneficiaries in receipt of social pensions and/or allowances in South Africa (excluding the 'independent' homelands). He said that the total estimated amount to be spent on social pensions in the 1989/90 financial year amounted to over R2,4bn, divided as follows: R849m for Africans, R701m for coloured people, R171m for Indians, and R707m for whites.²⁵ [²⁵ *Hansard* (A) 22 q cols 1313-1314, 26 May 1989]

As at February 1990 there were 130 808 African people receiving social pensions in the Cape province, 66431 in Natal (excluding KwaZulu), 89 405 in the Orange Free State (including Botshabelo), and 236 160 in the Transvaal. According to the minister of planning and provincial affairs, Mr Hernus Kriel, his department was responsible for African pensions in all areas of South Africa excluding the ten homelands. In the Transvaal, however, his department was not responsible for African pensioners living on land owned by the South African Development Trust, land situated within a 'released area' outside a non-independent homeland and land owned by an African person or registered in the name of the minister of education and development aid in trust for an African person, tribe or community. Pensions in the excluded areas were the legal responsibility of the Department of Development Aid. However, the Transvaal Provincial Administration acted as the agent of the department and currently paid out 16 171 pensions in the excluded areas (with the exception of the districts of Soshanguve and Moutse).²⁶ [²⁶ *Hansard* (A) 4 q cols 178-179, 27 February 1990]

Dr Van Niekerk said that 11 677 persons had received a total of just over R43m in military disability pensions in the course of the financial year ended on 31 March 1988.²⁷ [²⁷ *Hansard* (A) 20 q col 1180, 22 May 1989] Figures provided by the department normally exclude the 'independent' homelands.

The minister of constitutional development and planning, Mr Chris Heunis, said that just over 1 700 African **war veterans** were receiving monthly pensions of R266 from the four provincial administrations in the white-designated areas at the beginning of 1989.²⁸ [²⁸ *Hansard* (A) 22 q col 1291, 26 May 1989] He said that as at 1 January 1989, **old-age** and **blind persons' pensions** and **disability grants** for Africans in the white-designated areas amounted to R150 per person per month. He also gave the following information regarding **maintenance grants** as at the same date: parents' grants, foster care grants and children's grants respectively amounted to R150, R102 and R41 per month.²⁹ [²⁹ *Hansard* (R) 4 q cols 215-216, 3 March 1989]

The following amounts were allocated for all social pensions in the homelands in the 1989/90 financial year.³⁰ [³⁰ Information obtained from the estimates of expenditure of the various homelands]

Homeland social pensions: 1989/90

R

Bophuthatswana ^a

95 058 378

Ciskei ^b

81 423 000

Gazankulu ^c

65 262 000

KaNgwane ^c

33 111 918

KwaNdebele ^d

19 248 000

KwaZulu ^a

475 787 498

Lebowa ^b

164 359 099

QwaQwa ^d

32 000 000

Transkei ^b

287 474 000

Venda ^d

56 794 451

Total

1 310 518 344

^a Excluding ex gratia payments and administrative costs.

^b Includes ex gratia payments but excludes administrative costs.

^c Includes ex gratia payments and administrative costs.

^d Excludes ex gratia payments but includes administ

The minister of finance, Mr Barend du Plessis, announced in his budget speech of 14 March 1990 that all social pensions would be increased by R25 per month from 1 April 1990. This represented an increase of at least 10%, he added. He also said that civil pensions would be increased by 10% plus 1,5% for each completed year of retirement, but with a maximum of 25%; that military pensions would be increased by 10% (supplemented with adjustments in respect of backlogs); and that the R1,4m allocated to occupational diseases pensions represented an increase of 10% as well as the removal of disparity.³¹ [³¹ *Hansard* (joint sitting) 6 cols 2746-2747, 14 March 1990]

Old-age pensions

The following amounts were allocated for old-age and war veterans' pensions in the 1989/90 financial year:³² [32 Various government estimates of expenditure, as follows: RP18-1989; RP21-1989; RP24-1989; RP27-1989; RP9-1989; RP12-1989; RP6-1989]

Old-age and war veterans' pension allocations: 1989/90

OldWarNon-home land African:

Cape province

116 905 000

541 000

Natal

79 570 000

718 000

Orange Free State

100 815 000

830 000

Transvaal

321 577 000

3 049 000

Coloured

260 887 000

28 988 000

Indian

68 285 000

760 000

White

448 209 000

42 591 000

Total

1 396 248 000

77 477 000

Bophuthatswana allocated R96m for old-age pensions in the 1989/90 financial year, the Ciskei, R62m; KwaZulu, R363m; and the Transkei, R230m. Allocations for old-age pensions in the other six homelands were not obtainable independently of total amounts for all social pensions.³³ [³³ Estimates of expenditure for the various homelands]

In March 1990 Mr Du Plessis announced that old-age pensions for all races would be increased by R25 a month from 1 April 1990. The increase was widely condemned as being inadequate.³⁴ [³⁴ Various newspaper reports] The effect of the increase was as follows:

Monthly old-age pensions before and after 1 April 1990*Old*

New

Increase

R

R

R

African^a

149,70

174,70

17%

Coloured

199,70

224,70

13%

Indian

199,70

224,70

13%

White

250,70

275,70

10%

^a These amounts apply to African old-age pensions in the non-independent homelands and white-designated areas. The 'independent' homelands set their own amounts.

The increases shown above compared with increases of 28% for Africans, 20% for coloured people and Indians, and 15% for white people, on 1 Janua

Payout facilities

Mr Heunis told Parliament in March 1989 that progress had been made regarding the payment of social pensions to Africans on a monthly basis (instead of once every two months) and regarding the transfer of pensions into savings accounts. He provided the following details concerning payments in the four provinces: social pensions would be paid on a monthly basis to all pensioners in the **Cape province** as from 1 April 1989. A total of 7% of pensioners in the Cape province had their pensions paid into a savings account. In **Natal**, pensions would be paid on a monthly basis as from 1 April 1989, in cases where beneficiaries in urban areas desired it. Mr Heunis said that 'research' was being undertaken in the rural areas, since the possibility existed that some beneficiaries might not wish to change from the existing system of bi-monthly payments, owing to factors such as high transport costs to collection points. Of pensioners in Natal, 18% were having their pensions paid into a savings account. In the **Orange Free State**, pensions had been paid on a monthly basis in five magisterial districts as from 1 March 1989 and monthly payments in the remaining districts were planned from 1 July 1989. Two percent of pensioners had their pensions paid into savings accounts in the Orange Free State and 3% in the **Transvaal**, where pensions would be paid on a monthly basis in Alexandra, Diepmeadow, Dobsonville and Soweto (Johannesburg) as from 1 April 1989. (Pensions in these four areas amounted to 22% of the total number of pensions in the Transvaal.)³⁵ [³⁵ *Hansard* (A) 7 q cols 460-461, 21 March 1989]

Officials of the Transvaal Provincial Administration said that monthly payments were being introduced only in some parts of the Witwatersrand because logistical problems made it difficult to introduce them in outlying areas. They were looking for ways to end the long queues to which African pensioners were subjected since pensions were not automatically paid into bank, building society or post office accounts. Forms instructing the authorities to pay pensions into such accounts were being distributed at paypoints. Officials also said that a system instituted to divide pensioners into various groups asked to collect their pensions on different days had failed, because a large number of pensioners had not arrived on the correct day. Paypoints formerly situated in open fields had been moved to a number of offices in the townships, thereby reducing the number of pensioners at each paypoint. Nevertheless, long queues were still experienced owing to a lack of facilities which could be used as paypoints.³⁶ [³⁶ Mackay S, *Quarterly Countdown 12*, South African Institute of Race Relations (SAIRR), 30 May 1989]

Other services for the aged

The following amounts were allocated to welfare services (over and above pensions) for the aged in the 1989/90 financial year (excluding pensions):³⁷ [³⁷ RP18-1989; RP21-1989; RP24-1989; RP27-1989; RP9-1989 RP12-1989; RP6-1989]

Non-pension welfare budgets for the aged: 1989/90

R

Non-homeland^a African:

Cape province

306 000

Natal

1 205 000

Orange Free State

246 000

Transvaal

708 000

Coloured

13 504 000

Indian

518 000

White

168 576 000

Total

185 063 000

^a Information on the homelands is not included as not all the homelands budgets break down the allocation in the same way.

According to a statement in May 1989 by the minister of health services and welfare (white own affairs), Mr P J Badenhorst, there were 423 old-age homes for the white aged in the white-designated areas whereas there was a total of only 73 homes for aged African, coloured and Indian people in those areas. He attributed the difference in numbers to communities' differing traditions of responsibility regarding

the care of the aged. In response to statements concerning the inadequacy of old-age pensions for whites (and people of other races) Mr Badenhorst replied that pensions were not 'all that we do for the aged'. He said that regular meals were provided at service centres for aged white people and that there were approximately 60 000 white 'sub-economic aged' in government-subsidised old-age

According to the House of Representatives' annual report for 1988, there was only one state home for the coloured aged and chronically infirm, which provided accommodation for 170 persons. There were 40 registered private homes for the coloured aged in 1988. Together, they housed 3 217 people. Expenditure in respect of subsidies for maintenance costs and special subsidies (for furniture and equipment) had amounted to R7,5m in 1988, the report said.³⁹ [³⁹ Administration: House of Representatives, Annual report 1988, RP47/89]

Similar information concerning the care of African and Indian aged people was not obtainable.

Services for alcoholics and drug addicts

The following amounts were allocated to rehabilitation services for alcoholics and drug addicts in the 1989/90 financial year:⁴⁰ [⁴⁰ RP18-1989; RP21-1989; RP24-1989; RP27-1989; RP9-1989; RP12-1989; RP6-1989]

Rehabilitation budget: 1989/90^a

R

Non-homeland^b African:

Cape province

7 000

Natal

295 00

Orange Free State

88 000

Transvaal

2 762 00

Coloured

3 625 000

Indian

1 575 000

White

14 613 000

Total

22 975 000

^a African rehabilitation budgets for the four provinces shown wide variation from one financial year to the next.

^b Information on the homelands is not provided as not all the homeland budgets break down the allocations in the same way.

Speaking in Parliament in May 1990, Ms Carole Charlewood MP (Democratic Party) asked why the government was dragging its heels regarding the implementation of a plan, announced two years previously (see *1988/89 Survey* p23), to fight alcohol and drug abuse at national level. She said that although some 25% of all schoolchildren in the white-designated areas were known to have used drugs, authorities on drug abuse were still being denied access to schools (see also *1987/88 Survey* pp4

Services for children

The following amounts were allocated to child welfare in the 1989/90 financial year:⁴² [⁴² RP18-1989; RP21-1989; RP24-1989; RP27-1989; RP9-1989; RP12-1989; RP6-1989]

Child welfare budget: 1989/90^a

R

Non-homeland^b African:

Cape province

17 261 00

Natal

7 339 000

Orange Free State

6 556 000

Transvaal

24 218 000

Sub-total

55 374 000

Coloured

233 316 000

Indian

57 874 000

White

146 438 000

Total

493 002 000

^a The various budgets are not stricly comparable. However all the amounts above include maintenance and foster parent allowances, the funding of subsidised institutions and allowences for places of safety and detention.

^b Information on the homelands is not provided as not all the homeland budgets break down the allocations in the

The minister of national health and population development, Dr Rina Venter, told Parliament in May 1990 that the race group of adoptive parents was still a factor in determining their suitability. The Child Care Act of 1983 provided that the court should not place a child in the custody of any parent whose classification in terms of the Population Registration Act of 1950 was not the same as that of the child (except where such person was the parent or guardian of the child). The minister added that the government was committed to removing all discriminatory legislation and that the Child Care Act would be revised during the next session of Parliament (in 1991). In reply to a question as to whether a married couple consisting of a white person and a person who was not white might, under present circumstances, adopt a child of either race group, Dr Venter said that each adoption was 'evaluated according to specific circumstances'.⁴³ [⁴³ *Hansard* (A) 19 cols 1543-1544, 29 May 1990]

The minister of constitutional development and planning, Mr Chris Heunis, told Parliament that 318 African children had been placed in adoption in 1988.⁴⁴ [⁴⁴ *Hansard* (A) 22 q col 1386, 26 May 1989]

Mr Heunis said in May 1989 that there were no state-administered children's homes for African children in the white-designated areas. There were two privately administered children's homes able to accommodate 36 children in the Cape province; five privately administered children's homes in Natal, which accommodated 505 children as at March 1989; no children's homes in the Orange Free State; and five private homes in the Transvaal, accommodating 400 children as at January 1989. Three new children's homes in the Cape province with 300 places, for children who required long-term accommodation, were in the planning stage. One would open at the end of 1989 and two at the end of 1991, Mr Heunis said. He did not specify whether these would be privately administered or administered by the state.⁴⁵ [⁴⁵ *Hansard* (A) 22 q cols 1386-1388, 26 May 1989]

The per capita grant for African children's homes was increased from R143 to R200 per month in March 1989. According to research by the South African Institute of Race Relations, the government had come under criticism from opposition MPs for having frozen grants to African children's homes for three years while having doubled those to white children's homes in that period. Transvaal Provincial Administration officials dealing with African children's homes told a researcher at the Institute that the last increase had been in 1986 and that the per capita subsidy had remained constant until the March 1989 increase, which had been backdated to cover the three years since 1986. At the time of the increase, the Institute said, the monthly per capita subsidies in homes for coloured, Indian and white children stood at R422, R346 and R540.58 respectively.⁴⁶ [⁴⁶ Mackay S, *Quarterly Countdown* 12] The House of Representatives' welfare services placed 600 children in adoption in 1987 and 568 children in 1988.⁴⁷ [⁴⁷ Administration: House of Representatives, Annual report 1988, RP47/89] There were no state-run children's homes for coloured children in South Africa in 1988. There were, however, 30 registered, private children's homes accommodating 2 465 coloured children. The per capita grant payable to these homes was calculated on the unit cost to a maximum of R388 per child per month. An amount of R6,3m had been spent on capitation grants in 1988.⁴⁸ [⁴⁸ *Ibid*]

The minister of health services and welfare (Indian own affairs), Mr Raman Bhana, said that 154 Indian

children had been placed in adoption in 1988.⁴⁹ [⁴⁹ *Hansard* (D) 13 q col 780,24 April 1989] He also said that 522 children had been found to be in need of care in 1988. Of these, 424 had been placed in foster care and 98 had been placed in foster homes.⁵⁰ [⁵⁰ *Ibid*]

In February 1990 the minister of planning and provincial affairs, Mr Hernus Kriel, estimated that there were 2 055 street children in the white-designated areas of South Africa as at January 1990. He said that street children were at present being dealt with in terms of the Child Care Act of 1983 or the Criminal Procedure Act of 1977 (see *Children in detention* below). No special government facilities or funds had been made available for street children, he indicated.⁵¹ [⁵¹ *Hansard* (A) 4 q cols 190-191, 27 February 1990] The national chairman of Street-Wise (a nationwide educational, vocational and childcare project for street children), Ms Jill Swart, said that the figure of 2 055 was 'impossible' and that the minister ought to disclose the source of his information. Research by Street-Wise had shown that there were about 1200 street children in Soweto (Johannesburg) alone.⁵² [⁵² *Pretoria News* 5 March 1990]

According to Professor Linda Richter of the Institute of Behavioural Studies at the University of South Africa, there had been an estimated 9 000 street children in South Africa (including the homelands) in 1988 (see *1988/89 Survey* pp15-16 for details).

In a detailed article which discussed, among other things, the health status of street children in South Africa and the manner in which these children were perceived, Ms Swart said that a widespread conception of the children was that they were 'both dirty and pollutant'. The results of a questionnaire survey undertaken among residents of Hillbrow (Johannesburg) showed that 44% of respondents had recorded feelings of resentment, anger and contempt for street children in the area, that 12% had recommended compulsory sterilisation or 'annihilation' of the children, while 30% had felt that street children ought to be 'removed from society and placed in state penitentiaries or distant reformatories'. Ms Swart said that street children in South Africa suffered 'extensive abuse' by members of the public. In Johannesburg, some shopkeepers openly stated that they kept sjamboks, teargas and boiling water so as to drive street children away from premises and pavements. Children were also frequently abused while in a heavy sleep following the ingestion of intoxicants such as glue, petrol, benzine and thinners. The use of such intoxicants was widespread among street children in South Africa, she added. Ms Swart also said that instances of typhoid had been discovered among street children in Durban and Soweto, and that a number of children had come to Street-Wise 'riddled with venereal disease'. Members of the public recruited children as young as seven years old for sex, and it was probably only a matter of time before street children became infected with the Acquired Immune Deficiency Syndrome (AIDS) virus.⁵³ [⁵³ Swart J, 'Street Children, Their Health and Welfare', *CHASA Journal of Comprehensive Health* (Community Health Association of South Africa), vol 1 no I, June 1990]

The minister of law and order, Mr Adriaan Vlok, stated that there had been 763 reported cases of assault on infants by their parents in the white-designated areas in 1988. Of these children, 22 had died and 288 had been seriously injured as a result of the assault, he said. Figures were not kept for the respective race groups, he added.⁵⁴ [⁵⁴ *Hansard* (A) 9 q cols 543-544, 6 April 1989]

The first family advocate in South Africa was appointed in May 1990. Professor Frances Bosman of the University of South Africa was to serve as a member of a committee which was to initiate a pilot project in the Transvaal Provincial Division of the Supreme Court, and which would advise the minister of justice regarding the role of family advocates and family counsellors. Other members of the committee included representatives of the Johannesburg Child Welfare Society and of the Department of National Health and Population Development, as well as members of the legal profession.⁵⁵ [⁵⁵ *The Star* 23 May 1990]

The national director of the South African National Council for Child and Family Welfare, Mrs Joan Oberholzer, said that the appointment was most welcome: The council is overjoyed that at long last the interests of minor children ... will be seen to during divorce proceedings. The council hopes that with the appointment of a family advocate the whole question of legal representation for children in all courts, including the children's and maintenance courts, will become clearer. In addition the council hopes that there will shortly be enough money to appoint social workers as family counsellors.'⁵⁶ [⁵⁶ *The Citizen* 28 April 1990]

Children in detention

Dr Venter said in March 1990 that police cells were not currently being used as places of safety for children. There were 11 places of safety for African children, which could accommodate over 1 400 children, she said. They had held 709 children as at 16 February 1990. Seven of these institutions held children placed there in terms of the Child Care Act of 1983, while the remaining four held 204 youths in terms of the Criminal Procedure Act of 1977. The minister did not specify whether these youths were awaiting trial. Eight places of safety which could accommodate 700 coloured children had held 506 children as at 16 February 1990. Only one of these institutions held youths in terms of the Criminal Procedure Act. Its special section for this purpose was full, with ten youths awaiting trial. Of two places of safety for Indian children, one provided for youths awaiting trial. There was only one youth being held in terms of the Criminal Procedure Act in this institution. These two places of safety had a combined accommodation capacity of 140 and held 102 children as at 16 February 1990. There were seven places of safety for white children as at the same date. They held 392 children (out of a possible number of 491). All of these children were being held in terms of the Child Care Act.⁵⁷ [⁵⁷ *Hansard* (A) 5 q cols 358-359, 17 March 1990]

Services for disabled people

The following amounts were allocated to welfare services for disabled people in the 1989/90 financial year (excluding pensions):⁵ [⁵ RP18-1989; RP21-1989; RP24-1989; RP27-1989; RP9-1989- RP12-1989; RP6-1989]

Budget for the disabled: 1989/90

R

Non-homeland^a African:

Cape province

526 000

Natal

268 000

Orange Free State

284 000

Transvaal

N/A

Coloured

4 026 000

Indian

2 441 000

White

22 327 000

Total

29 872 000

^a IN/A- Not available

Private welfare agencies

Several feeding schemes which relied solely on public and corporate donations reported a shortage of

funds in 1989, owing to a decrease in donations and/or large increases in the number of people who were unable to provide for their own sustenance.⁵⁹ [⁵⁹ *The Citizen* 26 May 1989; *The Star* 24,26 May 1989] According to the Central Statistical Service, people from the lower income group paid 18% more for food in April 1990 than they had done a year previously. Figures for the middle income and higher income groups were 17% and 16% respectively. The price of several basic foods had risen substantially and the price of vegetables had risen by 44% between April 1989 and April 1990.⁶⁰ [⁶⁰ Central Statistical Service, *Consumer Price Index -April 1990*, Statistical News Release, P0141.1 23 May 1990]

LABOUR RELATIONS

Legislation

Labour Relations Act (LRA)

The Labour Relations Amendment Act, passed in September 1988, has been a source of controversy between the government, black unions and employers. Strong criticism of the act by the union movement, as well as dissatisfaction with some of its sections by employers, led the government to appoint a National Manpower Commission investigation into the act with a view to its amendment. A draft bill published in January 1990 addressed certain objections. It repealed section 79 (2) that had placed on unions the onus of proof that they had not instigated unlawful strikes leading to production loss. It also relaxed the time limits in official dispute settling procedures by scrapping a requirement that parties apply for a conciliation board or industrial council hearing within 21 days of deadlock, but still required them to apply within 90 days of the dispute erupting. It also extended the minimum period accorded to an industrial council or conciliation board for the resolution of a dispute from 30 to 45 days, effectively lengthening the ‘cooling off’ period provided for in the act. In addition parties to a dispute would have up to 30 days—instead of the present 14—to refer an unresolved dispute from a council or board to the Industrial Court.¹ [¹ *The Star*, *Business Day* 31 January]

The South African Consultative Committee on Labour Affairs (SACCOLA), the employer federation, welcomed the changes but said that good labour law depended on blacks having equal access to the legislature. The Congress of South African Trade Unions (COSATU) described the bill as ‘another example of state blundering’. It said that many of the provisions were ‘unacceptable, retrogressive, and fall far short of what has been demanded by the union movement’. It found unacceptable the extending of the ‘cooling off’ period from 30 to 45 days. It said that SACCOLA’s enthusiasm for the proposed changes raised doubts as to its sincerity about wishing to negotiate an acceptable Labour Relations Act (LRA). ‘If the state and employers continue to adopt this attitude, it would seem that nothing has been learnt from the past. Consensus on labour legislation requires the full involvement of COSATU and other unions as well as the employers. For the state to ignore this will only lead to more conflict,’ it said.² [² *Business Day* 2 February 1990] The South African Confederation of Labour, South Africa’s largest

white labour federation, criticised the proposed repeal of section 79 (2).³ [³ *The Star* 1 February 1990]

COSATU, the National Council of Trade Unions and SACCOLA, after protracted discussions, signed an agreement in May 1990 on proposed changes to the act. The agreement was to be submitted to the minister of manpower for consideration with a view to the changes being incorporated into the LRA as soon as possible. For further details of developments relating to the LRA, see *Noteworthy labour practices and developments* below.

Minerals Bill

In February 1990 the Minerals Bill was tabled in Parliament. The bill consolidated nine sections of various pieces of legislation, including the safety provisions of the Mines and Works Act of 1911. The bill was criticised by a labour lawyer, Mr Paul Benjamin, on the grounds that it failed to separate the aspects of safety and mineral exploitation. The National Union of Mineworkers (NUM), an affiliate of the Congress of South African Trade Unions (COSATU), had called for a separate mine safety law. Mr Benjamin said that by merging the safety inspectorate and resource development functions at regional level, the bill created scope for a conflict of interests in which safety could suffer. He stressed that the bill's provisions, notably on employers' safety responsibilities, were less stringent than those of the Machinery and Occupational Safety Act of 1983, which covers other industries. Some of the improvements were the following:

- an amendment to inquiry procedures regarding accidents enabled parties with a real interest to question witnesses (the lack of such a right had been a source of controversy between the NUM and the Kinross Mine after an accident there in 1986—see *Noteworthy labour practices and developments* below);
- a new provision outlawed the victimisation of those who reported safety matters to the inspectorate;
- the bill provided for the reinstatement of joint inquest inquiries, absent from a 1988 draft bill; and
- it also allowed for the reinstatement of a specialist mine safety committee, which would include workers' representatives, to advise the government on safety. This provision had also been absent from the draft bill.

The bill was also criticised by the Chamber of Mines of South Africa which said that it would jeopardise the mining industry's large expenditure over the years in acquiring mineral rights.⁴ [⁴ *Business Day* 21 March 1990]

The joint committee on mineral and energy affairs and public enterprises invited further representations on the bill.⁵ [⁵ *The Star* 8, 15 February 1990]

Trade Unions

Statistics

The numbers of registered trade unions and federations of trade unions for the years 1985 to 1989 are given below:

Registered trade unions: 1985-1989

1985

1986

1987

1988

1989

Racial exclusive

White

46

46

41

40

32

Asian and coloured

24

17

29

26

17

African

26

23

29

28

23

mixed unions

White, coloured, Asian

11

11

11

6

7

Coloured, Asian, African

20

20

15

19

32

White and African

4

3

5

6

4

All races

53

56

55

62

66

Unspecified

12

19

20

22

31

Total

196

195

205

209

212

Membership (m)

1,4

1,7

1,9

2,0

2,13

Federations

12

11

10

12

12

The total number of members of registered trade unions constituted 20% of the economically active population (excluding the 'independent' homelands) or nearly 41% of the labour force which falls under the Labour Relations

Groupings

Congress of South African Trade Unions (COSATU)

According to statistics published at its annual congress in 1989, the paid-up membership of the Congress of South African Trade Unions (COSATU) was 924 497.

In September 1989 a new union, the South African Clothing and Textile Workers' Union (SACTWU), was formed after a merger between COSATU's Amalgamated Textile Workers' Union of South Africa (ACTWUSA) and the Garment and Allied Workers' Union (GAWU), making it, with 185 000 members, COSATU's third largest affiliate. Representing some 80% of textile and clothing employees, SACTWU was the only COSATU union with a majority of members in the sector in which it organised. GAWU incorporated the Cape and Natal clothing affiliates of the now-defunct Trade Union Council of South Africa. The new union said that thousands of leatherworkers were members of the union, despite the reluctance of the National Union of Leatherworkers to join the merger initiative. ACTWUSA had strong socialist leanings, while GAWU had links with the United Democratic Front (UDF).⁷ [⁷ *The Star* 19 September 1989]

In November 1989 a merger between COSATU's Transport and General Workers' Union (TGWU) and the Zakheni Transport and Allied Workers' Union, a breakaway from the transport affiliate of the National Council of Trade Unions (NACTU), occurred, adding 5 000 members to TGWU.⁸ [⁸ *Ibid* 11 December 1989]

In November 1989, in line with a decision taken at COSATU's special congress in July, rival factions within the Commercial, Catering and Allied Workers' Union of South Africa (CCAWUSA), a COSATU affiliate, settled their differences and a new union, the South African Commercial, Catering and Allied Workers' Union (SACCAWU), with about 80 000 members, was formed. Conflict between the different factions, dating from 1986, had had serious implications for annual wage negotiations (see *1988/89 Survey* pp452-453). Rival faction leaders Mr Vivian Mtwala and Mr Papi Kganare were elected general secretary and assistant general secretary respectively. A national finance committee was appointed to centralise union finances. To aid the unity process, it was agreed that for a 19-month period national congress decisions would be by a two-thirds majority.

Other decisions were:

- to seek affiliation to COSATU
- to fight for sexual equality in the union and workplace
- to push for centralised bargaining. Living wage demands for 1990 would be centrally formulated and tabled at all organised companies and
- the union would have separate commercial and catering sectors.⁹ [⁹ *Ibid* 13 November 1989]

COSATU held its third annual congress in July 1989. The federation passed the following resolutions:

Constitutional guidelines:

- discussions by the Mass Democratic Movement (MDM) should be intensified with a view to shaping a democratic constitution for a future South Africa;
- these discussions should centre around the constitutional guidelines as proposed by the African National Congress (ANC) and
- COSATU and its allies should initiate open discussion and debate in their structures at local, regional and national level.

Economic trends:

- discussion should be intensified within COSATU and with its allies towards developing a clear understanding of how the South African economy worked, and a clear plan devised as to how to restructure the economy to meet the needs of the people in a democratic South Africa.

Political settlement:

- there could be no genuine negotiations unless a climate conducive to such negotiations was created by the South African government by fulfilling the following conditions:
 - unconditional ‘unbanning’ of all banned organisations;
 - unconditional release of all detainees and political prisoners;
 - unconditional return of exiles
 - confinement of the South African Police and the South African Defence Force to barracks;
 - lifting of the state of emergency and the repeal of all security legislation;
 - the end of all political trials and executions;

- to avoid any settlement being imposed on the masses the MDM should initiate discussion aimed at developing a common position; and
- the demand for a nonracial democratic South Africa based on one person one vote should be reiterated.

Anti-apartheid coalition:

- an anti-apartheid conference should be reconvened not later than October 1989 and should draw in all forces that were opposed to apartheid.

Workers' charter:

- COSATU should launch and spearhead a workers' charter campaign involving the broadest section of 'the oppressed and exploited masses of the country'; and

- this campaign should culminate in the drafting of a workers' charter as a matter of urgency.

COSATU's central executive committee was instructed to call a special national congress to draft the charter when the issue had been fully discussed within the federation and with its allies. Such a congress would be attended by COSATU, NACTU, and other sectors of the MDM. This resolution was in line with a recommendation in the constitutional guidelines of the ANC that a workers' charter drafted by the working class be incorporated into a postapartheid constitution.

Violence:

- COSATU should take whatever steps possible to end the reign of terror against the 'working class and progressive organisations'; and

- the federation and its affiliates should work out common positions on the problems of state, vigilante and management violence and violence between workers.

Labour Relations Act (LRA):

- the LRA should be amended to meet unions' criticisms;

- sustained and co-ordinated action should be implemented linked to the elections in protest against the act; and

- other sections of the working class should be called upon to support COSATU in its campaign.

Disinvestment:

- for acceptable disinvestment to take place the following conditions should be met:
 - the period of notice should be one year;
 - workers should receive at least one month's pay for each year of service;
 - workers' wages should be guaranteed for one year from the date of disinvestment;
 - the union should be given full information on the nature of the disinvestment;
 - the employer should contribute to pension and provident funds to retirement age in a single payment, and the destiny of these funds should be negotiated with the union; and
 - the proceeds of any disinvestment should be paid into a trust fund nominated by the relevant union.

Other resolutions related to building the MDM, the Natal peace initiative, building working class and trade union unity, Namibia, privatisation, the 'save the patriots' campaign, organising in the homelands, national women's organisations, unemployment, co-operatives, international policy, women's leadership and AIDS.¹⁰ [¹⁰ COSATU, Final resolutions of the 3rd national congress, July 1989]

In July 1989 the minister of law and order claimed in an election speech that a COSATU document in his possession revealed that the federation planned to petrol-bomb election candidates, standing for the 6 September general election. The federation denied the allegation. After receiving a letter from COSATU's lawyers, the minister retracted his statement and undertook not to state that the COSATU document advocated or supported any specific acts of violence.¹¹ [¹¹ *Sunday Star* 6 August 1989]

COSATU played a central role in planning a defiance campaign, called by the MDM, of which it is part, on the eve of the general election held for the three houses of Parliament on 6 September 1989. (For further details see *Trade unions and politics* below.)

In September 1989 a six-person COSATU delegation visited the Soviet Union on an invitation of the All Union Central Council of Trade Unions.¹² [¹² *Sowetan* 26 September 1989]

In line with COSATU's congress resolution, an education workshop held in November 1989 agreed on a programme for the drawing up of a workers' charter to be endorsed by all major groups of the South African opposition. During the next five months COSATU would distribute a questionnaire to workers

to see what they wished such a charter to contain. It would also initiate a meeting with other groups within the MDM and NACTU, which it hoped would result in a joint workers' charter campaign. Thereafter, COSATU would incorporate the contributions into a single draft charter to put to a special national congress, which would be representative of all opposition groups interested in drawing up such a charter.

The Food and Allied Workers' Union, a COSATU affiliate, had, at its annual congress in September 1989, distributed a draft workers' charter for discussion among its members. ACTWUSA had adopted a draft workers' charter earlier in 1989.¹³ [¹³ *New Nation* 22 September 1989] (see *South African Congress of Trade Unions (SACTU)* below for details of the workers' charter drawn up by that body.)

At a campaigns conference in May 1990 affiliates of COSATU resolved to launch a campaign demanding the enactment of union/ employer proposed amendments to the LRA. The campaign would involve factory protests and industrial area marches and rallies. Other resolutions were that:

- the campaign against Barlow Rand, accused of undermining central bargaining, should be intensified (see *Industrial Councils* below);
- a campaign on the Unemployment Insurance Fund should be launched; and
- discussions should be held on launching a national minimum wage campaign to complement the campaign for a living wage.¹⁴ [¹⁴ *The Star* 16 May 1990]

The conference also assessed progress in the workers' charter campaign and the anti-privatisation campaign. A national campaign committee was set up to ensure that the campaigns were properly implemented.¹⁵ [¹⁵ *New Nation* 11 May 1990]

Economic policy

At a 'post-apartheid' conference in Paris in December 1989, organised by Mrs Danielle Mitterrand, wife of the president of France, the national education officer of COSATU, Mr Alec Erwin, gave a paper called 'Restructuring South Africa's post apartheid economy' in which he presented the thinking of elements within COSATU on economic issues affecting South Africa. Outlining some of the broader problems facing the country—in such areas as unemployment, housing, health, population growth and education—Mr Erwin stated that it was necessary to break out of the rigidities of past ideological concepts. The solutions lay neither in free market capitalism nor in centrally planned command economy socialism. He stressed that COSATU had a socialist conception of the 'economic policy exchanges' that would be necessary to solve the country's economic problems. Policy should be 'aimed at developing economic and social programmes that must effectively develop and benefit our whole society. This means that there must be particular, but not exclusive, development for the working class majority in our

society. Central to our thinking is the development of a democratic political process that will entrench mass participation and involvement in the formulation and implementation of economic policy', he said.

Turning to the workings of the present South African economy, Mr Erwin criticised the trend of capital to cut costs in order to return profitability and of the state to shed its responsibilities (through the privatisation programme) to solve its fiscal problems. Neither took into account the effects of such policies on wider society and both constituted a concerted attack on the working class because of their 'impact on wages and employment with no gains made elsewhere'. These policies, he predicted, would help escalate conflict. On the other hand, if a more considered agreement based on negotiation within credible forums could be reached, then certain 'potentials within privatisation and deregulation could be developed'.

Mr Erwin pointed to the danger of the popular wisdom that the country's economic problems were caused by disinvestment and sanctions. He warned that expectations that an inflow of capital would address these problems was 'dangerous' as it was unlikely to happen on the scale envisaged. Such thinking would serve only to delay the vital restructuring required in the domestic economy. 'The South African economy even without apartheid will not attract massive or sustained capital or aid inflows,' he said. He stated that state intervention in the economy in relation to capital was to create very favourable supply conditions for capital based on 'a cheap and mightless labour supply and the growth of manufacturing behind tariff walls', while manpower and technology policies were left in the hands of racially and materially divided education systems. The effect was to create a manufacturing sector that could produce more than the high-income white sector could purchase but at prices that excluded the majority of people. 'Manufacturing is therefore structurally incapable of producing for the needs of the mass market and also incapable of competing in international markets,' Mr Erwin stated.

The challenge facing the country and which COSATU was attempting to address was to turn South Africa's present high cost/low wage manufacturing economy into a low cost/high wage one. This depended upon an increase in productivity. 'However, in achieving an increase in productivity the objectives would be to lower relative prices of manufactured goods in order to expand products of basic social infrastructure and consumer goods to meet mass needs. This must raise incomes through raising wages and increased wage employment.'

Planners would have to learn from planning experiences in both socialist and capitalist mixed economies. Concerning the question of nationalisation, Mr Erwin said that the 'juridical control of assets by the state' was not the complete answer—neither the unfettered ownership rights of free market capitalism nor the bureaucratic control arising from state juridical ownership were the answer. 'There will have to be social control over production affected through a range of ownership forms and where the market plays critically important roles.'¹⁶ [¹⁶ Erwin A, 'Restructuring the South African Economy', unpublished paper, December 1989]

During the period under review, COSATU voiced its opposition to the privatisation of public enterprises. In March 1990 its public sector affiliates staged marches in Johannesburg (southern

Transvaal) and Pretoria (central Transvaal) against the state's privatisation programme (see chapter on *Business* for further details of this programme). In Johannesburg about 10 000 rail, postal, health and municipal workers marched through the city centre and a memorandum was presented to the president of the Johannesburg Stock Exchange (JSE), Mr Tony Norton, stating that no government had the right to auction national wealth without popular consent. It also called on the JSE not to sell the shares of concerns such as Transnet and the Post Office if they were privatised. Mr Norton said that the JSE was 'here for all the people of South Africa'. About 2 000 workers who tried to stage a march in Pretoria despite a city council ban were repeatedly dispersed by police. Marchers were teargassed, bitten by dogs and baton charged after being dispersed at police roadblocks. The marches were coupled by a partial work stayaway by public sector workers.¹⁷ [¹⁷ *The Star* 30 March 1990]

In its May Day message to its members on 1 May 1990, COSATU described the privatisation of public corporations as 'theft'. It said that the 'ruling class' was attempting to prevent a democratic government from having the resources to address poverty caused by decades of apartheid. 'The cost of health, education and transport are already putting these services out of the reach of the majority because they are too expensive,' it said. It added, 'COSATU will oppose all attempts to privatise our assets. We say that we will renationalise without compensation all companies that have been privatised.'¹⁸ [¹⁸ *New Nation* 4 May 1990]

A top-level COSATU delegation consisting of public sector union leaders met the minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, in mid-May to discuss the issue of privatisation. Describing the meeting as 'completely unsatisfactory' and warning that the minister's attitude was a 'recipe for confrontation', a union spokesman said that nationwide stayaways, demonstrations and marches were planned for July to protest against privatisation.¹⁹ [¹⁹ *Business Day* 18 May 1990]

In May 1990 economists of COSATU and the ANC met in Harare (Zimbabwe) to discuss a future economic policy for South Africa. A discussion paper arising from the meeting said that as the economy was in 'fundamental crisis' a future state would 'assume the leading role in the reconstruction of the economy'. Although nationalisation was mentioned as a potential policy option, the document's position on the question of state ownership was ambiguous. The paper took a strong line against further privatisation measures by the present government and threatened to renationalise privatised corporations. It also attacked deregulation. The document was critical of the part played by the large conglomerates in the economy and indicated that a democratic state should look into the dismemberment of conglomerates 'where feasible', especially where they were tying up investment funds thereby 'blocking balanced economic growth' and ignoring the interests of all the people of South Africa. The document voiced concern over the flight of capital from the country as well as concern about attracting foreign investment, which should be encouraged to 'lead to increased employment and the development of local technological capabilities'

Regarding land, it called for the immediate return of confiscated land previously held by Africans by freehold right, and for a democratic land claims commission to address the question of the further

redistribution of land. The document warned against ‘an overcentralised, commandist approach to economic policy by the state’, and asserted the need for a strong civic society independent of state and political party. The paper was to be discussed by the federation’s affiliates, and further meetings between COSATU and the ANC were to be held before a definitive economic policy statement would be published.²⁰ [²⁰ *The Weekly Mail* 1 June 1990]

Politics

In April 1990, after a meeting in Harare between COSATU and the South African Communist Party (SACP), the federation announced that it was to form an alliance with the party and the ANC to fight for the dismantling of apartheid as soon as possible. It was agreed that COSATU, as a trade union federation, had to retain its independence to ensure that it could carry out its task of representing organised workers. The SACP would form a legal above-ground party which would represent the immediate and long-term interests of the working class. COSATU and the SACP also said that they ‘remain convinced that socialism still offers vastly more acceptable solutions to the social and economic problems of South Africa than those of capitalism’.²¹ [²¹ *New Nation* 5 April 1990]

In July 1990 at a rally to launch the SACP as an above-ground organisation in South Africa, four COSATU trade unionists were listed as being members of the party’s interim leadership committee. They were the first vice president of COSATU and president of the Food and Allied Workers’ Union, Mr Chris Dlamini; the second vice president of COSATU, Mr John Gomomo; the assistant general secretary of COSATU, Mr Sydney Mafumadi; and the general secretary of the National Union of Metalworkers of South Africa, a COSATU affiliate, Mr Moses Mayekiso.²² [²² *The Citizen* 30 July 1990] (For further information on the COSATU/ANC/ SACP alliance, see *Trade Unions and Politics* below.)

In July 1990 COSATU, together with the UDF and the South African Youth Congress, launched an indefinite consumer boycott in the Vaal Triangle in protest against the ‘onslaught against freedom of expression, assembly and association’ by the councils of Vanderbijlpark and Vereeniging (southern Transvaal). (For further information, see *Overview*.)²³ [²³ *Business Day* 13 July 1990]

Officials of COSATU played a prominent role in a number of political events during the period under review. For further details, see *Trade Unions and Politics* below.

National Council of Trade Unions (NACTU)

At the time of writing the National Council of Trade Unions (NACTU) claimed a paid-up membership of 150 000.

During the period under review, NACTU continued to be beset by internal divisions, leading to the resignation of its general secretary, Mr Phiroshaw Camay. Conflict within the federation arose after the

Africanists were voted into office at NACTU's August 1988 congress. Divisions between them and the black consciousness group came to the fore when the principles of the federation were changed from a belief in 'black working class unity' to 'African working class unity'. Despite a resolution at its annual congress in August 1988 that the federation would establish a working relationship with the COSATU (see *1988/89 Survey* p449), the federation voted to stay out of the workers' summit held in March 1989 (see *1988/89 Survey* pp455-456). However, 11 affiliates defied the decision and attended the summit. Mr Camay had been in favour of attending.

Mr Camay's resignation followed conflict within the federation over whether or not it should attend the Conference for a Democratic Future (CDF) (see chapter on *Political Developments*), called by the MDM, in which COSATU has a prominent position. NACTU announced that it would not attend the CDF because, according to its assistant general secretary, Mr Cunningham Ngcukana, 'the participation of homeland leaders and other sell-outs at the conference' compromised the federation's principle of non-collaboration.²⁴ [²⁴ *The Star* 8 December 1989] However, at least eight affiliates, understood to be the black consciousness faction, defied this decision and attended the CDF, Mr Camay being part of the delegation. Mr Ngcukana, who is a leader of the Pan-Africanist Movement, became acting general secretary of NACTU.²⁵ [²⁵ *Sowetan* 11 December 1989] He said that the black consciousness unions represented no more than 25% of the organisation's membership. Those who attended the CDF were guilty of 'blatant opportunism'. NACTU as a whole was willing to join other groups on specific issues, such as protests against the Labour Relations Act of 1956, he said, but the CDF had achieved nothing. The MDM had tried to steamroll certain resolutions through, such as the adoption of the Harare Declaration originally sponsored by the ANC.²⁶ [²⁶ *Business Day* 12 December 1989] Mr Morsomi Mokhine, general secretary of the Black Allied Construction and Mining Workers' Union, said that only six affiliates had been present at the meeting when the decision was taken to boycott the CDF. When they had asked Mr Ngcukana who had made the decision he had refused to say, said Mr Mokhine.²⁷ [²⁷ *The Star* 12 December 1989]

Commenting on his resignation, Mr Camay said that he had been unhappy because decisions were not being made within NACTU forums but in political caucuses. The will and decisions of these caucuses were being imposed on NACTU structures. He said that NACTU officials had failed to implement worker summit resolutions to hold meetings between union federations at local and regional industrial level. 'COSATU is steadfast in its commitment to implementing these resolutions, whereas NACTU has vacillated in its decisions.' He said that the anti-LRA campaign provided a forum for unity in action and that the forum had to be maintained and sustained by both COSATU and NACTU. He disagreed with the position of non-collaboration which underlay NACTU's refusal to participate in the workers' summit and the CDF. 'One cannot use the principle of non-collaboration, and then non-collaborate yourself out of existence. Trade unions by their very nature are reaching agreement with employers and the state every day,' he said.²⁸ [²⁸ *The Weekly Mail* 26 February 1990]

Mr Camay put the drop in NACTU's membership down to the fact that the federation was not servicing its members effectively and not recruiting new members. He said that there was growing evidence that

COSATU unions were winning over NACTU membership, especially in the food and metal sectors.

In August 1989 NACTU's president, Mr James Mndaweni, said that the federation was opposed to current attempts to achieve a negotiated settlement in South Africa. He said that negotiations on the future of South Africa should guarantee the return of the land to its original owners. NACTU wanted to make its stand known on the eve of a meeting in Harare of the Organisation of African Unity, expected to consider the formulation of a strategy to end apartheid. NACTU believed that present moves towards negotiations were being promoted by western powers, big business and local liberals, as well as certain sections of the oppressed to guarantee the interests of capitalism in South Africa.²⁹ [²⁹ *The Star* 21 August 1989]

South African Confederation of Labour (SACOL)

The South African Confederation of Labour (SACOL), the main white labour federation, claimed a membership of 100 000 at the time of writing. The federation was critical of the new draft Labour Relations Amendment Bill published in January 1990 as it believed that if section 79(2) were repealed, it would lead to a rise in illegal strike action because of foreign interference. The section placed the onus on unions of proving their innocence in instigating unlawful strikes which led to production losses for employers (see *Legislation* above).³⁰ [³⁰ *Ibid* 1 February 1990] Reacting to the government's lifting of the banning orders on the ANC, the South African Communist Party (SACP), and the Pan-Africanist Congress (PAC) in February 1990, the confederation expressed disgust at the government's 'capitulation to communist-inspired movements'. It said that more strikes and violence could be expected as a result of the government's action.³¹ [³¹ *Ibid* 15 February 1990]

In a study on the politicisation of white unionists, a researcher at the Urban Foundation, Mr Mike O'Donovan, quoted the secretary of SACOL, Mr Nick Cillier, as saying that white unions should get together to discuss whether the time was ripe for the setting up of a white labour party to represent the interests of white workers.³² [³² *The Weekly Mail* 2 March 1990] (See also *Trade Unions and Politics* below.)

South African Congress of Trade Unions (SACTU)

In line with the constitutional guidelines of the ANC that a workers' charter be drawn up which would be incorporated into the constitution of a post-apartheid society, the South African Congress of Trade Unions (SACTU) published a charter, which said, inter alia:

- 'We, the workers of South Africa, declare that the future of the people of South Africa lies in the hands of the workers. It is only the working class, in alliance with other progressive minded sections of our community, which can build a happy life for all South Africans;
- the workers of South Africa need a united trade union federation in which all sections of the working

class can play their part unhindered by prejudice or racial discrimination;

- in a free and democratic nonracial South Africa, every worker shall be guaranteed the right to work;
- the state shall provide workers with accommodation, recreational facilities, crèches, nursery schools and playgrounds for their children;
- all forms of education and training shall be free and compulsory for all;
- a national minimum wage enforced by law shall be established, linked to the rate of inflation, and the national minimum wage shall take into account the need to cover rent, electricity and water, upkeep of the home, food and clothing, transport and entertainment;
- women workers shall be guaranteed the right to return to their jobs at the same rate of pay after maternity leave;
- in order to ensure full employment, a maximum of eight hours per day shall be worked, ie a basic 40 hours a week, overtime must be banned and the working day shortened, and shift work shall be shortened/abolished;
- unemployed workers shall be entitled to unemployment benefits, which will take into account all the basic needs of the worker and his/her family, and they shall be the responsibility of the state and will be fully supported;
- pensioners shall be the responsibility of the state; and
- the working class, the peasantry, revolutionary intelligentsia, progressive youth and women shall fight side by side until South Africa is free from national oppression and economic exploitation.’³³ [³³ ‘The SACTU draft charter’, *Work in Progress*, no 62/63 November/ December 1989]

Subsequent to the unbanning of the ANC in February 1990, a meeting between SACTU and COSATU in Zambia in March decided that SACTU would be phased out and integrated into the internal South African labour movement. A committee representing both federations would oversee the phasing out. SACTU said that the committee would expedite the return of its cadres and the integration of its members into COSATU and its unions. It would also arrange for its national executive committee to visit South Africa to report to workers on its underground activities.³⁴ [³⁴ *The Star* 21 March 1990]

In May 1990 six exiled SACTU members were refused entry into South Africa. They were part of the committee established to phase out SACTU. The delegates were refused entry despite the passing of the Indemnity Act a few days previously, which provides for temporary indemnity from prosecution for

members of the ANC, PAC, SACP and SACTU, and which was rushed through Parliament to facilitate the return of exiles.³⁵ [³⁵ *New Nation* 18 May 1990]

Notes on particular unions

In November 1989 Lieutenant Gregory Rockman of the South African Police, whose allegations about police brutality during a peace march in Cape Town earlier in the year had led to a court case (see chapter on *Political Developments*), formed a new union, the **Police, Prisons and Civil Rights Union**, the first ever for the police and Prisons Service. Lt Rockman accused the police of victimisation of five members of the union who had been asked to make statements about the union. They had refused and had referred inquiries to him. The men were then asked to attend an interview at police headquarters in central Cape Town with the regional commissioner. Lt Rockman commented, 'They are terrorising members of my union. Why don't they contact me as president if they want information?' Replying to official claims that the union was illegal without the consent of the commissioner of police, he said, 'For us the union is not illegal. The need is there and we haven't got a mouthpiece. It's our human right to have a union which represents us.'³⁶ [³⁶ *The Citizen* 10 November 1989]

Eleven warders who were suspended from duty after appearing in court because they had joined Lt Rockman in a union demonstration were placed under house arrest by prison authorities. Responding to a complaint by Lt Rockman on the restrictions, a spokesman for the Prisons Service said that it was normal procedure to restrict members of the service to their quarters in the prison grounds when they had been suspended from duty. It was also normal that they be required to report to the prison's commanding officer each morning.³⁷ [³⁷ *Sowetan* 17 November 1989]

In March 1990 members of the union were involved in a widespread strike and the union claimed that its membership had risen from 200 at its launch to 5 000 in March.³⁸ [³⁸ *South* 22 March 1990] For details of the strike, see *Strikes* below.

In February 1990 the **National Union of Metalworkers of South Africa** (NUMSA), a key affiliate of COSATU, held its first ever national bargaining conference. More than 200 delegates from all sectors of the 220 000-strong union met in Johannesburg to work out a common bargaining position for the engineering, motor component, auto assembly and tyre and rubber industries in national negotiations in 1990. Delegates adopted a demand for a R2-an-hour minimum wage rise in all NUMSA-organised industries. Other issues discussed were:

- the overhaul of the industrial council system to make it more 'democratic' and its extension to all workers. NUMSA complained that although it had more members than all the other council unions put together, it was still outvoted on key issues;
- job security. A major NUMSA worry was the growing use of temporary labour;

- job creation;
- the introduction of industry-wide training schemes that would allow workers to acquire enough basic education to qualify for skilled work; and
- the implementation of the Labour Relations Act (LRA) of 1956. The union would seek an undertaking by employers not to use anti-union provisions contained in the act. Extensive amendments to the LRA had been a major demand of the two main union federations, COSATU and NACTU, together with the employer body, the South African Consultative Committee on Labour Affairs, see *Legislation* above.

In a keynote speech, the national organising secretary of the union's metal sector, Dr Bernard Fanaroff, said that NUMSA's demands aimed to mobilise workers for a new, democratic order. Warning against economism, he said that there was a tendency to give priority to increases in wages, while campaigns around union and working class solidarity were forgotten. Another problem closely related to economism was 'factory tribalism', where workers in a particular plant were concerned only about their own interests and not those of the union and the rest of the working class, he said. In the past, he said, each sector had negotiated on its own. This had resulted in some sectors deciding to strike while others had settled their disputes. The adoption of a common negotiating platform for the whole union was a vital step in NUMSA's strategy to centralise bargaining and boost its power through greater unity, he added.

Dr Fanaroff said that the union had to lay the foundations for the revamping of the economy along socialist lines. Stressing that national negotiations played a key role in this restructuring, he accused Barlow Rand of undermining the industrial council system with the backing of the Department of Manpower. This attack had to be seen against the background of the general attack on the working class by capital, he said. (See also *Industrial Councils* below.)³⁹ [³⁹ *The Star*, *New Nation* 16 February 1990]

International Labour Organisation (ILO)

In May 1990, a meeting, the first of its kind, was held in Harare between representatives of the International Labour Organisation (ILO), COSATU, NACTU, and South Africa's National Manpower Commission (NMC). The senior officer in charge of the ILO's equality of rights branch in Geneva, Mr Neville Rubin, said that the chairman of the NMC, Dr Frans Barker, had been invited to the meeting at COSATU's instigation. He stressed that the meeting had not discussed the readmission of South Africa to the ILO, from which it was expelled 20 years ago, but the future of the LRA of 1956. He said that the LRA was not up to ILO standards in areas such as discrimination and freedom of association. Anti-apartheid activists in Europe reportedly censured the meeting, believing it violated the policy to isolate Pretoria. It was reported that reservations by the Organisation of African Unity over the meeting were only overcome when the deputy president of the ANC, Mr Nelson Mandela, wrote to the ILO giving his personal endorsement of the meeting. The conference was chaired by Sir John Wood, a British labour law expert and a member of the ILO's committee of experts.⁴⁰ [⁴⁰ *Business Day* 8 May 1990, *The Star* 11 May

1990]

Action involving trade unions

Police action against unions intensified in the weeks leading up to the 6 September 1989 general election, during which time the union movement embarked on a defiance campaign together with other anti-apartheid groups. Protests were also held against the Labour Relations Act (LRA) of 1956. Police took action against demonstrators in a number of protests throughout August 1989 and during the first weeks in September. They also took action against specific unions and union officials.

Raids on, damage to, and evictions from trade union offices

On 31 August 1989 police seized documents from the home of the general secretary of the Congress of South African Trade Unions (COSATU), Mr Jay Naidoo. They also took videos of his home. COSATU's offices were searched later in the day. The police were forced to return the documents in terms of an order of the Witwatersrand Local Division of the Supreme Court in September because the warrant in terms of which they had seized the material was invalid. The documents were returned to Mr Naidoo and then seized again in terms of a new warrant.⁴¹ [⁴¹ *The Citizen* 28 August 1989] The head office (Johannesburg) of the National Council of Trade Unions (NACTU) was also raided.⁴² [⁴² *City Press* 3 September 1989]

In early June 1990 the Welkom offices (Orange Free State) of the National Union of Mineworkers (NUM) were destroyed in a bomb blast. The attack came amid conflict between white and black miners in Welkom (see below). The union demanded that the minister of law and order, Mr Adriaan Vlok, disarm all vigilante groups of their 'guns and bombs'. A white mine captain, Mr Hendrik Steyn, who was also an activist in the Afrikaner Weerstandsbeweging (AWB), was arrested in connection with the blast.⁴³ [⁴³ *The Star* 11 June 1990]

Also in June COSATU's offices in Bellville (Cape Town) were petrol-bombed after the African National Congress (ANC) had held a meeting there.⁴⁴ [⁴⁴ *Cape Times* 16 June 1990]

In July 1990 a bomb was defused by a union official outside the NUM's Carletonville office (west Rand). The union's media officer said that NUM offices had also been vandalised in Witbank (eastern Transvaal) and Rustenburg (western Transvaal) during June and July.⁴⁵ [⁴⁵ *Business Day* 6 July 1990]

Surveillance of, threats against and attacks on trade unionists

In August 1989 the president of the Post and Telecommunications Workers' Association, Mr K Mosonkutu, was sent a pamphlet purportedly by the 'Wit Wolwe' (White Wolves), which glorified mass

killer Mr Barend Strydom and the AWB. It warned the Mass Democratic Movement that another Strydom would take care of them if they continued with their defiance campaign.⁴⁶ [⁴⁶ *The Star* 18 August 1989] A similar pamphlet was received by the president of the Commercial, Catering and Allied Workers' Union of South Africa, Mr Makhulu Ledwaba.

Also in August shots were allegedly fired by two white men who forced themselves into a union meeting of the Paper, Printing, Wood and Allied Workers' Union in East London (eastern Cape).⁴⁷ [⁴⁷ *Daily Dispatch* 18 August 1989]

In September 1989 a white supervisor at Rustenburg Refineries (western Transvaal), managed by the Johannesburg Consolidated Investment Company, shot a worker, Mr J Njuza, a shopsteward of NUM, and then committed suicide.⁴⁸ [⁴⁸ *The Citizen* 4 September 1989]

In January 1990 unknown gunmen launched a handgrenade and machinegun attack on the home of a Mdantsane trade unionist, Mr Jeff Wabena, who is an organiser for the South African Domestic Workers' Union. He was shot in the leg and sustained cuts from flying glass.⁴⁹ [⁴⁹ *The Star* 30 January 1990]

In the same month COSATU said that it would hold the state president responsible if anything happened to its vice president, Mr Chris Dlamini, who had received a spate of death threats over the previous three months.⁵⁰ [⁵⁰ *The Citizen* 31 January 1990]

In May 1990, during the hearings of the commission of inquiry appointed by the state president into irregularities in the Johannesburg City Council (the Hiemstra commission), it was revealed that union officials of the Transport and General Workers' Union were among those who had come under the surveillance of spies within the council. One of the spies, Mr Hannes Gouws, testified that he and three others had locked a union shopsteward into his guard's kiosk at the council's vehicle testing station, had closed the windows and had then teargassed him.⁵¹ [⁵¹ *Business Day* 27 April 1990] Another spy, Mr Tony Bennett, described to the commission how he had been recruited to monitor trade unions, among other groups.⁵² [⁵² *The Star* [full date] June 1990]

The Johannesburg Municipal Employees' Association (JMEA) said in May 1990 that it would pay the legal costs, estimated to be thousands of rands, of nine of its members who were spies for the Johannesburg City Council and who had also spied on the JMEA itself. A union spokeswoman said that the union's constitution provided for legal representation for all members satisfying certain conditions.⁵³ [⁵³ *Business Day* 7 May 1990] During the hearings of the commission of inquiry into certain alleged murders (the Harms commission) appointed in January 1990, it was revealed that COSATU had come under surveillance by the Civil Co-operation Bureau, an organisation linked to the formation of hit-squads (see chapter on *Political Developments*).⁵⁴ [⁵⁴ *The Citizen* 14 May 1990]

Violent conflict involving unionists

The South African Chemical Workers' Union claimed in July 1989 that the death of a union member, Mr Stanford Mazikwana, at the hands of four white men followed conflict between black unionists and members of the all-white Mine Workers' Union at AECI's dynamite factory in Modderfontein (east Rand). Mr Mazikwana was on his way to work when he was attacked. Another worker heard the attackers shouting that they were 'Wolwe' (ie 'Wit Wolwe' or White Wolves) as they attacked Mr Mazikwana. The police were investigating the incident.⁵⁵ [⁵⁵ *The Weekly Mail* 14 July 1989]

In September 1989 mine management, the South African Police and the NUM launched an investigation into the murder of two workers at the Anglo American Corporation of South Africa's New Vaal Colliery in the northern Orange Free State. The killings occurred after a period of tension at the colliery. Events included a brief bus boycott and the dismissal of two NUM shopstewards for, according to the NUM, allegedly intimidating workers into supporting the boycott. One of the deceased was an employee who had given evidence at the disciplinary hearing which led to the dismissals.⁵⁶ [⁵⁶ *Business Day* 13 September 1989]

Violent political conflict between the United Democratic Front and COSATU on the one hand and the Inkatha-linked United Workers' Union of South Africa (UWUSA) on the other, increased on the east Rand in December 1989. Clashes in late 1989 and early 1990 between members of the National Union of Metalworkers of South Africa (NUMSA), a COSATU affiliate, and UWUSA at Haggie Rand's Germiston plants, left six workers dead and six injured. NUMSA said that two men had appeared in the Katlehong magistrate's court (Germiston) on attempted murder charges in connection with an attack on its members and were fined R200 each. It expressed dismay at the sentence. It also said that the company had refused to help it set up a meeting with UWUSA.⁵⁷ [⁵⁷ *The Star* 11 December 1989] The company, however, strongly denied claims that it had refused to bring together the warring factions. Haggie's managing director, Mr John Milburn, said that management had convened four meetings between shopstewards of the rival unions. He added that union members had been allowed to meet at the factory on the issue and that management had sent telegrams to both unions urging them to restrain their members.⁵⁸ [⁵⁸ *Ibid* 14 December 1989] In February 1990 the company sought intervention from the South African government, the KwaZulu administration and the Steel and Engineering Industries Federation of South Africa in a bid to resolve the violence at its plants. Attempts by the company to meet UWUSA and COSATU had been unsuccessful.⁵⁹ [⁵⁹ *Business Day* 9 February 1990]

In May 1990 violent conflict broke out between about 50 black miners, 20 white miners and six security guards at the Anglo American Corporation of South Africa's President Steyn gold mine at Welkom in the Orange Free State. Conflicting accounts were given of the sequence of events. One white eyewitness said that security officers had attacked when black miners had charged retreating white miners. Anglo said, however, that mine security had dispersed demonstrating black miners who had then regrouped and had attacked both white miners and the guards themselves. The guards had then fired into the crowd using rubber bullets. The clash left two whites dead and 16 blacks wounded. Anglo closed shaft no 1 and

said that it would be opened only when staff indicated a clear commitment to peaceful and orderly practices. The clash took place against the background of a campaign of action by members of the NUM against alleged discriminatory practices on the mines and of a black consumer boycott of Welkom embarked upon by the black community after assaults on blacks by white vigilante groups in the city centre and white suburbs in Welkom.⁶⁰ [⁶⁰ *The Star* 18 May 1990]

Scores of police were sent to the mining area which was sealed off. Hostels were searched and weapons confiscated from blacks and whites.⁶¹ [⁶¹ *Business Day* 18 May 1990]

On 18 May 1990 an historic four-hour meeting was held between the Council of Mining Unions, representing white miners; the NUM; the minister of law and order, Mr Adriaan Vlok; and representatives of the Chamber of Mines of South Africa and Anglo. In a statement Mr Vlok said that it had been agreed to set up structures urgently in order to resolve problems between white and black mineworkers. The unions would make an urgent appeal to all mineworkers for restraint and urge them to refrain from acts or threats of 'intimidation and violence'. He said that mining companies would ensure security on their properties, while the South African Police, the South African Defence Force and mine security officials would ensure the safety of residential areas on mine property. It had been agreed that a security presence would be maintained on a full-time basis at the President Steyn no 1 shaft to allay fears of employees and 'for them to consider returning to normal work practices'. In the meantime, many of the workers at the President Steyn mine had signed an undertaking to renounce violence and return to work.⁶² [⁶² *The Citizen*, *The Star* 19 May 1990]

A further clash between black miners and security guards occurred at the St Helena mine in Welkom in July 1990. The clash took place when a group of about 2 000 miners were returning from a meeting organised by the NUM at the no 2 hostel on the mine. According to the NUM, security officials opened fire without warning on the workers who were contravening mine rules by toyi-toying and wearing union T-shirts. However, Genmin, which manages the mine, said that security officials were forced to open fire when they were attacked by about 100 men after the rest of the workers had dispersed peacefully after the meeting. Twelve people were injured, four of them seriously.⁶³ [⁶³ *The Star* 19 July 1990]

Detention of trade unionists

In September 1989 Mr Cyril Ramaphosa, general secretary of the NUM, condemned the detention of seven office bearers of the union country-wide. Offices in Kimberley (northern Cape), Namaqualand (eastern Cape), Natal, and Rustenburg (western Transvaal) had been raided.⁶⁴ [⁶⁴ *Ibid* 20 September 1989]

The regional secretary of COSATU's western Transvaal region, Mr Zwelinzima Vavi, who was arrested on 1 September and who was held in solitary confinement in Witbank Prison (eastern Transvaal), went on a hunger strike until he was transferred back to Vereeniging (southern Transvaal), where he was first held and until the quality of food he was given improved. He also demanded to be kept in a cell with

other detainees and to be charged or released. COSATU demanded his immediate release, as well as that of its education officer, Mr Amos Masondo, who was also in detention.⁶⁵ [⁶⁵ Ibid 17 October 1989]

Court cases

In September 1989 Mr Joseph Ngcobo appeared in the Durban and Coast Local Division of the Supreme Court charged with having murdered two men in a strike at Hart (Durban) on 12 August 1988.⁶⁶ [⁶⁶ *The Citizen* 22 September 1989]

In November 1989 five workers from Afcol who allegedly took part in attacks on non-striking colleagues during an industrial dispute in 1988, in which five men were killed, pleaded guilty to murder in the Witwatersrand Local Division of the Supreme Court. The attacks on the non-strikers occurred at the Croesus and Booyens railway stations (Johannesburg) on 2 and 10 June 1988. Three of the accused were members of the Paper, Printing, Wood and Allied Workers' Union, which represented between 65% and 70% of Afcol employees. Two others were members of NUMSA, which represented members employed in Afcol's steel section. The strike had broken out on 30 May 1988 in sympathy with workers who had been dismissed by Star Furnishers, a subsidiary of Afcol, and had led to a lockout by management.⁶⁷ [⁶⁷ Ibid 10 November 1989] The five were sentenced to prison terms ranging from six months to 11 years. Mr Justice B O'Donovan found that the men were not normally violent and had a stable work record. They had no previous clashes with the law. On the other hand, the offences were committed on innocent and defenceless fellow employees, and the victims, probably in some cases, were members of a non-striking union, he said.⁶⁸ [⁶⁸ *Business Day* 12 February, *The Citizen* 10 February 1990]

In November 1989, 18 black miners appeared in court in connection with charges of murder almost three-and-a-half years after the public execution of four team leaders at the Western Holdings gold mine near Welkom (see *1988/89 Survey* p462). In May 1989 the editor of the *Business Day* and two reporters were subpoenaed to give evidence to police after a special report including witnesses' accounts of the murders on 12 and 13 July 1986 were published in the newspaper. Tapes of a public inquiry by an advocate, Mr Dan Bregman, into the events, had disappeared and were found by the police in a vault at Western Holdings only after the publication of the special report.⁶⁹ [⁶⁹ *Business Day* 20 November 1989]

In May 1990 the acting attorney general of the Orange Free State, Mr André du Toit, declined to prosecute the 20 accused (two having been added to the original 18 in the meantime). He said that the state's evidence had been found to be unreliable. The 20 men had made statements at various stages of the police investigation that were 'totally conflicting', he said. 'We are ethically bound to point out these discrepancies in court and this will discredit the witnesses for the state. We do not think we have a chance to prosecute successfully,' he said. He had already ordered the release of the 20 men, he added.⁷⁰ [⁷⁰ Ibid 3 May 1990]

In October 1989 the NUM took the Johannesburg City Council to court over the council's refusal to

agree to a march by NUM members in protest against the centenary celebrations of the Chamber of Mines of South Africa. The NUM said that it saw no reason to celebrate the event and if the chamber wanted to thank mineworkers it should do away with racism, low wages and poor working conditions on the mines. The application to march had been refused on the grounds that the march would cause traffic and business disruption in central Johannesburg. After an adjournment at the court, the parties told the judge that an agreement had been reached to hold the march on 28 October. The judge then made the agreement an order of the court.⁷¹ [⁷¹ Ibid 6 October 1989] Mr Ramaphosa said that the reality behind the centenary celebrations was the repression of black workers and poverty wages. Black miners' wages were among the lowest in South Africa. 'This year the chamber refused to pay miners a minimum monthly wage of R543, as it claimed it could not afford to,' Mr Ramaphosa said. The chamber said that these 'allegations have no credibility when tested against the successful record of action by the chamber over the past decade, especially to eradicate discrimination on the mines, and its continuing efforts.'⁷² [⁷² *The Star* 6 October 1989]

In August 1989 nine members of the NUM were acquitted in the Transvaal Provincial Division of the Supreme Court on a charge of murdering a non-union member who had defied a strike call during a strike at the Blinkpan Colliery (Middelburg) in 1987. Mr Justice H van Dyk, sitting with two assessors, acquitted the nine after a trial lasting more than a year, because of improbabilities in the state's case.⁷³ [⁷³ *Business Day* 4 August 1989]

Trade unions and homelands

The situation of unions operating in homelands was again a focus of attention in 1989 and 1990. Homelands have the right to pass their own labour legislation, which differs from area to area. With the exception of Bophuthatswana and KwaZulu, homeland administrations have until recently strongly resisted the formation and operation of trade unions. However, a number of other homeland administrations have now embarked on a process of labour reform, following the taking of power by new leaders. Of the 'independent' homelands, Bophuthatswana and the Ciskei have legislation providing for the operation of trade unions, while the Transkei is in the process of drafting such legislation. No such step has been taken by Venda. Among the non-independent homelands, labour legislation recognising trade unions exists in KwaZulu only, while KaNgwane and KwaNdebele are busy drafting new legislation.

In July 1989 a letter issued by the **Ciskei** Chamber of Industry (CCI) voiced its concern over growing worker organisation in Ciskei's factories. 'I wish to bring to the attention of all industrialists and businesses operating in Ciskei: under no circumstances are trade unions allowed to operate in Ciskei since there is no legislation enabling them to do so,' said the newsletter. 'It is a fact that RSA [Republic of South Africa] trade union officials continue to pressure certain Ciskei industries. Do not hesitate to contact CCI should you need assistance.'⁷⁴ [⁷⁴ *The Weekly Mail* 14 July 1989]

In July 1989 the Ciskei passed the Wage Act, which provided for a wage board and regulated wages in

the homeland. It empowered the minister of manpower utilisation to make wage determinations and made it an offence not to disclose required information on wages to the authorities.⁷⁵ [⁷⁵ *Eastern Province Herald* 8 July 1989]

In March 1990 the attitude of the Ciskei to unions changed after a military coup which brought Brigadier Oupa Gqozo to power in the homeland. Brig Gqozo, commenting on whether ‘progressive organisations’, including trade unions, would be allowed to operate in the homeland, said, ‘Yes, all progressive movements existing in the interests of the people, including trade union movements, will be allowed to operate. Their leaders must come forward, discuss with us their plans, and together we will be able to solve the problems.’⁷⁶ [⁷⁶ *Sunday Tribune* 11 March 1990]

In April 1990 the Ciskei military council unbanned the South African Allied Workers’ Union, as well as major political organisations.⁷⁷ [⁷⁷ *The Weekly Mail* 12 April 1990]

In line with his approach to allow ‘progressive organisations’ freedom to operate in the Ciskei, Brig Gqozo initiated talks between industrialists and the Congress of South African Trade Unions (COSATU). Following discussions, COSATU lawyers submitted a proposal outlining the minimum rights of workers. The document, entitled, ‘The Basic Rights of Recognition Act’, aimed to ‘foster collective bargaining in the Ciskei, to provide for basic trade union rights and to provide for the implementation of such rights’. Thereafter, lawyers representing COSATU, employers and the Ciskei administration met to work out a draft labour act.

In May 1990 a new labour law, the Labour Relations Decree of 1990, legalising trade unions (but excluding farm and domestic workers and workers in essential services) was introduced by military decree. ‘The decree is unique in origin, being the product of negotiations between representatives of major trade union groupings, organised industry and the government,’ a Ciskei administration statement said. It incorporated elements of the accord agreed to by COSATU, the National Council of Trade Unions, and South African employers in May 1990, and contained provisions for the swift resolution of disputes.⁷⁸ [⁷⁸ *Daily Dispatch* 1 June 1990]

The military council was severely critical of a strike for higher pay and better working conditions held in April 1990 by nurses at the Cecilia Makiwane Hospital in Mdantsane. Brig Gqozo told nurses that they were being manipulated by the National, Education, Health and Allied Workers’ Union (NEHAWU), a COSATU affiliate, which, he said, wanted to topple the government. However, NEHAWU denied involvement in the strike. COSATU said that it had for a long time seen the homelands as unsympathetic towards its affiliates and told the council that ‘we will endeavour our utmost best to defend our workers in these homelands’.⁷⁹ [⁷⁹ *Work in Progress* no 66 May 1990, *Daily Dispatch* 27 April 1990]

In May 1990 the military government questioned the standing of the East London Progressive Teachers’ Union (ELTPU), when responding to allegations by the union that the administration had shown no sympathy towards the union’s representations to it. The administration said, ‘It is difficult to establish

exactly who ELPTU are representing—other than themselves. We also learnt that they were not registered as a union so we decided to wait until a teachers' union with substantial support from the fraternity made representations to us in respect of teachers' needs in Ciskei.⁸⁰ [⁸⁰ *Daily Dispatch* 2 May 1990]

It was reported in January 1990 that **KaNgwane** had drafted new labour legislation which was said to be more progressive than labour law in 'South Africa'. It extended trade union rights to farm and domestic workers, and made provision for sympathy strikes and product boycotts and legal strikes by most public sector workers. It extended to KaNgwane minimum conditions of work and wages laid down in industrial council agreements drawn up in 'South Africa'.⁸¹ [⁸¹ *Sunday Tribune* 1 January 1990]

A refusal by a **KwaNdebele**-based factory, Strata Control Systems, to recognise the Metal and Electrical Workers' Union of South Africa led to a strike by 400 workers at the company in October 1989. Management insisted that it could not enter into any recognition talks with the union because the homeland's labour legislation prohibited union activities. The company had relocated to the homeland from Heidelberg (south eastern Transvaal) in 1987, laying off dozens of workers in the process. It is a subsidiary of an Anglo American Corporation of South Africa firm, Boart International. A union official, Mr John Mokoena, claimed that the move was nothing but a 'clever ploy' by Boart to take advantage of the cheap labour in the area. Boart management denied this claim, saying that the move was part of a rationalisation within the group. Three companies had been 'consolidated' and relocated to the homeland. Strata employees' grievances included low wages, racial discrimination and generally bad working conditions at the firm.⁸² [⁸² *Sowetan* 20 October 1989]

A second union, the Commercial, Catering and Allied Workers' Union of South Africa, also said that working conditions of workers in the homeland were poor. It was currently involved in a dispute with Bramley Cane over wages and working conditions at the firm's KwaNdebele subsidiary. Workers at the company were earning as little as R20 a week. The company refused to negotiate with the union saying that it did not want to break the law, but claimed that it paid 'higher than average' wages compared to other firms in the homeland's industrial area.⁸³ [⁸³ *Ibid*]

The KwaNdebele administration appointed Professor Nic Wiehahn, director of the School of Business Leadership at the University of South Africa, as chairman and sole member of a commission of inquiry into labour matters and unrest in KwaNdebele and he presented his completed report to the administration in April 1990. Professor Wiehahn said that the commission had found labour laws in KwaNdebele to be 'complex, outdated and complicated' and that they should therefore be repealed. The commission found that the chief causes of unrest that had affected KwaNdebele from October 1989 were:

- very low wages with no annual increases;
- trade unions not being allowed to operate;
- poor conditions of employment (including long hours); and

- a lack of communication between employers and employees.

The commission recommended that the following laws be promulgated as soon as possible:

- a labour relations act;
- a placement and insurance act;
- a wages and basic conditions of employment act;
- a protection of safety act;
- an injury and insurance act; and
- a career guidance and manpower training act.

Noting that ‘South Africa’s’ Labour Relations Act was complicated, Professor Wiehahn said that his draft labour relations bill could act as a model, possibly to be followed by other homelands.⁸⁴ [⁸⁴ *Business Day* 26 April 1990]

Towards the end of 1989 the **Transkei** was subject to a wave of labour unrest. In October 1989 industry in Butterworth came to a standstill when workers went on strike.⁸⁵ [⁸⁵ *Daily Dispatch* 18 October 1989] The chairman of the Transkei’s Military Council, Major General Bantu Holomisa, said that labour grievances would be investigated and that a new policy on workers’ rights would be announced the following week.

Workers’ major grievances included alleged discrepancies in wages, as compared with those paid by sister firms in South Africa.⁸⁶ [⁸⁶ *Ibid* 19 October 1989]

The military council announced in October 1989 that it was drafting new labour legislation likely to open the way for collective bargaining in the Transkei. The Transkei was governed by labour legislation which was promulgated in South Africa in the 1950s. It laid down basic conciliation procedures but excluded the right of workers to bargain collectively or strike.⁸⁷ [⁸⁷ *The Weekly Mail, Financial Mail* 20 October 1989] Later in that month, Transkei’s president, Mr Tutor Ndamase, announced that it was considering the legalisation of unions. Workers were told to form unions and register them with the Department of Manpower Planning and Utilisation by the end of November. Lawyers, workers and interested organisations were invited to help set up new unions and draft the new legislation. A wage board was due to start operating, and an industrial court was to be introduced. These were all interim arrangements until new laws were passed in 1990.⁸⁸ [⁸⁸ *The Natal Witness* 27 October 1989]

In November 1989 the military council announced the lifting of the banning orders on 15 organisations, including the South African Allied Workers' Union.⁸⁹ [⁸⁹ *Eastern Province Herald* 9 November 1989]

In December Gen Holomisa said that the Transkei did not intend repeating South Africa's mistakes by making similar labour laws and appointed Professor Wiehahn to recommend a labour relations system for the Transkei.⁹⁰ [⁹⁰ *Daily Dispatch* 5 December 1989]

In March 1990 Professor Wiehahn submitted his 451-page report to President Ndamase. Professor Wiehahn said that the most significant recommendations were for the promulgation of a labour relations act, the legalisation of trade unions, employer organisations, collective bargaining, a basic conditions of employment act and a manpower training act. In addition he recommended that a national manpower commission and an industrial council system be established, as well as an ad-hoc industrial court, which would operate in a similar way to the South African tax court. He recommended that South African trade unions be allowed to register in the Transkei and that the registration process be highly simplified. He said that he had recommended abolishing the notion of legal and illegal strikes and the decriminalisation of strikes. 'I ... prefer to talk of fair and unfair strikes.' Professor Wiehahn added, 'The trend of the recommendations is the harmonisation of Transkei's labour laws with those in South Africa in the light of probable reincorporation. However, I've ensured that the new system will still be appropriate for the needs of a third world economy. I've set about simplifying the South African system, "destatising" it and "indigenising" it for the Transkei. For example, many bureaucratic measures and mechanisms will be done away with.'⁹¹ [⁹¹ *Finance Week* 22 March 1990] Labour legislation arising from the recommendations of the report was in the process of being drafted.

Speaking at a labour seminar in the Transkei in November 1989, Mr Cyril Ramaphosa, general secretary of the National Union of Mineworkers, said that the adoption of a model statute in the Transkei would have a powerful demonstrative effect beyond the territory's assigned borders at a time when South African labour laws were coming under attack. It would be timely and welcome if the Transkei were to take the bold step of entrusting the adjudications of all labour disputes to one labour court, he added.⁹² [⁹² *The Star* 20 November 1989]

In January 1990 the first negotiated agreement between a union and management in the Transkei was signed. The deal between the Food and Allied Workers' Union and Ohlsson's Brewery Transkei provided for the trial reopening of the company's plant, closed in December 1989 after the workforce had been fired after labour unrest. The interim recognition agreement would be transformed into a full agreement once the union had proved majority membership at the plant. The company also undertook, over 18 months, to phase in pay parity with workers at Ohlsson's parent, The South African Breweries, outside the homeland.⁹³ [⁹³ *Ibid* 22 January 1990]

In May 1990 COSATU was reported as having assisted Transkei workers in the Transkei to organise themselves into unions and a workers' co-ordinating committee had been set up to oversee union

developments in the area until COSATU could discuss the establishment of a separate region for the Transkei at its congress in 1991. Workers had discussed the possibility of Transkei workers falling under COSATU's border office in East London, but it was felt that there were issues and conditions unique to the homeland which warranted a separate structure.⁹⁴ [⁹⁴ *Work in Progress*, no 66 May 1990] In April 1990 the National Union of Metalworkers of South Africa (NUMSA), a COSATU affiliate, decided to open an office in the Transkei. About 20% of NUMSA's members are in homeland factories.⁹⁵ [⁹⁵ *New Nation* 27 April 1990]

In November 1989 the chief minister of **KwaZulu** and president of Inkatha, Chief Mangosuthu Buthelezi, called on COSATU to use its influence to stop violence in trade union activity in KwaZulu/Natal. He was referring to incidents in which the police intervened following brawls by striking workers of the South African Transport Services in Umlazi during the 13-week railways strike (see *Strikes* below). 'I say to all trade unionists that their most powerful weapon is their own internal trade union democracy... I warn trade unions to continue developing their power and not to usurp their power for the future, when it will be even more needed, by resorting to violence and intimidation.'⁹⁶ [⁹⁶ *The Citizen* 25 November 1989]

Trade unions and sanctions

In September 1989 the president of the Chamber of Mines of South Africa, Mr Kennedy Maxwell, claimed that Mr Cyril Ramaphosa, general secretary of the National Union of Mineworkers, had ignored the findings of impartial surveys when calling for sanctions against South Africa. He was commenting on a letter written by Mr Ramaphosa and published in a Dutch newspaper, *De Volksrant*. In the letter Mr Ramaphosa appealed to the new Dutch cabinet to support a boycott of South African coal. Mr Maxwell referred to a survey undertaken by the American Gallup organisation which revealed that 80% of 2 192 South Africans interviewed, among them mining industry employees, were opposed to sanctions.⁹⁷ [⁹⁷ *Ibid* 22 September 1989]

In an important shift on disinvestment, the Chemical Workers' Industrial Union (CWIU), an affiliate of the Congress of South African Trade Unions, which had spearheaded the union movement's disinvestment campaign, said in February 1990 that it would investigate the drafting of a code for multinational companies investing in South Africa. While the union said that its support for sanctions and disinvestment remained unchanged and that it would continue pressing for a fair disinvestment procedure, a code of conduct was needed to protect workers in the light of multinational companies' 'avaricious and manipulative' conduct in the third world.⁹⁸ [⁹⁸ *The Star* 27 February 1990]

In May 1990 the CWIU and the Dutch trade union federation, Industriebond-FNV, drew up a list of demands which they aimed to present to Dutch multinationals operating in South Africa and their parent bodies in the Netherlands. One of the key demands was for a fair investment procedure to be followed by any Dutch multinational should it disinvest. 'Such a procedure is necessary because most of the alleged disinvestments from South Africa have not been genuine. Rather, they have been exercises in

corporate camouflage, said the union's general secretary, Mr Rod Compton. Other demands included minimum standards for labour relations and the resolution of labour conflicts by the multinationals while they were still in South Africa.⁹⁹ [⁹⁹ *New Nation* 25 May 1990]

Trade unions and politics

The union movement again took up political issues in the latter half of 1989 and during 1990. In August 1989 the Mass Democratic Movement (MDM), of which the Congress of South African Trade Unions (COSATU) is a major participant along with the United Democratic Front (UDF), launched a defiance campaign against the government's policies of apartheid. The campaign was directed against apartheid laws and in support of the demands of the MDM for, among other things, the lifting of the banning orders on leaders and organisations, the release of all political prisoners, the ending of the state of emergency and the withdrawal of troops from the townships. The following actions were undertaken:

- blacks sought treatment at whites-only hospitals;
- black workers used facilities at work normally used by whites;
- blacks used recreational and other facilities, such as beaches and buses, reserved for whites;
- a series of protest marches were held throughout the country; and
- actions, mainly in the form of stayaways, were directed specifically against the 6 September election for the Tricameral Parliament, and the Labour Relations Amendment Act (see *Noteworthy labour practices and developments* below). (For further details see chapter on *Political Developments*.)

Progress in peace talks between the COSATU/UDF alliance on the one hand and Inkatha on the other aimed at resolving the conflict in the Natal region remained erratic. (For further details see also chapter on *Political Developments*.)

About 70 000 people attended a rally in Johannesburg in October 1989 to celebrate the release of five African National Congress (ANC) leaders from jail after serving sentences of 25 years for sabotage. The rally was organised by the MDM, and the general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa, who was a member of the welcoming home committee, addressed the meeting. (For more information see chapter on *Political Developments*.)¹⁰⁰ [¹⁰⁰ *The Star* 27 October 1989]

The Conference for a Democratic Future called by the MDM in December (see chapter on *Political Developments*) called, inter alia, for the occupation of factories, mines and shops, for campaigns against companies like Barlow Rand 'which are leading the attacks against unions for a living wage', and for

marches and rallies.¹⁰¹ [¹⁰¹ *Business Day* 11 December 1989]

In December 1989 five officials of COSATU and its affiliates visited Mr Nelson Mandela, a jailed ANC leader, at the Victor Verster Prison in Paarl (western Cape). The delegation consisted of Mr Sidney Mafumadi, assistant general secretary of COSATU Mr Chris Dlamini, president of the Food and Allied Workers' Union Mr John Gomomo, second vice president of COSATU Mr Ramaphosa and Mr Moses Mayekiso, general secretary of the National Union of Metalworkers of South Africa (NUMSA). Mr Mafumadi said after the meeting that Mr Mandela wanted his freedom but was not prepared to beg for it. The reason why Mr Mandela was having talks with representatives of the government was to be able to try to understand what the National Party was trying to do. 'In this way he will be able to inform the movement on what the government's intentions are. He is not a go-between but is in a position to meet government officials and to convey their views to our movement. Mr Mandela sees himself as a prisoner and is not in any position to enter negotiations at this stage.' The aim of the visit was to brief Mr Mandela on what was happening in COSATU and the MDM, and also to exchange views on the political and economic crisis in the country. 'We were surprised by the extent to which he is acquainted with events in the country and the extent to which his views coincide with ours.'¹⁰² [¹⁰² *The Star* 20 December 1989]

In February 1990, in a move which had far-reaching implications, the state president, Mr F W de Klerk, announced the lifting of the banning orders on the ANC, the Pan-Africanist Congress (PAC), and the South African Communist Party (SACP), among others. The lifting of the banning orders also had implications for the future of the South African Congress of Trade Unions (SACTU), the trade union wing of the ANC, which, although never banned itself, had gone underground in 1960, when the ANC had been banned. Speaking from Lusaka (Zambia), SACTU's president, Mr Stephen Dlamini, said that there would have to be talks between SACTU and COSATU on a possible merger. As SACTU was the longest-serving federation, it was the 'kingpin' and any amalgamation of the two bodies should bear its name, he said. A COSATU spokesman said, however, that although the federation had no official stance on the issue, SACTU had no further role and should disband, with members being absorbed into the local union movement.¹⁰³ [¹⁰³ *Ibid* 6 February 1990] At a meeting between SACTU and COSATU in Zambia in March, it was agreed that SACTU would be phased out and integrated into the internal South African labour movement. A committee representing both federations was appointed to oversee the phasing out.¹⁰⁴ [¹⁰⁴ *Ibid* 21 March 1990]

Commenting on Mr De Klerk's statement, COSATU said that repressive laws such as the Population Registration Act of 1950, the Group Areas Act of 1966 and the Internal Security Act of 1982 would still prevent free political activity. While the state president's announcement was significant and 'a victory for the people of South Africa', it still fell short of the fundamental steps needed to end political conflict in the country. 'What De Klerk has announced still does not create the climate of free political activity called for in the Harare Declaration,' it said. The National Council of Trade Unions said that fundamental issues such as the redistribution of land and one person one vote had not yet been addressed by the state president. It believed that he could open the way to genuine negotiations if he addressed the two issues as well as the question of protection of minority rights. It welcomed the unbanning of the

ANC, PAC and SACP and the other measures announced by the state president. 'We believe that these measures will assist the liberation movement and trade unions in organising openly and in broadening democracy,' it said.¹⁰⁵ [¹⁰⁵ *Sowetan* 6 February 1990]

At a meeting in Harare (Zimbabwe) in May 1990 COSATU and the SACP agreed that the two organisations should work together with the ANC in an alliance on an agreed programme of action to dismantle apartheid as soon as possible. COSATU said, however, that the two had also reached an agreement that COSATU as a trade union organisation had, as a matter of principle and practice, to 'retain its independence in order to carry out its task of representing organised workers'.¹⁰⁶ [¹⁰⁶ *Business Day* May 1990]

At a COSATU central executive meeting on 5 May 1990 the terms under which the alliance should operate were set out as follows:

- each organisation was independent and would develop its own positions on various issues and campaigns;
- the task of the alliance was to formulate a joint programme on agreed issues;
- the alliance was a strategic alliance with a central objective of dismantling apartheid and building a nonracial, democratic and unitary South Africa;
- the alliance had to take on a structured form at national, regional and local level with mandated representatives from each organisation; and
- the alliance had to work out how it related to a range of organisations and different class forces outside it.¹⁰⁷ [¹⁰⁷ *Barometer* June 1990]

At the official launch of the SACP as an above-ground organisation in South Africa on 29 July 1990 a number of COSATU officials were announced as being members of the party's interim leadership group (see *Congress of South African Trade Unions (COSATU)* above).

The need for unions to remain independent of political parties was stressed by COSATU's largest affiliate, NUMSA. In its political policy resolutions for 1990 it said, 'The lessons of perestroika show that trade unions must remain independent of political parties.' The reason given for this was that the 'development of party political groups in NUMSA will lead to party political domination of the union and disunity among workers'. In its resolutions it stated that:

- 'every NUMSA member and official is free to belong to the political party of his or her choice;

- all NUMSA members and officials are free to give any point of view in debates which take place within the union;
- NUMSA members and officials must participate in these debates as individuals. The union will not allow members or officials to participate in debates as a bloc; and
- NUMSA will not accept the development of party political blocs within the union.'

In a plan which it proposed to put to COSATU it resolved:

- 'that NUMSA supports the alliance of the ANC/SACP/COSATU;
- the alliance should function in terms of the principles set out by COSATU at the CEC (central executive committee) meeting of 5 May;
- the alliance should work to set up independent, non-sectarian civic and rural organisations; and
- the United Democratic Front (UDF) was formed to achieve certain political goals in a period when the ANC could not play its full political role. The ANC is now in a position to take its rightful place in political activity. NUMSA therefore resolves that the UDF should phase out thereby bringing to an end the COSATU/UDF alliance and the Mass Democratic Movement.'

NUMSA also set out guidelines of how COSATU should operate within the alliance at the pre-negotiation talks between the alliance and the government (see chapter on *Political Developments*). It said that:

- 'COSATU will adopt its own position;
- we will then meet as an alliance forum to formulate the position of the alliance. The alliance will be in the form of executive members of the three parties to the alliance, meeting as mandated delegates;
- the alliance forum will be present near the negotiations at all times to receive reports from the negotiating team and give fresh mandates;
- the alliance forum will act as a support group during negotiations, facilitating report-backs to and mandates from the constituencies;
- COSATU team members of the negotiating team will be elected democratically by the COSATU CEC; and

• the alliance will operate on the basis of independence of the parties and on consensus.’¹⁰⁸ [¹⁰⁸ Ibid vol 2 no 4, June 1990]

At the annual national executive committee meeting of the National Union of Mineworkers (NUM), COSATU’s second largest affiliate, in March 1990 the union’s general secretary, Mr Cyril Ramaphosa, said that the NUM fully supported the SACP, as it was the only political party qualified to articulate the interests of NUM members ‘through a national democratic revolution to a society free from exploitation’.¹⁰⁹ [¹⁰⁹ *New Nation* 30 March 1990]

A variety of conflicting views were put forward regarding the future political role of unions. According to the director general of the Department of Manpower, Mr Joel Fourie, ‘The labour relations area is used by unions to carry a political banner. The need for this is now removed. Politics has caught up with labour.’ However, Mr Ramaphosa said, ‘The extra space means we can fight for our rights which are not yet at hand. If anything, unions’ political campaigns will be strengthened. There is no return to confining ourselves to workers’ issues. Not all the demands which affect workers have been met.’ This view was shared by the general secretary of NUMSA, Mr Moses Mayekiso, who said that workers should join the SACP. ‘To form a new organisation will divide workers.’ He said that his community work in the mid-1980s had convinced him that the SACP was the right political representative of working people. Although he laid stress on the need for mutual independence, he said that shared principles and goals meant that in the longer term ties between the labour movement and the SACP would grow ‘closer and closer’.¹¹⁰ [¹¹⁰ *The Daily Mail* 26 July 1990] According to Mr Bobby Godsell, the Anglo American Corporation of South Africa’s director of industrial relations, ‘a division of labour’ would emerge between different organisations in the long run. ‘This is not to say that unions will become depoliticised but the allocation of issues will differ. Unions will still have a political agenda but it will revolve around more rational policy issues such as tax, health and so on. Constitution building will go to the political leaders.’ He believed that the South African labour movement would probably retain its autonomy and choose a pluralistic option (in its relationship to the ANC/SACP).¹¹¹ [¹¹¹ *Finance Week* 8 February 1990]

There was evidence during the period under review of an increasing politicisation of white workers. A researcher at the Urban Foundation, Mr Mike O’Donovan, who conducted a survey of the political attitudes of white trade unionists, said that white workers had told him that they were planning to form a new white labour federation that would organise across all sectors of the economy and act as an independent pressure group within a right-wing political coalition. The leader of the Boerestaat Party, Mr Robert van Tonder, said that there were ‘moves afoot in the unions. Many white workers feel that they have been betrayed by the National Party and that their jobs are not protected against black labour anymore’. Officials from some of the biggest white unions in the country, including the all-white Mineworkers’ Union (MWU) and the South African Iron, Steel and Allied Industries Union, were spearheading a drive to build a conservative political movement for white workers, said Mr O’Donovan. The general secretary of the MWU, Mr Peet Ungerer, said that there was ‘strong reaction from white workers at this stage’ and confirmed that there was a push to recruit more of them into the conservative labour movement. According to the secretary of the South African Confederation of Labour, Mr Nick

Cillier, 'We should come to the table and discuss whether there is now room for a white labour party ... in a broad sense there is a move towards such a situation.'¹¹² [¹¹² *The Weekly Mail* 2 March 1990]

Collective Bargaining

Industrial councils

The number of industrial councils (ICs) for selected years, the number of IC agreements, and the number of employers and employees covered by them is given below:

Industrial councils

councils

Wage agreements

Employers

Employees

1975

102

92

39 146

1 046 105

1980

105

98

41 280

1 095 472

1986

99

77

47 032

961 302

1987

97

86

45 941

964 881

1988

95

68

44 927

988 000

1989

94

N/A

N/A

634 000^a

N/A not available

a

The drop in the number of employees is accounted for by the fact that at the time the statistics were drawn up the main agreement for the iron, steel, engineering and metallurgical industry was not in

During the period under review there were moves by some employers to bypass the IC system in setting wages and other conditions of work for employees in their companies. In the early 1980s the emerging unions opposed the industrial council system, regarding it as bureaucratic and unrepresentative. Increasingly, however, they have become supporters of the system, recognising that industry-level bargaining has meant that many African workers have obtained significant wage increases, as well as pension, medical aid, and other benefits. On the other hand, employer support for the system is waning. Those hostile to the system say that it is a statutory form of regulation which stifles free enterprise. According to a labour lawyer, Mr John Brand, the state has ‘by administrative action assisted in subverting the industrial council system’. He pointed out that during 1989 the minister of manpower refused to promulgate parts of the metal industry agreement—in particular the agreement between employers and unions that May Day should be a paid holiday.

In the motor industry employers have resisted union demands for a national council, while the industrial council for the hotel industry on the Witwatersrand collapsed in 1989 when the Southern Sun group felt it was unnecessary to participate in it because it had plant-based agreements with the Hotel and Restaurant Workers’ Union. Small hotels, disgruntled with the kinds of decisions taken by the council, also broke away.¹¹³ [¹¹³ Ibid 14 September 1989]

In July 1989 the South African Printing and Allied Industries’ Federation, the largest employer body on the National Industrial Council for the Printing and Newspaper Industry of South Africa, announced its intention of withdrawing from the 60-year-old council from 1 January 1990. This followed an application by the Printing, Paper, Wood and Allied Workers’ Union (PPAWU), an affiliate of the Congress of South African Trade Unions (COSATU), to join the council. In September 1989 *The Weekly Mail* revealed that minutes of a meeting of employers in the printing industry and marked ‘highly confidential’ had fallen into its hands. The document revealed details of how employers planned to avoid dealing with representative black trade unions. Part of the document outlined the perceived consequences of PPAWU’s joining the council. These included:

- ‘smaller employers at the union’s mercy’;
- ‘national disputes—national strikes’;
- ‘probability of the SATU (the South African Typographical Union, a less militant union which had been a member of the council for 60 years) being hijacked by COSATU’; and

- ‘making of political and social demands’.

The document contrasted sharply with employer claims at the time that the council was not effective in resolving disputes and that two-tier bargaining, at both plant and national levels, was becoming cumbersome. The union had lodged an application with the Industrial Court to challenge a decision by both the employer body and SATU refusing to admit PPAWU to the council. The document said that the Industrial Court would admit them anyway and noted that the best option in the circumstances would be for the employer body to withdraw from the council, thus effectively making it redundant. The document noted that the amended Labour Relations Act (LRA) of 1956 provided a method of regulating wages and conditions of employment without having to deal with PPAWU. ‘Use section 51(a) of the LRA on a regional basis to enter recognition agreements with SATU and then apply to the minister of manpower to promulgate these agreements,’ it said. Section 51(a) states that where no industrial council exists employers can unilaterally make recommendations on wages and conditions of employment to the minister, who then has only to consult the wage board before gazetting the regulations. According to the document this was a possibility which had not yet been fully explored in South Africa. PPAWU’s national organiser, Mr Rob Rees, said that the collapse of the industrial council would affect some 45 000 workers, many of whom were still unorganised. ‘Employers will take advantage of the absence of minimum conditions and wages to introduce long hours and reduce the low wages that already exist,’ he said.¹¹⁴ [¹¹⁴ *The Weekly Mail* 1 September 1989]

In October 1989 the Industrial Court ruled against PPAWU’s application that the withdrawal of the employer body from the council was unfair.¹¹⁵ [¹¹⁵ *The Star* 18 October] In November, in a letter to members, the employer body said that SATU had agreed that the council should be disbanded on 31 December 1989. It said that negotiations on benefit schemes were under way and it was unlikely that workers resigning from SATU would lose benefits.¹¹⁶ [¹¹⁶ *Ibid* 2 November 1989]

However, once the council had disbanded, SATU complained that it was not recognised at most individual firms and it decided to take the employers to court over the issue unless they agreed to wage increases of between 12% and 15% for 1990. The employer body recommended acceptance of the demand but said that the union had had time to conclude recognition agreements at individual plants.¹¹⁷ [¹¹⁷ *Ibid* 27 November 1989]

In an article on ICs, Ms Kate Jowell of the Graduate School of Business at the University of Cape Town said that policies supporting increasing market freedom represented an approach that leaned away from the social democratic philosophy which underlay systems supporting collective bargaining—particularly at national or industrial level. These policies towards more market freedom brought pressure for privatisation, deregulation, and support for developing businesses, leading to pressures on industrial councils. The state president now had the power to suspend industry wage agreements and various protective clauses embodied in legislation governing the rights and working conditions of employees. A second pressure was that several major companies had withdrawn from industry associations because they did not want to be subject to bargaining and strikes at two levels, she said. Other companies argued that they did not support centralised bargaining in principle, as it was not in line with a decentralised

management style. Ms Jowell quoted Mr Jan Hiemstra, an industrial relations executive at Barlow Rand, as saying that industrial councils were not expected to survive the next decade. Ms Jowell asked how far the influence of managers who supported decentralised bargaining would spread. Parties to industrial relations were creative and adaptable and the ironies of South African society might prove Mr Hiemstra wrong.¹¹⁸ [¹¹⁸ *Business Day* 3 January 1990]

In January 1989 six COSATU unions met to plan a large-scale campaign against Barlow Rand because of its opposition to centralised bargaining. The origins of the campaign lay in the action by a Barlow Rand subsidiary, Nampak, in allegedly forcing the withdrawal of the employer organisation from the printing industrial council. A spokesman for the National Union of Metalworkers of South Africa said that it was clear that the company was involved in a campaign to break the industrial council system. A number of Barlow Rand subsidiaries had withdrawn from the annual council negotiations between unions and the metal industry employer body, the Steel and Engineering Industries Federation of South Africa, and there was talk that the entire Barlow Rand group would apply for exemption from the metal industrial council agreement in 1990. The human resources general manager of Barlow Rand, Mr André Lamprecht, said that it was wrong to say the group was attempting to destroy the industrial council system. 'The group is, and always has been, managed on an operationally decentralised basis and the collective bargaining structures follow this business structure.' He said that the group had had a history of dealing with the unions on this basis since the Wiehahn days. For quite some time there had been a 'happy congruence between the group's decentralised structure and the unions' then aversion to centralised bargaining'.¹¹⁹ [¹¹⁹ *Ibid* 24 January 1990]

In April 1990 the six unions held talks with Barlow Rand in a bid to renegotiate collective bargaining structures with the company. The talks between the parties centred around centralised bargaining, job security, deregulation, basic worker rights, the Labour Relations Act of 1956, strike dismissals, social benefits, and restructuring for a post-apartheid South Africa. The COSATU affiliates stressed that the critical issue which had to be resolved was Barlow Rand's policy that all matters concerning industrial relations be handled at plant level. This policy prevented worker unity across plants, the unions said. Another major concern was Barlow Rand's reluctance to participate in industrial council bargaining. Barlow Rand described the talks as 'useful'.¹²⁰ [¹²⁰ *The Star* 11 April 1990]

Conciliation boards

According to the annual report of the National Manpower Commission for 1989, there were 5 604 applications for conciliation boards for the period 1 November 1988 to 31 October 1989, compared with 3 035 and 2 312 for the calendar years 1988 and 1987 respectively.

Industrial Court

According to the annual report of the National Manpower Commission for 1989, 4 492 cases were

received by the court between 1 November 1988 and 31 October 1989, compared with 3 838 and 3533 in 1988 and 1987 respectively. Although a number of ad-hoc additional members of the court were appointed, there was still a backlog in the workload, 1 782 cases being outstanding at the end of October 1989.

A number of lawyers and black trade unions voiced dissatisfaction with the Industrial Court in the latter half of 1989. Already in March 1989 a labour summit, representing about 1,5m workers, had urged unions not to use the court. In particular, dissatisfaction had been expressed over the functioning of the court subsequent to amendments made to the Labour Relations Act (LRA) of 1956 in September 1988. Critics were dissatisfied with the codifying of an unfair labour practice, previously a matter of court discretion, in a manner thought to be highly favourable to employers. For instance, even a lawful strike could now be held by the court to be unfair. As a result, there had been a stream of employer interdicts against strikes in 1989, many of them granted without hearing union argument. A further source of dissatisfaction was the fact that the court's staff allegedly had little specialist knowledge. According to a labour lawyer, Mr John Brand, 'There is hardly one area of labour law where different members have not delivered inconsistent judgements.' The government's refusal to extend the contract of the president of the Industrial Court, Mr Daan Ehlers, in September, drew further criticism. Mr Ehlers was seen as having a record of 'enlightened' judgements, and had also voiced misgivings over the amendments in the LRA pertaining to the court. Answering these criticisms, the director general of manpower, Mr Joel Fourie, said that the LRA amendments had redressed the uncertainty surrounding the unfair labour practice concept, which had unfairly favoured unions. On court staff, he stressed that members were better paid than other civil servants doing equivalent work. He also rejected a demand for the court's members to pass bar examinations as he did not believe that this tested knowledge of labour law or procedures. He added that as they dealt with more labour disputes, the court's members were more expert in labour matters than any practising lawyer. However, he added that his department was considering the possibility of training along the lines practised by the court's British counterpart.¹²¹ [¹²¹ *The Star* 18 September 1989, *Business Day* 19 September 1989]

In October 1989 the Industrial Court declared attempts by the Council of Mining Unions to bar skilled black workers from the Mine Employees' Pension Fund to be an unfair labour practice. The case was brought by the Chamber of Mines of South Africa after protracted negotiations on the issue had failed (see *1988/1989 Survey* p486). The fund, which had 28 000 members and assets of more than R2bn, was one of the country's largest. It was established in 1949 when no black employees occupied skilled positions on the mines. The fund's rules restricted membership to 'Europeans only'.¹²² [¹²² *Business Day* 5 October 1989]

In the same month the Industrial Court ordered the reinstatement with six months' back pay, estimated at R3m, of 865 out of a total of 1 300 Sasol employees dismissed during a wage strike in October 1987. Some strikers had been rehired but management and the union involved, the South African Chemical Workers' Union (SACWU), had been unable to reach agreement on the full reinstatement of all of them.¹²³ [¹²³ *Business Day*, *The Star* 3 October 1989] The conclusion of a court member, Mr A Bulbulia, was that 'it is unfair to peremptorily dismiss, on the shortest of ultimatums, strikers who strike for higher

wages or better working conditions; have observed the conciliatory procedures of the LRA; and have conducted themselves peacefully'. Quoting from an article by an advocate, Mr John Myburgh, he said that dismissals might take place only after all other possible options had been exhausted. According to the article these included an obligation to continue negotiations, suggesting a preparedness to improve on the pre-strike offer; mediation; and attempts to persuade strikers to return either through propaganda, or the imposition of a lockout. Mr Bulbulia refused to throw out SACWU's case on the grounds of the alleged 'unreasonableness' of the union's demand for a R200-a-month wage increase. He could not find that the union demand was a final one. Sasol's refusal to negotiate after the strike began on 1 October 1987 made it impossible for the union to moderate its demand. He added that Sasol's offer of a R100 increase at its Sasol 1 (Orange Free State) plant was lower than that paid by other comparable companies in the region and also compared unfavourably with its offer at its Secunda (eastern Transvaal) plants.¹²⁴ [124 *Business Day* 6 October 1989] Mr Bulbulia also remarked in the judgement that the firm used 'rough and ugly tactics' and was 'paranoid' about strikes. A labour law specialist, Mr Halton Cheadle, said that the judgement had entrenched a trend that strikers should be protected from both dismissal and interdicts when:

- the strikes were economic as opposed to political; and
- dispute settling procedures had been exhausted.¹²⁵ [125 *The Star* 11 October 1989]

Also in October 1989, the Industrial Court refused to confirm a temporary interdict against an overtime ban by workers at the Silverton Tannery (Pretoria). Legal sources said that the court ruled that the order would contradict the Basic Conditions of Employment Act of 1983, which outlaws compulsory overtime. (See below for a ruling by the Appellate Division of the Supreme Court against a previous Industrial Court decision.)¹²⁶ [126 *Ibid* 9 October 1989]

In December 1989 Mr Bulbulia warned in the Industrial Court of the use of 'scab labour' despite strong objections by striking workers. Mr Bulbulia made the comment while ruling on a challenge by the National Union of Metalworkers of South Africa to the dismissal of 38 workers at an Alrode (east Rand) firm, R Langenau Plastics and Engineering, during a national strike by metalworkers in 1988. Finding their dismissal unfair, the court reinstated the workers with six months' back pay. 'Management was aware the strikers had strong views on the employment of temporary or scab labour. In spite of this, Mr Langenau (a director of the firm) went ahead with plans to obtain temporary labour, thereby provoking an adverse reaction from workers,' he said.¹²⁷ [127 *Ibid* 20 December 1989]

Appeals from the Industrial Court

In September 1989 the Appellate Division of the Supreme Court handed down a decision regarding the legality of a ban on overtime. The South African Breweries (SAB) had contended that a ban on overtime by members of the Food and Allied Workers' Union amounted to a strike and that, if this were correct, such a strike would be unlawful. Mr Justice J Smalberger with Chief Justice MM Corbett and justices H

van Heerden, A Milne and M Steyn concurring, found that an overtime ban did not constitute a strike. ‘What is essentially at issue is whether the refusal to work overtime by the employees amounted to a refusal or failure by them to continue to work or to resume their work,’ the judge said. He added that it was common cause that although employees regularly worked overtime, they were not contractually obliged to do so. Though the definition of a strike was not limited to breaches of contract, it would be impossible to define what constitutes work ‘normally or usually’ performed. Furthermore, he said that the term ‘work’ should be narrowly interpreted because under common law no employee could be compelled to work if he was not contractually obliged to do so. ‘The right of workers to withhold labour they are not contractually obliged to perform is an important weapon they possess in the bargaining process... It assists them to organise their labour power effectively in negotiations.’ Although there were cogent arguments that could support a contrasting view, Judge Smalberger said that the principles and considerations he had mentioned were, to his mind, decisive.

The SAB’s human resources director, Mr Rob Childs, said that the judgement highlighted a loophole in the LRA. The SAB hoped it would not be forced to make overtime compulsory to overcome it.¹²⁸ [¹²⁸ *Business Day* 27 September 1989]

Noteworthy labour practices and developments

Labour Relations Act (LRA)

Controversy over the Labour Relations Amendment Act (LRA), passed in September 1988, continued 1989 and 1990. Talks over the act between the two main black union federations, the Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions (NACTU), and the employer body, the South African Consultative Committee on Labour Affairs (SACCOLA), had occurred even before its promulgation. The parties aimed to produce joint submissions to the National Manpower Commission (NMC) on changes to the act. All three parties were in agreement that the following be amended: section 79(2), which broadens unions’ liability for damages by creating a presumption of union ‘agency’ in illegal strikes the restrictive time limits for dispute settlement and racial union registration procedures. However, the two sides were in disagreement over the definition of an unfair labour practice, specifically over the fairness of sympathy strikes, which had union support but was rejected by employers. In addition the unions broadened the scope of the investigation in June 1989 by shifting their focus from an examination of the amendments to the whole act, and called for a new LRA covering workers in the homelands and in the farming, domestic and public sectors—these workers being currently excluded. They demanded that the South African Agricultural Union (SAAU), the South African Transport Services (SATS) and the Commission for Administration join the talks. Both SATS and the SAAU attended the talks but in an observer capacity only, the commission refusing to attend at all. SACCOLA demanded that employers should be able to recognise minority workers’ bodies and reacted to union demands for statutory job security and maternity and redundancy rights by saying that these belonged to the collective bargaining arena.¹²⁹ [¹²⁹ *The Star* 22 September 1989]

At the end of September 1989 SACCOLA suspended talks with the unions because of a union-initiated anti-LRA overtime ban and consumer boycott of white businesses. The actions were implemented in line with a decision taken at a workers' summit in August which had proposed 'sustained action' against the LRA. The actions were launched on 22 September, although the boycott in the eastern Cape had begun prematurely 12 days previously. SACCOLA's secretary, Mrs Frieda Dowie, said that the employers regarded the ban and the boycott as an act of bad faith, coming as they did in the middle of negotiations. NACTU's general secretary, Mr Phiroshaw Camay, defended the initiative, saying that 'they [the employers] want us to lay down our weapons while they retain the ability to use the act against us'. The nationwide boycott was scheduled to last two weeks and was most successful in the eastern Cape and Border area.¹³⁰ [¹³⁰ *Business Day* 25 September 1989, *The Star* 27 September 1989] It was called off on 6 October, except in the western Cape, where it ran from 7 October to 20 October.¹³¹ [¹³¹ *The Star* 27 September 1989] The unions also announced that protest marches would be held in the major cities against the LRA. The overtime ban led to a number of court cases where important judgements were handed down (see *Industrial Court* above). The overtime ban was considered to be only partially successful.¹³² [¹³² *Ibid* 2 October 1989] Talks between SACCOLA and the unions started again after two weeks when the unions announced that the two-week boycott had ended in all areas except the Border and western Cape. However, the LRA co-ordinating committee, comprising COSATU and NACTU, said that workers would intensify their overtime ban. SACCOLA said that it had called on the unions to resume the talks so that joint representations could be made as soon as possible to the government. If a joint submission was made by the end of October, it was understood that the government would consider it.¹³³ [¹³³ *Ibid* 9 October 1989]

On 14 October 1989 more than 150 000 people took part in 17 marches countrywide organised by COSATU to protest against the LRA. The largest was in Port Elizabeth (eastern Cape), where about 20 000 people participated. At Secunda (eastern Transvaal), a march by about 6 000 workers was held in spite of a refusal by the Conservative Party-controlled town council to sanction it. All the marches were peaceful except that in Pietermaritzburg (Natal), where shop windows and bus windows were smashed and people arrested for looting.¹³⁴ [¹³⁴ *Business Day* 16 October 1989]

A survey by the Labour Monitoring Group (LMG) found that an average of 36% of unionised black workers in the manufacturing sector in the Pretoria/Witwatersrand/Vereeniging (PWV) area took part in the industry-wide overtime ban during October. The LMG also found that large numbers of firms surveyed had devised strategies to counter the effects of overtime bans. Nearly half intended restructuring the labour force, 18% said that they would introduce shift systems obviating the need for overtime work, 9% would lay off some participants, another 9% would employ casual labour to do overtime work, a similar number would remove certain employment benefits, while 3% planned to close down or relocate to union-free areas. The LMG surveyed a 25% sample of union-organised PWV manufacturing firms employing more than 100 people during the month. It found that in most industrial sectors the participation rate increased in the first two weeks, dropped in the third and levelled off in the fourth.¹³⁵ [¹³⁵ *Ibid* 14 November 1989]

In October the minister of manpower, Mr Eli Louw, said that the NMC was to invite interested parties to make submissions on an investigation into the LRA as well as into the influence of relevant labour legislation on the small business sector.¹³⁶ [¹³⁶ *The Citizen* 12 October 1989]

In December 1989 the LRA campaign co-ordinating committee, comprising COSATU and NACTU delegates, said that the union movement was to intensify its protest campaign against the LRA in 1990 with a programme of stayaways, marches in working hours and occupation of factories. It said that it had also recommended that workers blacklist firms using controversial amendments to the LRA. The proposals would be debated at workers' rallies across the country, at which the unions would report back on their discussions on the LRA with SACCOLA.¹³⁷ [¹³⁷ *The Star* 8 December 1989] The unions condemned the failure of public sector and agricultural sector employers to participate (other than as observers) in talks between them and SACCOLA. They said that these companies might be targeted for special attention. They also criticised SACCOLA for dragging its heels in the discussions. SACCOLA's vice president, Mr Anton Roodt, said that SACCOLA and the unions had been making good progress in finding common ground on the issues which had divided them and the unions' 'all or nothing approach' was not helpful.¹³⁸ [¹³⁸ *Business Day* 8 December 1989]

A new draft bill was published in January 1990 (see *Legislation* above for details of its contents).

In February 1990 SACCOLA sent a new set of proposals to COSATU and NACTU together with a proposal that discussions on the LRA resume as soon as possible. It proposed the establishment of an expert, three-person working group to make proposals on how a 'meaningful, but not absolute, form of protection (from dismissal of striking workers) could be clarified or introduced in South Africa'. The group should comprise a jointly agreed upon chairman, with one representative nominated by SACCOLA and one by the unions. SACCOLA's chairman, Mr Bobby Godsell, said that SACCOLA's views were based on the belief that protection from dismissal should apply only to strikers who had complied with legal procedures, and this protection should be limited so that affected companies should not suffer 'irreparable' harm. Concerning union complaints that the Industrial Court was able to use its powers to grant urgent interdicts against strikes without justification, SACCOLA said that it believed that urgent relief should be available, but that the court should have to observe the normal Supreme Court test of urgency.¹³⁹ [¹³⁹ *Ibid* 7 February 1990]

In May 1990 the three parties signed an accord regarding proposed changes to the LRA and sent a copy of the agreement to the minister of manpower so that the proposals could be enacted into law. However, despite giving unions and employers a commitment at an historic meeting (being the first between the present generation of unions and a minister of manpower) in March 1990 that the changes would be incorporated into the act this session, Mr Louw said in June that the cabinet had decided to postpone amending the act until the following year. It was believed that objections by a number of employers to the proposed amendments were in part responsible for the decision. In response COSATU said that it would ask the African National Congress to abandon negotiations with the government and would call for a national stayaway if the minister did not agree to a meeting to change the cabinet's decision.¹⁴⁰ [¹⁴⁰

Ibid 16 March, 20 June 1990]

Further action was averted after a meeting between the unions and SACCOLA and the state president, Mr FW de Klerk, towards the end of June. It was agreed that a working committee would be set up to discuss ways of 'restoring mutual confidence'. A statement from Mr De Klerk's office said that the discussions had been cordial and that the state president had agreed to a follow-up meeting later in 1990. It said that the legislation under discussion would be 'expedited as far as possible within the framework of parliamentary procedures, the goal being to finalise the legislation during the 1991 session of Parliament'. He announced that the minister of manpower had agreed to extend the time for comments on the proposed legislation to 31 July 1990. COSATU and NACTU said that they were discussing a programme of protest and whether or not it would be implemented would be assessed 'in the light of the meeting and progress made towards a satisfactory settlement in getting the accord into law'. SACCOLA described the meeting as 'constructive'.¹⁴¹ [¹⁴¹ Ibid 27 July 1990]

A COSATU spokesman said after the first working committee meeting in July 1990 that 'clandestine' talks with unions and business representatives might have influenced the cabinet to delay amending the act during the 1990 session. He said that the federation had information that public service unions and businessmen on the government's economic advisory council had urged the state president in secret meetings during June to delay amendments based on the accord. At the meeting the federation demanded an end to secret talks between the state, business and unions. A Public Service Association source confirmed that the LRA had been discussed at a meeting on 12 June and that the association had asked the state president for more time to consult members on the proposed bill.

At the working committee meeting COSATU demanded the enactment of two bills no later than early 1991: the original bill based on the accord, and further legislation extending the LRA to all workers and creating a 'proper' labour appeal court system. Other demands were that the state immediately grant basic worker rights in the public sector and secure the backing of COSATU, NACTU and SACCOLA for any further changes to the LRA. COSATU demanded that the other parties accept that the working group complete its work in 30 days and formulate a settlement for consideration by their constituencies. It said that its programme of mass action could be assessed in the light of an acceptable solution.¹⁴² [¹⁴² *The Weekly Mail* 13 July 1990]

On 26 June 1990 the NMC began hearing evidence as part of its investigation into the consolidation and amendment of the act.¹⁴³ [¹⁴³ *Business Day* 26 June 1990] However, the first day's proceedings were disrupted by a group of 50 NACTU members who demanded that the hearing be postponed until the union/SACCOLA accord had been incorporated into law. The NMC's acting chairman, Dr Frans Barker, said that the NMC investigation should be regarded as separate from the accord. The hearing continued the next day at a different venue, and was concluded on 30 June 1990.¹⁴⁴ [¹⁴⁴ *The Star* 27 June, *The Citizen* 30 June 1990]

Recognition

In September 1989 Mr Louw announced that a committee comprising parliamentarians and organised agriculture had been set up to examine the sensitive issue of trade union rights for farmworkers. The exclusion of farmworkers from the LRA was a major union complaint. The NMC had submitted a report on the issue to the minister in July 1985, but the report had never been made public, apparently because the recommendations were unacceptable to farmers.¹⁴⁵ [¹⁴⁵ *The Star* 25 September 1989] For further information on moves for farm and domestic workers to be included under the act, see *1988/89 Survey* p483.

In April 1990 the Labour Party refused to discuss agricultural or labour legislation in standing committees in protest against the government's reluctance to reform farm labour measures.¹⁴⁶ [¹⁴⁶ *The Citizen* 17 April 1990, *Financial Mail* 11 May 1990]

However, later in the same month Mr Louw announced in Parliament that amendments to the Basic Conditions of Employment Act of 1983 and the Unemployment Insurance Act of 1966 would be introduced during the 1991 parliamentary session, making the acts applicable to farmworkers. He also said that he had decided to ask the NMC to investigate the aptness of the Labour Relations Act of 1956 and the Wage Act of 1925 for farmworkers and to report back within 12 months. The NMC would also be asked to investigate whether the rights of domestic workers should be protected by law.¹⁴⁷ [¹⁴⁷ *The Citizen* 28 April 1990, *Financial Mail* 11 May 1990]

In June 1990 the South African Railways and Harbours Workers' Union (SARHWU) concluded an interim recognition agreement with Transnet (formerly the South African Transport Services) in the wake of a protracted 13-week strike by 26 000 railways workers in November and December 1989 and January 1990 over recognition of the union (see *Strikes* below). The recognition followed the union being registered for southern Natal, its stronghold, and meant that SARHWU could participate in the following round of wage talks with other unions represented on Transnet's labour council.¹⁴⁸ [¹⁴⁸ *The Daily Mail* 20 June 1990]

Redundancy

An agreement was signed in October 1989 between Gillette South Africa and the Chemical Workers' Industrial Union (CWIU) containing a generous redundancy package for workers who chose not to remain employed at its Springs (east Rand) plant, which it had sold to Twins Pharmaceuticals, or to relocate to the company's new marketing office in Bedfordview (Johannesburg). About 100 employees would be offered a transfer to Gillette's new premises, and a further 100 jobs would be made available at the Springs plant to employees who wanted to transfer to Twins. Twins would guarantee all current conditions of service of transferred employees for 18 months and would continue to recognise all agreements between CWIU members and Gillette. Those who elected to transfer to Twins would receive a bonus payout from Gillette equal to two months' salary. The retrenchment package provided for the full payment of pensions, as well as generous notice and severance pay. The CWIU estimated that the

retrenchment packages would amount to between R5 000 and R35 000 each depending on age and length of service. The company's managing director, Mr John Ford, said that Gillette had taken 'a knock' in paying the price for 18-month job and wage guarantees for the plant's 100 employees.¹⁴⁹ [¹⁴⁹ *Business Day* 31 October 1989, *The Citizen* 30 October 1989]

In November 1989 Eskom and the National Union of Mineworkers (NUM) reached agreement on the establishment of a trust fund, financed initially by a R1m Eskom contribution, to facilitate self-help projects for approved applicants among 900 employees involuntarily retrenched since the beginning of the year. In a joint statement Eskom and the NUM said that they viewed this undertaking as breaking important new ground regarding the problem of retrenchment in South Africa today. The agreement arose from the shutdown of 13 power stations, announced in 1988, expected to cost 5 000 jobs. The majority of employees, to whom the scheme did not apply, had accepted a retrenchment package. Non-NUM members among the 900 would also be eligible for assistance and the fund would be administered jointly by Eskom and its 15 unions. Fourteen of the unions had previously accepted the retrenchment package offered by Eskom. The NUM had remained in dispute with Eskom on the matter until the conclusion of the agreement. Eskom and the NUM said the fund would offer assistance through non-refundable money grants and loans and technical, educational and managerial advice. They said the scheme was applicable to groups of ex-employees, and not to individuals. Each application would be investigated for its economic viability. The fund could be expanded through additional financing provided by trade unions, previous employees and financial institutions. An NUM official said that the union, which already had co-operatives in Lesotho, northern Transvaal, Swaziland and the Transkei, would encourage its affected members to fit into its broader programme of co-operative development in which the main thrust was the production of materials for and construction of low-cost housing.¹⁵⁰ [¹⁵⁰ *Business Day* 2 November 1989]

Wages

In October surveys by the Institute for Industrial Relations (IIR) and by Andrew Levy, Piron and Associates respectively, showed that union-negotiated wage settlements for the first nine months of 1989 were running ahead of inflation but that the level of real increases had declined appreciably compared with the previous two years. According to Levy, the increase in wages was 17,3%, while the IIR put the figure at 16,7% compared to an annual inflation rate of 15,5% in August. The 1,2 (IIR) and 1,8 (Levy) percentage point difference between the wage increases and inflation contrasted with a 5,4 percentage point difference in 1988 and a 2,5 percentage point difference in 1987.

Levy's survey found that unions achieving the highest increases were the Commercial, Catering and Allied Workers' Union of South Africa, a COSATU affiliate, and NACTU's Building, Construction and Allied Workers' Union—both winning increases averaging 19,3%. The lowest increases (15,9%) were achieved by the Food and Allied Workers' Union. The IIR survey found that the highest increases were in the paper/ printing/wood sector (19,3%) and in commerce (18,9%). The lowest were in the financial sector (15%) and food (15,2%). The IIR found that the motor and pharmaceutical sectors paid the

highest average minimum monthly wages of R1 021 and R1 018 respectively. The mining industry at R417 and construction at R535 paid the lowest.¹⁵¹ [¹⁵¹ Ibid 5 October 1989]

Pension/provident funds

The CWIU found itself in dispute with a number of companies over its demands that employers join an industry-wide provident fund. In November the union launched an unfair labour practice application in the Industrial Court claiming that Pilkington South Africa had unilaterally changed the terms of its pension fund rules in a bid to undermine demands that it join the Chemical Industries National Provident Fund. About 2 000 workers in five plants were affected. About 250 CWIU members were on strike at South African Cyanamid over demands that the firm join the industrywide fund.¹⁵² [¹⁵² *The Star* 31 October 1989] The company dismissed the workers and claimed that there had been intimidation, assaults on supervisors, firebombing of non-strikers' houses and threats to management. The union claimed that management had acted 'unfairly, if not illegally', by warning workers to return to work, then when they complied, telling them that they had been fired three days previously.¹⁵³ [¹⁵³ Ibid 8 November 1989]

In December the Consol group's glass division became the first large company to agree to participate in the provident fund. While nine smaller companies were already involved, Consol's participation had the potential to more than triple the fund's membership. Each of the union's 2 000 members would have the right to choose whether they wished to join the fund or retain membership of the company's existing pension fund. The union was in dispute with several other companies, including some prominent multinationals, which were reluctant to join the fund. The union, however, believed that the signing of the Consol agreement marked a turning point.¹⁵⁴ [¹⁵⁴ *Business Day* 5 December 1989]

Health and safety

In November 1989 the NUM, a miner who survived the 1986 Kinross mining disaster, and the father of a miner who died in it, launched a Supreme Court action against the government mining engineer, his assistant and Kinross Mine (see *1988/89 Survey* p435). The union wanted the court to set aside a decision by the assistant mining engineer, Mr H Liebenberg, not to allow the NUM's legal adviser to examine any witnesses at an inquiry held in June 1988 into the disaster. The disaster occurred on 16 September 1986 when 177 miners died in an accident at the mine. The mine and six of its employees were charged with culpable homicide and alternative charges of contravening regulations of the Mines and Works Act of 1911. They were all acquitted on the main charge.

The NUM's general secretary, Mr Cyril Ramaphosa, said in an affidavit that Mr Liebenberg's decision not to allow any cross-examination unless the NUM could show that it, or its members, were likely to be implicated by the evidence of the witnesses was 'the product of a deliberate policy by the government mining engineer and Mr Liebenberg to exclude the union from any meaningful participation'. This was denied by Mr Liebenberg, the present mining engineer, Mr JB Raath, and his predecessor, Mr G

Badenhorst.¹⁵⁵ [¹⁵⁵ *The Star* 28 November 1989]

In February 1990 the court ruled that Mr Liebenberg had erred in that he should have considered whether the union's cross-examination of witnesses would have helped the inquiry. However, regarding a union plea that the court set aside the inquiry finding and that a new inquiry be held, the court ordered that the application be referred to a trial at which oral evidence would be heard.¹⁵⁶ [¹⁵⁶ *Ibid* 13 February 1990]

May Day

On 6 October the minister of manpower, Mr Eli Louw, announced that Workers' Day would in future always be on 1 May. In 1987 the government announced that Workers' Day would fall on the first Friday in May. However, unions continued to negotiate with employers for 1 May as a holiday, regarding this as the 'true' Workers' Day. In 1988 the government declared that Workers' Day would fall on the first Monday in May. In 1989 this also fell on 1 May. According to Mr Louw, it was apparent from agreements concluded in the labour field that a large number of workers would in any event regard 1 May as a holiday irrespective of the day on which Workers' Day fell. Therefore, as long as Workers' Day fell on a day other than 1 May, it would not only create uncertainty, but also disrupt the economy. Productivity would be particularly detrimentally affected if workers regarded both days as holidays. Because of ideological and political reasons, certain groups of people objected to 1 May as a public holiday, by virtue of its association with socialist and communist ideology, Mr Louw said. With few exceptions, however, most western countries celebrated 1 May as a public holiday. The recent past had clearly shown that the association with socialism was becoming irrelevant because of the economic failure of that ideology. Workers' Day would therefore increasingly stand separate from any specific ideology. To perpetuate this point of dispute would therefore be artificial and not in the interests of peace in the labour field. For the present the arrangement regarding compulsory payment on Workers' Day remained unchanged. The minister was, however, referring the matter of remuneration to the NMC for a recommendation. The move was welcomed by both SACCOLA and the Association of Chambers of Commerce and Industry of South Africa.¹⁵⁷ [¹⁵⁷ *The Citizen* 7 October 1989]

May Day rallies were held throughout the country in 1990, a feature being the presence of the recently unbanned African National Congress, the South African Communist Party and the Pan-Africanist Congress. Many speakers stressed that the government's recognition of 1 May as a holiday was a victory for workers who, for many years, had struggled for the right to celebrate May Day as an official holiday.¹⁵⁸ [¹⁵⁸ *The Star* 2 May 1990]

Employee shareownership schemes

Iscor

On 30 June Iscor, the state-owned iron and steel corporation, announced a scheme to sell shares to the

public and its employees in line with the privatisation of the company. This formed part of a larger scheme by the government to privatise state-run enterprises. In terms of the scheme, Iscor's 58 000 employees would be eligible for 200 free shares each, a set number of shares each at a 20% discount, and a set number of preferential shares at the R2 issue price. Workers could defer taking up the discount offer, the shares being available again in 1990 and 1991. But then the market and not the offer price would apply. A deferred payment plan was also available to workers taking up the discount offer—Iscor would lend workers money, which would be paid off in equal monthly instalments, interest free. No dividends would be received, nor could the shares be sold until fully paid for.

Of the total share issue of 1,85bn shares, employees would hold 185m, the general public 150m, institutions 1,215m, and the Industrial Development Corporation 300m. NUMSA, the largest union among Iscor's employees, expressed bitterness at not having been consulted beforehand on the scheme. A government Privatisation Unit spokesman said that any share offer was made unilaterally. It was up to the potential buyer, in this case, the employee, to decide whether or not to accept it.¹⁵⁹ [¹⁵⁹ *Business Day* 3 July, *The Star* 13 September 1989] Of the 185m, 12m would be given free to employees.

In a statement in October NUMSA said that members of the union would take advantage of the scheme, but then would sell the shares as soon as they came on the market. It deplored what it said was the selling of the nation's wealth cheaply to major business interests, claiming also that much of the staff share allocation would go to managers. Extensive discussion with its 9500 workers at Iscor had shown that workers did not want to be shareholders in the company, as participation would mean little and give them no say in policy.

Workers would take the free shares and then sell them: 'this they believe is money which belongs to them in any event'. They would also buy shares offered to them under the preferential placement using a R20m loan negotiated with Rand Merchant Bank (RMB). These would be resold immediately and the profit placed in a trust controlled by NUMSA members at Iscor. NUMSA also attacked the government's Privatisation Unit for blocking the purchase of shares under the 20% discount offer with money made available by the RMB. The government was understood to feel that the immediate resale of these shares would defeat the object of the offer, which was to give workers a stake in industry. One of NUMSA's national organisers, Dr Bernie Fanaroff, said that as black workers had limited access to credit, it was most unlikely that they would take up the discount share offer.¹⁶⁰ [¹⁶⁰ *The Star* 11 October 1989, *Business Day* 11 October 1989] NUMSA has in the past criticised employee shareownership programmes as a 'disguised production bonus', and as deferred pay when workers want a living wage. It insisted that its 9 500 Iscor members did not want to be shareholders—but added that experience had shown the pitfalls of a union 'hands off' approach to worker share participation.

About 7,3m preferential shares were acquired by NUMSA members and were sold to the Metal Industries Pension Fund, giving the union a profit of R1,5m. More than 100 000 NUMSA members belonged to the pension fund and NUMSA representatives sat on its board. But, said one of the union's national organisers, Mr Bobbie Marie, it would be incorrect to read into the move any softening by

NUMSA on share ownership. 'Our mandate was to dispose of the shares as soon as possible and we chose the most simple way of doing so—with people we know and who are not looking for a quick buck.'¹⁶¹ [¹⁶¹ *Business Day* 9 November 1989, *The Star* 22 November 1989] South African Transport Services (SATS)

South African Transport Services(SATS)

In November 1989 the Federation of SATS Trade Unions launched a scheme which it was hoped would finance the purchase of at least R1,7bn worth of shares by employees when the corporation was privatised. The project, Federal Privatisation Action, run in collaboration with SegeFi, planned for voluntary monthly contributions of a suggested R25 minimum into individual, high interest savings accounts. The union's general secretary, Mr Abraham Koekemoer, said that it was planned so employee shareholders would eventually use their shareholding to influence manpower policies of a privatised SATS, including putting representatives on the board. 'Once the government sells off SATS we will no longer be able to use our electoral power,' he said. He said that the federation represented just more than 100 000 of SATS's 180 000 employees, but the scheme would be open to all. Mr Koekemoer said that the R1,7bn figure was based on the assumption that SATS would be privatised in 1994. If the process was delayed the figure would be higher. He acknowledged that given unions' general opposition to privatisation his approach was unusual.¹⁶² [¹⁶² *Business Day* 3 November 1989]

Strikes

According to the minister of manpower, Mr Eli Louw, the number of strikes during 1989 declined by 16% over the 1988 figure, but involved more workers—177 712 in 1989 compared with 162 000 in 1988. The number of manhours lost also increased.¹⁶³ [¹⁶³ *The Star* 15 February 1990]

In a survey of strikes covering the first nine months of 1989 the Institute for Industrial Relations found that wages remained the most common strike trigger, accounting for 48% of all strikes. In 1988 wages accounted for 32% of all strikes and in 1987, 29%. The survey showed that the chemical sector was the most strike-prone (20% of the total), followed by metal and allied industries (17%) and services (13%). Most strikes occurred in the Pretoria/ Witwatersrand/Vereeniging area (54%), followed by the eastern Cape (13%) and Natal (12%). Strikes over union recognition remained low at 4% of the total, compared with 5% in both 1987 and 1988. Sympathy strikes were also low at 3% of the total in 1989 compared with 5% in 1988 and 14% in 1987. The survey found that the 1988 amendments to the Labour Relations Act (LRA) of 1956, which made sympathy strikes an unfair labour practice, probably contributed to this.¹⁶⁴ [¹⁶⁴ *The Star* 2 November 1989, *Sowetan* 3 November 1989]

A survey by Andrew Levy, Piron and Associates, found that 49% of wage settlements in the first nine months of 1989 were concluded only after some form of industrial action, compared to 36% in the same period in 1988, reflecting the tougher collective bargaining environment in 1989. The survey found that

overtime bans, go-slows and stoppages accounted for 69% of cases of industrial action monitored. Full-scale strikes accounted for 24% of incidents of industrial action. Rising conflict levels were also apparent from the fact that the average time to settle a dispute increased from 87 days in the 1988 period to 89 days in 1989, and 57% of strikes required third party intervention. Increases averaged 17,4%, slightly down on the 17,9% for 1988.¹⁶⁵ [¹⁶⁵ *Business Day* 6 December 1989]

In a survey of strikes by 22 000 workers in the metal industry on the Witwatersrand between May and October 1989, the National Union of Metalworkers of South Africa (NUMSA) said that fewer than 2% of 104 metal workers' strikes were lawful, indicating, it contended, the failure of the LRA to regulate labour conflict. NUMSA said that 51% of strikes were won and 23% lost. Noting the high incidence of strikes over discipline—37% of the total as opposed to 38% over pay—the union said that this was partly owing to the many small metal employers, who were often unable to handle disciplinary disputes. Workers' lack of confidence in the Industrial Court's ability to handle such disputes in a reasonable time was also a factor. NUMSA also noted a hardening of employer attitudes to strikes, shown by the wider use of mass firings and selective re-employment agreements. Police were used more widely, as were 'union-bashing outside consultants who played a negative and destructive role'.¹⁶⁶ [¹⁶⁶ *The Star* 24 November 1989]

The annual report on labour relations of Andrew Levy, Piron and Associates showed that the incidence of strike action resumed its upward trend in 1989, 50% more mandays being lost than in the previous year. The report recorded that 3m mandays had been lost compared with about 2m in 1988 (and 5,8m in 1987—the highest number to date—see *1988/89 Survey* p498). Another 3m mandays were lost in political stayaways. Lockouts cost 57 830 mandays. The two factors which most influenced strike action were periods of rapid union growth and periods of political change and uncertainty, the report said. The extent of industrial action was still below the 'atypical' record year of 1987 which saw major strikes in both the mining and engineering industries. A notable feature of 1989 was the length of strikes. No fewer than 15,2% lasted for longer than ten days, while the ten longest lasted for five to ten weeks. Eight of these were triggered by wage demands 'and few resulted in major gains for unions'. This, the report said, indicated the 'growing resolve and tenacity on the part of employers to ride out strike action, especially where wages are concerned. It shows too that unions which strike at levels in excess of the going rate of wage settlements, in the belief that they can realistically hold out for such increases, may need to review their strategies'.

Strikes triggered by wage disputes accounted for 76,9% of mandays lost, and the fall-off of strikes relating to discipline and grievances continued, representing 12% and 17% of all strikes respectively. 'It is clear that the future of South Africa is to be negotiated, and that one of the most important voices and forces in those negotiations will be the voice of organised labour. Under these circumstances, it can only be expected that the man on the factory floor will not only express his view, but will also exert his muscle—both economic and political—in support of that view,' the report concluded.¹⁶⁷ [¹⁶⁷ *Business Day* 27 December 1989]

According to Andrew Levy, Piron and Associates, nearly 1,2m man-days were lost because of industrial

action in the first half of 1990—almost triple the number for the same period in 1989. Much of the activity was accompanied by ‘unusually high levels of intimidation and violence’, the consultants said. They expected that ‘this largescale mobilisation would not abate in the months ahead, in the light of the government’s decision regarding amendments to the Labour Relations Act and the possible results of annual wage negotiations now in full swing’.

They said that there had been a dramatic increase in the level of strike action in the public sector. The figure increased from only 0,4% of the total mandays lost during the first half of 1989 to 46,2% during the first half of 1990. ‘Much of the industrial action taking place in schools, hospitals and local municipalities has succeeded in bringing to the public’s attention the plight of public sector workers—an area that has been largely overlooked by the union movement until now—as far as their wages and working conditions are concerned,’ said the consultants.

Wages as a trigger factor accounted for the largest percentage of strikes in terms of mandays lost (63,5%), followed by grievances and/or discipline (26%) and dismissals (1,7%). The six most active unions with regard to the number of strikes were the NUMSA (19,1%); the Chemical Workers’ Industrial Union (11,8%); the National Union of Mineworkers (11%); the Printing, Paper, Wood and Allied Workers’ Union (6,5%); the South African Commercial, Catering and Allied Workers’ Union (6,6%) and the Food and Allied Workers’ Union (4,4%).

A spokesman for NUMSA, Mr Bobbie Marie, said, ‘We don’t necessarily want to go out and start strikes, but they are indicative of our members’ frustration with current wage offers and other issues.’ The executive director of the Steel and Engineering Industries Federation of South Africa, Mr Brian Angus, said that while it was understandable that raised expectations from political developments were spilling over into industrial relations, it was worrying that ‘so much wild-cat action’ had taken place. ‘It indicates that unions don’t have total control over their members,’ he said.¹⁶⁸ [¹⁶⁸ Ibid 2 July 1990]

The total number of strikes for the years 1980 to 1989, the workers involved, and mandays and wages lost are given below:¹⁶⁹ [¹⁶⁹ *Business Day* 7 March 1990, National Manpower Commission (NMC) reports for relevant years]

Strikes: 1980-1989

Year

No of strikes^a

Total workers involved

Total mandays lost

Total wages lost

1980

207

61 785

174 614

1 401 516

1981

342

92 842

226 554

2 263 705

1982

394

141 571

365 337

4 544 362

1983

336

64 469

124 596

1 697 610

1984

469

181 942

379 712

5 174 798

1985

389

239 816

678 273

8 184 985

1986

793

424 340

1 308 958

23 166 278

1987

1 148

591 421

5 825 231

14 058 102

1988

1 025

161 679

914 388

23 879 287

1989^b

855

177 712

1 236 686

N/A

N/A not available

a

Including workstoppages, but excluding political stayaways. Figures also exclude public sector strikes.

b

These figures cover the period 1 November 1988 to 31 October 1989

Strikes 1980-1989: racial breakdown

Workers involved

Year

African

Asian

Coloured

White

1980

56 286

224

5 265

—

1981

84 706

1 865

6 271

—

1982

112 481

1 170

17 920

—

1983

61 331

1 712

1 415

—

1984

174 331

1 725

5 304

11

1985

225 045

1 879

12 883

16

1986

400 775

1 366

12 944

255

1987

572 706

2 266

16 359

90

1988

138 653

6 308

16 573

145

1989^a

149 632

6 314

20 502

1 254

^a Figures are for the period 1 November 1988

Reasons for strike: 1989^a

Reason

Number

Proportion

Wage

267

31%

Wages and other reason

108

13%

Union matters

21

2%

Working circumstances

174

20%

Disciplinary matters

115

14%

Other or unknown

170

20%

^a Figures are for the period 1 November 1988 to

31 October 1989

Most of the strikes (284) occurred in the Witwatersrand area, followed by Durban (115), the eastern Cape (93), Pretoria (86), and other metropolitan areas (81). The number of non-metropolitan strikes totalled

Particular strikes

The South African Breweries (SAB)

A protracted strike over wages by 6 000 workers at The South African Breweries (SAB) started at the beginning of October 1989. The union had demanded a 38% (R1,80) an hour increase in wages, the company offering 16%. The strike was marked by violence, including violence surrounding a boycott of the company's products. The boycott was launched at the end of October after the workers' union, the Food and Allied Workers' Union (FAWU), had held discussions with the National Taverners' Association (NTA), which has 30 000 licensed members, the Ukhamba Liquor Association, representing more than 800 licensed liquor traders, and other organisations. About 75% to 80% of SAB's customers are black.¹⁷¹ [¹⁷¹ *The Citizen* 28, 30 October 1989] Ukhamba, however, refused to join the boycott. The National Stokvels Association, representing more than 7 000 beer-consuming groups in the black townships, pledged to withdraw its consumer power.¹⁷² [¹⁷² *Business Day* 30 October 1989] After eight days the NTA decided it could no longer afford to support the boycott and resumed selling beer. The NTA's chairman, Mr Lucky Michaels, said that in the week since the boycott had started several members had been assaulted and had had their property and stocks damaged by gangs of youths. He said that only black shebeen owners were affected, while liquor traders of other colours benefited from the boycott. He appealed to the union to settle the dispute with the SAB and allow NTA members, who were financially dependent on black custom, to continue with their business. FAWU's assistant general secretary, Mr Mike Madlala, said that the union would have to consult other labour movements and organisations before a decision could be taken to lift the boycott.¹⁷³ [¹⁷³ *The Star* 8 November 1989] He said that a meeting would be called to work out alternative strategies.¹⁷⁴ [¹⁷⁴ *Business Day* 8 November 1989] Mr Godfrey Moloi, a shebeen king, who did not support the boycott, said that the black liquor trade as a whole employed far more people than the 6 000 SAB strikers. 'What happens to the people we have employed, to the people we support, who depend on selling beer to educate their children?' he asked. He said that boycotting beer would simply mean shifting the market from the black business sector to the white.¹⁷⁵ [¹⁷⁵ *Ibid* 31 October 1989]

In the first week in November FAWU called on the company to settle in order to bring an end to violence. 'There are no guarantees that as the strike progresses there will not be an escalation in violence. All strikes begin peacefully but the longer it is pursued the more dangerous it becomes,' it said. 'The majority of people on death row are trade union members, and that is why we appeal to SAB to end the strike because we don't want to see our members on death row.'¹⁷⁶ [¹⁷⁶ *The Citizen* 7 November 1989] At least nine to ten workers died during the strike, most being casual labourers who had been attacked by strikers. Others were union members killed by Soweto shebeen owners opposed to the call for a consumer boycott of beer.¹⁷⁷ [¹⁷⁷ *The Weekly Mail* 24 November 1989, *Financial Mail* 1 December 1989] It was also reported that crowds armed with firebombs damaged vehicles outside the SAB Prospecton (Durban) depot causing damage worth R35 000.¹⁷⁸ [¹⁷⁸ *Business Day* 10 November 1989]

In early November the Cape of Good Hope Provincial Division of the Supreme Court (Cape Town) granted the company an order evicting striking workers from the SAB's premises in Pinelands (Cape Town), and preventing strikers from intimidating, assaulting, harassing or interfering with temporary or casual workers, or from interfering with the normal activities of the breweries.¹⁷⁹ [¹⁷⁹ *The Star* 2 November

1989] A shopsteward who shot at workers at the Imbali depot (Pietermaritzburg) was charged with attempted murder and 24 alleged strikers had also been arrested and six were being held on charges of assault and intimidation. Four people arrested earlier appeared in court on 23 November on charges of violence.¹⁸⁰ [¹⁸⁰ *The Citizen* 22, 23 November 1989]

On 15 November talks to end the strike failed in spite of a drop in FAWU's demand from a R1,80 an hour minimum increase to a R1,50 an hour increase (32%). Management described it as 'too little too late'. In a statement the SAB condemned the union as 'obdurate and unimaginative' and said it had not been prepared to discuss its additional demands totaling 150%. FAWU's national organiser, Mr Ragin Naicker, said that the SAB would not address demands on working conditions and 'seemed to block all FAWU's moves towards negotiation'. The company continued to offer a 75c-an-hour increase (16% on R5,45 an hour), which it said would push the minimum wage up to R1 063 a month.¹⁸¹ [¹⁸¹ *Business Day* 16 November 1989]

On 22 November the SAB reported that workers were accepting the company's final offer in what it saw as a crumbling of the eight-week-old strike. It also reported that the boycott had been broken in East London, where sales were soaring.¹⁸² [¹⁸² *The Citizen* 23 November 1989] The strike was settled at the end of November on terms favourable to the SAB. The workers received a 16% pay increase, in line with the company's pre-strike offer and lost their demand for the increase to be backdated to 1 July. The major concession by the SAB was a 1c-an-hour increase in the long service allowance for some of the workforce. The deal also provided for the launch of a 'joint industrial relations initiative' to improve the relationship between the parties, a priority being the examination of strike-linked violence. FAWU agreed not to ban overtime without following agreed upon procedures. Disputes arising out of disciplinary action against strikers would be subject to voluntary arbitration, about 50 workers apparently being affected. FAWU lost its demand for the immediate signing of a provident fund agreement. This would be concluded only when the industrial relations initiative had made adequate progress.¹⁸³ [¹⁸³ *The Star* 4 December 1989]

Goodyear Tyre and Rubber Company

An 11-week strike by 1 200 Goodyear Tyre and Rubber Company SA's employees over the terms of disinvestment of Goodyear's former United States parent ended in mid-September 1989. In terms of the agreement between the employer and the employees, each employee would receive a once-off R1 000 payment as compensation, which would be paid into the company pension fund. In addition employees would be entitled to withdraw double their own contributions, plus interest back to the date of their last entry into the fund. They could alternatively transfer their benefits to a new provident fund whose establishment was agreed to in principle before the dispute. A national organiser of the National Union of Metalworkers of South Africa (NUMSA), Mr Gavin Hartford, said that this would average R4500 to R5 500 a person. Furthermore, it was agreed that the actuarial reserve, which included pre-1985 employer contributions, would be calculated for employees back to the date of their first entry into the fund. These amounts would then be transferred to a new provident fund still to be established. Most

black employees withdrew their contributions from the fund in the mid-1980s, then rejoined it. Employees were also guaranteed that there would be no retrenchments for 12 months and that wages, benefits, other employment conditions and social responsibility programmes would be maintained at least at their present levels for the same period.¹⁸⁴ [¹⁸⁴ *Business Day* 15 September 1989]

Mining industry

In the second week in March 1990, at least 20 000 members of the National Union of Mineworkers (NUM) at various mines embarked on a wide range of protest action, including strikes, sit-ins underground, marches and protest meetings over alleged racial discrimination on the mines. In particular, workers demanded an end to what they saw as the racist hoisting system whereby white miners were taken up from underground before black miners. Other demands included the scrapping of the hostel and migrant labour systems, reinstatement of workers allegedly dismissed for ignoring discriminatory laws, the removal of barbed wire surrounding hostels, and improvements in safety measures. Protest action started at the Anglo American Corporation of South Africa's Western Holdings, President Brand, President Steyn and Saaiplaas mines, and Genmin's Unisel mine in the Orange Free State. It later spread to Anglo's Vaal Reefs mine in the western Transvaal.¹⁸⁵ [¹⁸⁵ *Financial Mail* 23 March 1990] The NUM said that the action would continue until racial practices ended.

A spokesman for Anglo's gold division, Mr Adrian du Plessis, denied that there were discriminatory practices in hoisting, and said the procedures were based on seniority and not on race.

In April the protests against the alleged injustices led to conflict on various mines between miners and employers. Workers staging a sit-in underground at President Steyn's no 5 shaft were teargassed and had rubber bullets fired at them when they surfaced. Anglo's management said that mine security had dispersed miners after they had become violent. The NUM said that workers who had taken part in a mass meeting at the Saaiplaas mine's no 4 shaft in mid-April had been fired on by security personnel and that forty workers had been taken to hospital. Anglo said, however, that two workers had been admitted to hospital after a mine security employee isolated by a crowd had been forced to fire. It also said that in a separate incident at Freddie's mine (Orange Free State) workers had been dispersed by mine security after an illegal march. There were no injuries. The NUM said, however, that 19 people had been injured by mine security, and visitors in the waiting room at the Freddie's no 5 shaft had been teargassed.

The NUM's assistant general secretary, Mr Marcel Golding, accused management of lagging behind recent political reforms. While the state president, Mr FW de Klerk, was committed to the dismantling of institutions and structures that perpetuated apartheid, the Chamber of Mines of South Africa and the mining industry had not made a statement about removing discriminatory practices. The NUM was concerned about the excessive use of force by mine security personnel and selective dismissals. Should these issues not be addressed, the cycle of conflict was likely to be exacerbated, he said. Mr Du Plessis said that management would not tolerate unprocedural conduct as this often led to violence. The company believed in a nonracial, democratic South Africa, was totally opposed to racial discrimination

and was committed to its removal, in consultation with those involved.¹⁸⁶ [¹⁸⁶ *Business Day* 17 April 1990]

Retail, wholesale and hotel sector strikes

In June and July 1990 the retail, wholesale and hotel sectors were affected by widespread strikes. About 23 000 workers, members of the South African Commercial, Catering and Allied Workers' Union (SACCAWU), went on strike at the OK Bazaars (7 000 at 129 stores), Checkers (9 500 at 161 stores), Southern Suns hotels (6 000 at 39 stores) and Trador (1 000 at 30 stores). The main reason for the strikes was dissatisfaction with wages. In the case of the OK, the first company where workers went on strike, the union asked for a R160 per month increase across the board, a minimum wage of R800 a month, a 13th cheque, 21 March as a paid holiday and a R20-a-month allowance for uniforms. OK counter offered with service-related increases ranging from R115 to R145 a month and a minimum wage of R710 after one year's service. The company cited its poor performance in 1990 as the reason for not being able to offer more. While conceding that the OK's profits were down, the union argued that this had not always been the case, and that workers were suffering from a legacy of poor increases which had been consistently below industry levels. The OK strike, which lasted seven weeks, was marked by conflict. Union picket lines were attacked and shoppers said that they had been threatened by strikers. Management sought and was granted interdicts preventing workers from holding sit-ins in the canteens at various stores. Both management and the union conceded that their relationship was marked by a legacy of hostility. After extensive mediation a settlement was reached in the third week of July, seven weeks into the strike, granting workers increases from R125 to R145 a month. A further increase across the board would be granted on 7 January 1990. The OK agreed to withdraw 586 retrenchment notices issued to strikers, but it was not prepared to grant 21 March as a paid holiday.¹⁸⁷ [¹⁸⁷ *The Citizen* 21 July 1990]

The strike at Checkers lasted two weeks and the settlement included an across-the-board increase of R140 a month, bringing the minimum to R770 a month, backdated to 1 July 1990. Management had originally offered R135 a month from 1 July and R5 more from 1 January 1991, while the union had demanded R165 across the board and a minimum of R830 a month.¹⁸⁸ [¹⁸⁸ *The Daily Mail* 20 July 1990]

The strike at Southern Suns lasted five weeks, workers receiving an increase of R100 a month or 15%, whichever was greater, backdated to 1 April, and a further R20 from September. The union had demanded an increase of R120 across the board. During the strike about 3 500 striking workers marched through central Johannesburg to three of the group's hotels. The march was illegal and was dispersed by police.¹⁸⁹ [¹⁸⁹ *The Weekly Mail* 13 July 1990]

In the Trador strike, SACCAWU settled for the company's final offer of an increase of R160 a month. It also won a concession that there would be no retrenchments or store closures for 18 months. The fact that the strike was settled after only two days was attributed to the management style of Trador's managing director, Mr Albert Koopman, a proponent of participative management. After Trador had closed its 30 stores to prevent conflict, workers were allowed to sleep in the company canteen, where

they were catered for to picket, and to move freely to and from company premises.¹⁹⁰ [¹⁹⁰ Ibid 13 July 1990]

Strikes by public sector workers

During the second half of 1989 and the first half of 1990 there was a sharp increase in the number of strikes by public sector workers throughout South Africa (see above). Many of the strikes were linked to unrest in the homelands. For further information on these strikes, see chapter on *The Homelands*.

In the white-designated areas the sectors affected most by strikes were the police and Prisons Service, and the health service, although the Post Office and local municipalities were also affected. A common factor in these strikes was the lack of collective bargaining rights for these workers.

Public sector workers are excluded from the terms of the Labour Relations Act (LRA) of 1956, their conditions of service being governed by other legislation, such as the Public Service Act of 1984, the South African Transport Services Conditions of Employment Act of 1988, and the Post Office Service Act of 1984, among others. General workers in the police and prisons fall under the Public Service Act, other officers being governed by the Police Act of 1958 and the Prisons Act of 1959. Neither the public service, nor police or prisons acts provides for collective bargaining, conditions of work being determined by the cabinet in conjunction with the Commission for Administration (CFA). However, a Public Service Amendment Bill, currently under revision, makes provision for a collective bargaining council within the public service. Recent legislation affecting the Post Office and Transnet has provided for labour councils in these sectors on which recognised trade unions sit, along with management representatives. The councils make recommendations on conditions of employment to the CFA, which in turn consults the cabinet minister concerned for a final decision.

South African Transport Services (SATS)

A protracted countrywide strike broke out on the railways on 1 November involving about 26 000 members of the South African Railways and Harbours Workers' Union (SARHWU). The strike, which lasted 13 weeks, was in support of the union's demand for an increase in the minimum wage of R600 to R1500 a month, dissatisfaction over a new disciplinary code introduced by the South African Transport Services (SATS) in September 1989, and to protest against the process of privatisation of the railways, among other things.

SATS refused to deal with the union over these grievances until it registered under the LRA. Discussions over recognition of the union (a union demand of long standing, which had been a major issue in the 1987 railways strike) had begun in 1988 after a strike by Durban SATS workers. An agreement had been signed in terms of which the union undertook to register, whereupon SATS would start recognition talks. Talks between the union and SATS on the recognition process broke down in 1989 when the company refused to discuss substantive issues with the union until it had registered. Management was then approached by a workers' committee as, according to the SATS Conditions of

Service Act of 1988, a group of workers was entitled to seek discussions with management about work conditions. A meeting on 10 November ended in deadlock, worker representatives walking out. Management refused to negotiate on wages, saying that increases of up to 27% had already been granted in July 1989 to general workers after negotiations by the Labour Council, from which SARHWU was excluded as it was not recognised.¹⁹¹ [¹⁹¹ *The Citizen* 15 December 1989] In addition, it claimed that the committee was the union in disguise, and that in negotiating with the committee it would be negotiating with the union. Workers in the southern Transvaal region then went on strike and were joined by SARHWU members in most areas of the country except East London.

SATS began dismissing workers on 14 November after they had ignored an ultimatum to return to work.¹⁹² [¹⁹² *Business Day* 13 November 1989] The union believed that the dismissals were a disguised rationalisation in preparation for SATS's privatisation, a claim denied by management.

The union also alleged that 1 000 workers had been dismissed in September 1989 in terms of a new disciplinary code as a way of rationalising staff for privatisation. Commenting on this allegation, SATS's general manager, Mr Brian Lessing, said that the 37% drop in the SATS labour force—from 279 000 employees to 177 000—over the past seven years had been because of natural attrition and not retrenchments. Mr Lessing said that as a precursor to privatisation, the company was moving towards converting the railways into a profit-seeking and tax liable public company under the Companies Act of 1973, so that it would compete on an equal footing in the transport market. 'To keep a tight rein on costs SATS will concentrate on priorities and these do not include staff cuts.' Mr Lessing said that the 12 recognised SATS trade unions were satisfied with the procedure and that by taking time in applying for registration, the union had excluded itself from negotiating on the issue.¹⁹³ [¹⁹³ *Ibid* 14 December 1989]

A series of talks were held between the union and management during November, after the union had intervened in the dispute, but they ended in deadlock on 4 December. On 18 December new proposals were tabled. Management offered to grant the union interim recognition provided that it registered, to re-employ 50% of the dismissed workers and refer the cases of the rest to arbitration for a severance package, and to allow the union to participate in the April 1990 wage negotiations. These proposals were turned down by the union on the basis that the 50% cut in its membership would undermine its bargaining strength. Further discussion throughout the first three weeks in January led to a settlement on 27 January.

In terms of the agreement, the union would have to register and show that it represented 40% plus one of the members in respect of the area of registration for it to gain interim recognition by SATS. If it had registered but recognition had not been completed within 14 days, the union could nevertheless participate in collective bargaining on wages and other conditions of service. This guaranteed that the union would be able to negotiate at the next round of wage talks in April 1990. SATS also agreed that it would not extend any wage deal reached with the Black Trade Union, a union recognised by SATS but dismissed by SARHWU as a 'sweetheart' union, to members of SARHWU prior to recognising the latter union. All dismissed workers would be re-employed in the same grades, jobs and at the same wage as at the start of the strike. Workers lost their service records, however, and would be re-employed on a

temporary footing, but this would not count against them for the purposes of retrenchment and promotion. Past disciplinary records of all strikers would be disregarded and workers would not be disciplined for striking. However, workers convicted in court of violence might face disciplinary action. Workers would be reinstated on the SATS pension scheme, but would forfeit benefits for the period on strike.

The strike adversely affected SATS services at the Durban harbour, which operated only 12 hours a day at the height of the strike.¹⁹⁴ [¹⁹⁴ *The Star* 14 December 1989] This was owing to the fact that Natal was the union's stronghold, and most workers there went on strike. However, East London workers failed to join the strike, and production continued undisturbed at the East London harbour. A total of R38,5m was lost through destroyed railway coaches and workers lost R44m in wages.

The strike was characterised by violence involving striking and non-striking workers and the police, a number of workers being killed. The violence came to a head on 9 January when seven people were killed and about 67 were injured when about 800 workers on their way to a union meeting were ambushed at Germiston Station (east Rand) by about 1 000 non-striking workers wielding pangas, knives and knobkerries. Witnesses said that the non-strikers, many of them wearing SATS uniforms, began smashing coach windows and stoning the first train when it pulled into the station at about 9am. The workers on the platform had been toyi-toying and singing before the train arrived. Fighting broke out as workers tried to leave the train. The police said that they could not deny that the waiting workers were armed. Officers on standby were in the vicinity of the station but not at the station itself. When police arrived three shotgun blasts were fired into the air to warn the crowd. Teargas was fired when they failed to disperse. No other police action was taken. The Congress of South African Trade Unions (COSATU) and the union accused the police of failing to intervene and of siding with the non-striking workers. The police said that allegations that they assisted the vigilantes was 'an infamous lie'. The union sent letters to the South African Police (SAP) and SATS seeking an undertaking that neither would involve itself in acts of violence against striking workers.¹⁹⁵ [¹⁹⁵ *Business Day* 10 January 1990] According to the union, SATS undertook in writing to ensure that such an incident would not recur. It categorically denied that management had had anything to do with the violence.¹⁹⁶ [¹⁹⁶ *Sowetan* 11 January 1990]

A SATS spokesman said that 'SATS views the incident in a serious light. We do not condone any violence and we have already taken steps to tell to our workers on the shop floor not to take part in this type of action'.¹⁹⁷ [¹⁹⁷ *The Citizen* 10 January 1990] SATS said that no official inquiry would be held into the clash, but everything would be done to prevent the recurrence of such an incident.¹⁹⁸ [¹⁹⁸ *Business Day* 11 January 1990] COSATU said that it would seek a Supreme Court interdict against the SAP and SATS to restrain them from 'making further attacks on striking workers'.¹⁹⁹ [¹⁹⁹ *The Star* 10 January 1990]

Mr Robin Carlisle, of the Democratic Party, asked how a group of 1 000 non-strikers whom SATS admitted was armed were allowed to assemble at the station.²⁰⁰ [²⁰⁰ *Ibid* 11 January 1990]

A policeman and a SATS worker claimed that intimidation of non-strikers by strikers led the non-strikers to take matters into their own hands in an effort to protect themselves. A SATS spokesman said that preliminary investigations showed that non-striking workers from Germiston put out a call for help and that supporters arrived from as far as Braamfontein (Johannesburg) and Krugersdorp (west Rand). Strikers said, however, that they were attacked immediately the train pulled into the station, by both the non-strikers and the police.²⁰¹ [²⁰¹ *Business Day* 11 January 1990]

In June 1990 SARHWU entered into an interim recognition agreement with Transnet (see *Noteworthy labour practices and developments* above).

Police and Prisons Service

In March 1990 the Police and Prisons Civil Rights Union (POPCRU), a new union formed in 1989 (see *Notes on particular unions* above), called for a national sit-in strike at 22 police stations and prisons where it had members in support of demands concerning working conditions. It demanded:

- an across-the-board salary increase of R850 a month (a 100% increase);
- the proportional sharing of Prisons Service administration between blacks and whites;
- extension of night shift, court and hospital duty to white warders;
- opening of prison facilities to all warders irrespective of colour;
- provision of transport for black warders as provided for whites;
- an end to job reservation;
- medical aid for the families of black warders;
- an increase in housing subsidies; and
- recognition of the union.²⁰² [²⁰² *City Press* 18 March 1990]

POPCRU members also complained that they were frequently assaulted by white warders. The Prisons Service said in a statement that the problem with regard to accommodation was receiving attention. It rejected POPCRU members' complaints about the assaults.²⁰³ [²⁰³ *The Star* 17 March 1990] On 21 March the minister of justice, Mr Kobie Coetsee, announced that the disparity between blacks and whites regarding medical aid benefits—dependants of black Prisons Service employees did not enjoy the full benefits of the service's medical aid scheme—would be rectified from 1 April 1990. This would cost about R14m a

year.²⁰⁴ [²⁰⁴ *Business Day* 22 March 1990]

A total of 859 police and Prisons Service employees were either suspended or dismissed for taking part in the strike. According to *The Weekly Mail*, the strike was the first within the police force since 1917, when a strike was held over wages.²⁰⁵ [²⁰⁵ *The Weekly Mail* 28 March 1990]

At the end of March striking prison warders threatened that if the government did not desegregate the Prisons Service they would reveal all the 'atrocities that have occurred behind prison walls'. A shortage of staff because of the strike led the service to mobilise reinforcements for those prisons affected by the strike. Stutterheim Prison (eastern Cape) was closed as a result of strike action by 13 warders. No other prisons were closed.²⁰⁶ [²⁰⁶ *Ibid* 30 March 1990]

In April striking POPCRU members marched from District Six to the HF Verwoerd building in Cape Town and handed over a petition protesting against racial discrimination in the police force and Prisons Service.²⁰⁷ [²⁰⁷ *Ibid* 5 April 1990]

Responding to various allegations by strikers over the maltreatment of prisoners, the Prisons Service issued the following statement: 'With regard to the alleged discriminatory policy as far as the treatment of prisoners is concerned, it must be stated that policy provides for all prisoners to receive the same treatment without any discrimination... The availability of dining rooms in prisons is not determined by race. All newly built prisons are provided with dining rooms. All prisoners are daily given the opportunity to lodge their complaints and/or requests with the head of the prison and other officers appointed by him. These complaints and/or requests are recorded in an official register and dealt with promptly... In conclusion, it must be emphasised that POPCRU is not a recognised union in terms of existing laws, therefore the South African Prisons Service is under no obligation to negotiate with it concerning remuneration or any other matter pertaining to the South African Prisons Service.'²⁰⁸ [²⁰⁸ *Ibid*]

In May five of the suspended prison warders staged a six-day sit-in in the German Embassy in Cape Town, demanding, inter alia, the unconditional and immediate reinstatement of all dismissed and suspended POPCRU members.²⁰⁹ [²⁰⁹ *The Citizen* 16 May 1990] They called off the sit-in after an agreement had been reached with the Prisons Service that warders who reported to their commanding officer before 30 May to apply for the lifting of the suspension would be permitted to resume their duties immediately, subject to the application of the Prisons Act, regulations and the service's disciplinary code. The 43 dismissed policemen, who included the president of POPCRU, Lieutenant Gregory Rockman, would have to appeal against their dismissals before 31 May if they wished to be considered for reinstatement.²¹⁰ [²¹⁰ *Ibid* 22 May 1990]

Speaking at a passing-out parade of police in Cape Town in June 1990, the commissioner of the SAP, General Johan van der Merwe, said that with the formation of the 'so-called police union, POPCRU, several proposals with regard to establishing a trade union for members of the force have been doing the rounds'. He pointed out that in many western countries policemen were forbidden to join a trade union,

and in eastern bloc countries the issue did not exist at all. 'Police work is a calling, like the work of a minister or a teacher,' he said. There were many forums in the police force where grievances of members could be handled in a meaningful way, and all members should devise an 'exhaust valve' (other than a union) to help resolve those grievances.²¹¹ [211 Ibid 29 June 1990]

Hospital strikes

During the period under review there were widespread strikes among hospital workers. On 5 March 1990 workers from seven hospitals in the western Cape downed tools in support of demands for:

- an increase in the minimum wage from R260 a month to R1 500 a month. The Health Workers' Union (HWU), which represented the workers, later revised this figure to R1140;
- permanent status for all workers;
- six months' paid maternity leave;
- a 40-hour week and;
- an end to privatisation.

Workers' committees at the hospitals concerned demanded a meeting with the ministers of national health and population development and of administration and economic co-ordination and with the CFA, which is responsible for setting conditions of work in the service. Within the first week the strike had spread to 17 state hospitals and day clinics, and involved about 7 000 workers. The vast majority of strikers were general assistants. After a series of meetings between representatives of the CFA, the Cape Provincial Administration (CPA) and the hospital services in the Cape on the one hand and the union on the other agreement was reached on a range of issues:

- the working week would be reduced from 44 to 40 hours;
- the principle of maternity leave was accepted;
- general assistants would all get permanent status;
- the CPA would meet the HWU on a regular basis;
- stoporder facilities would be granted where the union proved its representivity;
- shopsteward committees would be recognised and their workers could choose their representatives at

disciplinary hearings;

- union officials would be granted access to hospitals for meetings;
- the CPA committed itself to fair labour practices and no victimisation of workers; and
- the CPA would consult the HWU about privatisation.²¹² [²¹² *South African Labour Bulletin*, vol 14 no 8, 1990]

A 10% wage increase for all public sector workers was granted from 1 April 1990.

In the second week in April 1990 workers at the Baragwanath (Soweto), Hillbrow (Johannesburg) and Johannesburg hospitals staged lunch-time protests over demands for improvements in their working conditions. The protests followed unsuccessful attempts by workers and their union, the National Education, Health and Allied Workers' Union (NEHAWU), to hold talks with hospital superintendents and the Transvaal Provincial Administration (TPA) over their grievances. Their demands were similar to those of the Cape hospital workers, and included:

- a minimum wage of R1 100 a month and an across-the-board increase of R400 a month for all workers. The minimum wage was R223,50 a month
- recognition of NEHAWU (it represented 18 900 workers in the Transvaal);
- permanent status for temporary workers. These were mainly black workers in lower categories of work;
- an end to discriminatory employment practices;
- paid maternity leave for women workers;
- the inclusion of all public sector workers under the LRA; and
- the desegregation of health services.

Workers began their protests despite the 10% wage increase for all public sector workers operative from 1 April, and further wage increases of between 16% and 105% for general assistants, operative retrospectively from 1 April, announced on the eve of the strike. Salaries for grade 1 general assistants rose from R2685 to R5 016 a year. Workers said that the increases were well below those asked for.

When the TPA failed to discuss their demands, between 11 000 and 18 000 workers staged a full-blown

strike from 1 to 10 May. Most workers on strike were general assistants, although some nurses joined in, mainly at the Natalspruit Hospital (east Rand). Voluntary workers were drafted in to keep emergency services in operation. The sections most affected by the strike were the kitchens, laundries and dispensaries.

On 2 May an agreement was reached between the union and TPA to negotiate 'at the highest level'. On the same day, at the Groote Schuur talks in Cape Town, the state president, Mr FW de Klerk, asked the deputy president of the African National Congress, Mr Nelson Mandela, to intervene. As a result a delegation of NEHAWU officials and officials of COSATU, to which NEHAWU is affiliated, met the minister of national health and population development and the minister of administration and economic co-ordination in Cape Town. Further negotiations were held in Johannesburg, representatives of the CFA failing to attend, although this had been agreed upon in Cape Town. After further interventions at cabinet level, they attended one meeting, and an agreement was finalised on 10 May. This allowed for:

- a commitment from the TPA to establish mutually acceptable channels of negotiation for the setting of wages and other conditions of work
- a concession by the TPA that its employees could belong to any union or recognised staff association of their choice, and an agreement to grant NEHAWU access to premises of health care establishments to display notices, to provide stop-order facilities to union members, and to allow NEHAWU officials to represent their members at disciplinary meetings and
- the establishment of a working committee to negotiate on issues, including the implementation of a 40-hour week, improved maternity leave, privatisation, and the reclassification of employees.

The TPA agreed not to take disciplinary action against workers involved in the dispute.²¹³ [213 Various press reports interview with parties concerned]

Stayaways

16 June 1989

As has now become customary in South Africa, a largescale stayaway was held on 16 June, the anniversary of the 1976 Soweto uprising. Most employers, who have accepted 16 June as an unofficial public holiday, adopted a no-work, no-pay position.

5 and 6 September 1989

The Congress of South African Trade Unions (COSATU) and the National Council of Trade Unions, along with the Mass Democratic Movement, supported a two-day protest, which took the form of a

stayaway, against the 6 September 1989 general election and the Labour Relations Act. There was a poor observance of the stayaway on the first day, except in the mining industry, where supporters of the National Union of Mineworkers stayed away in large numbers. On the second day, however, there was strong support for the stayaway. According to the Labour Monitoring Group, on the second day, 80% of workers supported the stayaway in Durban and the eastern Cape, 70% in the Pretoria/Witwatersrand/Vereeniging area, but only 40% in the western Cape. It noted that the sectors the most affected were the chemical, textile and clothing, and motor and metal industries, and to a lesser extent the food sector. It said that preliminary figures showed that there was a 6% stayaway on collieries and gold mines.

Employers in general adopted a policy of no-pay, no-work, no-penalty.²¹⁴ [²¹⁴ *The Weekly Mail* 8 September 1990]

21 March 1990

For details of the stayaway held on 21 March 1990 in commemoration of the shootings at Sharpeville (Vaal Triangle, Transvaal) in 1960, see chapter on *Political Developments*.

2 July 1990

A nationwide stayaway, observed by about three million people, was held on 2 July 1990. It was called by the COSATU and the African National Congress to protest against the violence in Natal, the maintenance of the state of emergency, and the continued existence of the KwaZulu homeland. The stayaway was opposed by the Pan-Africanist Congress, the Azanian People's Organisation, the National Council of Trade Unions, and Inkatha.²¹⁵ [²¹⁵ *Business Day* 28 June 1990] For further details, see the *Overview*.

HEALTH

Policy and Administration

Health services in South Africa in 1989 and in the first half of 1990 continued to be administered by 18 separate health departments. African health services in the white-designated areas were administered by the four provincial health departments of the Cape province, Natal, the Orange Free State and the Transvaal. Health services in the ten homelands were administered by the various health or health and welfare departments of the homeland administrations. Coloured, Indian and white health services were administered by the own affairs departments of health services and welfare of the House of Representatives, the House of Delegates and the House of Assembly. The Department of National Health and Population Development was responsible for national health policy in the white-designated areas and the six non-independent homelands. According to its 1989 annual report, the department's functions were to secure the optimal utilisation of all resources for health and welfare services, to ensure

the success of the population development programme, to administer civil and military pensions and to provide an auxiliary administrative service.¹ [1 Department of National Health and Population Development, Annual report 1989] As of 1 April 1988 most of the department's executive functions regarding health services were transferred to the provincial administrations. Functions transferred included those for psychiatric hospitals and associated community services, hospitals for infectious and communicable diseases, hospitals administered on an agency basis for the South African Development Trust (which is responsible, among other things, for the infrastructural development of the homelands), school health services for Africans, primary health care in some areas, and family planning.² [2 Ibid, 1988] The executive functions in respect of oral health services were transferred from the department to the four provincial administrations as from 1 July 1989.³ [3 Ibid, 1989] The department said that, in promoting its current functions, it concentrated on liaison with the 'independent' and the non-independent homelands.

In March 1989 a total of 44 provincial hospitals (four in the Cape, three in Natal, five in the Orange Free State and 32 in the Transvaal) were transferred from the control of the provincial administrations to that of the Department of Health Services and Welfare (white own affairs). Also transferred were two state-aided hospitals and four state-subsidised hospitals in the Transvaal.⁴ [4 Proclamations 39, 40, 41, and 42, *Government Gazette* No 11802, 31 March 1989] These were the first hospitals to fall under an own affairs administration. According to research by the South African Institute of Race Relations, the transfer continued a trend in which facilities previously administered by the provinces, which were general affairs administrations, were being transferred to own affairs ministries.⁵ [5 Mackay S, *Quarterly Countdown* 12, South African Institute of Race Relations (SAIRR), 30 May 1989]

One of the transfers, that of the J G Strijdom Hospital (Johannesburg), aroused much controversy⁶ [6 Numerous press reports] and represented a departure from previous policy since the hospital was a teaching hospital and therefore a general affairs institution, in terms of regulations laid down by the minister of national health and population development.

It was reported in May 1989 that a major crisis was developing at this hospital following the resignation of its superintendent, Dr Annette van der Merwe, and of at least 12 specialist doctors in protest over the government's decision to declare the hospital a white own affairs institution.⁷ [7 *Business Day* 2 June 1989, *The Star* 3 May 1989] Dr Van der Merwe and the dean of the medical faculty at the University of the Witwatersrand (Wits), Professor Clive Rosendorff, both stressed that the own affairs status was incompatible with an academic, teaching hospital.⁸ [8 Ibid]

In July 1989 doctors working at the hospital said that although there was 'no cause for alarm' concerning the services rendered by the hospital, the cardiology department and one medical ward had been closed and the two sections of the intensive care unit had been amalgamated into one.⁹ [9 *The Star* 4 July 1989] In December 1989 Wits made a final decision to cease all academic activities, including the training of specialists, at the hospital at the end of the year.¹⁰ [10 Numerous newspaper reports] *Business Day* reported that Wits's withdrawal would leave the hospital with only five out of more than 40 specialists

and senior doctors.¹¹ [¹¹ *Business Day* 15 December 1989] Hospital staff who were expecting the university's withdrawal had said at the end of September 1989 that the J G Strijdom Hospital would virtually close down at the end of the year. They had alleged that scores of doctors and nurses had already left the hospital and that several other departments were on the verge of closing.¹² [¹² *The Star* 29 September 1989]

In August 1989 the chairman of the ministers' council in the House of Assembly, Mr F W de Klerk, stated that the university's reasons for wanting to withdraw its services were unacceptable. He said that, owing to the negative response to the hospital's change of status and to the fact that the services it provided could not be allowed to be jeopardised, the J G Strijdom Hospital would become a fully fledged regional hospital (regional hospitals are own affairs institutions) but would retain total service status as well as training functions. He added that Wits was welcome to make use of the hospital's facilities if it wanted to.¹³ [¹³ *Business Day, The Citizen* 11 August 1989]

However, in October 1989, the minister of health services, welfare and housing in the House of Assembly, Mr Sam de Beer, announced that he would order an investigation into the 'decision by civil servants' to downgrade the hospital from an academic to a regional own affairs hospital. Mr De Beer also said that he had discovered that the Commission for Administration had decided to change the hospital's status 'at a meeting behind closed doors' in 1987.¹⁴ [¹⁴ *Sunday Times Metro* 15 October 1989] Speaking in an interpellation debate in Parliament in March 1990, Mr De Beer nevertheless said that, pending changes in policy, the J G Strijdom Hospital would remain an own affairs hospital. He added that the hospital was still an academic institution because it had been declared one in terms of the Transvaal Hospitals Ordinance. He saw no reason why the University of the Witwatersrand should stop offering training at that hospital, he added.¹⁵ [¹⁵ *Hansard* (A) 6 q cols 444-450, 13 March 1990]

In April 1990 the government responded to doctors' demands to link the J G Strijdom Hospital to the overcrowded black Coronation Hospital, which was 4km away, by opening two 30-bed wards to accommodate an excess of patients from Coronation Hospital.¹⁶ [¹⁶ Kelly J, *Social and Economic Update 10*, South African Institute of Race Relations (SAIRR), January-June 1990; various newspaper reports]

The minister of health services and welfare (Indian own affairs), Mr Baldeo Dookie, told Parliament in April 1990 that the minister's council in the House of Delegates had not requested responsibility for the running of hospitals, because it did not wish to 'fragment hospital services'. A new hospital at Phoenix (Natal) would be planned by his department, but the running of the hospital would be delegated to the Natal Provincial Administration, he added.¹⁷ [¹⁷ *Hansard* (D) 12 q cols 943-944, 18 April 1990]

It was reported in May 1990 that all 246 provincial hospitals had been opened to all races. On 16 May 1990, the minister of national health and population development, Dr Rina Venter, announced at a press conference in Cape Town that, owing to a surplus of 11 700 beds in white hospitals and an estimated shortage of 7 000 beds in black hospitals, empty beds should be made available to all races, subject to funds being available (see *Finance* below). (These figures were based on a norm of three beds per thousand people.) The decision to desegregate provincial health services also applied to ambulance

services, she added.

Dr Venter told the conference that there were no legal restrictions prohibiting the decision and that her department had not had to wait for the repeal of the Reservation of Separate Amenities Act of 1953. In reply to a question as to whether there would be racially separate wards in hospitals, Dr Venter said that hospital superintendents would have the final say on where patients were placed. She also said that services would first be offered to patients living in the area in which a hospital was based. Dr Venter stressed that empty white wards would not be filled 'overnight', because the necessary funds and manpower were not yet available.¹⁸ [¹⁸ *Business Day* 17 May 1990] She also emphasised that her announcement did not imply the incorporation, into a single health authority, of the 14 health departments in the white-designated areas and the non-independent homelands. The own affairs principle was contained in the constitution and would have to be addressed by government, she added.¹⁹ [¹⁹ *Ibid*] In March 1990 Dr Venter had told Parliament that her department had 'fully evaluated the relevant implications under the present constitution' and that 'extensive measures to co-ordinate, and eliminate duplication of, health services' already existed. The department was interested in ensuring the 'optimal utilisation of resources', she had said.²⁰ [²⁰ *Hansard* (A) 7 q cols 561-562, 20 March 1990]

Responding to Dr Venter's announcement, the Democratic Party called it 'vague and badly worded'.²¹ [²¹ *The Star* 18 May 1990] A spokesman for the Transvaal Provincial Administration (TPA) told the press that the TPA had received no explanations as to the practical implications of the government's decision.²² [²² *Ibid*]

On 19 May 1990 Dr Venter told the press that while race was to be irrelevant in the proposed new management model for hospitals, the principle of 'acceptability' was to be taken into account. Hospital superintendents were to be subject to the central policy, which although it had not been finalised, meant that no-one would be turned away from a hospital on grounds of colour. However, the following had to be taken into account: the availability of beds, that of the facilities required by a patient's condition, and the 'cultural, religious, social and language groups'. Dr Venter further stated that while the 'groups' to which patients belonged could affect the choice of beds to which they were assigned in various hospitals, this had 'nothing to do with skin colour'; it was in line with her department's policy that 'the wishes of patients must be taken into account as far as possible'.²³ [²³ *The Citizen* 19 May 1990]

Dr Venter also told the *Financial Mail* that envisaged legislation was to contain 'guidelines' regarding the admission of patients. Superintendents who regulated admissions and segregated wards along racial lines would be contravening these guidelines, she said. She added that doctors who contravened the guidelines would be 'dealt with'.²⁴ [²⁴ *Financial Mail* 25 May 1990]

According to Dr J J Vilonel MP (National Party), Dr Venter's announcement regarding hospital desegregation was one of the most important since the state president, Mr F W de Klerk, had laid down guidelines for political and constitutional reform and for the redress of socio-economic problems in his

speech opening Parliament on 2 February 1990.²⁵ [²⁵ *Hansard* (EPC-R) 17 cols 9412-9413, 16 May 1990]

The new policy was widely welcomed in Parliament and in medical circles.²⁶ [²⁶ Various newspaper reports] Dr Venter said that she was particularly appreciative of the Conservative Party's response. 'No real objections to the policy's basic principles were raised, which illustrates that these adjustments can ensure workable and honest management of health services in the future,' she stated.²⁷ [²⁷ *The Citizen* 19 May 1990] However, the CP opposed the national health and population development budget vote in Parliament in June 1990. Its chief spokesman on health, Dr Willie Snyman, said that a reason for this was the CP's perception that the desegregation of provincial hospitals had been motivated not by a desire to improve health care services, but by political pressure and a desire 'to oblige the African National Congress and the outside world'. Other parties in all three houses supported the vote.²⁸ [²⁸ *Hansard* (joint meeting) cols 11289-11290, 11 June 1990]

On 17 May 1990 the minister of health services, welfare and housing (white own affairs), Mr Sam de Beer, said that he fully supported Dr Venter's policy announcement and that all 44 white own affairs hospitals would also be 'open to all races'. He told the press that the superintendents of white own affairs hospitals would henceforth give preference to patients who could furnish 'prima facie proof of being members of the community serviced by the hospital. Mr De Beer claimed that his department had 'paved the way' for the shift in national policy by making two wards at the J G Strijdom Hospital available to all races prior to Dr Venter's announcement (see above).²⁹ [²⁹ Information Service of the National Party, *Bulletin*, 8E/90, June 1990]

Opening the parliamentary debate on the budget vote for her department on 16 May 1990, Dr Venter proposed a broad plan aimed at the reconstruction of South Africa's health services. She said that the plan would revolve around five principles: the accessibility of health services, their affordability, the effectiveness of health care programmes, equity in the provision of health services, and the acceptability of services to all people.³⁰ [³⁰ *Hansard* (EPC-R) 17 cols 9383-9394, 16 May 1990]

The minister said that, while everyone had a right to health care, health services were 'often not available in the squatter areas and the remote rural areas'. She told Parliament that the government would not try to solve the financial problems currently experienced by academic hospitals independently of deficiencies in other health services. All health service programmes would have to be reconstructed simultaneously, and a decision had been taken to give priority to primary health care, the minister stated. According to Dr Venter, 'The relatively low cost of establishing community health centres and keeping them going immediately ensures an increase in our objective of accessibility within affordable limits. There must be a hierarchy of services in South Africa: firstly the clinic, then the community hospital, the regional hospital and then the academic hospital. Every patient should be treated at the lowest level at which this can effectively be done.' She said that money was wasted on patients with slight illnesses who were being treated at academic hospitals owing to the lack of community health services. She also stressed the promotive and preventative aspects of better primary health care and said that the 300 deaths of children from measles in 1989 had been 'totally unnecessary' (see *Diseases* below).

Dr Venter said that differences in the health status of the various ‘population groups’ could be addressed only by way of an equitable division of funds. Expanding on this, the minister stated: ‘The division of funds for primary health care will in future be determined by way of a formula which takes account of two factors: the population numbers within a region and the health status of the inhabitants. If the health status is poor, more funds will be allocated. This is a clear attempt to address existing backlogs within the limits of the funds available.’³¹ [³¹ Ibid, col 9392]

Dr Venter also said, however, that the position of the 13 academic hospitals could not be ignored, since they provided 32% of the total bed count, treated 29% of all in-patients and 40% of all outpatients in South Africa (excluding the ‘independent’ homelands), and received 43% of the total health budget.

Referring to the fact that there had been continuous appeals for further allocations to academic hospitals in 1989 and the first half of 1990,³² [³² Numerous press reports] Dr Venter said that her department was adopting a three-pronged approach. Firstly, academic hospitals were to be granted greater independence with regard to their management. Secondly, academic hospitals’ revenue was to be increased by making private patients pay for the professional services they received. This additional revenue would not influence the yearly budgetary allocation and would represent additional funds at the disposal of each hospital. Finally, a cost analysis carried out at the Tygerberg Hospital in the Cape province would ensure that sufficient information was available for the ‘thorough planning’ of services at academic hospitals.³³ [³³ *Hansard* (EPC-R) 17 cols 93919392, 16 May 1990]

In the course of the debate on her budget vote, Dr Venter also criticised strikes by hospital workers in the Cape and the Transvaal in the first half of 1990. She said that hospitals should not be ‘misused for the sake of achieving personal or political goals no matter how noble those goals might or might not be’. It was completely unacceptable that sick patients should be left without food or care. She also said that the hospital workers’ strikes in the Transvaal had begun long after the majority of workers’ grievances had been addressed. According to Dr Venter, workers had received salary increases of as much as 85% three weeks before the strike had begun. (For details concerning the strikes, see chapter on *Labour Relations*.)

Addressing a press conference in June 1990, the deputy director general of the Department of National Health and Population Development, Dr Hans Steyn, said that as many as 60% of patients treated at hospitals could be dealt with by community health workers. The department’s new policy stipulated that health care be brought as close as possible to the user of health services, he stated. Dr Steyn said that a summit involving different health sectors in May 1990 had spelt out broad guidelines for community health workers. It had been decided that each community would appoint its own health workers and that they would not be on the state’s pay-roll because they would be accountable to the community. However, organisations hiring such workers would be subsidised by the government, Dr Steyn said. According to Dr Steyn, there were at present only 300 community health workers in South Africa (excluding the ‘independent’ homelands).³⁴ [³⁴ *The Star* 15 June 1990]

Legislation

The **Human Tissue Amendment Act** of 1989 amended the Human Tissue Act of 1983 so as to make provision for changed circumstances and for the more effective practical application of existing provisions. The amendment act enabled the director general of the Department of National Health and Population Development to order that human tissue, which had not been donated, nevertheless be made available. The provisions regarding the removal of human tissue at inquests were extended so as to cover any postmortem examination; the power to grant authority regarding the removal of human tissue was extended to any authorised magistrate; and provision was made for the appointment of investigation officers on an ad-hoc basis, to make it possible to involve private sector experts in investigations. Sanctions in respect of the illegal importation of human tissue were extended, and it was proposed that the importation and exportation of all human tissue take place subject to the issue of a permit. The removal of gametes and certain tissue from the bodies of minors was expressly prohibited. The amendment act also repealed provisions regarding a code of practice for artificial fertilisation as well as codes of practice for the keeping of registers, reports and notices. These matters would be dealt with instead by regulations, in order to achieve more flexibility.³⁵ [³⁵ Human Tissue Amendment Act (as amended by the Joint Committee on Health and Welfare), W57-B-89 (GA)]

The **Associated Health Service Professions Amendment Act** of 1990 amended the same named act of 1982. It repealed the requirement that limited registration of chiropractors and homeopaths with the South African Associated Health Service Professions Board might not exceed five years. (Limited registration takes place when the board accepts qualifications not prescribed by regulation.) Since the only qualification confirming the right to full registration as a chiropractor or homeopath was the fourth and fifth year of study, and since training for these years would start at the Natal Technikon (the only institution offering the courses) only during 1992 and 1993, the first practitioners with limited registration had found themselves in the impossible situation of having to satisfy the board of the appropriate standard before October 1990.³⁶ [³⁶ Associated Health Service Professions Amendment Bill, B1290 (GA); Associated Health Service Professions Amendment Act, no 10 of 1990, *Government Gazette*, no 12353, 21 March 1990]

Following representations by bodies such as the Dermatological Society of South Africa, the Inkatha Women's Brigade, the Medical Association of South Africa and the National Black Consumer Union, the minister of national health and population development, Dr Rina Venter, announced in April 1990 that the use of hydroquinone (a product frequently used in 'skin-lightening' creams), would no longer be allowed in the manufacture of cosmetics.³⁷ [³⁷ *Business Day*, *Sowetan* 24 April 1990; *The Citizen* 28 April 1990] Notice 864 of *Government Gazette* no 12 427 of 20 April 1990 proposed that preparations and mixtures containing 2% or less of hydroquinone would in future be controlled in terms of the Medicines and Related Substances Control Act of 1965. Interested persons wishing to submit 'substantiated comment' or representations were given leave to do so, but the minister stated her intention of publishing the new regulations under the Medicines and Related Substances Control Act without further notice. In May 1990 the date for the submitting of comment and representations was limited to three months from the date of the April notice.³⁸ [³⁸ Notice 383, *Government Gazette*, no 12455 of 11 May 1990]

According to an article in *Business Day*, manufacturers of cosmetics containing hydroquinone had been taken by surprise by the ban, which had originally been scheduled for 1 January 1990. A spokesman for Twins Pharmaceuticals, a company controlling about 75% of the R80m a year skin-lightener industry, said that the government stood to lose R28m a year in taxes if the ban succeeded in stopping sales.³⁹ [³⁹ *Business Day* 24 April 1990]

The Ciskei banned the use of skin lighteners in June 1989.⁴⁰ [⁴⁰ *The Star* 27 June 1989]

Finance

Expenditure on health is controlled by the Department of National Health and Population Development; the own affairs departments of health services and welfare (for coloured people, Indians and whites); the authorities of the four 'independent' and the six non-independent homelands; and the four provincial authorities.

The **Department of National Health and Population Development** budgeted R2,68bn for the 1989/90 financial year, a 15% increase over the previous year's budget of R2,32bn. Of the total, R463m was allocated to health, an 18% increase over the previous year's budget of R392m. The allocation in 1989/90 was for the following programmes (the remainder being allocated to welfare, administration costs and auxiliary services):⁴¹ [⁴¹ Republic of South Africa, *Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1990*, RP2-1989]

Expenditure on health: 1989/90^a

R

Health care

201 549 000

Mental health

911 000

Health protection against environmental aspects

38 541 000

Family planning

119 102 000

Population development

26 539 000

Auxiliary and associated services

83 980 000

(Less internal charges)

(7 790 000)

Total

462 832 000

^a This table is not comparable to that on p1 of the 1988/89 Survey as that included certain welfare allocations. The categories also differed.

During the 1989/90 financial year, R885m was budgeted by the **House of Representatives** for coloured health and welfare, a 17% increase over the R757m budgeted for the 1988/89 financial year. A total of R218m was allocated to Indian health and welfare by the **House of Delegates** for 1989/90, a 24% increase over the previous year's R176m. Budgeted expenditure on white health and welfare by the **House of Assembly** in 1989/90 amounted to R1,18bn, a 24% increase over the previous budget of over R950m. The amount allocated to white welfare, which was available independently of the amount allocated to white health, showed an increase of 17% over the previous year's figure. The health budget was almost double the R82m allocated in 1988/89 (see below for one reason for this increase). The following are some of the programmes for which the money was allocated:⁴² [42 Administration: House of Representatives, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990, RP9-1989*; Administration: House of Delegates, *Estimate of Revenue and Estimate of Expenditure for the Financial Year ending 31 March 1990, RP12-1989*; Administration: House of Assembly, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990, RP6-1989*]

Coloured, Indian and white health expenditure 1989/90 ^a*Coloured*

Indian

White

R

R

R

Dental services

10 638 000

4 039 000

44 193 000

District surgeon services

1 826 000

1 068 000

2 800 000

Hospitals and clinics

25 500 000

1 720 000

52 529 000

Mental health

38 084 000

2 710 000

36 364 000

Nutrition services

1 964 000

165 000

948 000

School health services

4 628 000

748 000

625 000

Total

82 628 000

10 450 000

137 459 000

a

The remainder of the budget was allocated to the administration of health (and of welfare in the case of the coloured and Indian budget), to differing categories under 'medical care', to various associated and supporting services for health and welfare, and

The minister of the budget and local government in the House of Assembly, Mr A Venter, said during his budget speech in Parliament in March 1990 that the government's decision to treat provincial hospitals as a white own affair (see *Policy* above) was one major contributing factor in the increase of 97% allocated to the health portion of his budget. The transfer of hospitals had meant an increase of R243m to his budget, he added.⁴³ [⁴³ *Hansard* (A) 7 col 2911, 15 March 1990]

The **provincial administrations** budgeted the following amounts for hospital and health services in the 1989/90 financial year for all race groups:⁴⁴ [⁴⁴ Provincial estimates of revenue and expenditure for the financial year ending 31 March 1990, as follows: Cape of Good Hope, RP18-1989; Natal, RP21-1989; Orange Free State, RP24-1989; Transvaal, RP27-1989]

Provincial health budget: 1989/90

R

Cape

1 576 758 000

Natal

768 726 000

Orange Free State

430 818 000

Transvaal

1 967 834 000

Total

4 744 136 000

According to the estimates of additional expenditure for the four provinces for the 1989/90 financial year, Natal, the Orange Free State and the Transvaal each allocated only R 1000 more to hospital and health services. The Cape province, however, allocated a further R72m to hospital and health services in the 1989/90 financial year.⁴⁵ [⁴⁵ Provincial estimates of revenue and expenditure for the financial year ending 31 March 1990, as follows: Cape of Good Hope, RP18-1989; Natal, RP21-1989; Orange Free State, RP24-1989; Transvaal, RP27-1989]

Allocations for health in the homelands by the ten **homeland administrations** for 1989/90 were as follows:⁴⁶ [⁴⁶ Estimates of expenditure for the various homelands]

Homelands health budgets: 1989/90

R

Bophuthatswana^a

171 141 128

Ciskei

138 935 000

Gazankulu^b

87 287 400

KaNgwane^c

41 677 051

KwaNdebele^d

9 419 000

KwaZulu

285 637 204

Labowa^e

153 758 203

QwaQwa^f

30 755 000

Transkei

246 698 000

Venda

44 959 500

Total

1 210 486

^a No detailed breakdown of health and welfare figures was available. Includes welfare but excludes pensions.

^b Includes statutory allocation and administration cost for both health and welfare

^c Includes statutory allocation, administration expenditure and costs of 'buildings and structures' for both health and welfare.

^d Includes statutory allocation, administration expenditure, buildings and structures, and 'related services' for both health and welfare.

^e Includes statutory allocation, administration expenditure, buildings and repairs, for both health and welfare.

^f Includes statutory allocation for both health and welfare, and 'co

In June 1989 the minister of national health and population development, Dr Willie van Niekerk, was quoted as saying that South Africa could not afford 'first world health services'.⁴⁷ [⁴⁷ *The Star* 7 June 1989] He also said that since expenditure on health in South Africa amounted to almost 6% of the gross national product (GNP), the country had already exceeded the World Health Organisation target of 5% for the year 2000. Funds were limited, and would remain so, he added.⁴⁸ [⁴⁸ *Ibid*]

In November 1989 the Department of National Health and Population Development, which was responsible for the registration of private hospitals in the white-designated areas and non-independent homelands, declared a moratorium on the construction of new private hospitals. The further 'deployment' of hospitals would be evaluated on the basis of a new national health strategy (see *Policy* above).⁴⁹ [⁴⁹ *Hansard* (A) 3 q col 76, 20 February 1990]

Speaking during the debate on her department's budget vote in May 1990, Dr Rina Venter, who had in the meantime replaced Dr Van Niekerk, stated that the reconstruction of health services had to be undertaken in conjunction with the socio-economic upgrading of communities and that this entailed a joint responsibility for all government departments. She also said that 62% of the African population would be urbanised by the year 2000 and that this would have far-reaching effects on health care needs and on the costs and financing of health facilities. Dr Venter, using current population estimates, said that only 21% of the population of South Africa (excluding the 'independent' homelands) was covered by medical schemes and that at least 79% of people therefore depended on state health services. Most people in the latter category either received services free of charge or paid a 'nominal' amount (between R2 and R10). In Natal, for example, a quarter of patients received free services, while 71% paid a small amount and only 4% paid the full tariff. The situation was 'more or less the same' in the other provinces, she said. According to Dr Venter, South Africa's health spending in terms of GNP ought to be compared with that of other developing countries, which spent an average of between two and three percent of

GNP on health. The provision of health care might be limited in future, Dr Venter warned.⁵⁰ [⁵⁰ *Hansard* (EPC-R) 17 cols 9383-9394, 16 May 1990]

Although South Africa was spending over 5% of GNP on health in 1989, disproportionate spending among race groups meant that spending on African health represented only 3% to 3,5% of the GNP. According to detailed research by Professor R E Dorrington and Ms D E McIntyre of the University of Cape Town, the following per capita amounts were spent on health for the various race groups in South Africa in 1987:⁵¹ [⁵¹ McIntyre D E and Dorrington R E, 'Trends in South African Health Care Expenditure', paper presented at conference 'Containing Costs in Health Care', Centre for Health Policy (University of the Witwatersrand), Johannesburg, September 1989]

Per capita health expenditure: 1987

R

African ^a

138

Homeland African ^a

52 ^b

Coloured

340

Indian

356

White

597

^a Includes all ten homelands

^b The amount is approx

Professor Dorrington and Ms McIntyre said that their calculations of per capita expenditure had been based on the assumption that each category of expenditure could be equally apportioned among the

population groups covered by these categories. According to the table, the ratio of African to white expenditure was 1 to 4,3. Even if one assumed that members of medical schemes made no claim on public expenditure, the ratio of African to white expenditure was 1 to 3,4. They concluded: 'The implication of this maldistribution is that although health care expenditure amounted to approximately 5,7% of GNP in 1987, the proportion spent on whites is equivalent to between 13% and 14% of GNP, which is higher than the average in the United States, while that spent on Africans is equivalent to from 3% to 3,5% of GNP which is well below the World Health Organisation's target of 5%. Although the figures should be used with caution, they clearly indicate that it is simplistic merely to refer to aggregated health care expenditure as a percentage of GNP in a country with such a high degree of maldistribution.'

In a paper delivered at a conference hosted by the Centre for the Study of Health Policy at the University of the Witwatersrand, Professor Dorrington and Ms McIntyre also provided the following information on health care spending in South Africa (including all ten homelands) in 1987:

- total health expenditure had amounted to R9,2bn in 1987. Of this amount, 56% was provided by the public sector (3,2% of GNP) and 44% by the private sector (2,5% of GNP);
- in the public sector in 1987, the provincial administrations had been responsible for 55% of health care expenditure, the Department of National Health and Population Development and the three own affairs departments for almost 16%, and all ten homelands for 17% of expenditure;
- personnel of the departments of Defence, Police and Prisons had accounted for approximately the same amount of health care expenditure as local government (which fell under the provincial administrations and provided services for a much larger group of people); and
- in the private sector in 1987, approximately 76% of health-care expenditure was attributable to medical schemes. Of this, 43% had been spent on doctors and dentists, 25% on medicines and 20% on hospitalisation.

Drawing on their own extensive research into health-care expenditure in South Africa between 1971 and 1988, and despite the unreliability of some of the data. Professor Dorrington and Ms McIntyre were able to isolate certain trends in health expenditure patterns. Introducing their findings, they said that 'while aggregated expenditure figures do not necessarily represent the cost of providing health services or the fluctuations in these costs, it is necessary to estimate how much South Africa is spending on health care at present and to indicate whether changes in expenditure over the years are merely attributable to demographic changes and increases in health care costs or to increases in health care provision per capita'.

The researchers found that:

- there had been an average real increase of 4,6% per annum in public sector health expenditure between

1971 and 1988;

- the rate of real increase had been highest for the homelands and for the departments of Defence, Police and Prisons; and
- in a comparative examination of central government departments (including the three own affairs departments, the provincial administrations, and local government (local authorities, divisional councils and regional services councils), the provincial administrations had been the most financially powerful, especially since the devolution of certain services in the late 1980s (see *Administration* above). They had accounted for approximately 77% of health expenditure by all three major sectors in 1988.

Dr Venter told Parliament in March 1990 that of the 1989/90 financial year's health allocation, almost 7% had been spent on the Department of National Health and Population Development; 6% on the Department of Health Services and Welfare (House of Assembly); 0,3% on the Department of Health Services and Welfare (House of Delegates); almost 2% on the Department of Health Services and Welfare (House of Representatives); and 73% on the provincial administrations.⁵² [⁵² *Hansard* (A) 7 q col 532, 19 March 1990]

In all provinces in the 1989/90 financial year, health was allocated a greater share of the total provincial budget than in the previous year. Allocations to health in Natal, the Orange Free State and the Transvaal showed increases in real terms of 8%, 15% and 13% respectively. (The Cape province allocation declined by 6% in real terms, but was measured against a real decline of 13% in the total budget.) Nevertheless, various health specialists and provincial authorities expressed the opinion that the allocations were still well below the amount required to meet health needs.⁵³ [⁵³ Cosser E, *Social and Economic Update* 7, November 1988-March 1989 (SAIRR), and *Social and Economic Update* 8, March 1989- July 1989; various newspaper reports]

According to research by the South African Institute of Race Relations, the proportion of provincial hospital expenditure recovered from patients increased as a result of higher tariffs levied by the different provinces on all categories of patients (including the indigent) between April 1988 and July 1989. Fees for the lowest paying category of patient doubled in that period. The proportion of expenditure recovered from patients in provincial hospitals had increased from 7% in 1987 to 8% in 1988 in the Cape, from 6% to 10% in Natal, from 10% to 13% in the Orange Free State and from 11% to 12% in the Transvaal. 'Limited expenditure on black people is now being coupled-successfully-with cost recovery programmes in provincial hospitals. Such hospitals are extensively relied on by blacks. By contrast, the fact that far more whites than blacks are members of medical aid schemes cushions many whites from state cost-saving measures,' the Institute said.⁵⁴ [⁵⁴ Cosser E, *Social and Economic Update* 9, July 1989- December 1989 (SAIRR)]

Writing in the *South African Medical Journal*, the head of the Department of Medicine at the University of Cape Town's medical school. Professor Solly Benatar, stated that the present system of health care in

‘South Africa’ was ‘maldistributed, poorly funded and co-ordinated, fragmented and duplicated, discriminatory on a racial basis, hospital-based and supported by very poorly developed ancillary services’. The medical education system had not been adequately shaped to respond to the various needs of communities, he also said. Professor Benatar described the 14 ministries of health in South Africa (excluding the ‘independent’ homelands) as ‘an irrational mix of private and public health facilities damaging to the economy and to health care’. Increasing privatisation of health-care facilities was not the answer, Professor Benatar argued, since the economic behaviour of the health-care market did not conform to idealised rules of the free market. He advocated the formation of a unitary public service, ‘working in collaboration with a smaller private medical sector that complements rather than detracts from the public health service’. He added that the private sector, while accounting for about 44% of all health care expenditure in the mid-1980s, had provided only some 13% of hospital beds, and that 46% of all medical practitioners had been employed in the private sector at that time.⁵⁵ [⁵⁵ *The Star* 7 May 1990]

According to an article in *Business Day* in May 1990, operating formerly ‘white’ hospitals at full capacity (see *Policy* above) would cost an additional R700m a year. ‘Commissioned hospital beds cost the state between R122 and R386 a day. About 32% of state hospital beds are in academic hospitals which received about 43% of this year’s [1990/91] R7bn national health budget. They are at the top of the price range because of the quality of staff and facilities. Simplistic calculations, based on an average daily cost of R227 a bed, show that it would cost the state an additional R970m a year to recommission the estimated 11 700 surplus beds or R580m to recommission enough of those beds to satisfy the estimated shortage of 7 000 beds. In addition, the state is looking at an average cost of R111m a year until 2005 to meet requirements for additional trained nursing staff on a phased-in basis.’⁵⁶ [⁵⁶ *Business Day* 25 May 1990]

Addressing a pharmaceutical congress in Johannesburg in April 1990, a researcher at the Pretoria College of Pharmacy, Mr David Boyce, said that the first phase of a study undertaken in 1988, which compared the price of medicines in South Africa with that of 11 western European countries and the United States, showed that only three countries had higher prices than South Africa. In rand terms, local medicine prices were 20% higher than in Britain and 70% higher than in Australia. Mr Boyce said that a way would have to be found to keep the price of medicine manageable if no price control system were introduced.⁵⁷ [⁵⁷ *The Star* 27 April 1990] The minister of finance, Mr Barend du Plessis, said in Parliament in April 1990 that, despite numerous representations made to it, the government would not consider exempting prescribed medicines from the general sales tax of 13%.⁵⁸ [⁵⁸ *Hansard* (A) 12 q cols 823-824, 17 April 1990]

Allocations for spending on health in the 1990/91 budget amounted to over R7bn. This represented approximately 10% of the total budget and an increase of 9% over the 1989/90 figure of R6,5bn.⁵⁹ [⁵⁹ Kelly J, *Social and Economic Update* 10, January June 1990 (SAIRR); *Hansard* (EPC-R) col 9390, 16 May 1990]

Medical Aid Schemes

The 1989 annual report of the registrar of medical schemes to the central council for medical schemes provided the following information concerning membership of various schemes as at December 1988:

Medical schemes membership: December 1988 ^a

Me

DeTotal no of beneficiaries

Medical aid schemes

African

268 191

650 289

918 480

Coloured

164 403

346 166

510 569

Indian

70 283

152 561

222 844

White

1 124 628

1 711 243

2 835 871

Subtotal

1 627 505

2 860 259

4 487 764

Medical benefit schemes

African

34 520

55 098

89 618

Coloured

53 075

74 600

127 675

Indian

1 694

3 586

5 280

White

127 741

227 469

355 210

Subtotal

217 030

360 753

577 783

Exempted schemes^b

African

77 006

43 219

120 225

Coloured

143 633

159 598

303 231

Indian

57 346

28 326

85 672

White

78 814

131 766

210 580

Subtotal

356 799

362 909

719 708

Total

2 201 334

3 583 921

5 785 255

a

Includes medical aid in Namibia.⁶⁰

b

These schemes are exempted from supplying statistics to the registrar of medical schemes. The figures exclude a number of such schemes. In his 1989 report the registrar estimated that a further 1m people were members of exempted schemes. Assuming that the population mix was similar to that of other medical schemes, there might well be 205 000 African, 171 000 coloured, 57 000 Indian and 617 000 white members of such schemes, he added.

⁶⁰ [Information provided by the registrar of medical schemes, 13 August 1990]

Speaking in Parliament in May 1990, the minister of national health and population development, Dr Rina Venter, said that the above figure of almost 6m beneficiaries represented 20% of the population (excluding the 'independent' homelands). If schemes catering for members of the transport services and the uniformed services were included in calculations, about 21% of the population was covered by medical schemes, she added.⁶¹ [⁶¹ *Hansard* (EPC-R) 17 col 9386, 16 May 1990] (See also *Finance*

Medical Personnel

According to the Central Statistical Service, there were 20 942 doctors, 3581 dentists, 8311 pharmacists and 140719 nurses (including midwives and nursing assistants) in South Africa (excluding the 'independent' homelands) in 1988.⁶² [⁶² *RSA Statistics in Brief*, Central Statistical Services, Pretoria, 1990]

Dentists

According to the Human Sciences Research Council, there were approximately 25 African dentists in South Africa (excluding the 'independent' homelands) by early 1990.⁶³ [⁶³ Human Sciences Research Council, *Bulletin*, July 1990]

Doctors

There were approximately 21 000 white doctors but only about 1 000 African doctors in South Africa (excluding the 'independent' homelands) by early 1990.⁶⁴ [⁶⁴ *Ibid*]

Details of the number of (a) applications and (b) acceptances at medical schools in the white-designated areas for the first-year course in 1988 were as follows.⁶⁵ [⁶⁵ *Hansard* (A) 5 q cols 219-220, 6 March 1989]

New medical students: 1988

University

African

Coloured

Indian

White

Total

(a)

(b)

(a)

(b)

(a)

(b)

(a)

(b)

(a)

(b)

Cape Town

Not available

MEDUNSA^a

Not available

Natal

256

40

35

4

431

41

—

—

722

85

Orange Free State

—

—

10

1

—

—

466

138

475

139

Pretoria

—

—

1

1

2

—

728

170

893

192

Stellenbosch

—

—

155

22

—

—

738

170

893

192

Witwatersrand

420

27

66

16
459
53
774
117
1 719
213
Total
676
67
267
44
892
94
2 706
657
4 541
862

^a Medical University of Southern Africa.

The following numbers of students qualified as doctors at these universities at the end of 1987:⁶⁶ [⁶⁶

Hansard (A) 5 q col 224,6 March 1989; *Hansard* (A) 6 q cols 322-323, 13 March 1989; *Hansard* (A) 12 q cols 859-860, 17 April 1990]

Students qualifying as doctors: 1987

University

African

Coloured

Indian

White

Total

Cape Town

—

10

7

144

161

MEDUNSA

53

—

—

—

53

Natal

22

7

68

—

97

Orange Free State

—

—

—

87

87

Pretoria

—

—

—

191

191

Stellenbosch

—

7

—

127

134

Witwatersrand

6

2

21

170

199

Tota

At the end of 1988, the following numbers of students qualified as doctors at these universities:⁶⁷ [⁶⁷
Hansard (A) 12 q cols 859-860, 17 April 1980]

Students qualifying as doctors: 1988

University

African

Coloured

Indian

White

Total

Cape Town

—

8

5

145

158

MEDUNSA

Not available

Natal

24

3

75

—

102

Orange Free State

—

—

—

73

73

Pretoria

—

—

—

184

184

Stellenbosch

—

7

—

127

134

Witwatersrand

14

8

22

172

216

Total

38

26

102

Nurses

The number of applications to train as nurses, the number accepted, and vacancies for students available at institutions for the training of nurses during 1987 were:⁶⁸ [68 *Hansard* (A) 11 q cols 737-738, 19 April 1989]

New nursing students and vacancies: 1987

Applications

Vacancies

Received

Accepted

African

25 414

844

713

Coloured

9 147

329

169

Indian

722

97

—
 White
 2 745
 1 449
 1 973

Race unascertainable

215
 75
 468
 Total
 38 243
 2 794
 3 323

The minister of national health and population development, Dr Willie van Niekerk, said that the large number of ‘non-accepted’ applications derived from a number of reasons: candidates were educationally underqualified; they applied to more than one training centre (thereby increasing the number of applications); they accepted posts but did not turn up for training; and some were turned away owing to a shortage of posts for African students in some areas, as well as to shortages of clinical facilities and funds for salaries and infrastructure for all groups.⁶⁹ [⁶⁹ *Hansard* (A) 22 q cols 1368-1369, 26 May 1989]

The following numbers of nursing students completed their studies at the end of 1987:⁷⁰ [⁷⁰ *Hansard* (A) 11 q cols 737-738, 19 April 1989]

Nursing students qualifying: 1987

African

751

Coloured

38

Indian

71

White

789

Race unascertainable

263

Dr Van Niekerk provided the following statistics regarding the resignation of student nurses from training during 1988:⁷¹ [⁷¹ *Hansard* (A) 6 q cols 326-327, 13 March 1989]

Resignation of student nurses: 1988

1st year

2nd year

3rd year

4th year

African

133

70

49

25

Coloured

70

43

23

3

Indian

15

13

7

2

White

342

147

44

3

Total

560

273

123

33

The numbers of qualified nurses who resigned from employment in hospitals falling under the provincial administrations in 1988 were as follows:⁷² [72 Ibid]

Resignation of qualified nurses: 1988

African

798

Coloured

245

Indian

49

White

2 452

Total

3 544

The minister of health and population development, Dr Rina Venter, told Parliament in February 1990 that almost 42 000 people (including some 30 000 Africans) had applied to train as nurses in 1988. A total of 2 729 had been accepted. She said that there had been more than 2 500 vacancies at various institutions for the training of nurses in 1988. In the same year, 616 African, 280 coloured and Indian nurses, and 683 white nurses had completed their training.⁷³ [73 *Hansard* (A) 3 q cols 128-129, 22 February 1990]

Dr Venter also said that 170 African, 161 coloured and Indian, and 466 white nursing students had resigned in the course of their training in 1989.⁷⁴ [74 *Hansard* (A) 3 q cols 115-116, 21 February 1990] In the same year, 3 528 registered nurses had resigned from employment at hospitals falling under the provincial administrations. Records were no longer kept for different race groups, the minis

In March 1990 Dr Venter said that there were 25 provincial schools for the training of nurses. Ten of these schools trained students from one race group only and another six trained students from two race groups. Students from three race groups were trained at five of the schools, while the remaining four

schools trained students from all race groups. Each school determined its own selection criteria, she said. Dr Venter stated that 'the steadily increasing integration of training facilities for nurses must be seen as a major achievement in the removal of discriminatory measures in nursing generally'. She said that the South African Nursing Association had removed all reference to race from its constitution and that a work group of the Health Matters Advisory Committee, under the chairmanship of the director general of the Department of National Health and Population Development, Dr Coen Slabber, was busy identifying instances of racial discrimination in nursing. Dr Venter asserted that once this had been done, 'everything possible will be done to institute corrective measures'.⁷⁶ [⁷⁶ *Hansard* (D) 4 q cols 263-269, 1 March 1990]

In February 1990 the minister of health services, welfare and housing (white own affairs), Mr Sam de Beer, said that 31 hospitals under his control employed only white nursing personnel.⁷⁷ [⁷⁷ *Hansard* (A) 3 q cols 96-97, 20 February 1990]

In the same month Dr Venter said that while the question of nurses' salaries had to be addressed, several other problems, which had been brought to her attention by the South African Nursing Association, had to be dealt with. These included policy matters, regulations, training requirements, the demand for specialised manpower, the high attrition rate at training institutions, relationships with different health disciplines, and the handling of grievances. She had asked the health matters advisory committee to investigate these problems. A private firm of consultants had been contracted by her department to carry out an objective investigation, Dr Venter added. Furthermore, a second investigation into nursing personnel was under way as it was 'quite clear that the annual growth in the number of registered nurses is insufficient to meet the future needs of our health services'. The reports of both investigations would be discussed with the South African Nursing Council and the South African Nursing Association before she compiled final recommendations on which to act, the minister said. Dr Venter denied allegations that the handling of the nursing issue was an example of the government's crisis style of management. She said that in the past two years, 44 new private hospitals (which offered better pay to nurses) had been developed and that this was one of the factors which had exacerbated the crisis in nursing facilities.⁷⁸ [⁷⁸ *Hansard* (A) 2 q cols 7-14, 13 February 1990]

The minister for administration and privatisation, Dr W J de Villiers, told Parliament in February 1990 that the South African Nursing Association would soon become a recognised body within the public service. As such, it would in future be able to furnish inputs for the improvement of the remuneration and conditions of service of nursing staff directly to the Commission for Administration, instead of furnishing them via the Department of National Health and Population Development.⁷⁹ [⁷⁹ *Hansard* (A) 3 q cols 74-75, 20 February 1990]

It was announced that on 1 July 1990 registered nurses and enrolled nursing assistants would receive salary increases ranging from 23% to 48%. The increases included the special occupational allowance for nurses. They also included a general non-pensionable increase of 10% given to all civil servants on 1 April 1990. In comparison with March 1990 salaries, nurses received the following increases: 23% to 41% for registered nurses, 22% to 37% for enrolled nurses, and 23% to 48% for enrolled nursing

assistants. In addition, night duty allowances were increased by 44% for registered nurses, 67% for enrolled nurses, and by more than 100% for enrolled nursing assistants.⁸⁰ [⁸⁰ *The Citizen, The Star* 19 June 1990] The president of the South African Nursing Association, Mrs Odelia Muller, claimed that ‘the hard work, careful planning, intensive negotiations and continued prodding of the authorities by the association have really paid off’.⁸¹ [⁸¹ *The Star* 19 June 1990] Nurses would benefit variously, depending on their rank, their notch on the salary scale and whether or not they were entitled to certain allowances. Mrs Muller also said that, apart from salary increases, many nurses would henceforth benefit from changes in the structure of nursing careers, which meant greater opportunities for promotion. A nurse working in the clinical field could be promoted to senior nursing assistant, senior enrolled nurse and senior professional nurse without having to wait for a vacant post. Further improvements currently under consideration were the extension of night duty allowances, the provision of overtime pay to beyond the level of chief professional nurse and ‘substantial increases in overtime rates’.⁸² [⁸² *The Citizen* 19 June 1990]

According to the National Education, Health and Allied Workers’ Union, the salary increases were ‘far from adequate’. The situation could be remedied only through a government ‘three-year-plan’ granting similar increases of between 25% and 50% each year. The union also said that nurses were still poorer after the increase than they had been in 1986, since salaries had not kept up with inflation. It predicted that the private sector would be able to do more than meet the ‘inadequate’ public sector increases and that the flow of nurses from the public to the private sector would ‘probably continue after a short delay’. The union also said it regretted the fact that problems in working conditions, which constituted the major complaint of nurses besides the issue of pay, had not been addressed.⁸³ [⁸³ *The Star* 29 June 1990]

Following the announcement of pay increases for nurses, the chairman of the National Association of Private Hospitals, Dr Edwin Hertzog, said that private hospitals would be adjusting their tariffs as they had no option but to keep pace with salaries paid in public hospitals. He also said that about 14% of nurses were employed by private hospitals and that their salaries represented close to 60% of the monthly operating expenses of these hospitals. He added, however, that the association welcomed the increases, as they would help alleviate the shortage of nurses.⁸⁴ [⁸⁴ *Business Day, The Citizen* 20 June 1990]

Nurses and non-professional staff at the Ga-Rankuwa Hospital (near Pretoria) went on strike from 4 April to 12 April 1990. The strikers demanded the resignation of two white personnel officers accused of racism. The South African Defence Force moved in to run essential services.⁸⁵ [⁸⁵ *The Citizen* 6 April 1990] On 9 April police baton-charged and fired rubber bullets at a crowd outside the hospital and, according to a doctor, also entered wards and operating theatres and fired teargas and made arrests. Because some of the police could not distinguish between nurses, visitors and patients, some patients and their visitors were dragged out of the wards and arrested at random. A number of nurses and visitors were allegedly Sjambokked inside the wards. At least 30 people were injured.⁸⁶ [⁸⁶ *The Star* 10, 11 April 1990] Doctors then went on a go-slow, caring for emergency patients only, and demanded the resignation of the hospital’s superintendent.⁸⁷ [⁸⁷ *Ibid* 10 April 1990]

In May 1990 the administrator of the Transvaal, Mr Danie Hough, appointed a commission of inquiry into the strike under the chairmanship of Mr Justice P M Cillié. The commission started its proceedings on 13 June 1990. It was to inquire into and report on the causes and consequences of the strike; and the question of whether any person or organisation could be held criminally liable on the grounds of his organising of, or participation in, the strike. It would also investigate whether any child or other patient had died as a result of the strike and whether any person or organisation could be held criminally liable for such deaths. It would recommend measures to prevent similar strikes in the future.⁸⁸ [⁸⁸ General Notice, no 403 of 1990, *Government Gazette* no 12469, 14 May 1990] It had been alleged that 23 premature babies had died owing to neglect resulting from the strike.⁸⁹ [⁸⁹ *Sowetan* 19 April 1990, *The Star* 15 May 1990, *Business Day* 22 May 1990] At the time of writing, the Cillié commission had not yet reported.

Towards the end of April 1990, some 500 nurses went on strike to back demands for better wages and working conditions at the Cecelia Mkilwane Hospital (Mdantsane, Ciskei). They were arrested and taken to Mdantsane prison, from which they were released on bail. The homeland's ruling military council of state responded to the strike by stating that criminal charges would be laid against the nurses and that all those found guilty of having participated in the strike would be dismissed.⁹⁰ [⁹⁰ *The Citizen* 27 April 1990]

Other health workers

Two major strikes by (mostly) non-professional staff caused widespread disruption of services at provincial hospitals in the Cape province and the Transvaal in the first half of 1990. For details concerning these strikes, see chapter on *Labour Relations*.

It was reported in May 1990 that health workers at the Manapo Hospital in QwaQwa were taking part in a general strike of some 10 000 public servants. The minister of health, Mr M J Motsekuoa, claimed that the situation at the hospital was under control. However, doctors at Manapo urged the chief minister of QwaQwa, Chief Kenneth Mopeli, to meet workers' demands, saying that many lives were in danger as a result of the health workers' participation in the strike (see chapter on *The Homelands*).⁹¹ [⁹¹ *The Star* 18 May 1990]

Health Services

In 1989 the Development Bank of Southern Africa (DBSA) published the following 'health indicators' with regard to South Africa (excluding the 'independent' homelands). Figures were for different years in the periods 1980–1982 and 1985–1986:⁹² [⁹² Esterhuysen P W (compiler), *Southern Africa: An interstate comparison of certain salient features* (Development Bank of Southern Africa, Johannesburg, 1989)]

Health indicators: 1980-82 and 1985-86 (excluding TBVCa)

1980-82

1985-86

No of persons

Per doctor

1 550

1 350

Per nurse

325

300

Per hospital bed

170

190

Per clinic/health care

1 318

1 563

^a Transkei, Bophuthatswana, Venda and Ciskei.

According to the DBSA, the most recent statistics regarding the numbers of medical personnel in the homelands would be available only towards the end of 1990. (For earlier statistics for the homelands, see *1988/89 Survey* p3. See also *Homelands* below, for homeland 'health indicators' up to 1

Family planning

In May 1990 the minister of national health and population development, Dr Rina Venter, said that the

population development programme (established in 1984) was 'achieving definite results'. She provided the following information regarding total fertility rates (the number of children per woman in her fertile years) between 1986 and 1989:⁹³ *Hansard* (EPC-R) 17 col 9622, 17 May 1990]

Total fertility rates: 1986-1989

1986

1988

1989

African (including non-independent homelands)

5,2

5,1

4,9

African (excluding non-independent homelands)

4,2

3,9

3,7

Coloured

3,6

3,0

2,9

Indian

2,8

2,4

2,3

White

2,1

1,8

1,7

In April 1990 the government announced that it would be looking anew at the Abortion and Sterilisation Act of 1975 and called on all interested parties to make representations to the Department of National Health and Population Development. The 1975 act forbids abortion unless a woman has been raped, the foetus is abnormal or a medical panel agrees that having the child will irreparably damage the woman physically or mentally. The government's decision was welcomed by the Abortion Reform Action Group.⁹⁴ [⁹⁴ *The Star* 24 April 1990] Dr Venter told Parliament in May 1990, however, that changes to the existing legislation were unlikely.⁹⁵ [⁹⁵ *Hansard* (EPC-R) 17 col 9622, 17 May 1990]

According to Dr Venter 785 legal abortions had been performed between January and December 1989. She said that there were no official estimates of the number of illegal abortions in that period.

Health of prisoners and detainees

In reply to a question in Parliament the minister of justice, Mr Kobie Coetsee, said in June 1990 that dietary punishment was permitted and used in prisons. During 1989, 13 581 prisoners had received dietary punishment, while 4 118 prisoners had been punished in this manner in the first four months of 1990. Mr Coetsee claimed that prisoners subjected to solitary confinement with dietary punishment were first examined by a medical officer who certified whether the punishment would be detrimental to physical and mental health.⁹⁷ [⁹⁷ *Hansard* (A) 21 q cols 1760-1763, 12 June 1990]

A substantial number of hunger strikers were hospitalised during an almost nationwide hunger strike by political detainees in the first half of 1989 (see chapter on *Security*). According to the minister of law and order, Mr Adriaan Vlok, 134 out of a total of 644 detainees who had gone on hunger strike had been admitted to hospitals in various cities.⁹⁸ [⁹⁸ *Hansard* (A) 17 q cols 1040-1041, 11 May 1989]

The minister of national health and population development, Dr Willie van Niekerk, said in March 1989 that all detainees on hunger strike who had requested to be seen by private doctors had been granted

permission for this.⁹⁹ [⁹⁹ *Hansard* (A) 5 q cols 248-249, 7 March 1989] On the same day Mr Vlok told Parliament that 23 detainees who had been on hunger strike had been discharged from hospital and had been returned to their places of detention on the recommendation of the doctors who had treated them, once the detainees had started eating.¹⁰⁰ [¹⁰⁰ *Ibid*, col 244]

On 15 March 1989 Mr Vlok said that 44 striking detainees who had been placed on intravenous drips had consented to this being done.¹⁰¹ [¹⁰¹ *Hansard* (A) 6 q col 409, 15 March]

At the end of March 1989 the Department of Law and Order announced that all hunger strikers would in future be 'centralised' and moved to Pelonomi Hospital in Bloemfontein (Orange Free State) (see chapter on *Security*).¹⁰² [¹⁰² *Business Day, The Star* 29 March 1989] The chief superintendent of Pelonomi Hospital allegedly told a Bloemfontein newspaper that he had neither the staff nor the space to deal with a sudden influx of hunger strikers.¹⁰³ [¹⁰³ *Sunday Tribune* 9 April 1989] As more hunger strikes by political and other detainees occurred in 1989 and the first half of 1990¹⁰⁴ [¹⁰⁴ *Hansard* (A) 6 q col 433, 13 March 1990] (see chapter on *Security*), it became apparent that the decision was not being adhered to.¹⁰⁵ [¹⁰⁵ Various newspaper reports]

In March 1989 a Boksburg magistrate's court ruled that no one could be blamed for the death in 1986 of a 20-year-old former vice chairman of the Congress of South African Students, Mr Simon Marule, who had died of kidney failure while detained at Modderbee Prison (Benoni).¹⁰⁶ [¹⁰⁶ *The Star* 6 March 1989] A postmortem examination had found that the cause of death was uncertain, the magistrate said.¹⁰⁷ [¹⁰⁷ *City Press* 22 January 1989] At earlier inquest hearings in the Boksburg court in November 1987 and January 1988 the court was told that 4 600 detainees admitted to Modderbee Prison received unsatisfactory, superficial examinations in limited sessions with district surgeons.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 20 January 1989] It was alleged that Mr Marule had been assaulted by policemen at the Dunnottar Police Station before his admission to the prison, that salient symptoms of his disease had been ignored and that no urine or blood pressure tests had been carried out.¹⁰⁹ [¹⁰⁹ *Ibid*; *City Press* 22 January 1989]

A recently released political prisoner, Mr Richard Sekonya, was admitted to hospital with tuberculosis a few days after his release from Modderbee Prison in June 1990. His referring doctor, a member of the National Medical and Dental Association, said that a visibly ill Mr Sekonya had told her that he had never seen a doctor, despite repeated requests on his part. Moreover, he had been in a cell with 40 other prisoners, and all of them might thus be in danger of contracting the disease, the doctor added. In response to queries by a newspaper, the South African Prisons Service (SAPS) stated that while it was 'the policy of the SAPS not to furnish details with regard to the medical treatment of individuals', it did provide care of 'a very high standard', and that all prisoners had access to medical care 'on a daily basis'. The SAPS also said that Mr Sekonya had consulted various doctors 25 times during the four years when he had been in jail, but did not provide details of the dates of consultation.¹¹⁰ [¹¹⁰ *The Star* 19 June 1990]

White-designated areas

According to the *Hospital and Nursing Yearbook* there were 621 hospitals in the white-designated areas of South Africa in 1989. This number included all provincial, own affairs, state-aided and private hospitals, as well as hospitals run by the Chamber of Mines of South Africa and the South African National Tuberculosis Association. Together, these hospitals had 120 995 beds in 1989 (507 more than in 1988). The yearbook divided the total number of beds into 36 706 'white' beds (which included all private beds) and 84 289 'non-white/public beds'. According to the editor and publisher of the yearbook, Mr H Engelhardt, this breakdown did not take into account the complexities of health administration in the white-designated areas. (Many, but not all, private hospitals admit people from all race groups while specialised facilities at hospitals for one race group were frequently available to people of other race groups.) The breakdown did, however, provide a fair indication of hospital bed facilities for whites as opposed to those for other race groups in 1989.¹¹¹ [¹¹¹ *Hospital and Nursing Yearbook for Southern Africa, 1989*, (H Engelhardt and Co, Cape Town); telephonic conversation with Mr Engelhardt, June 1990] The minister of national health and population development, Dr Rina Venter, said in April 1990 that the following provincial hospitals/wards had been racially integrated prior to her May 1990 announcement that all provincial hospitals would henceforth be open to all races (see *Policy* above): intensive care and high care units at 11 hospitals in the Cape province, 11 hospitals as well as all wards providing specialised services in Natal, and ten wards at six different hospitals in the Transvaal. There had been no integrated facilities in the Orange Free State, she said.¹¹² [¹¹² *Hansard* (A) 13 q cols 1067-1068, 26 April 1990]

In the 1988/89 financial year, according to the minister, the following numbers of provincial hospitals were underutilised:¹¹³ [¹¹³ *Ibid*, cols 1067-1076]

Underutilised provincial hospitals: 1988/89

Province

Race group served

Average proportion of beds occupied

Number of hospitals

Cape

N/A

50-60%

11

N/A

40-50%

8

N/A

35-40%

3

N/A

less than 30%

1

Natal

All

50-60%

4

40-50%

1

30-40%

1

Coloured/white

less than 20%

1

less than 10%

1

Ind30-40%

1

White

50-60%

2

30-40%

2

20-30%

2

less than 10%

1

Orange Free State

African

50-60%

2^a

White

50-60%

4

30-40%

2

20-30%

6

10-20%

2

Transvaal

African

50-60%

6

40-50%

1

30-40%

1

Coloured

40-50

1

30-40

1

20-30

1

less than 10%

1

Indian

50-60%

1

40-50%

1

30-40%

4

20-30%

4

10-20%

4

less than 10%

4

White

50-60%

8

40-50%

10

30-40%

4

a

Figures refer to wards, not hospitals. All underutilised hospitals in the Orange Free State served both Africans and whites, but had segregated w

The following provincial hospitals were overcrowded (ie had an average occupancy rate in excess of 90%) during the 1988/89 financial year:¹¹⁴ [¹¹⁴ Ibid; *Hospital and Nursing Yearbook for Southern Africa, 1989*]

Overcrowded provincial hospitals: 1988/89

Pr

Ho

RaAverage proportion of 'beds occupied'

Cape

Bedford

N/A

105%

Ceres

All

102%

Conradie

All

90%

Kakamas

All

92%

Livingstone

'Non-white'

94%

Oudshoorn

All

93%

Red Cross

All

105%

Reivilo

All

95%

Somerset West

All

110%

Vredendal

All

93%

Natal

Bruntville CHC

'Non-white'

138%

Ixopo

'Non-white'

113%

King Edward VIII

All

96%

Kokstad

'Non-white'

93%

Ladysmith

'Non-white'

92%

Orange Free State

Boitumelo

'Non-white'

102%

Phekolong

'Non-white'

143%

Welkom^a

'Non-white'

188%

Zastron^a

'Non-white'

115%

Transvaal

Amajuba memorial

African

102%

Baragwanath

African

97%

Boksburg-Benoni

African

91%

Boksburg-Benoni

Coloured

155%

Christiana

African

127%

Dr A G Visser

African

107%

Ermelo

African

95%

Far East Rand

African

99%

Ga-Rankuwa

African

98%

Itshelejuba

African

130%

J D Verster

African

148%

Natalspruit

African

100%

Nic Bodenstein

Coloured

98%

Paul Kruger Memorial

African

122%

Rob Ferreira

African

93%

Sabie

Coloured

147%

Schweizer-Reneke

African

97%

Weskoppies

African

138%

a

Refers to specific wards at these hospitals.

N/A

Not ava

Patient/doctor ratios (excluding private patients and including fulltime doctors only), and patient/nurse ratios at these hospitals were as follows as at 31 December 1989:115 [¹¹⁵ *Hansard* (A) 13 q cols 1067-1076, 26 April 1990]

Patient/doctor and patient/nurse ratios: 31 December 1989

Province

Hospital

Patient/ doctor ratio^a

Patient/ nurse ratios^a

Cape

Bedford

—

1,2 to1

Ceres

—

1,7 to 1

Conradie

13,2 to 1

1,0 to 1

Kakamas

—

1,0 to 1

Livingstone

6,9 to 1

0,8 to 1

Oudshoorn

34,0 to 1

0,9 to 1

Red Cross

37,7 to 1

0,5 to 1

Reivilo

—

1,4 to 1

Somerset West

11,0 to 1

1,1 to1

Vredendal

—

1,6 to1

Natal

Bruntville CHC

N/A

N/A

Ixopo

N/A

N/A

King Edward VIII

14,8 to 1

1,8 to1

Kokstad

N/A

N/A

Ladysmith

33,8 to 1

2,2 to1

Orange Free State

Boitumelo

16,0 to1

1,1 to1

Phekolong

25,4 to 1

1,6 to1

Welkom

17,4 to 1

1,0 to1

Zastron

—

1,6 to1

Transvaal

Amajuba

—

1,5 to1

Baragwanath

47 to 1

1,0 to1

Boksburg-Benoni

3,3 to 1

1,0 to1

Christiana

—

0,9 to1

Dr A G Visser

19,9 to 1

0,7 to1

Ermelo

—

0,7 to1

Far East Rand

N/A

N/A

Ga-Rankuwa

6,0 to 1

1,1 to1

Itshelejuba

237,0 to 1

1,7 to1

J D Verster

—

1,9 to1

Natalspruit

14,8 to 1

1,0 to1

Nic Bodenstein

—

1,3 to1

Paul Kruger Memorial

29,0 to 1

0,8 to1

Rob Ferreira

5,3 to 1

1,0 to1

Sabie

—

1,3 to1

Schweizer-Reneke

1,5 to 1

Weskoppies

50,4 to 1

2,9 to 1

a

Figures have been rounded off.

N/A

Not available. A dash indicates that there were no full-time

At the beginning of July 1990 interns at King Edward VIII Hospital in Durban said that they were being forced to take drastic action to highlight the 'deplorable conditions' at the hospital. They described the hospital as 'so overloaded, understaffed and underfunded that it is on the brink of disaster'. The 64 interns said that their dedication to patient care was being used as a 'subtle whip to flog demoralised and disenchanted interns along'. In terms of rosters they submitted to hospital authorities, they would be working only 60 (instead of 100) hours per week and would not be doing any overtime. The interns said that they would no longer perform duties which ought to be carried out by porters, messengers, ward clerks, technicians, nurses and pharmacists. Internship at the hospital had become part of a 'system of staff exploitation designed to compensate for staff shortages, patient overload, lack of funds and the overall mismanagement of health services'. By allowing these conditions to persist, the interns asserted, they had begun to practise medicine which was 'immoral and ethically unjustifiable'. They suggested that the South African Medical and Dental Council review the status of the hospital, since training under present conditions was not of an acceptable standard.¹¹⁶ [¹¹⁶ *The Citizen* 5 July 1990]

In April 1990 the minister of health services, welfare and housing (white own affairs), Mr Sam de Beer, provided the following average bed occupancy rates, patient/doctor and patient/nurse ratios, for 1989 at each hospital under the control of his department:¹¹⁷ [¹¹⁷ *Hansard* (A) 12 q cols 851-852 and cols 915-918, 18 April 1990]

White own affairs hospitals: 1989

Province

Hospital

Occupancyrate ^a

Patient/ doctor ratio ^a

Patient/ nurse ratio ^a

Cape

Port Elizabeth

54%

17,0 to 1

2,2 to 1

Volks

39%

57,0 to 1

1,7 to 1

Walvisbay

44%

0,8 to 1

1,3 to 1

William Slater

33%

b

0,9 to 1

Natal

Grey's

65%

6,3 to 1

0,4 to 1

Greytown

32%

P/D

0,4 to 1

Hillcrest

80%

93,0 to 1

1,4 to 1

Orange Free State

Bethlehem

54%

1,5 to 1

0,5 to 1

Jagersfontein

38%

5,0 to 1

0,6 to 1

Sasolburg

50%

1,8 to 1

0,5 to 1

Voortrekker

69%

3,3 to 1

0,8 to 1

Zastron

30%

2,0 to 1

0,5 to 1

Transvaal

Andrew McColm

63%

P/D

0,9 to 1

Bernice Samuel

43%

7,3 to 1

1,3 to 1

Bloemhof

49%

4,8 to 1

1,9 to 1

Brits

74%

2,8 to 1

1,1 to 1

Delareyville

31%

8,8 to 1

2,0 to 1

Duiwelskloof

68%

4,8 to 1

1,7 to 1

Edenvale

56%

2,7 to 1

0,8 to 1

Elsie Ballot

33%

27,2 to 1

2,3 to 1

Evandale

50%

42,8 to 1

2,0 to 1

Far East Rand

54%

N/A

1,0 to 1

F H Odendaal

64%

N/A

1,3 to 1

General Delarey

46%

19,1 to 1

1,9 to 1

Groblersdal

40%

1,1 to 1

1,9 to 1

H A Grove

36%

8,7 to 1

2,0 to 1

Hendrik van der bijl

55

1,

1,

J G Strijdom

48%

1,7 to 1

2,3 to 1

Kempton Park

62%

1,0 to 1

0,8 to 1

Louis Trichardt memorial

47

7,

1,

Ontdekkers memorial

45

2,

0,

Paardekraal

55%

N/A

1,1 to 1

Phalaborwa

56%

14,3 to 1

1,3 to 1

Pretoria West

54%

1,4 to 1

1,0 to 1

Sannieshof

40%

1,0 to 1

1,1 to 1

South Rand

42%

3,0 to 1

1,4 to 1

Sybrand van Niekerk

58

3,

1,

Van Velden memorial

52

5,

1,

Ventersdorp

43%

6,3 to 1

1,9 to 1

Vereeniging

70%

N/A

1,0 to 1

Voortrekker

43%

6,3 to 1

1,3 to 1

Warmbad

41%

8,7 to 1

1,3 to 1

Waterval Boven

62%

27,2 to 1

2,0 to 1

Willem Cruywagen

54

3,

1,^a Figures have been rounded off.

^b Doctors' services provided by Groote Schuur Hospital when required

P/D All patients of this hospital were private patients treated by private doctors.

N/A Not available, because these hospitals formed part of hospital complexes with separate white and no-white hospitals, but with a joint establishment of doctors. It was thus not possible to determine how many posts could be said to belong to white sections of the complex.

The medical officer of health for Pietermaritzburg, Dr I Walters, said in April 1990 that people in the area had become so concerned with sheer survival that primary health care such as family planning and immunisation had 'fallen by the wayside'. Attendance at all clinics, including the only clinic in the area which treated sexually transmitted diseases, had dropped by about 25% in the past two months, as violence had intensified (see chapter on *Political Developments*). Dr Walters also said that clinic hours had been changed to protect health workers who had received death threats. Several African health inspectors had also been threatened with death. According to Dr Walters, Grey's Hospital in Pietermaritzburg (then a white own affairs hospital) had been forced to admit many injured supporters of the United Democratic Front who had refused to be treated at the Edendale Hospital. Administered by KwaZulu, Edendale Hospital was regarded as an Inkatha 'stronghold', he said.¹¹⁸ [¹¹⁸ *Business Day* 23 April 1990]

In April 1990 the minister of planning and provincial affairs, Mr Hernus Kriel, said that he would make R250 000 available for the relief of refugees from the political violence in Natal.¹¹⁹ [¹¹⁹ *Ibid* 14 May 1990] This amount was in addition to funds made available by the Natal Provincial Administration.¹²⁰ [¹²⁰ Various newspaper reports]

Speaking during the debate on the budget vote of the Johannesburg City Council in June 1990, a Democratic Party councillor, Ms Judith Briggs, stated that greater Johannesburg needed to plan primary health care services for about 4m people by the year 2000. She said that the city lacked the type of community health centre which was able to provide basic health care 24 hours a day. According to Ms Briggs, there were 97 clinics in Johannesburg, one per 10 000 people, but only one clinic per 100 000 people in Soweto and per 350 000 in Diepmeadow. She suggested that the rationalisation of existing services could provide about 20 community health centres, including satellite clinics and outside stations. This would help to remedy the legacy of apartheid health policy' in Johannesburg, she added.¹²¹ [¹²¹ *The Star* 26 June 1990]

Homelands

In 1989 the Development Bank of Southern Africa published the following 'health indicators' with regard to the homelands. Unless otherwise indicated, figures were for different years in the periods 1980–1982 and 1985–1986:¹²² [Esterhuysen, *Southern Africa: An Interstate Comparison*]

Homelands health indicators: 1980-82 and 1985-86

Persons per doctor

Persons per nurse

1980-82

1985-86

1980-82

1985-86

Bophuthatswana

21 600

16 400

540

650

Ciskei

5 000

4 000

270

220

Gazankulu

14 700^a

7 500

850^a

450

KaNgwane

9 450

16 500

515

730

KwaNdebele

N/A

51 800

N/A

1 300

KwaZulu

12 800

15 800

630

770

Lebowa

48 200

60 300

900

590

QwaQwa

34 200

17 100^b

880

760^a

Transkei

19 600

11 800

535

536

Venda

34 800

24 200

1 000

600

Homeland health indicators: 1980-82 and 1985-86

Persona per hospital bed

Persons per clinic/health centre

1980-82

1985-86

1980-82

1985-86

Bophuthatswana

330

370

13 100

11 200

Ciskei

340

250

8 600

8 000

Gazankulu

330^a

345

7 750^a

6 450

KaNgwane

380

495

7 100

4 650

KwaNdebele

N/A

580

N/A

10 600

KwaZulu

430

490

6 900

7 700

Lebowa

400

485

15 700

17 400

QwaQwa

700

1 100^b

17 100

13 300^b

Transkei

380

390

16 000

13 500

Venda

330

350

9 300

9 200

^a 1983 figures.

^b 1987 figures

N/A Not available.

According to the *Hospital and Nursing Yearbook*, the homelands had the following number of hospitals, and beds in those hosp

Homeland hospitals and hospital beds: 1988 and 1989

1988

1989

Hospitals

Beds

Hospitals

Beds

Bophuthatswana

16

6 294

16

6 216

Ciskei

7

3 555

8

3 119

Gazankulu

7

2 260

8

2 430

KaNgwane

3

1 038

3

1 038

KwaNdebele

1

524

1

524

KwaZulu

31

10 189

31

10 189

Lebowa

15

4 749^a

16

5 173^a

QwaQwa

2

624

2

626

Transkei

33

7 979

33

8 022

Venda

4

1 751

4

1 022

Total

119

38 963^b

122

39 214^b

^a Includes the only four private beds recorded in any of the homelands.

^b Excludes two psychiatric hospitals with 2 540 beds.

In June 1990 the KwaZulu secretary of health, Dr Daryl Hackland, said that only about 43% of medical officers' posts were filled in the homeland. This estimate had been reached after surveying both rural hospitals and some of the better-off urban hospitals. Providing details of the situation, Dr Hackland said that the Untunjambili Hospital (near Kranskop) served a population of 100 000, had 128 beds, and did not have a full-time doctor. The 320-bed Montebello Hospital (near Wartburg) had only one full-time doctor, while serving a population of 150 000. Only two of 15 posts were filled at the Charles Johnson Hospital at Nqutu (between Dundee and Vryheid). The two full-time doctors supervised 534 beds and served 200 000 people. Of the minimum number of 15 posts at the St Benedictine Hospital (Nongoma), only five were filled. The hospital had 598 beds to serve a population of 150 000. The much larger 'urban' hospital at Edendale (near Pietermaritzburg) had only three doctors in the obstetrics and gynaecology departments and only four medical officers in the orthopaedic department (which meant that only seven of 30 posts had been filled). In all hospitals, doctors were faced with the sole responsibility for hundreds of in-patients and thousands of out-patients. Dr Hackland said that urgent steps were being taken to recruit qualified staff and that new contract deals were being offered to attract doctors to the rural areas. He added that the serious maldistribution of doctors in South Africa (excluding the 'independent' homelands) was being addressed by the Department of National Health and Population D

Diseases

The 1988 and 1989 annual reports of the Department of National Health and Population Development provided the following information concerning reported cases of some specific notifiable conditions in South Africa (excluding the 'independent' homelands) between 1985 and 1989:¹²⁵ [¹²⁵ Department of National Health and Population Development, Annual reports, 1988 and 1989]

Notification of diseases: 1985-1988

Disease

1985

1986

1987

1988

Cholera

700

280

43

6

Diphtheria

46

18

28

19

Leprosy

95

133

108

100

Malaria

10 409

6 842

10 070

8 597

Measles

15 378

12 492

21 120

13 886

Meningococcal infection

528

501

664

934

Poliomyelitis (acute)

69

41

24

172

Trachoma

20

107

652

4 334

Tuberculosis (all forms)

53 129

50 991

53 627

57 704

Typhoid fever

4 559

3 878

4 172

3 675

Viral hepatitis

1 530

1 383

1 526

1 844

Reported deaths from these specific notifiable conditions in South Africa (excluding the 'independent' homelands) were as follows between 1985 and 1989:¹²⁶ [126 Ibid]

Reported deaths from some notifiable conditions: 1985-1988

Disease

1985

1986

1987

1988

Cholera

—

4

—

—

Diphtheria

2

4

—

4

Leprosy

—

2

2

2

Malaria

21

13

9

45

Measles

294

304

425

288

Meningococcal infection

62

54

69

98

Poliomyelitis (acute)

3

1

1

4

Trachoma

—

—
—
—

Tuberculosis (all forms)

1 881
1 989
2 300
2 264

Typhoid fever

49
56
35
38

Viral hepatitis

43
30
40
53

A dash indicates that no deaths were reported.

According to the annual report for 1988 of the Department of Health in the **Transkei**, the following

number of cases of measles had been notified in the last few years: 1984,434 cases; 1985,589 cases; 1986,4323 cases; 1987,8 157 cases; and 1988,5 298 cases. There were 376 notified deaths from measles in the Transkei in 1988. Between 1984 and 1988 there were also 762 notified cases of typhoid resulting in 11 deaths, and 85 notified cases of poliomyelitis resulting in eight deaths.¹²⁷ [127 Republic of Transkei, Department of Health, Annual report 1988]

According to the annual report for 1988 of the Department of Health in **Venda**, the following cases of some notifiable diseases were reported in the

Notification of diseases in Venda: 1987 and 1988

Disease

1987

1988

AIDS

0

5

Malaria

211

354

Marasmus and Kwashirkor

744

802

Measles

459

733

Poliomyelitis

0

2

Tuberculosis

542

576

Typhoid

477

655

Hepatitis

89

91

The number of deaths resulting from these diseases was not obtainable.

Information concerning notifiable diseases in Bophuthatswana and the Ciskei in 1988 was not obtainable.

For further details concerning some of the notifiable diseases,

Acquired Immune Deficiency Syndrome (AIDS)

According to the minister of national health and population development, Dr Rina Venter, 2 396 people-907 Africans, 91 coloured people, 10 Indians, 956 whites and 432 people of unknown 'population group'-had tested positive for the human immunodeficiency virus (HIV), which causes AIDS, by 30 October 1989.¹²⁸ [¹²⁸ *Hansard* (A) 7 q col 618, 21 March 1990] By 24 April 1990, the number had risen to 3 450 people.¹²⁹ [¹²⁹ *Hansard* (EPC-R) 17 col 9620, 17 May 1990]

In May 1990 the Department of National Health and Population Development provided the following information concerning cases of full-blown AIDS in the white-designated areas and the six non-independent homelands between 1982 and 24 April 1990:¹³⁰ [¹³⁰ *The Star* 12 May 1990]

Cases of full-blown AIDS: 1982-24 April 1990^a

<i>Cases</i>	
Deaths	
Cape	68
	39
Natal	99
	27
Orange Free State	
	13
	6
Transvaal	
	206
	124
Total	
	386
	196

^a Excluding the Transkei, Bophuthatswana, Venda and the Ciskei. Updates figures are provided in the *Overview*.

The greatest number of cases were among the 30 to 39-year

The department estimated that 55 000 people in South Africa (excluding the 'independent' homelands) had been infected with AIDS by the end of 1989. It said that its figures provided a 'fair' estimate of the problem and that it could not be accused of being secretive or of under-reporting AIDS and HIV-positive cases. In the case of the latter category, findings could not be made on the basis of a simple test. The department asserted that 'test results made available without confirmation tests lead to incorrect information being disseminated, creating a situation which does not, in fact, exist. This should be avoided'.¹³¹ [¹³¹ *The Citizen* 10 May 1990]

The director of the National Institute of Virology, Professor Barry Schoub, said that the department's May 1990 figures were 'an honest attempt to get as accurate a return as possible'. He said, however, that cases were clearly under-reported, as were cases all over the world.¹³² [¹³² *The Star* 12 May 1990]

Dr Venter told Parliament in March 1990 that R4,5m had been spent on combating AIDS in the 1989/90 financial year. Most of this amount had been spent on HIV laboratory tests of suspected cases, the supply of more condoms, the running costs of existing AIDS training and information centres and the costs of establishing three new centres, education brochures for the general public and professional brochures for doctors and nurses.¹³³ [¹³³ *Hansard* (A) 6 q col 440, 13 March 1990] Dr Venter also said that funds had been made available for the distribution of 21m free condoms. Imported condoms were subject to a surcharge of 20%, import duties of 25%, general sales tax of 13% and provincial handling fees of 8%, she added. The matter had been discussed with the State Tender Board and with the Customs and Excise branch of the Department of Finance and was to be placed on the agenda for further discussion.¹³⁴ [¹³⁴ *Ibid*, cols 432-433]

Reviewing epidemiological studies on AIDS in South Africa for the *South African Medical Journal* in June 1990, Professor Schoub said that, while the existing short and long-term forecasts on the spread of the disease had to be treated with great circumspection, they all revealed similar trends and pointed to certain practical implications. 'Firstly, they confirm that the major growth point of the epidemic is clearly among urban heterosexuals of both sexes and predominantly in the African population. Secondly, the rate of increase in this population looks ominously as though it is developing in the same pattern seen in central, east and southern Africa. Thirdly, within this population there appear at present to be significant geographical differences, with a gradient from Natal to the Witwatersrand to the Cape. Fourthly, while the prevalence of infection in the rural communities is at present at a very much lower level, lessons learned in this country in the past with other venereally spread infections, such as syphilis, demonstrate that with the population movements between urban and rural areas [see *Migrant workers and commuters* in the chapter on *Employment*] infection can be readily introduced and rapidly spread in rural populations. Fifthly, the epidemic in other high-risk groups, such as the male homosexual population, as elsewhere in the world, is showing signs of levelling off, demonstrating how motivated

interventions can succeed. Finally and most importantly, resources now need to be focused more on the socially disadvantaged urban population, where the expansion of the epidemic is greatest, rather than on awareness campaigns in more privileged communities.'

Professor Schoub said that attempts to control the HIV epidemic should be based on addressing the social, economic and political factors which produced the 'poverty, squalor, inadequacy of facilities and destruction of family life so characteristic of the rapid urbanisation' of African people in South Africa.¹³⁵ [¹³⁵ Schoub B, 'The AIDS Epidemic in South Africa - Perceptions and Realities', *South African Medical Journal*, vol 77 no 12, June 1990]

Another study published in the journal constructed an epidemic-logical composite of the HIV epidemic in South Africa based on reported AIDS figures as at 26 January 1990, blood donor seroprevalence figures and a series of active surveillance studies in the Johannesburg area. The data suggested a spread of infection 'far more extensive than the relatively lower AIDS figures'. The authors stated: 'Of great concern is the extensive and silent spread of HIV in the urban African population, manifested by doubling times in male and female sexually-transmitted-disease clinic attenders, of 10,7 and 9,8 months respectively, a doubling time in female family-planning attenders of 6,5 months, and HIV infection rates of 1 in 56, 1 in 37 and 1 in 91 for each of these categories of attenders respectively.' According to this study, seroprevalence figures in municipal employees of mainly rural origin were 'considerably lower, only 1 in 1 250 in African males and none in females'.¹³⁶ [¹³⁶ Schoub B, et al, 'Considerations in the Further Expression of the AIDS Epidemic in South Africa - 1990', *South African Medical Journal*, vol 77 no 12, June 1990]

Figures released following surveillance surveys at King Edward VIII Hospital (Durban), showed that more than 11% of women between the ages of 15 and 19 years who had attended the sexually-transmitted-disease clinic at the hospital in December 1989 had been HIV positive. (Earlier in the year, 6,4% of women in that age group had been infected.) Another 11% of women between the ages of 20 and 25 years had been infected. Among men, the highest incidence of infection had occurred among 25 to 35-year-olds and stood at 7,5% in December 1989. Overall, 3,6% of people attending the clinic had been HIV positive.¹³⁷ [¹³⁷ *The Star* 30 April 1990]

In an article published in the *South African Medical Journal* in April 1990, two researchers, Dr G Padayachee and Dr R Schall, estimated that, taking into account an overall HIV infection prevalence doubling time of 8,5 months, between 45 000 and 63 000 African people between the ages of 15 and 49 years had been HIV-infected at the beginning of 1990. They predicted that these numbers would rise to between 119 000 and 168 000 by the end of 1990, and to between 317 000 and 446 000 by the end of 1991.¹³⁸ [¹³⁸ Padayachee G N and Schall R, 'Short-term Predictions on the Prevalence of Human Immune Deficiency Virus Infection among the Black Population in South Africa', *South African Medical Journal*, vol 77 no 7, April 1990] The corporate actuary for the Old Mutual, Mr Graham Prentice, told the press in May 1990 that a statistical analysis of the spread of AIDS in South Africa and in other parts of the continent had led him to arrive at a 'conservative' national projection, in terms of which nearly half of South Africans over the age of 15 would test HIV-positive by the end of the 1990s. He said that more than 10m South Africans would be

infected in ten years' time, while 321 000 people would be dying from AIDS every year and another 472 000 people would be suffering from AIDS-related diseases by the year 2000. Mr Prentice said that Old Mutual's blood tests on clients applying for large policies in South Africa showed an HIV-positive incidence of one in 1 000, and that figures for ante-natal blood samples had revealed a national average of five per 1 000. He stressed the urgent need for AIDS education programmes in the country.¹³⁹ [¹³⁹ *The Star* 7 May 1990]

In February 1989 the minister of education and culture (white own affairs), Mr Piet Clase, said that his department would not be appointing a committee to investigate the question of AIDS in relation to teachers or instruction to pupils. He said that his department was represented on the committee of the Department of National Health and Population Development and that AIDS was being 'fully addressed' under that department's family guidance programme. However, the Department of Education and Culture had issued an AIDS information brochure to secondary schools, he added.¹⁴⁰ [¹⁴⁰ *Hansard* (A) 4 q cols 185-186, 28 February 1989] In March 1990 Dr Venter told Parliament that AIDS information programmes for use in schools were being devised by all education authorities in collaboration with her department, that they would be introduced in schools 'as soon as they had been finalised' and that the various relevant educational authorities would decide in which schools or categories of schools they were to be used.¹⁴¹ [¹⁴¹ *Hansard* (A) 7 q col 619, 21 March 1990]

AIDS in the workplace

In March 1989 the senior general manager of external relations of the Chamber of Mines of South Africa, Mr Johann Liebenberg, said that AIDS had become an important aspect in the recruitment of labour and possibly would become more important in the future.¹⁴² [¹⁴² *Beeld* 17 March 1989] Although the chamber understood that the AIDS virus could be transferred only through sexual contact or transfusions, employees were against working with virus carriers, he said. Mr Liebenberg added that in-depth studies had shown that it was not true that the mining industry had 'imported' the AIDS virus into South Africa or that the mining hostels were 'breeding grounds' for the virus.¹⁴³ [¹⁴³ *Ibid*]

In May 1990 the National Union of Mineworkers (NUM) charged the chamber with making it impossible to develop a long-term strategy in addressing the problem of AIDS. The NUM said this following the chamber's decision that an overall policy on AIDS was no longer necessary.¹⁴⁴ [¹⁴⁴ *The Weekly Mail* 11 May 1990] The union insisted that there were issues, such as the hostel and migrant labour systems, which contributed to the spreading of AIDS and which could not be addressed only at a mine-by-mine level. The health and safety officer of the NUM, Ms May Hermanns, said that if one was forced to deal with the issue of AIDS mine by mine, it would become impossible to deal with its social causes and prevention.¹⁴⁵ [¹⁴⁵ *Ibid*] The NUM put forward a counter policy on AIDS which included the following principles:

- HIV infection should not be used as a reason for discrimination or dismissal;
- HIV screening was to be justified only if the objectives were clear and acceptable to the NUM;
- the mining industry should commit itself to family housing, facilities for visiting wives and a better hostel system in order to stop the spread of AIDS at the hostels; and
- education and counselling measures should be co-ordinated jointly by management and worker representatives.¹⁴⁶ [¹⁴⁶ Ibid]

In February 1990 a member of the AIDS Economic Research Unit, Mr Keith Edelston, said that at least 50% of all African people would be infected with AIDS by 2000. The unit reportedly predicted that between 50% and 70% of South Africa's African labour force would have died of AIDS or would be HIV carriers by the year 2000.¹⁴⁷ [¹⁴⁷ *Business Day* 19 February 1990] Mr Edelston said that 1% of African people in South Africa had already been infected by the virus and that the number of infected people showed a doubling rate of between six and eight months.¹⁴⁸ [¹⁴⁸ Ibid]

Mr Edelston said that truck drivers en route to central Africa were high-risk candidates for AIDS.¹⁴⁹ [¹⁴⁹ Ibid 20 February 1990] At least 50% of the 225 staff members of a Durban-based transport firm with routes to Malawi had been infected with the AIDS virus, he added. The head of the AIDS Training and Information Centre, Dr Ruben Sher, also said that international truck routes played a major role in the spreading of AIDS.¹⁵⁰ [¹⁵⁰ Ibid]

A labour adviser for the South African Chamber of Business, Mr Vincent Brett, expressed the opinion that Mr Edelston's claims were 'somewhat exaggerated'.¹⁵¹ [¹⁵¹ *The Citizen* 20 February 1990] He said that 'if one resorts to mathematics exclusively, his figures may be accurate, but things don't work out that way'.¹⁵² [¹⁵² Ibid] Referring to the chamber's policy regarding the testing of workers for AIDS, Mr Brett said that testing was encouraged but stressed that it was not compulsory.

In April 1990 the AIDS Economic Research Unit estimated that if 2% of South Africa's population contracted AIDS, productivity levels in industry would decrease by 10%, consumer durables would decrease by 16% and profits by 32%.¹⁵³ [¹⁵³ *The Star* 17 April 1990] The unit said that if 5% of the population got AIDS, the economy would go into a deep recession and that if a further 5% got AIDS the recession would be of the same magnitude as the economic depression of 1933. Beyond that, the economy would collapse.¹⁵⁴ [¹⁵⁴ Ibid] The head of the HIV clinic at the Johannesburg Hospital, Dr Dennis Sifris, said at a seminar on 'AIDS in Industry' in Johannesburg in April 1990 that, instead of providing support for AIDS victims, many companies discriminated against them and forced them to terminate their services.¹⁵⁵ [¹⁵⁵ *The Citizen* 3 April 1990] Many companies insisted on pre-employment AIDS testing and even had AIDS exclusion clauses in employees' work contracts, he added. He expressed the opinion

that this type of AIDS testing was unethical.¹⁵⁶ [¹⁵⁶ Ibid]

In July 1990 Mr Edelston estimated that by the year 2000, ten million people in South Africa would be dead or dying from AIDS. He said that corporate decision makers should create strategies for dealing with AIDS. These would act as a spearhead in the movement towards a national AIDS strategy, he believed.¹⁵⁷ [¹⁵⁷ Telephonic interview with Mr Keith Edelston, 25 July 1990]

Hepatitis B

According to a statement in April 1990 by a doctor of the medical school's Department of Virology at the University of Natal, Drisobel Windsor, about 2,5m people in South Africa (excluding the 'independent' homelands) were chronically infected with hepatitis B. She said that, on average, 50 000 people were infected each year and that the disease could infect 3m people by the year 2000 if nothing was done to control it. Dr Windsor also said that, at present levels, about 25 000 victims would die of the disease while 1m more would probably die of resultant cirrhosis or liver cancer.¹⁵⁸ [¹⁵⁸ *The Star* 30 April 1990]

Malnutrition and infant mortality

Professor P W Coetzer, head of the Department of Community Services at the Medical University of Southern Africa (MEDUNSA), said in April 1989 that 61% of deaths among African children were due to malnutrition, prematurity and related infections, particularly gastro-enteritis. The corresponding figures for the coloured, Indian and white groups were 41%, 16% and 9% respectively, he said.¹⁵⁹ [¹⁵⁹ *Sowetan* 28 April 1989]

The minister of national health and population development, Dr Rina Venter, told Parliament in March 1990 that information concerning the most common causes of neo-natal deaths was available for 1987 only. She said that in 1987 prematurity and low birthweight had been the cause of 48% of African, 51% of coloured, 53% of Indian and 34% of white neo-natal deaths an average of 48% overall. She also said that she could not provide separate figures for rural and urban areas.¹⁶⁰ [¹⁶⁰ *Hansard* (A) 7 q cols 619-620, 21 March 1990]

Although he had previously provided statistics on the number of children treated in clinics for marasmus and kwashiorkor (both caused by severe malnutrition) up to the end of 1987 (see *1988/89 Survey* p12), Dr Venter's predecessor, Dr Willie van Niekerk, said in Parliament in May 1989 that since the two diseases were not notifiable, exact figures for 1988 were not available. He said that 2 242 cases of marasmus and 7 470 cases of kwashiorkor had received treatment through a departmental scheme which provided nutritional powders to clinics. However, since only 12% of clinics throughout South Africa (excluding the 'independent' homelands) participated in the scheme, it was clear that the incidence of these diseases was 'probably substantially higher than the above mentioned figures'.¹⁶¹ [¹⁶¹ *Hansard* (A) 17

q cols 1041-1042, 11 May 1989]

The minister of home affairs and of communications, Mr J C Botha, told Parliament in May 1989 that infant mortality rates (deaths per 1000 live births in the first year) outside the 'independent' homelands in 1987 had been 80 for Africans, 46 for coloured people, 19 for Indians and 12 for whites. The minister added that the figure for Africans was an estimate, since birth and death registrations were still incomplete.¹⁶² [¹⁶² Ibid, col 1041] These figures were higher than those provided by the Department of National Health and Population Development for the same year. According to the department's figures (supplied in the 1988/89 *Survey*), the respective infant mortality rates for Africans, coloured people, Indians and whites had been 63, 41, 16 and 9 in 1987.¹⁶³ [¹⁶³ Department of National Health and Population Development, Population Development Monitoring Programme, unpublished statistics, 1988] Mr Botha said that infant mortality rates for 1988 were 62 for Africans, 58 for coloured People, an estimated 17 for Indians and 13 for whites. The figure for Africans was based on the latest estimate by the Human Sciences Research Council and was not final, Mr Botha said.¹⁶⁴ [¹⁶⁴ *Hansard* (A) 6 q col 514, 15 March 1990]

For further information regarding mortality rates, see chapter on *Population and Settlement* and table under *General Indicators*.

Measles

The Department of National Health and Population Development announced that it would launch an intensive immunisation campaign against measles in March 1990.¹⁶⁵ [¹⁶⁵ *The Citizen* 25 January 1990] An official of the department, Dr P Vugarellis, told a press conference that measles represented the highest incidence of reported illnesses per year after tuberculosis (see tables above). There had been 13 629 notified cases in 1989 and 290 deaths from the disease, he said.¹⁶⁶ [¹⁶⁶ *Cape Times* 14 February 1990] Providing details of the campaign, the minister of national health and population development, Dr Rina Venter, said that measles continued to be one of the major causes of infant mortality in South Africa. The measles campaign would be implemented in collaboration with a number of health authorities. Its aim was to have all children under the age of five years immunised, to update growth and immunisation cards for each child and to provide information regarding immunisation and health care.¹⁶⁷ [¹⁶⁷ *The Star* 22 February 1990]

At the end of May 1990 the head of the Department of Paediatrics at Umtata General Hospital (Transkei), Professor J W Owange-Iraka, said that the homeland was experiencing a measles epidemic and that about one in four children who contracted the disease, died. Overcrowding in the Transkei led to high rates of transmission, he added.¹⁶⁸ [¹⁶⁸ *Sowetan* 1 June 1990]

Mental illness

The National Council for Mental Health said in July 1990 that a minimum of 3m people of the present generation would need psychiatric treatment in the future. About 18 000 people were discharged from psychiatric hospitals every year, but most of them were readmitted owing to insufficient support systems outside the hospitals and to inadequate knowledge about mental illness. The council estimated that mental illness cost 'South Africa' R10,5m in treatment and lost production every year. Medicines prescribed for the treatment of mental disorders amounted to R800m per year. Suicide was the third highest cause of death among 15 to 24-year-olds and some 150 000 people tried to kill themselves every year, the council added.¹⁶⁹ [¹⁶⁹ *Business Day* 2 July 1990]

Occupational diseases

The **Pension Laws Amendment** Act of 1989 provided for the further increase of certain benefits payable in terms of the Occupational Diseases in Mines and Works Act of 1973.¹⁷⁰ [¹⁷⁰ Pension Laws Amendment Act, no 79 of 1989] (See also chapter on *Employment*.)

Poliomyelitis

The minister of national health and population development, Dr Willie van Niekerk, said that 253 827 Africans, 79 925 coloured people, 20 929 Indians and 64 662 whites had been immunised against poliomyelitis in 1987. These estimates were based on the number of third doses administered according to returns received from the four provincial health administrations, and excluded all the homelands.¹⁷¹ [¹⁷¹ *Hansard* (A) 19 q cols 1129-1130, 17 May 1989]

Smoking-related illnesses

Detailed research by the South African Medical Council's Centre for Epidemiological Research in Southern Africa showed that 4% of African deaths, 15% of coloured deaths, 25% of Indian deaths and 35% of white deaths in 1984 had been related to smoking. Smoking-related deaths in people between the ages of 35 and 64 years in 1984 had represented 100 000 potential years of life, the centre calculated. It highlighted the need for a comprehensive anti-smoking campaign, which it regarded as particularly urgent owing to the large proportion of the population which was becoming urbanised.¹⁷² [¹⁷² *Smoking and Health in South Africa: The Need for Action*, Centre for Epidemiological Research in Southern Africa, South African Medical Research Council, Technical Report no I, April 1988]

The minister of national health and population development, Dr Rina Venter, told Parliament in March 1990 that the cost of hospitalisation for diseases attributable to smoking was estimated at R109m for 1985, while provincial outpatient treatment had cost R20m in the same year. She said that her

department, together with various bodies such as the Council on Smoking and Health, the Heart Foundation and the Cancer Association were in the process of developing a national year to combat smoking.¹⁷³ [¹⁷³ *Hansard* (A) 9 q cols 696-697, 27 March 1990]

According to Dr Venter's predecessor, Dr Willie van Niekerk, 75 Africans, 185 coloured people, 21 Indians and 266 whites had died of lung cancer in South Africa (excluding the 'independent' homelands) in 1988.¹⁷⁴ [¹⁷⁴ *Hansard* (A) 20 q cols 1176-1177, 22 May 1989] He did not say which of these deaths were directly attributable to smoking.

Tuberculosis

In 1989 the South African National Tuberculosis Association (SANTA) launched a campaign to urge employers to take a more active role in the prevention and treatment of tuberculosis.¹⁷⁵ [¹⁷⁵ *The Star* 30 March 1989] According to SANTA, an estimated 12m people in South Africa had dormant tuberculosis and it was likely that 15% of these would contract a full blown form of the disease. The acting medical officer of health for regional services councils, Dr Stewart Fisher, said that figures for the western Cape were among the highest in the world and that the number of reported cases in the area as at the end of May 1989 revealed a significant increase over figures of a year before. The medical officer of health for the Cape Town City Council, Dr Michael Popkiss, argued that stress caused by unemployment had become a major factor in contracting the disease.¹⁷⁶ [¹⁷⁶ *The Citizen* 6 June 1989]

In April 1990 SANTA said that between ten and 20 people were dying of tuberculosis in South Africa every day and that the disease had claimed an estimated 28 000 lives in the past seven years. SANTA also said that many people in the country erroneously believed that the war against tuberculosis had 'been won with the development of drugs and vaccines. However, the total decrease in the number of new cases over a period of 25 years had been minimal: there had been 66 701 new cases of tuberculosis in 1964, 59 340 in 1974 and 58 898 in 1989 (see also below). Moreover, the figures for 1989 excluded the homelands and were misleading, SANTA added.¹⁷⁷ [¹⁷⁷ *The Star* 16 April 1990] A spokesman for the association said that while an average of 16 000 people were screened, and 37 positive cases detected, at its mobile X-ray clinics every month, the current level of public response to this facility was causing 'grave concern'. Many white people believed that they were 'exempt' from tuberculosis, while many black people were reluctant to undergo screening, for a number of reasons: they feared dismissal from their jobs if they were found to have tuberculosis, the reasons for the necessity of screening were not fully explained to them, they were frequently forced to undergo screening against their will, and they resented the fact that whites were not similarly compelled.¹⁷⁸ [¹⁷⁸ *Sowetan, The Star* 16 April 1990] Added complications had been strike action and work stayaways, which had resulted in cancellation of the mobile units' visits to various places, the spokesman added.¹⁷⁹ [¹⁷⁹ *Sowetan* 16 April 1990]

Dr Venter said in Parliament in March 1990 that 57 856 cases of tuberculosis had been reported in the

white-designated areas in 1989. 'Cases' referred to notified instances of contact, not patients or people, and repeat notification of individuals was thus possible, she added. She also said that as at 28 April 1989, a total of 32142 people with tuberculosis had been hospitalised and that 1 910 people had already died of the disease in the first four months of 1989.¹⁸⁰ [¹⁸⁰ *Hansard* (A) 7 q cols 618-619, 21 March 1990]

According to the South African Medical Council, the treatment of tuberculosis was costing South Africa R150m a year.¹⁸¹ [¹⁸¹ *Sowetan* 14 June 1990]

Pollution

Legislation

The **Environment Conservation Act** was passed in June 1989.¹⁸² [¹⁸² Environment Conservation Bill (as agreed to by the Joint Committee on Environmental Affairs), B60B-89 (GA)] It repealed most of the existing legislation governing conservation of the environment, and remedied the existing situation in which no mechanism existed for co-ordinated action among public bodies or between public and private bodies, involved in conservation. A memorandum to the bill noted that the environment had 'gradually deteriorated' since the passing of the first legislation (the Environment Conservation Act of 1982) and that the new act would finally address a recommendation in the 1980 White Paper on a National Policy Regarding Environmental Conservation, that conservation be seen not as the responsibility of a single state department but involve state administration as a whole. The draft bill, which had been published on two occasions in the *Government Gazette* for comment, had drawn responses from nearly every government institution and from many private organisations, the memorandum said.

A basic approach of the new legislation was that it was 'not practicable to be prescriptive in respect of government institutions'. The act would enable the minister of environment affairs and of water affairs to obtain the co-operation of such institutions by issuing directives about environment conservation activities. The act also provided for the establishment of a mechanism to determine policy in co-operation with executive government institutions. In terms of Part I of the Act, the minister of environment affairs could determine the general policy, and then indicate to government institutions an approach regarding how they should comply with its principles. This was also aimed at clarifying for the private sector the government's approach to conservation, and would 'therefore make it possible to channel the large amount of goodwill in the interest of the environment without necessarily compulsive statutory measures'.

Part II of the Act provided for the creation of bodies to assist the minister in the exercise of his/her powers. A council for the environment would continue to exist. In addition, a committee for environmental management would be established, to represent all government organisations entrusted with aspects of the environment. Section 15 empowered the minister to appoint a board of investigation in cases where contentious matters required thorough investigation by an independent body of experts. It would ensure that 'the decision taken will be based on the best impartial opinion without unnecessarily

involving the political views of the government'. However, the board would 'not be in the position of taking any decision by itself, as the supreme authority of the political decision-maker is recognised'.

Part III provided for the protection of the natural environment through inserting two categories of protection not adequately provided for in existing legislation. Sections 16 and 17 empowered the administrator of a province to declare 'protected natural environments' in substitution of the category of 'nature areas' and repealed certain sections of the Physical Planning Act of 1967, which had presented 'considerable' practical difficulties for the management of nature areas.

Stronger control over aspects of environmental pollution currently not adequately controlled by legislation was provided for in Part IV. Section 19 prohibited littering. Section 20 determined the conditions for the disposal of waste. The authority entrusted with administering water affairs was granted powers to act in the case of ground and water surface pollution.

Part V of the Act provided for the identification of activities posing a danger to the environment. Section 22 envisaged thorough impact studies, to precede decisions regarding potentially harmful activities. In terms of section 23, an area might be defined where development might only be undertaken under certain conditions. Such limitations had already been placed on development along the coast in terms of existing legislation, but the power to do so had not been clearly defined. The danger existed that such limitations would be declared invalid if tested in court, the memorandum said, and the act rectified this situation.

Part VI of the Act enabled the minister to introduce regulations regarding waste management (section 24), noise, vibration and shock (section 25), environmental impact reports (section 26) and limited development areas (section 27), as well as more general regulations (section 28). Section 28 also stipulated that the minister must, prior to the promulgation of a regulation, obtain the concurrence of the local authorities concerned. Section 32 prescribed procedures for the gathering of comment. It had been included in recognition of 'the progressive demand for participation by private persons and organisations in the drafting of regulations and other control measures', the memorandum said.

Offences and penalties were dealt with in Part VII, which laid down specific fines and terms of imprisonment. A convicted person might also be ordered to repair any damage he/she had caused to the environment. In terms of an amendment by the joint committee on environment affairs¹⁸³ [¹⁸³ Joint Committee Amendment to Environment Conservation Bill, B60A-89 (GA)] provision was made for the forfeiture of any vehicle or object which was used to commit an offence.

Part VIII regulated various matters. These included mechanisms for appeal, compensation for patrimonial loss, the delegation of powers, and the assignment of duties. Section 37 restricted the liability of the state, while section 40 bound the state. 'As the greatest administrative component in the management of the country, the state is responsible for the major part of the total effect on the environment,' the memorandum stated. Section 38 provided that an international convention, treaty or agreement entered into or ratified by the country acquire the force of law by being added as a schedule

to the act. Section 39 empowered the minister to conclude agreements with the non-independent homelands. In terms of section 41, the Prince Edward Islands, which had not previously had any statutory protection status, were included under the legislation. Section 42 repealed previous laws and confirmed measures already taken.

The minister of environment affairs and of water affairs, Mr G J Kotzé, told Parliament in February 1990 that new regulations on solid waste disposal were to be introduced to combat the dumping of local toxic waste. Several sites around Pietermaritzburg (Natal) had recently been cleared of toxic waste and would have to be rehabilitated, he said. He added that it had not been possible to prosecute the company responsible for the dumping because existing legislation had provided for prosecution only if dumping caused water pollution.¹⁸⁴ [¹⁸⁴ *Hansard* (A) 3 q cols 84-85, 20 February 1990]

Mr Kotzé said in the same month that the regulations arising from the Environment Conservation Act had not been finalised. The reasons for non-finalisation were the consultation which had to take place with other departments, and with other bodies such as local authorities, before regulations could be promulgated, and the 'considerable technical problems being experienced with the promulgation of regulations'. He added that noise control regulation in terms of the act would shortly be published in the *Government Gazette* for information.¹⁸⁵ [¹⁸⁵ *Hansard* (A) 4 q col 185, 27 February 1990]

The Prevention and Combating of Pollution of the Sea by Oil Amendment Act of 1990 amended the 1981 act of the same name, so as to make provision for the abolition of the Oil Pollution Prevention Fund and its substitution by the State Revenue Fund. Levies by central government (which had formerly been paid into special funds outside the budget) would in future be channelled to the State Revenue Fund, without being earmarked for a specific purpose. Performance of all functions under the amendment act would be financed in full out of money appropriated by Parliament. The amendment act also adjusted the minimum fines which could be imposed for contravening sections of the original act, to bring them into line with the depreciation in the value of money. According to the memorandum on the objects of the amendment act, In increasing the fines it was borne in mind that compared with the legislation in other countries in connection with pollution of the sea by oil, the fines presently provided for in our legislation are inadequate to serve as a deterrent'.¹⁸⁶ [¹⁸⁶ Prevention and Combating of Pollution of the Sea by Oil Amendment Bill, BIO-90 (GA)] The increases were substantial-ten times the original amount in three of four cases and eight times the original amount in the fourth case.¹⁸⁷ [¹⁸⁷ Prevention and Combating of Pollution of the Sea by Oil Act, no 9 of 1990, *Government Gazette* no 12352,21 March 1990]

Mr Kotzé told Parliament in February 1990 that a tubing manufacturer, prosecuted for discharging cyanide-bearing effluent into a storm water drain in December 1988 and May 1989, had been found guilty and sentenced to the maximum fine of RIO 000 on both charges. This was the first instance of maximum fines being handed down by a court for such offences, Mr Kotzé said.¹⁸⁸ [¹⁸⁸ *Hansard* (A) 4 q col 231, 28 February 1990]

General matters

In 1989 and the first six months of 1990 sectors of the press involved themselves in widespread coverage of conservation and environmental issues. Commenting on the fact that its 'Care' campaign was in its 20th year, *The Star* newspaper said that the public was finally showing signs of becoming concerned about the country's environmental future.¹⁸⁹ [¹⁸⁹ *The Star* 5 June 1990] Articles appeared in various newspapers, linking environmental awareness to political struggle.¹⁹⁰ [¹⁹⁰ Various newspaper reports]

Speaking during the debate on the Appropriation Bill in Parliament in March 1990, Mr Rupert Lorimer MP (Democratic Party) criticised the 'ridiculously low' increase allocated to environment affairs in the 1990/91 budget.¹⁹¹ [¹⁹¹ *The Citizen* 30 March 1990] The amount allocated was R178m,¹⁹² [¹⁹² Republic of South Africa, Appropriation Bill, B70-90 (GA)] compared with R170m in the 1989/90 financial year.¹⁹³ [¹⁹³ *Business Day* 15 March 1990]

A White Paper on Environmental Education was published in 1989, which explored people's perception of the environment and possible ways of using the various media to promote environmental awareness.¹⁹⁴ [¹⁹⁴ Department of Environmental Affairs, Annual report 1988/89, RP32-1990] Mr Kotzé told Parliament in April 1989 that his department allocated approximately R900 000 per annum for environmental education and related projects.¹⁹⁵ [¹⁹⁵ *Hansard* (A) 9 q cols 614-614, 11 April 1989]

According to a report by the Worldwatch Institute on the ecological situation in South Africa, the country was in a bad way. The report blamed apartheid for many of South Africa's ecological and pollution problems. The author of the study, Mr Alan Durning, said: 'Air pollution over the nation's coal region [the Highveld] ranks with the worst in the world, partly because of an energy strategy that aims at minimising dependence on anti-apartheid oil exporters. In the coal fields east of Johannesburg, annual emission of sulphur dioxide totals 31t/km² -higher than the level in East Germany, famous for its polluted air.' Mr Durning also said that the homelands were 'among the world's most degraded regions', owing to 'politically enforced overpopulation' which had led to overfarming and overgrazing of an already thin topsoil, as well as to deforestation.¹⁹⁶ [¹⁹⁶ *Business Day* 14 May 1990]

The minister of national health and population development, Dr Rina Venter, said in Parliament in February 1990 that the results of the 1988 air pollution monitoring programmes showed that 'all levels of pollution are in general well within internationally accepted levels'.¹⁹⁷ [¹⁹⁷ *Hansard* (A) 2 q cols 21-22, 13 February 1990] The lead content in petrol had been reduced from 0,6 to 0,4 grammes per litre in 1989, she said.¹⁹⁸ [¹⁹⁸ *Hansard* (A) 3 q cols 83-84, 20 February 1990]

According to a spokesman for the National Association for Clean Air, levels of air pollution in Soweto (Johannesburg) regularly exceeded levels set by the United States Environmental Protection Agency.¹⁹⁹ [¹⁹⁹ *Sowetan* 30 May 1990] In May 1990 a spokesman for Eskom, Mr J van den Berg, said that air pollution levels in Soweto were 'two-and-a-half times higher' than those in the eastern Transvaal Highveld.²⁰⁰ [²⁰⁰

Ibid; *The Star* 6 June 1990] The head of the respiratory unit at the Baragwanath Hospital, Dr Alex Bruning, told *The Star* in June 1990 that there was a direct correlation between an increase in respiratory disease and smoke levels in Soweto during the winter months.²⁰¹ [²⁰¹ *The Star* 6 June 1990]

In May 1990 Eskom proposed that it play a major role in providing electricity to black communities such as Soweto, instead of spending R1bn on filters to clean up sulphur emissions at each of its power stations. Eskom estimated that it would cost R6bn to provide electricity for the 70% of African people who did not have this facility.²⁰² [²⁰² *Sowetan* 30 May 1990] According to the honorary president of the Soweto Civic Association, Dr N Motlana, however, the electrification of parts of Soweto had not been a success, owing in part to the high cost of electricity to the consumer.²⁰³ [²⁰³ *The Star* 6 June 1990]

The minister of agriculture, Mr J Wentzel, said in March 1989 that he was not considering introducing legislation to transfer the control of pesticides to the minister of environment affairs.²⁰⁴ [²⁰⁴ *Hansard* (A) 5 q cols 253-254, 7 March 1989] Mr Wentzel said that whereas he had announced that the current ban on the use of certain hormonal herbicides might be extended to areas outside Natal, it had thus far not been necessary to introduce further restrictions.²⁰⁵ [²⁰⁵ *Ibid*, col 256]

In April 1989 Mr Kotzé told Parliament that discharges from all pipelines extending into the sea and subject to exemptions issued in terms of the Water Act of 1956 were monitored. All exemptions were accompanied by an additional compulsory requirement, to monitor marine environments so as to determine whether the discharges had 'any detrimental effect', he added. Mr Kotzé said that while the results of effluent monitoring could be obtained from various branches of the Department of Water Affairs, the information was released only with the permission of the effluent producer, since 'confidential information on industrial processes can be disclosed by effluent properties'. (Such disclosure was prohibited in terms of the Water Act.) The monitoring results of the marine environment were not confidential, Mr Kotzé said.²⁰⁶ [²⁰⁶ *Hansard* (A) 9 q cols 615-616, 11 April 1989] According to the Water Research Commission's annual report (tabled in Parliament in April 1990), a national survey of industrial water and waste water was being conducted to establish a data base on water intake, raw materials, products, effluent quality and the amount of industrial waste from all industries using more than 150m³ of water a day. Pulp effluents emanating from bleaching processes at inland pulp factories would not be allowed after 1990, the report stated.²⁰⁷ [²⁰⁷ *Business Day* 26 April 1990]

Following a number of press reports, Mr Kotzé denied in Parliament in May 1989 that he had been negotiating with any person or organisation regarding the erection of a toxic waste treatment plant for the purpose of treating toxic waste coming from non-South African sources. Mr Kotzé said his position was that South Africa might have to consider a plant to cater for its own requirements in the future. At that stage, the government might consider accommodating other countries to render the undertaking viable. This would be done with the greatest caution, he added.²⁰⁸ [²⁰⁸ *Hansard* (A) 20 q cols 1206-1207, 23 May 1989] According to an article in *The Weekly Mail* in February 1990, International dealers in toxic waste could see South Africa as an ideal dumping ground. The South African government, with an economy

sensitive to sanctions and a massive foreign debt problem, is obviously tempted to see toxic waste [treatment] as a solution to some of its problems.’ The article further stated that some dealers had made ‘almost irresistible’ offers to some South African firms concerning the storage and recycling of high level waste.²⁰⁹ [²⁰⁹ *The Weekly Mail* 2 February 1990]

In January 1990 the President’s Council called for comment in connection with its investigation into a policy for a national environment management system. The council was considering forming committees for constitutional affairs, social affairs (to deal with social, demographic and ecological aspects), and economic affairs (to study the implications of the production methods used by mines, industries and power stations with a view to preventing their polluting and damaging the environment).²¹⁰ [²¹⁰ *The Star* 9 January 1990]

Also in January 1990 Dr Venter announced that South Africa would formally implement the Montreal Protocol for the control of ozone-duplicating substances from 15 April 1990. In terms of the protocol, the production and use of chlorofluorocarbons (CFCs) would be pegged at the 1986 level for the time being. South Africa had used about 12 000 metric tons of CFC compounds (1% of world consumption) in 1986.²¹¹ [²¹¹ *The Citizen* 26 January 1990] In June 1990 Dr Venter attended talks held in London to discuss far-reaching changes to the Montreal Protocol.²¹² [²¹² *The Star* 29 June 1990]

The minister of trade and industry and tourism, Mr Kent Durr, told a news conference in March 1990 that the South African Bureau of Standards would create an ‘environment friendly’ mark to identify products which conformed to environmental standards. He said that many products currently on sale were inaccurately labelled ‘ozone friendly’ or ‘environment friendly’. The director general of the bureau, Dr J du Plessis, told the conference that false claims were being made ‘on a large scale’. The creation of a special mark would bring consumer pressure to bear on manufacturers and would also enable the National Press Union not to accept advertisements for products which made claims not endorsed by the bureau. Mr Durr expressed the opinion that public pressure on companies was more effective than applying legal methods.²¹³ [²¹³ *The Citizen, The Star* 13 March 1990]

In April 1990 the Natal branch of an environmental pressure group, Earthlife Africa, alleged that a chemical company, Thor Chemicals (in Cato Ridge, Natal), was poisoning the drinking water for vast numbers of people in the Durban area. According to Earthlife Africa, water samples taken in a stream flowing into the Umgeni River had revealed the highest levels of mercury recorded anywhere in the world. The environmental group said that while tests by the Umgeni Water Board in August 1989 had recorded 1 900 micrograms of mercury per litre of water, independent tests by American consultants in November 1989 had shown levels of 1,5m micrograms per litre. (World Health Organisation standards allow for one microgram per litre.) Earthlife Africa also reported that two workers at the factory had been described . by colleagues as having ‘gone mad’. (Mercury poisoning may cause dementia.) The managing director of Thor Chemicals, Mr S van der Vyver, said that the company had permission from the government to import toxic waste, but denied that it was poisoning drinking water. He accused the media of ‘sensationalism’ and argued that levels quoted by Earthlife Africa were ‘once-off levels.

According to the assistant director of water pollution control at the Natal Department of Water Affairs, Mr L Gravelet-Blondin, the very high levels of mercury measured in 1989 had been correct, but had been taken near the factory site and were 'strictly localised'. The most recent tests showed that mercury levels in local streams which ran past Thor Chemicals and into the Umgeni River, as well as in the river itself, had been slightly above one microgram per litre. He added that these recent tests had been carried out on raw river water and that 'in purification, the water would be treated to comply with the standards'. Mr Gravelet-Blondin also said that Durban's drinking water could not be affected, since it was supplied by Nagle Dam, which was upstream from Thor Chemicals. He was not reported as having said anything about the large number of people in the area who have no access to tap water.²¹⁴ [²¹⁴ *The Star* 5, 6 April 1990]

THE HOMELANDS

General Policy Matters

The momentum for political reform following the general election on 6 September 1989, the change in state president in the same month, and the general freeing of political activity in the country from that time (see chapters on *Political Developments* and *Security*) had significant implications for the government's homeland policy, a key feature of separate development policy. With the incorporation of the African majority in central government structures having been placed seriously on the negotiation agenda, the political future of the homelands became a matter for serious debate, as did the role of homeland leaders in negotiations about a new constitution. Most of the non-independent homeland leaders called in 1989/90 for the dismantling of the homeland system, and aligned themselves broadly with the African National Congress (ANC). The chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, was the only exception. At the same time, the reincorporation of the four 'independent' homelands became a seriously considered constitutional option. The Transkei military administration, which had come to power in December 1987, spearheaded reincorporation demands from October 1989. Coups in the Ciskei and Venda, in March and April 1990 respectively, removed administrations that had been ambiguous about reunification and hostile to the Mass Democratic Movement. The authorities in Bophuthatswana, the only 'independent' homeland to have survived a coup (through the intervention of the South African Defence Force in February 1988) remained opposed to reincorporation demands, which were manifested in various protest marches by the homeland's population from February 1990 (see *Political Developments and Security* below). Reunification demands were fuelled also by the struggles in 1989/90 of various communities, that had been incorporated into the 'independent' homelands, to be part of 'South Africa' once more (see *Land disputes* below). These struggles were largely based on a sense of material deprivation in the homelands, relative to life in 'South Africa'.

Demands for reincorporation of the 'independent' homelands and for the dismantling

of the homeland structures

The chairman of the **Transkei** Military Council, Major General Bantu Holomisa, mooted the idea of a referendum for Transkei citizens to decide whether they wished again to become part of 'South Africa' on 1 October 1989. Speaking at the funeral in the Transkei of Chief Sabata Dalindyebo, a Xhosa chief allied to the ANC, he said, If the people want to be part of South Africa we shall hold a referendum.¹ [¹ *The Star* 2 October 1989] Gen Holomisa shared a platform with ANC leaders recently released from prison in November 1989: Mr Walter Sisulu praised the Transkei administration for fighting tribalism and Mr Andrew Mlangeni described the Transkei's army as an ally of the ANC's military wing, Umkhonto we Sizwe.

The following month the Transkei invited various homeland leaders to a meeting to focus on change in South Africa. The Ciskei and KwaZulu leaders declined the invitation, while representatives from Gazankulu, KaNgwane, Lebowa, QwaQwa and Venda indicated that they would attend.² [² *Sunday Times* 12 November 1989]

In February 1990 the Transkei held a meeting of representatives from some 50 Transkei organisations, nine regional authorities and 28 districts about the referendum. It unanimously agreed on the details of an official referendum to take place over three months, polling the views of all Transkei citizens over the age of 16 years by secret and postal ballot. A committee was established to investigate the technicalities of conducting a referendum.³ [³ *The Natal Witness* 10 February 1990, *Sowetan* 8 February 1990, *Business Day* 15 March 1990]

The central government's minister of foreign affairs, Mr Pik Botha, responded by saying that it would be premature for referendums on reincorporation because the voters could have no idea about what kind of South Africa they would be rejoining.⁴ [⁴ *Business Day* 7 February 1990]

The *Sowetan* reported that all **Venda's** directors general but one had met in November 1989 to discuss options relating to the constitutional future of the homeland. It was decided that some of them would study constitutional options which included becoming part of a unitary state, a confederation or federation. The directors general were reportedly to discuss the report and then to make recommendations to the cabinet.⁵ [⁵ *Sowetan* 20 November 1989]

Venda's president (prior to a coup in April 1990), Mr Frank Ravele, said that the state president, Mr F W de Klerk, had told him in 1989 that options open to Venda included 'returning to South Africa'. Mr Ravele met Mr Pik Botha on 9 March 1990 and said he appreciated Mr De Klerk's offer. He told Mr Botha that if it was in Venda's best interests, he would lead his homeland back. This was no simple step, however. 'I, as head of the state, therefore call upon the people of Venda to give me their opinion in this important matter. The destination of Venda should be decided by the people themselves.'⁶ [⁶ *The Citizen* 10 March 1990]

In mid-March, amid a deepening security crisis in the homeland marked by stayaways and student and teacher boycotts, Mr Ravele said that Venda's 'independence' had failed because the international community had not recognised it. He said that 'independence' had been motivated by 'our inherent opposition to the apartheid policy'. He said that reincorporation would not happen immediately. He agreed at a special session of Venda's national assembly on 13 March 1990 that Venda's future should be decided by the people in a referendum, following demonstrations in previous weeks in favour of reincorporation and a strike by the civil service, including the police.⁷ [⁷ *Sowetan* 14 March 1990, *Africa Confidential*, vol 31 no 6, 23 March 1990]

On 5 April 1990 Mr Ravele's administration was overthrown in a coup d'état (see *Political Developments and Security* below). The new military leader, Lieutenant Colonel Gabriel Ramushwana, said on the issue of reincorporation that it was not necessary to hold a referendum because 'all the people of South Africa are working towards that goal'. There first had to be stability, law and order. 'There must be proper channels for reincorporation. Proper structures will have to be maintained and the whole thing will have to be done properly.'⁸ [⁸ *City Press* 8 April 1990]

Following a coup on 4 March 1990 in the **Ciskei** (see *Political Developments and Security* below), the new military leader, Brigadier Oupa Gqozo, said that he intended to see the Ciskei reincorporated into South Africa. He shared a stage at a mass rally on the day of the coup with local leaders of the United Democratic Front (UDF), against a backdrop of ANC and South African Communist Party flags.⁹ [⁹ *Financial Mail* 16 March 1990] The previous Ciskei administration under the leadership of Chief Lennox Sebe had said in February 1990 that it would not hold a referendum to test its citizens' views on reunification because there had been a referendum on 'independence' in 1980.

On 19 February 1990 the president of **Bophuthatswana**, Chief Lucas Mangope, vowed that the homeland would never be reunified with South Africa, nor would the ANC be allowed to mobilise within its boundaries because it was a South African organisation. Bophuthatswana had not become 'independent' merely to reject apartheid, he said, but because of Tswana history.¹⁰ [¹⁰ *The Citizen* 20 February 1990]

The Bophuthatswana administration, in a letter in March, rejected all demands made to it in a memorandum presented to it on 7 February 1990 during a mass protest in GaRankuwa (see *Political Developments and Security* below), including the reincorporation of the homeland into South Africa.¹¹ [¹¹ *The Star* 7 March 1990]

In March the Bophuthatswana National Assembly accepted a motion rejecting calls for reincorporation into South Africa. All speakers during the three-day debate gave their full backing to the motion.¹² [¹² *Sowetan* 26 March 1990]

Chief Mangope said in April 1990 that the population of Bophuthatswana had consistently shown faith in 'independence' through the ballot box. Nothing had changed in South Africa to warrant

reconsideration of 'independence'. He said that his administration was 'watching developments in South Africa with keen interest with a view to ensuring that the interests of the people of Bophuthatswana are protected'. Referring to the ANC's calls on homelands to revert to South Africa, Chief Mangope said, 'We will remain independent. If we change our minds it will be our own decision.'¹³ [¹³ *The Citizen* 27 April 1989]

Chief Mangope said on 15 May that his administration had appointed a five-person cabinet committee to initiate contact with extra-parliamentary political groups such as the ANC and Pan-Africanist Congress.¹⁴ [¹⁴ *The Star* 16 May 1990]

While the leaders of the four 'independent' homelands made comments on reincorporation, various leaders of the six non-independent homelands put forward their views about the dismantling of the homeland system in general.

The chief minister of **KaNgwane** and leader of the Inyandza National Movement, Mr Enos Mabuza, said in March 1990 that the homeland system should be dismantled. He believed that the homelands would be phased out before a new constitution was adopted.¹⁵ [¹⁵ *Business Day, The Citizen* 15 March 1990] Asked whether he could work in ANC structures, Mr Mabuza said that if called upon to do so, he would not refuse.¹⁶ [¹⁶ *The Citizen* 15 March 1990] In April 1990 Mr Mabuza said that he hoped that KaNgwane's political structures would be 'wound up' within a year. 'For our own part, we are not married to the privileges of office that apartheid has bestowed on us as part of our dowry. Nor are we tied to our ethnic identity and exclusivity. Instead we are straining at the leash to cast off our bastard status and return to the family of the people of South Africa, as part of a united country.'¹⁷ [¹⁷ *Ibid* 27 April 1990]

In May 1990 Mr Mabuza said that the gradual dissolution of the KaNgwane Legislative Assembly had already begun and the pace of its dismantling would be determined by the progress made during negotiations. He said that his administration had already started to 'tone down the political dimension of some of our structures' and that the homeland was to be 'phased out systematically'. A proposal to this effect had been made to Pretoria, Mr Mabuza said. His administration was opposed to the use of homeland structures in the future and believed that the new constitution should not be 'polluted by apartheid-created structures'. KaNgwane would introduce no new legislation, he said, and the legislative assembly had removed many bills from the current legislative session's order paper.¹⁸ [¹⁸ *The Star* 16 May 1990]

Following discussions between the UDF and the Inyandza National Movement in March 1990, the UDF's publicity secretary, Mr Terror Lekota, said that the liberation movement had always been opposed to the homeland system, 'but its disappearance must be timed correctly, not haphazardly. When a homeland government is sympathetic to the liberation movement such as that of KaNgwane which subscribes to the Freedom Charter-there should be no hurry to pressure government officials to abandon their positions'. Mr Lekota said that some people were 'infiltrating our organisations and saying Mr Mabuza is the enemy of the liberation movement. The truth is that we count him as an ally'.¹⁹ [¹⁹ *Sowetan*]

14 March 1990]

Prince James Mahlangu, elected as chief minister of **KwaNdebele** in May 1990 following a motion of no-confidence in the previous chief minister, said that his administration had for years had a mandate to rejoin a new and democratic South Africa. In 1986 homeland residents had rejected 'independence' and it had always been their wish to join a united, democratic South Africa.²⁰ [²⁰ *The Star* 4 May 1990]

The chief minister of **Lebowa**, Mr Nelson Ramodike, tabled a proposal in the Lebowa Legislative Assembly in March 1990 on how the homelands should be dismantled and how negotiations should start. It called for the immediate dismantling of all 'bantustan administrative structures' before the start of negotiations, and their replacement by a multiracial regional office as an interim arrangement.²¹ [²¹ *Sowetan* 26 March 1990] Mr Ramodike planned to circulate the document, which called also for the convention of a consultative conference among the other homeland leaders to ask jointly for the dismantling of the homelands through the repeal of the National States Constitution Act of 1971. If their legislative assemblies approved it, the document would be forwarded to the central government, he said.²² [²² *The Star* 23 March 1990]

On 28 January 1990 the chief minister of **QwaQwa**, Chief Kenneth Mopeli, said at a rally in the Orange Free State, 'We are very anxious to help Mr De Klerk to negotiate a new constitution with all the leaders on a non-group basis.' He believed that there was no room for homelands in a new South Africa and that the homeland system should be overhauled immediately with a view to scrapping it. The existing structures should be transformed into nonracial governments within a greater South Africa. He applauded the intention of those homelands that wished to make a 'comeback into the South African fold'.²³ [²³ *The Citizen* 29 January 1990, *Business Day* 19 January 1990]

Government views on the future of the homelands

The minister of development aid, Dr Gerrit Viljoen, said in April 1989, 'The National Party is still prepared to grant full independence to every self-governing territory that requests it. The NP will not, however, force it upon them. Those self-governing territories that want to remain a part of the Republic of South Africa, remain a part of the Republic of South Africa. At the moment we must say frankly that it does not seem as if any of the governments of the self-governing territories are in favour of independence.' He added that the government was prepared to extend their autonomy and there had been extended negotiations by the minister of constitutional development and planning which had resulted in a new bill concerning the non-independent homelands. Once enacted, it would make it possible for those that wanted to, to replace the National States Constitution Act of 1971.²⁴ [²⁴ *Hansard* (A) 14 col 6845, 26 April 1989]

The government's homelands policy shifted in early 1990, however. On 2 February 1990 Mr De Klerk said. In recent times there has been an interesting debate about the future relationship of the

['independent' homelands] with South Africa, and specifically about whether they should be reincorporated into our country. Without rejecting this idea out of hand, it should be borne in mind that it is but one of many possibilities.'²⁵ [²⁵ *Financial Mail* 16 March 1990] He said that the place of homeland leaders at the negotiating table was assured.²⁶ [²⁶ *New Nation* 2 March 1990]

The minister of finance, Mr Barend du Plessis, said in the same month that the non-independent homelands would probably assume the position of provinces in South Africa's future constitution. The constitutional future of the 'independent' homelands would be up for negotiation.²⁷ [²⁷ *The Natal Witness* 10 February 1990]

On 13 March 1990 Mr Colin Eglin MP (Democratic Party) asked Mr Pik Botha whether the government was prepared to consider taking steps which would make it possible for the four 'independent' homelands to once again become part of 'South Africa'. Mr Botha said it was not up to the government to take the initiative. It was, rather, up to the homelands. The government has made it clear, through the state president, that their return to the sovereignty of the Republic of South Africa is an option.' One could not, 'unilaterally by means of legislation in this country bring about their reincorporation in South Africa'. It was for these homelands to decide what to do and then to start negotiations with the government. Mr Botha said that a thorough study of the implications as well as a decision from Parliament were required. It would require also 'consideration of the type of structure those countries are going to submit to their voters, because they cannot ask their voters, even in a referendum, to become part of the Republic again if they do not tell their voters on what basis they will do so. Will it be on the basis of a confederal relationship, a federal relationship, a regional government or a provincial government? What are the implications in respect of agreements which they entered into after they became independent?' He referred as an example to the Ciskei's legislation granting tax holidays to companies.

Mr Eglin said that Mr Botha's reply had been very neutral and that this was not 'good enough', in view of expectations raised and in view of the 'instability which is being created because of the economic and political uncertainty of the future' of the four homelands. 'We believe that this government must admit that the bantustan experiment in South Africa's history was costly and disastrous. While the government may not be able to force or to coerce, it must adopt a very specific attitude and say that it is leaving the nightmare of partition to the Conservative Party. It must say it stands for a truly reconstructed and united South Africa to which all the components that were part of South Africa can come back home.' He added later. The Democratic Party says that the trend towards unification is going to be inevitable. What we want is for his government to take a positive directionful lead, and not to allow the lead to be taken by the people on the streets.'²⁸ [²⁸ *Hansard* (A) 6, Interpellation cols 408-414, 13 March 1990]

On 21 April 1990 Mr Pik Botha said at a function held by the Bloemfontein City Council for foreign visitors that South Africans realised that the 'dreams' they had had in the past of trying to create 'independent' homelands for Africans did not work. The 'season of partition' was over and 'we stand ready to negotiate to remove obstacles'.²⁹ [²⁹ *City Press* 22 April 1990]

On 15 May 1990 the minister of development aid, Dr Stoffel van der Merwe (who had in the meantime replaced Dr Viljoen), said that the government accepted that 'independence' was no longer considered a worthwhile option for the non-independent homelands. The constitutional future of these territories in a new South Africa was a matter for negotiation, he said. The overriding aim now is the participation of all South Africans in the central political process.' He said, however, that they were well established and could not be eliminated by the stroke of a pen. They were historical realities established over many years and could not be wished away. Historically they had been seen as future independent states and their development had been aimed in that direction. In their present form they were in fact regional authorities with legislative, executive and judicial powers. It was important to note that the 'basic law' for these homelands was geographically, not ethnically, based. South Africa had a long tradition of decentralised government in which the provincial authorities and the self-governing territories played a major part. Africans were excluded from central government and 'it is quite understandable that this aspect will be of great importance in the initial stages of negotiation'.

Dr Van Der Merwe said that the fact that the non-independent homelands were no longer on the road to 'independence' implied an in-depth review of their existing functions and powers. It is a process that will need thorough negotiation. It is possible that some of the existing functions already transferred to the self-governing territories should reside with the central government and vice versa. It is also important to say once more that any land occupied by communities will not be incorporated in the self-governing territories without the agreement of the lawful inhabitants.'³⁰ [³⁰ *The Citizen* 16 May 1990]

The role of heads of homeland administrations in constitutional negotiations

The leader of the Transkei Military Council, Major General Bantu Holomisa, said in October 1989 that the state president, Mr F W de Klerk, had said that the government would open its doors for negotiation to all South African leaders, but had not clarified whether the invitation was extended to the 'independent' homeland leaders. Mr De Klerk said in response that the door was open to the heads of state and leaders of government of the 'independent' homelands to negotiate a constitution for South Africa.³¹ [³¹ *Cape Times* 3 October 1989]

In the same month Dr Gerrit Viljoen, who had in the meantime become minister of constitutional development, said at the National Party's Transvaal congress that negotiations would be multipartite, and Africans should be entitled to appoint their representatives to the negotiating table by way of a special election, whose nature and details would have to be worked out, also through negotiations. He added that there were several important black parties and groups which had 'had the courage to submit themselves to democratic elections in the past' in the non-independent homelands and local councils. They had negotiated vigorously for years for reforms and had produced results. These groups and leaders have established themselves as experienced authorities who obviously have a large and important role to play as influential participants in the negotiating process.' They had long ago declared

their preconditions for negotiations and had produced results without becoming passive puppets, as they were unfairly branded. Mr De Klerk said that his government would not allow them to be elbowed out of the negotiating process. He said, 'There is no single party or grouping that can claim that it alone speaks on behalf of black South Africans.'³² [³² *The Star* 23 October 1989]

In November 1989 Dr Viljoen and the deputy minister of constitutional development, Mr Roelf Meyer, embarked on a series of consultations with heads of government of the six non-independent homelands about how the homelands would be included in the government's initiative to negotiate a new constitution. The talks centred on methods of choosing African representatives for a national forum for the negotiation of a new constitution, details of the workings of the negotiation process, and consideration of the effect of the government's approach to a new constitution on the present system of non-independent homelands.³³ [³³ *The Citizen* 10 November 1989]

After a meeting in QwaQwa Dr Viljoen said that negotiations would, among other things, focus on the question of the homelands becoming regional or provincial governments within the envisaged new constitution. Non-independent homelands were in fact provincial governments. He said that the question of the 'independent' homelands' being drawn back into South Africa was not on his agenda as the different homelands would decide on this issue. The chief minister of QwaQwa, Chief Kenneth Mopeli, reiterated his stance against 'independence' saying that QwaQwa would remain part of South Africa.³⁴ [³⁴ *Sowetan* 13 November 1989] According to *The Weekly Mail*, Dr Viljoen tried to persuade the QwaQwa cabinet that its chief minister should be the democratic representative of the QwaQwa people at the negotiations. The cabinet, however, opposed this proposal and called for nationwide elections to choose representatives. According to the article, the government hoped that the chief ministers would represent the six homelands; white, coloured and Indian MPs those race groups, and then some method of representation would be negotiated for Africans outside the homelands.³⁵ [³⁵ *The Weekly Mail* 24 November 1989]

The KwaNdebele cabinet, under the leadership of Mr J Mabena (later replaced by Prince James Mahlangu), said that it could not talk for urban Africans, who had to determine their own representatives at negotiations. But it said it would represent KwaNdebele citizens at negotiations.³⁶ [³⁶ *The Star* 15 November 1990] Mr Mabena confirmed in February that he would be at the negotiating table representing the interests of the Ndebele people.

Mr Meyer said that the series of visits had paved the way to real negotiations. He said that there was general recognition by leaders of those homelands that Mr De Klerk was serious in his intention to build a new South Africa.³⁷ [³⁷ *Ibid* 20 November 1989]

The chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, said in February 1990 of delegations representing ethnic groups at negotiations, 'To talk in terms of ethnicity is to use the language of racism and I will not be party to this in any manner whatsoever. South Africa is one country with one people. All South Africans must decide their future.' He said, 'Inkatha has a role to play in the

negotiation process, and it intends to put forward its views, its aims and objectives for security and debate.’³⁸ [³⁸ *Sunday Tribune* 11 February 1990]

A joint committee of representatives of the central government and the KwaZulu administration had been established in 1989 to identify and address obstacles impeding the process of negotiations, as well as to formulate principles on which there was common ground. The committee consisted, inter alia, of the minister of home affairs and of communication, Mr J C Botha; the deputy minister of constitutional development and planning, Mr R Meyer; KwaZulu’s minister of education and culture, Dr Oscar Dhloomo; KwaZulu’s minister of health, Dr F Mdlalose, and ex-attorney, Mr Roley Arenstein.)³⁹ [³⁹ *Hansard* (A) 3 q cols 80-81, 21 February 1989]

Dr Viljoen and the chief minister of KaNgwane and leader of the Inyandza National Movement, Mr Enos Mabuza, held ‘exploratory’ talks on 18 January 1990 on a new constitution.⁴⁰ [⁴⁰ *The Citizen* 19 January 1990] Dr Viljoen and the minister of development aid, Dr Stoffel van der Merwe, held talks with the Lebowa cabinet; Lebowa’s chief minister, Mr Nelson Ramodike; and Lebowa’s advisory committee on constitutional matters in February to discuss the question of negotiations. Mr Ramodike said that ‘we fully support’ the preconditions for negotiations set by the African National Congress (ANC).⁴¹ [⁴¹ *The Star* 22 February 1990] Mr Ramodike said that a drafted declaration addressing negotiations had been issued by Lebowa to all homeland leaders as a result of the talks with the ministers.⁴² [⁴² *Press* 25 February 1990] The declaration rejected any negotiations aimed at making ethnic groups the building blocks of a future constitution as well as the notion of own and general affairs. It was to be the basis for a consultative forum of homeland leaders, including the ‘independent’ homelands, to co-ordinate the move towards a negotiated settlement. In April 1990 Mr Ramodike said that ‘we are not prepared to go to a negotiation as bantustan leaders’.⁴³ [⁴³ *The Star* 10 April 1990]

In January 1990 Mr De Klerk held a series of talks with the ‘independent’ homelands about the constitutional future of South Africa.

Bophuthatswana totally rejected the idea of being part of the negotiations. Its president, Chief Lucas Mangope, said that he favoured instead some form of loose federation with Botswana. Another option was to form a loose confederation of states within ‘southern’ Africa once apartheid was removed.⁴⁴ [⁴⁴ *Sunday Tribune* 11 February 1990]

On 18 January 1990 Mr De Klerk held discussions with the Ciskei administration, then under the leadership of Chief Lennox Sebe. Chief Sebe presented to the central government delegation a document outlining his administration’s approach to negotiations. It contended that negotiations between the ‘independent’ homelands and central government should take place before ‘the very complicated process of negotiations between the government and its major extra-parliamentary opponents commences’. This would be ‘strategically simpler’ because individual homelands could find themselves overshadowed by other contenders in the final negotiations, and divisions among the homelands could

occur if one or other of them opted to support the ANC, which was a possibility. It would be a ‘high-risk venture’, the document said, for the four homelands to negotiate then with the ANC to reach some form of autonomy, as some had suggested they do, and participate in the final negotiations as part of an alliance of negotiating forces against the central government. This, the document said, would put the homelands in the risky position of the ANC and Mass Democratic Movement altering a prior agreement if they felt they had the support of the majority of people in the four homelands. Chief Sebe told Mr De Klerk that the Ciskei would go into the negotiations as a nation. ‘We are not going to abdicate,’ he said. A confederation was the only type of government which was appropriate and reabsorption was not acceptable.⁴⁵ [⁴⁵ *Eastern Province Herald* 19 January 1990]

Chief Sebe said in February, ‘We will be at the negotiating table, but only as a sovereign state. We are not going to renounce our cherished independence which the people of Ciskei voted for overwhelmingly on 4 December 1980.’⁴⁶ [⁴⁶ *Sunday Tribune* 11 February 1990]

The six heads of non-independent homeland administrations and the three chairmen of the ministers’ councils of the three houses of Parliament were invited by Mr De Klerk to Tuynhuys in Cape Town for ‘exploratory talks on the structuring of the process of negotiation and related matters’, on 5 April 1990.⁴⁷ [⁴⁷ *The Citizen* 29 March 1990] Mr De Klerk said that ‘the process of negotiation is a wide-ranging one in which all interested parties should participate’. He said that the planned discussions ‘acknowledge the position of these leaders in this process’.⁴⁸ [⁴⁸ *Business Day* 29 March 1990] He said that those who had participated in government structures were assured of a place at the negotiating table. He paid tribute to the role played by ‘all the leaders of parliamentary parties, leaders of important organisations and movements, such as Chief Mangosuthu Buthelezi, all the other chief ministers and urban community leaders. Through their participation and discussion they have made an important contribution to this moment in which the process of free political participation is able to be restored’.⁴⁹ [⁴⁹ *Ibid*] The talks were to be a week ahead of scheduled ‘talks-about-talks’ at Groote Schuur in Cape Town between the ANC and the government to discuss the ANC’s preconditions to negotiations.

On 4 April it became clear that various homeland chief ministers were dropping out one by one. The ANC had postponed its scheduled 11 April meeting with the state president, saying this was in protest at police shootings in Sebokeng (Vaal Triangle) in late March (see chapter on *Security*.) Dr Viljoen said that ‘it appears that considerable pressure—and even intimidation—has been applied to some of them’. The leader of the Labour Party and chairman of the ministers’ council in the House of Representatives, the Rev Allan Hendrickse, said that the deputy president of the ANC, Mr Nelson Mandela, had telephoned him with a request that the Labour Party should not attend the talks ‘as a gesture of solidarity with those who have decided not to attend’.⁵⁰ [⁵⁰ *The Star* 5 April 1990]

Mr De Klerk met Chief Buthelezi and Chief Mopeli, who were the only homeland chief ministers to arrive for the talks, and later in the day met Mr Mandela and three other ANC representatives in relation to violence within the country.⁵¹ [⁵¹ *The Citizen* 5 April 1990]

Chief Buthelezi, in a statement before the talks at Tuynhuys, said that the fact that homeland leaders were not attending the discussions had not changed his mind 'because I am not here as a homeland leader... I clearly stated that when I do go to negotiate, it will be as president of Inkatha and not as chief minister of KwaZulu. If others classify themselves as homeland leaders for the purpose of negotiation, they are exercising what really is their prerogative. I choose differently'.

Chief Buthelezi said that Mr Mandela was free to make up his own mind about negotiation, but that other black leaders had a 'similar right'. He had refused to negotiate for years with the government about the constitutional future of the country, but political prisoners had been freed, organisations unbanned and the state president had 'gone past all points of no return in his moves away from apartheid... I have declared that I am now ready to negotiate'.⁵² [⁵² Ibid 6 April 1990]

The chief minister of Gazankulu, Professor Hudson Ntsanwisi, denied that he was intimidated or forced by anyone to boycott the meeting, which had had his blessing and support.⁵³ [⁵³ *The Star* 6 April 1990]

Mr Mabuza said that he had made the decision 'independently' soon after learning of the suspension of the ANC's 11 April talks with the government. He had suggested to the government that the meeting be postponed as it would be unwise to proceed in the light of 'current political circumstances'. I believe that to go ahead with this meeting would adversely affect the already questionable credibility of the chief ministers,' he said in a letter to Dr Viljoen.

Mr Ramodike also denied having been intimidated. He said that the Lebowa Legislative Assembly had resolved that the Lebowa homeland structure be dismantled, and I want to repeat what I said in the past, and that is we are not prepared to go to a negotiation as bantustan leaders.' The ANC, he said, was 'the major mouthpiece in black leadership'. Failing to observe this 'may lead to even further division among blacks'.

Mr Mabena said that he had withdrawn from the talks because he felt it would have been irrelevant to have attended without the other leaders. The ANC had had nothing to do with his decision, he said.⁵⁴ [⁵⁴ Ibid 7 April 1990]

Business Day reported that at their talks on 5 April Mr De Klerk had told Mr Mandela that no leaders should in any way inhibit talks on the widest possible level. Mr Mandela had replied that the ANC had met Mr Mabuza, Mr Ramodike, Professor Ntsanwisi and representatives of KwaNdebele and QwaQwa to address the question of pooling resources of all anti-apartheid forces.⁵⁵ [⁵⁵ *Business Day* 9 April 1990]

In April Mr Mandela said that the ANC was concentrating on the question of black unity and 'we have had meetings with almost all the homeland leaders'.⁵⁶ [⁵⁶ Ibid 12 April 1990] The United Democratic Front (UDF) held a national workshop in Cape Town and among the recommendations that it made, for discussion by various regions nationwide, was that the base of the liberation movement' should be broadened to include those who had not previously participated in UDF structures. This would include

‘all homeland leaders and people who have served in government structures but who acknowledge the leadership of the liberation movement, provided that they are genuine and not in conflict with the masses on the ground’.⁵⁷ [⁵⁷ Ibid 10 April 1990]

On 7 May 1990 the ANC invited the heads of the non-independent homeland administrations, excepting Chief Buthelezi, to a ‘consultative meeting’ to report back on the Groote Schuur ‘talks-about-talks’. The meeting was also to ‘explore the necessity for further consultations’ with homeland leaders with a view to forming a broad political front for constitutional negotiations with the government. In addition to Chief Buthelezi, it did not invite the four ‘independent’ homeland leaders. The five leaders expressed their support for the ANC. Mr Ramodike said, I wish to reiterate my viewpoint that I will not negotiate with the South African government as a bantustan leader... It would be unwise to form alliances with anyone but the ANC. We will not negotiate with the government in the absence of the ANC.’ Professor Ntsanwisi said that he would have adopted the same position as the ANC at the talks. Chief Mopeli said that political forces should unite to achieve a nonracial democracy.⁵⁸ [⁵⁸ *The Star* 8 May 1990]

An ANC official, Mr Elias Motsoaledi, told a rally in early June 1990 that the ANC was seriously looking into the question of embracing all the homeland leaders, except Chief Buthelezi, into its broad political structure. Chief Buthelezi had been ‘too controversial for too long’.⁵⁹ [⁵⁹ *Sowetan* 4 June 1990]

On 18 June 1990 the homeland leaders who had not attended the April meeting at Tuynhuys and the leaders of the three chambers of Parliament met Mr De Klerk. Three days before, the homeland leaders had had a meeting with the ANC, who had not taken a ‘prescriptive stand’ on whether they should attend meetings with the state president, according to Mr Mabuza. Mr Mabuza said that the emphasis of the meeting was on ensuring that existing homeland administrations continued functioning smoothly until they were replaced.⁶⁰ [⁶⁰ *The Daily Mail* 20 June 1990]

Citizenship

In terms of section 43 of the Admission of Persons to the Republic Regulation Act of 1972, 166 Africans were deported in 1988 and 182 in 1989. Of the 166 in 1988, four were ‘deported’ to Bophuthatswana, seven to the Ciskei, 68 to the Transkei and six to Venda. Nobody was sent to the homelands in 1988 in terms of section 16 of the act.⁶¹ [⁶¹ *Hansard* (A) 17 q cols 1077-1078, 12 May 1989; *Hansard* (A) 22 q col 1402, 26 May 1989] In 1989 two people were ‘deported’ to Bophuthatswana in terms of section 43, 21 to the Ciskei, 116 to the Transkei, and five to Venda.⁶² [⁶² *Hansard* (A) 6 q cols 510-511, 14 March 1990]

Between the dates of ‘independence’ of the four ‘independent’ homelands and the end of 1988, 36 of the 24 122 applications for South African travel documents from their citizens had been refused. The minister of home affairs, Mr Stoffel Botha, said that it was not policy to disclose reasons for refusals.⁶³ [⁶³ *Hansard* (A) 22 q cols 1401-1402, 26 May 1989]

The following table shows the number of citizenship certificates issued in the non-independent homelands by the end of 1988, the number issued during 1988 and the estimated number which remained to be issued at the end of 1988:⁶⁴ [⁶⁴ *Hansard* (A) 10 q col 659, 14 April 1989]

Citizenship certificates issued in the non-independent homelands

IsTotal number issued by end of 1988

Still to be issued at end of 1988

Gazankulu

0

98 444

416 522

KaNgwane

0

4 574

536 663

KwaNdebele

2 752

38 778

332 494

KwaZulu

4 748

1 608 907

1 575 553

Lebowa

111

278 321

1 164 343

QwaQwa

3 269

167 933

869 953

Total

10 880

2 196 957

4 895 528

Legislation Affecting the Homelands in 1989

Alteration of Boundaries of Self-Governing Territories Bill

The Alteration of Boundaries of Self-Governing Territories Bill of 1989 was tabled in Parliament in April 1989 but was not passed. Clause 2(3) provided that, ‘No court of law shall be competent to inquire into or pronounce upon the validity of any proclamation’ by the state president incorporating land into, or excising land from, the homelands. Clause 3 sought retroactively to validate any previous proclamations specifically that incorporating Botshabelo into QwaOwa (see *Land disputes* below)—with the exception of Moutse (a central Transvaal community whose future was the subject of a commission of inquiry). The Appellate Division of the Supreme Court had declared the incorporation of Botshabelo to be invalid.⁶⁵ [65 Mackay S, *Quarterly Countdown* 12 (South African Institute of Race Relations (SAIRR)), 30 May 1989] The bill sought to validate Moutse’s incorporation into KwaNdebele for the period between 31

December 1985 and 29 March 1988, so that legal activities in Moutse when it was under KwaNdebele's control (such as marriages) were validated.

After numerous representations, the government dropped the clause denying the courts the power to pronounce on the validity of proclamations. It still planned to pass the rest of the bill, which sought to give the state president the power, notwithstanding the provisions of the National States Constitution Act of 1971 or of any other law, to issue proclamations incorporating areas into homelands after consultations with the minister of constitutional development and planning and the cabinet of the homeland concerned. Lawyers believed that, despite the dropping of the controversial clause, it would be virtually impossible to challenge future incorporations through the courts. The National States Constitution Act laid down a criterion that the state president could amend homeland boundaries if that would be consistent with the act's stated purpose, which was to establish homelands for different African ethnic groups. The only criterion stipulated by the bill, however, was consultation with the minister of constitutional development and planning and homeland cabinets. Lawyers believed that the bill left few grounds on which to oppose incorporations.⁶⁶ [⁶⁶ Mackay S, *Quarterly Countdown* 13 (SAIRR), 25 August 1989, pp21-22]

The bill was passed by the House of Assembly but rejected by the House of Delegates and the House of Representatives on 26 May 1989.⁶⁷ [⁶⁷ *Hansard* 22, joint meeting, cols 10600-10661, 26 May 1989]

National States Constitution Amendment Bill

The National States Constitution Amendment Bill, tabled in 1989, was also not passed. It provided for land in the non-independent homelands to be sold to persons who were not citizens of that homeland. It also sought to give homeland legislative assemblies the power to legislate regarding marriages involving non-citizens of the homeland concerned. The National States Constitution Act allowed it to do so regarding marriages between its citizens only. The bill also renamed the principal act the Self-Governing Territories Constitution Act of 1971 as the term 'national states' was outdated.

The bill also provided that the state president could, after consultation with the cabinet of a non-independent homeland, incorporate by way of proclamation an area which was not a 'black area' but which was surrounded by that homeland. This clause was included because 'black areas', as defined in the Black Authorities Act of 1951, could not be incorporated into the homelands. As a result, problems had been experienced in KwaZulu as nine pockets of land totally surrounded by KwaZulu on which some magistrates' offices and police stations were situated were not 'black areas' and could not, therefore, be incorporated into KwaZulu. This made it impossible to declare magisterial districts in these areas as, technically, these pockets of land were part of 'South Africa'.

The bill also provided for non-independent homeland administrations to provide education to persons outside the homeland with the approval of the minister of education and development aid. This was retroactively to legalise the situation where some homelands controlled schools situated on South African Development Trust (SADT) land and in black areas outside the area of jurisdiction of the

homeland concerned.⁶⁸ [⁶⁸ Memorandum on the Objects of the National Slatcs Constitution Amendment Bill of 1989; *Hansard* 20, (EPC), cols 10071-10082, 23 May 1989]

The bill was passed by the House of Assembly but rejected by the House of Delegates and the House of Representatives on 26 May 1989. Opposition to the bill was based largely on opposition to the incorporation and education clauses. It was felt that they should apply only to KwaZulu, and not to the other five homelands, as the powers they gave were too broad.⁶⁹ [⁶⁹ *Hansard* 22, Joint Meeting, col 10658, 26 May 1989]

Development Trust and Land Amendment Act

The Development Trust and Land Amendment Act of 1989 amended the Development Trust and Land Act of 1936. The principal act provided that ownership of all land acquired in terms of the act would vest in the SADT. Legal opinion was that the act could be interpreted as referring only to land bought by the time the act was passed in 1936. This would cast doubt on the legality of certain legal acts performed by the trust on land acquired after the act was passed. The amendment act ensured that such land would automatically vest in the trust.

The minister of development aid, Dr Gerrit Viljoen, said that the amendment act also clarified 'beyond doubt' that when land was added by proclamation to the jurisdiction of a homeland legislative assembly, that if it was land being held in trust for an African person, tribe or community, that it did not vest in the homeland administration in its own right, but in trust for that person, tribe or community.

Other sections of the amendment act dealt with the administration and development of townships. The act lifted restrictive conditions applying to the opening of township registers. Dr Viljoen said that existing African townships were generally established on land belonging to the SADT and no permanent rights were given to residents in the townships. However, with the expansion of their rights to include 99-year leasehold, deeds of grant and full ownership, it had become necessary to open township registers also in the case of townships on SADT land. There were various restrictive conditions on the titles not conducive to establishing townships because full ownership had not been envisaged formerly. The act provided for these restrictions to be lifted and for the speedy settling of disputes likely to arise as a result.

The amendment act also gave the minister of development aid the power to grant rights of leasehold to 'non-blacks' on SADT land. Already 24 572 stands were leased to 76 developers on trust land, of whom 54 were 'non-black'. Leasehold had been granted to them in terms of the Regulations for the Administration and Control of Townships in Black Areas as contained in Proclamation R293 of 1962. This proclamation had been repealed in 1988, however, and the new proclamation did not re-enact this provision. Legislation was, therefore, required to provide beyond all doubt, as had been assumed all along, that the minister of development aid could approve of leasehold grants to non-blacks. The amendment act also provided for such leasehold grants in respect of other trust-owned or rural land, and

not only in townships, if this would be to the advantage of African people. The act was passed by all three houses of Parliament in March 1989.⁷⁰ [⁷⁰ *Hansard* (D) 5, cols 2329-2333, 7 March 1990]

Incorporation of Certain Land in the Republic of South Africa Act

The Incorporation of Certain Land in the Republic of South Africa Act of 1989 reincorporated into 'South Africa' a farm belonging to Mr F Pretorius, that had been incorporated into Bophuthatswana inadvertently in 1977 along with the Molopo district. Bophuthatswana had already passed legislation returning it to 'South Africa'.⁷¹ [⁷¹ *Hansard* (R) 5 col 2427, 8 March 1989]

Borders of Particular States Extension Amendment Bill

The Borders of Particular States Extension Amendment Bill of 1989, published in December 1989, provided for the state president to transfer land to Bophuthatswana, the Ciskei and the Transkei by proclamation. Land being given to the Ciskei was in compensation for land in the corridor between the Ciskei and the Transkei that was no longer to be given to the Ciskei. Three communities affected in the eastern Cape sent a delegation to give evidence to National Party members of the standing committee on constitutional and foreign affairs and said that they did not want to be incorporated into the Ciskei. The land on which they lived was removed from the schedule to the bill as a result (see *Land disputes* below).⁷² [⁷² Memorandum on the Objects of the Borders of Particular States Extension Amendment Bill of 1989; *Grahamstown Rural Committee (GRC) Newsletter*, no 22, March 1990] The bill was referred in January 1990 to the joint committee on constitutional and foreign affairs. It had not been passed by mid-June 1990.

Financing the Homelands

Homeland revenue

According to their own estimates of revenue, the homelands were to derive the following amounts from their own revenue, loans and the central government in the 1989/90 financial year:⁷³ [⁷³ Republic of Bophuthatswana, *Estimate of the Revenue for the Year Ending 31 March 1990*-, Republic of Ciskei, *Estimates of Expenditure to be Defrayed from the Ciskei Revenue Fund During the Year Ending 31 March 1990*, *Estimate of Expenditure to be Defrayed from the Revenue Fund of the Gazankulu Government Service During the Financial Year Ending 31 March 1990*, *Estimate of the Expenditure to be Defrayed from the Revenue Fund of the KaNgwane Government During the Year Ending 31 March 1990*, *Estimates of Expenditure to be Defrayed from the Revenue Fund of the KwaNdebele Government Service During the Year Ending 31 March 1990*, *Estimate of the Expenditure to be Defrayed from the Revenue Fund of the KwaZulu Government During the Year Ending 31 March 1990*, *Lebowa Estimate of the Revenue to be Collected and Expenditure to be Defrayed During the Year Ending*

31 March 1990, Estimates of the Expenditure to be Defrayed from the Revenue Fund of QwaQwa During the Financial Year Ending 31 March 1990, Estimate of Expenditure to be Defrayed from the Transkeian Revenue Fund During the Year Ending 31 March 1990, and Estimates of Expenditure to be Defrayed from the Revenue Fund of the Venda Government During the Financial year Ending 31 March 1990]

Estimated sources of homeland revenue: 1989/90

From central government^b

From loans^c

From internal revenue^b

R

R

R

Bophuthatswana

526 000 000

189 589 000

1 547 542 000^a

Ciskei

654 036 000^d

N/A

235 000 000

Gazankulu

561 157 000

21 617 000

130 953 000

KaNgwane

273 894 000

16 204 000

49 576 000

KwaNdebele

228 153 000

24 796 000

41 500 000

KwaZulu

1 798 911 000

129 522 000

435 000 000

Lebowa

1 083 344 000

N/A

227 862 000

QwaQwa

220 819 000

53 352 000

130 500 000

Transkei

899 418 000

N/A

1 124 981 000

Venda

374 582 000

82 127 600

219 394 800

Total

6 620 314 000

517 207 600

4 142 308 800

a

Bophuthatswana's estimate of internal revenue in 1988/89 was incorrectly reported in the 1988/89 Survey p61. The correct figure was R1 188 191 000.

b

The homelands generally include under the category of internal revenue various transfer payments from the central government, so that figures in the column showing revenue from the central government do not in most cases reflect the full extent of revenue it provides. For example, Bophuthatswana's internal revenue includes its customs union payment of R593m from the central government. The Ciskei's includes only decentralisation incentives from the central government (R36m). The Transkei's internal revenue figure includes R308m in 'general tax' R62m in income tax, R103m in general sales tax, R22m in 'compensatory payment for circulation of rand currency' and R460m as customs and excise duties. Venda's includes transfer payments of R169m from the central government. Similarly, the non-independent homelands' internal revenue figures includes income taxes transferred to them from the central government as they are an estimate of tax collected their citizens

working outside the homelands. These tax refunds constitute the major portion of 'revenue from own sources'.

c

Many of these loans are from the Development Bank of Southern Africa

d

This figure includes customs union duties and rand monetary area payments from the central government.

N/A

Central government allocations

Most homeland revenue provided by the central government is channelled via the Department of Development Aid (mostly to the six non-independent homelands) and the Department of Foreign Affairs (which is the conduit for the four 'independent' homelands).

In the 1988/89 and 1989/90 budget estimates, the following amounts were allocated for the 'development of black areas towards self-determination' in the vote of the **Department of Development Aid:**

Development aid vote

1988/89

1989/90

Consolidation of black areas

R

R

Administration

3 000 000

4 242 000

Grand-in-aid to SADT^a for

purchase of land

56 946 000

52 320 000

settlement

25 000 000

20 005 000

(Less: estimated funds from own sources)

(6 000 000)

(6 000 000)

Total

78 946 000

70 567 000

Development towards self-determination

Planning and administration

25 750 000

38 199 000

Grant-in-aid to SADT^a for

land planning and conservation

11 990 000

12 072 000

settlement of population

165 937 000

266 305 000

employment creation and income generation

76 105 000

69 984 000

human development

1 000 000

12 290 000

rendering social services

68 291 000

106 806 000

government planning and administration

23 524 000

26 548 000

physical infrastructure

73 501 000

52 838 000

(less estimated fund from own sources)

(18 000 000)

(18 000 000)

Total

428 098 000

567 042 000

Grand total

507 044 000

637 609 000

^a South African Development Trust

The department also made the following provision for budgetary assistance to the non-independent homelands:

Budgetary assistance to non-independent homelands^a

1988/89

1989/90

R

R

Gazankulu

425 757 000

537 242 000

Kangwane

228 524 000

292 403 000

KwaNdebele

219 678 000

240 253 000

KwaZulu

1 520 479 000

1 859 572 000

Lebowa

898 724 000

1 110 954 000

QwaQwa

170 657 000

230 386 000

Selected projects

—

16 745 000

Total

3 463 819 000

4 287 555 000

^a This comprises administrative and technical assistance, an ‘additional amount’, pr

In addition the Department of Development Aid allocated R7,5m to the South African Development Trust for subsidising the fares of commuters travelling within the non-independent homelands.

The **Department of Foreign Affairs** spends most of its budget on the four 'independent' homelands. Other government departments are also involved in financing them. For example, the Department of Finance allocated R61m in 1989/90 in rand monetary area 'foreign transfer payments' to Lesotho and these homelands, and the Department of Development Aid allocated R15m and R29m respectively for the purchase of properties and for the establishment of townships and infrastructure in the 'independent' homelands in 1989/90. Staff seconded to the homelands are paid directly from the central government exchequer so it is not possible to trace their cost through the budget, according to the *Financial Mail*.⁷⁴ [74 *Financial Mail* 28 July 1989]

The following tables summarise the total amounts allocated to the 'independent' homelands by various central government departments in the 1988/89 and 1989/90 financial years:⁷⁵ [75 *Hansard* (A) 4 q cols 200-206, 2 March 1990; *Hansard* (A) 7 q cols 516-518, 22 March 1989; *Hansard* (A) 20 q cols 1647-1650, 5 June 1990; *Hansard* (A) 21 q cols 1801-1802, 14 June 1990]

Estimated payments to independent homelands: 1988/89

Bophuthatswana

Ciskei

Transkei

Venda

R

R

R

R

Direct assistance

Foreign affairs vote

447 223 000

388 789 000

711 766 000

228 571 000

Technical aid

942 000

198 000

694 000

665 000

Economic co-operation promotion loan fund

2

13

12

19Incentives for industries

13 000 000

36 000 000

20 000 000

5 000 000

Transfer payments

Income tax

59 414 000

33 141 000

157 273 000

10 322 000

Customs union

516 028 000

180 489 000

458 231 000

86 653 000

Rand monetary area

8 757 333

4 960 000

18 293 333

2 698 666

Job creation

8 000 000

6 500 000

4 500 000

3 000 000

Total

1 055 901 333

663 107 000

1 383 737 333

355 934 666

Estimated payments to independent homelands: 1989/90

Bophuthatswana

Ciskei

Transkei

Venda

R

R

R

R

Direct assistance

Foreign affairs vote

539 641 740

437 199 926

875 320 000

348 202 230

Technical aid

875 000

802 000

608 000

1 015 000

Economic co-operation promotion loan fund

24

20

4

26 Incentives for industries

20 992 666

16 098 888

25 327 100

6 362 648

Transfer payments

Income tax

72 647 339

40 523 332

192 301 965

12 621 392

Customs union

623 354 000

221 776 000

548 915 000

90 390 000

Rand monetary area

11 585 617

6 561 400

24 202 900

3 559 250

Job creation

9 860 805

4 995 317

6 517 000

2 095 036

Total

1 303 685 640

748 315 977

1 677 809 640

490 685 486

In 1988/89 the Department of Foreign Affairs also guaranteed overdraft facilities from banking institutions for the Ciskei valued at R172m, for the Transkei worth R80m and Venda worth R45m. No guarantees or sureties were given in respect of Bophuthatswana in that year.⁷⁶ [⁷⁶ *Hansard* (A) 22 q cols 1341-1344, 26 May 1989] In the same year it provided loans to Bophuthatswana (worth R3m) the Ciskei (R47m), and Venda (R27m). By 31 March 1989 Bophuthatswana owed the department R48m, the Ciskei R25m,

the Transkei R 103m and Venda R30m.⁷⁷ [⁷⁷ *Hansard* (A) 20 q cols 1219-1223, 23 May 1989]

The Additional Appropriation Bill of 1989 allocated the following amounts to the Department of Foreign Affairs for 1988/89: R26m for salary increases for teachers in the four 'independent' homelands, R72m for adjustments to the salaries of civil servants in these homelands, and R29m to bring their social pensions in line with the central government's increases.⁷⁸ [⁷⁸ *Hansard* (A) 3 cols 1049-1051, 20 February 1989]

Homeland budgets

The ten homelands budgeted for a total expenditure of just over R12bn in 1989/90, a 23% increase on 1988/89. The table below compares the homeland budgets of 1988/89 and 1989/90 and shows the percentage changes:

Homeland budgets

1988/89

1989/90

Change

Bophuthatswana

1 745 591 000

2 309 219 000

32%

Ciskei

1 068 506 000

1 312 231 000

23%

Gazankulu

560 736 000

668 469 000

19%

KaNgwane

299 861 722

323 273 730

8%

KwaNdebele

294 030 000

298 799 000

2%

KwaZulu

1 967 549 907

2 415 337 800

23%

Lebowa

1 099 406 000

1 311 582 000

19%

QwaQwa

301 760 000

393 775 000

30%

Transkei

1 952 180 000

2 308 714 000

18%

Venda

590 179 400

776 054 800

31%

Total

9 879 800 029

12 117 45

The following tables give a detailed breakdown of the budgets of the non-independent homelands in 1989/90:⁷⁹ [79 Various homeland estimates of expenditure for 1989/90, as cited above]

Non-independent homelands budgets: 1989/1990

Gazankulu R

KaNgwane R

KwaNdebele R

Chi

38

17

14Interior

44 313 000

12 125 300

6 204 000

Works

78 604 000

53 262 300

84 134 000

Education(and culture)

237 073 000

106 602 300

80 091 000

Agriculture (and forestry)

38 214 000

19 542 300

18 800 000

Justice

10 082 000

5 300 000

7 228 000

Health (and welfare)

153 813 000

76 945 300

29 204 000

Finance

52 184 000

14 947 000

32 311 000^a

Police

15 888 000

14 447 000

19 000 000

Citizen liaison and information

—

—

3 254 000

Statutory amounts

—

2 125 330

3 673 000

Total

668 469 000

323 273 730

298 799 000

^a KwaNdebele's economic affairs budget is included here.

Non-independent homelands budgets: 1989/1990

KwaZulu

Lebowa R

QwaQwa

R

R

R

Chi

12

59

10Interior

22 300 000

33 930 000

34 485 000

Works

437 300 000

60 512 000

138 615 000

Education(and culture)

774 777 8000

568 337 000

119 715 000

Agriculture (and forestry)

63 994 000

99 944 000

10 345 000

Justice

17 000 000

20 042 000

2 355 000

Health (and welfare)

789 000 000

322 942 00

33 965 000

Finance

140 000 000

93 675 00

35 175 000

Police

46 515 000

—

8 710 000

Law and order

—

52 424 400

—

Total

2 415 337 800

1 311 582 000

393 775 000

The budgets of the 'independent' homelands are as follows:

Bophuthatswana budget: 1989/90

R

President

53 337 000

National assembly

3 822 000

Auditor general

2 330 000

Public service commision

4 315 000

Defence

74 371 000

Economic affairs, energy affairs, mines and planning

81Finance

328 162 000

Education

417 944 000

Foreign affairs

14 689 000

Transport

71 129 000

Public works

278 262 000

Posts and telecommunications

60 267 000

Agriculture and natural resources

145 215 000

Local government and housing

100 487 000

Internal affairs

138 912 000

Justice

14 610 000

Police

104 917 000

Prison

21 304 000

Health and social welfare

171 305 000

Manpower

36 701 000

State affairs and civil aviation

32 170 000

Broadcasting

40 741 000

Water affairs

83 509 000

Population development

16 891 000

District governors

5 244 000

Information

6 919 000

Total

2 309 219 000

Ciskei budget: 1989/90

R

Presidency

21 041 000

Defence force

47 633 000

Auditor general

1 664 000

Education

219 422 000

Agriculture and rural development

65 715 000

Justice

73 784 000

Health

138 935 000

Finance

145 990 000

Internal affairs and land tenure

15 194 000

Manpower utilisation

5 907 000

Transport

37 030 000

Public works

218 602 000

Foreign affairs

8 738 000

Posts and telecommunications

37 869 000

Social welfare and pensions

94 279 000

Youth affairs, sport and recreation

2 865 000

Tourism and aviation

8 597 000

Statutory amounts

141 930 000

Fort Hare Univ

Transkei budget: 1989/90

R

Military council

18 128 000

Agriculture and forestry

141 877 000

Auditor general

4 094 000

Defence

55 003 000

Education

551 656 000

Finance

359 439 000

Foreign affairs and information

7 789 000

Health

246 698 000

Interior

8 887 000

Justice

21 557 000

Local government and land tenure

12 604 000

Commerce, industry and tourism

68 849 000

Police

65 430 000

Posts and telecommunications

44 039 000

Prison

27 799 000

Public service commision

4 839 000

Transport

48 246 000

Works and energy

195 470 000

Welfare and pensions

396 743 000

Manpower planning and utilisation

29 567 000

Venda budget: 1989/90

R

Office of the state president

3 110 400

National assembly and local government

11 295 400

Public works

131 264 000

Education

184 790 700

Agriculture and forestry

41 535 800

Justice

3 494 500

Health

44 873 200

Finance

55 051 300

Foreign affairs and land tenure

2 577 800

Urban affairs and land tenure

6 010 400

Venda police

38 205 400

Public service commission

2 834 200

Information and broadcasting

5 409 800

Auditor general

1 266 500

National intelligence

—

Posts and telecommunications

15 669

Internal affairs

6 279 300

Defence force

34 039 600

Prison

5 168 400

Water affairs

41 851 000

Social welfare and pensions

92 853 800

Transport

18 814 800

Improvement: conditions of service

5 823 700

Commerce, industry and tourism

20 664 900

Statutory amounts

3 17

General comments on financing

Referring to the large increase in budgetary assistance to the non-independent homelands (24%) in 1989/90, the minister of development aid, Dr Gerrit Viljoen, said that this ‘considerable increase in reality leaves very little room for expansion of the services, since it is mainly absorbed by expenditure in respect of obligations already entered into’. These included increases in funds for education, including salary increases for teachers (R383m); increases in social pensions (R196m); and financing new functions taken over by the non-independent homelands from other government departments and bodies.

Dr Viljoen also pointed out that ‘in view of the charge of so-called unnecessary and expensive bureaucracies in South Africa’s system of decentralised regional and group governments’, in aggregate, the non-independent homelands in 1988/89 allocated 25% of their budgets to health, welfare and pensions, 33% to education, 33% to works (including infrastructure and township development) and 5% to agriculture.

He said, also, that they derived revenue from their own sources and that this had increased in the previous five years from R504m to R917m. This did, however, represent a proportional decrease in the contribution of own revenue to their total revenue from 32% to 20%, ‘and this is a source of concern’. This was explained by the transfer of many new functions to these homelands and some of these were not revenue-generating, such as prisons and police. Dr Viljoen said that the finance ministers of the non-independent homelands were being consulted about ways to increase their internal revenue: for example, by ‘demanding more cost-related levies for services from the inhabitants and by ensuring better administration of the collection of levies and taxes’.⁸⁰ [⁸⁰ *Hansard* (A) 13 cols 6690-6691, 25 April 1989] are not a favour or a gift. It is something to which those people

Dr Viljoen said in April 1989, I should like to emphasise that the self-governing territories are part of South Africa. They are regional governments of South Africa. The inhabitants of those regions are as much entitled to a portion of the assets and of the prosperity of South Africa as are the inhabitants of every other region, for example those of the provinces. That is why the financial allocations which are made by Parliament ... are not a favour or a gift. It is something to which those people—the inhabitants of those regions—are as much entitled as every other person in the rest of South Africa.’⁸¹ [⁸¹ *Hansard* (A) 14 col 6823, 26 April 1989]

The minister, in August 1989, again defended central government funding of the homelands and said that the cost of providing education, health and development services in the homelands was in fact

considerably less per capita than it was elsewhere in South Africa. Use of the funds was now monitored and better controlled. He quoted the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, and the chairman of the Anglo American Corporation of South Africa, Mr Gavin Relly, in support of his contention that homeland spending was essential and should not be politicised.⁸² [⁸² *Business Day* 17 August 1989]

In an editorial in November 1989 the editor of the newspaper *Business Day*, Mr Ken Owen, said that ‘the whole Bantustan idea is obsolete. There really isn’t much need to refill the Department of Foreign Affairs’ special little pork barrel (budget R2,75bn) from which to feed the “independent” bantustans. Still less is there any need for the expenditure of R5bn on development aid, which covers such wasteful nonsense as bringing black areas towards “self determination”’.

Speaking in July 1989 Mr Kane-Berman had criticised the liberal press for its attitude to the amount of government spending on the ten homelands. *Business Day*, for example, talked about the government pouring money ‘down ratholes’ in the homelands. The *Financial Mail* argued that taxes should be cut and aid to the homelands ended. Mr Kane Berman said, ‘If the government were to follow this advice, thousands of teachers and nurses would be thrown out of work and hundreds of children out of school, hospital services would grind to a halt, pensioners would starve, and infant mortality rates would be even higher than they are at present.’ He criticised foreign governments and donor organisations that sought to exclude homelands from their funding. ‘They conveniently forget that South Africa’s ten homelands have about 15m people living in them. In blacklisting homelands they are helping to create a new form of apartheid between urban and rural people,’ he contended.⁸³ [⁸³ *Race Relations News* December 1989]

Making the same point the executive director of the Free Market Foundation, Mr Leon Louw, said of liberal critics’ arguments that financing the homelands was part of the ‘cost of apartheid’, that this ‘assumes that everything spent on a homeland would otherwise not have been spent in the same regions. In the absence of homelands, people living there would, under that argument, have been given nothing from the treasury. The truth is that the cost of apartheid is really only the marginal cost or excess of funds that would in any event have been spent in the homelands. Conceivably there is less, rather than more, being spent on the homelands.’ Mr Louw added that the taxes generated by homeland workers employed in the white-designated areas and general sales tax they paid went to the ‘white’ fiscus. The payments to the homelands, he said, could scarcely then be called a ‘transfer’ of funds from white taxpayers, and should rather be referred to as a ‘refund’.⁸⁴ [⁸⁴ *Cross Times* January 1990]

In a lecture delivered to the South African Institute of Race Relations in February 1990, Professor Charles Simkins said that the liberal struggle in the future would be ‘to maintain and try and give some life to the institutions for political competition under the rule of a single dominant party which will have every motive to suppress them. This will be all the more difficult if unrealistic expectations are sustained of what can be done with state power to raise living standards of supporters.’ He warned that under these circumstances the rural black minority would be in particular danger in years to come because of the ability of urban elites to obtain resources for their constituents at the expense of expenditure in rural

areas. He said that powerful, urban-based political alliances were presently being formed, some of whose components had not been very enthusiastic about free access to the cities. 'Given the stigmatisation of homeland leadership as collaborationist, the scene is set for an increase in urban bias in South Africa. Should this happen, rural dwellers will be effectively shut out of participating equally in state support and a new patronage boundary will be erected. It will cut across the urban areas, dividing formally developed areas from informal settlements. The result will be endemic instability on this frontier.'⁸⁵ [⁸⁵ Simkins C, *The conditions for resumed growth in South Africa*, address given to the South African Institute of Race Relations, Johannesburg, January 1990]

With the issue of reincorporation of the 'independent' homelands placed on the agenda in 1989/1990, the issue of financing these regions received some attention. The *Financial Mail*, referring to possible reincorporation, commented, 'For taxpayers, a major issue will be the financial implications. Last year, the four independent homelands drained away R6,2bn excluding the indirect costs of development loans which total nearly R2bn... If large-scale duplication of services is removed, commonsense says the homelands would cost South African taxpayers less.' A former planner in the Department of Constitutional Development and Planning and a Democratic Party MP, Mr Kobus Jordaan, said, 'It's hard to say, but a lot of money should be saved on propping up top-heavy structures. Obviously development will have to continue taking place and services upgraded. Money is going to have to continue being pumped in-but I wouldn't think it is going to cost more.'

Others believed the homelands, reincorporated, would cost more. The chairman of the Transkei Military Council, Major General Bantu Holomisa, said that more money would need to be spent because the central government would then be obliged to improve the 'third-world infrastructure' of the Transkei. 'Our schools and hospitals are terrible and there is a big backlog in our civil service pay structure and fringe benefits. We need to do things like provide fresh water for the rural areas, which is going to cost millions. If we came back, South Africa could no longer say to us: "You are independent, find your own money." We would not have to rely on handouts anymore.' Gen Holomisa believed that the Transkei would need R4bn to make up the backlog in essential services. 'The money saved by rationalisation would be a drop in the ocean, compared to what we need to develop the country.'⁸⁶ [⁸⁶ *Financial Mail* 16 March 1990]

In January 1990 the minister of finance, Mr Barend du Plessis, told the finance ministers of the six non-independent homelands that their requests for budgetary assistance from the central government for the 1990/91 financial year could not be met, and would have to be trimmed. The minister of development aid, Dr Stoffel van der Merwe, who had in the meantime replaced Dr Viljoen, said that these homelands would be given much less budgetary assistance than they had asked for. He said that it was unfortunate that the budgets had to be cut, but the action was necessary in the light of the government's efforts to curb spending.⁸⁷ [⁸⁷ *The Citizen* 20 January 1990] Budgetary allocations for the ten homelands for 1990/91 were 17% higher than the 1989/90 allocations.⁸⁸ [⁸⁸ *Daily Dispatch* 15 March 1990]

Finances in particular homelands

Bophuthatswana

Bophuthatswana's minister of finance, Mr Leslie Young, said that in 1989/90, the platinum mines in the homeland would bring in R670m in the form of tax and royalties, or 27% of Bophuthatswana's gross domestic product.⁸⁹ [⁸⁹ *Business Day* 6 December 1989] Mr Yoling said that 1989/90 was the third consecutive year that Bophuthatswana had been able to present a balanced budget because of strong control on government expenditure, expanding income from resources and the maintenance of and increase in platinum prices.⁹⁰ [⁹⁰ *The Star* 12 May 1989]

KaNgwane

The chief minister of KaNgwane, Mr Enos Mabuza, said in April 1989 that KaNgwane's political stability had attracted not only thousands of Mozambican refugees but pupils from schools and colleges in certain black urban areas where education had collapsed. It was fortunate that international relief agencies as well as the British, Canadian and French governments assisted KaNgwane, but the homeland was the 'poor relation' when it came to the central government's grants. Mr Mabuza said. If our pleas for a reasonable and equitable share of the annual budgetary grant falls on deaf ears, we will have no other recourse but to expatriate the pupils in our high schools and colleges to the white Department of Education-controlled areas from which they came.'

KwaZulu

According to Dr P J Steenkamp MP (National Party), the KwaZulu/ Natal Planning Council (created in 1984) which had a mandate to investigate and report on ways to improve the quality of life in the region, had submitted two reports, the first dealing with projects worth R 107m. These had been executed. The second report recommended development projects worth R1,1bn, to be spent over five years. According to Mr A Grobler MP (NP), KwaZulu was responsible for projects worth R679m, of which the Development Bank of Southern Africa would finance R442m by way of loans. The South African Development Trust Corporation (SADTC) was responsible for projects worth R398m in respect of trust townships outside KwaZulu, while the Natal Provincial Administration was responsible for projects amounting to R47m. The money would be spent on bulk infrastructure, the provision of 85 000 serviced sites and community facilities.⁹¹ [⁹¹ *Hansard (A)* 13 col 6710-6711, 25 April 1989; *Hansard (A)* 14 col 6813, 26 April 1989] Dr Viljoen said that R88m had been made available for joint SADTC/KwaZulu projects in 1988/89.⁹² [⁹² *Hansard* 13 q cols 804-805, 25 April 1989]

Dr Viljoen said that the council had identified tribal land as an impediment to urbanisation and that the KwaZulu administration had accepted that chiefs had to be persuaded to abandon part of their land. Provision for reasonable compensation had been made in project budgets.⁹³ [⁹³ *Hansard (A)* 14 col 6828, 26 April 1989]

KwaZulu's Department of Economic Affairs said in 1989 that the African population of the Durban Functional Region could total 8,3m by the year 2000, compared to 2,4m in 1985. Of the 2,4m people, 1,7m lived in informal shack settlements surrounding proclaimed towns in the region.⁹⁴ [⁹⁴ *The Developer* April/June 1989]

The KwaZulu Training Trust said in July 1989 that the South African economy was not able to provide the large amount of capital required to implement a training initiative for KwaZulu/Natal residents to enable them to obtain skills required by the formal and informal sectors of the regional economy. The trust said that it would have to invest more than R60m over the next five years to train people to create enough job opportunities. The KwaZulu administration could provide the trust with only 20% of its budgetary requirements. Its managing director, Mr Brian Stewart, said. If foreign governments are serious about assisting the black people of this country let them come forward with assistance instead of more rhetoric.⁹⁵ [⁹⁵ *The Citizen* 13 July 1989]

Transkei

Following controversy and adverse publicity about the African Bank in early 1989, the chairman of the Transkei's Military Council, Major General Bantu Holomisa, asked for assurances as to the safety of his administration's investments. After meeting the bank's central board in April, Gen Holomisa decided not to withdraw the homeland's R38m from the bank. The Transkei was the bank's single largest depositor.⁹⁶ [⁹⁶ *Financial Mail* 14 April 1989]

Gen Holomisa said in December 1989 that foreign investment was more important to the Transkei than political recognition. His administration was not asking for political recognition as its predecessors had wasted a lot of time and money doing so. Instead, investment was needed to combat unemployment and to develop Transkeians for a 'future South Africa'.⁹⁷ [⁹⁷ *Sunday Times* 17 December 1989] He said in a speech to the Confederation of British Industries in September 1989, 'We fail to understand why the granting of aid to areas like Transkei is being equated with the perpetuation of apartheid, while international investment funds continue to flow to South Africa.' He said that the Transkei could not wait for solutions to southern Africa's politics before addressing bread and butter issues at home. It 'sorely needs the injection of foreign capital and the granting of international aid' to face problems of underdevelopment and backwardness.⁹⁸ [⁹⁸ *Daily Dispatch* 16 September 1989]

In August 1989 the central government threatened to suspend customs union payments to the Transkei unless it withdrew a prohibition imposed in September 1988 on the import of sorghum beer manufactured in 'South Africa'. The Transkei had imposed the ban to encourage beer producers to relocate to the homeland to increase employment.⁹⁹ [⁹⁹ *Ibid* 29 August 1989]

Development Bank of Southern Africa

The Development Bank of Southern Africa (DBSA) has provided loans and other assistance for development projects in the ten homelands since February 1984. During 1988/89 the total number of DBSA projects, in various stages of the project cycle, increased from 919 to 1 175. (This is the cumulative total of projects accepted by the bank since it started operations. It includes projects being prepared or appraised, those being implemented, and completed projects being evaluated.) The 1 175 projects had a total investment value of more than R8bn of which the bank's expected or approved loan contribution would be about R7bn. (Of this financial contribution of R7bn, almost R4bn was for 614 approved projects, and the balance was the expected contribution for projects still under consideration.)

Region D (eastern Cape, Ciskei and southern Transkei) had the largest share (27%) of the total investment value of the 614 approved projects. The 18% share of Region E (KwaZulu, Natal and northern Transkei) was the next largest. It was expected that Region E's share would increase further because of the extensive requirements of the KwaZulu/Natal urban development programme (see above). Some 42% of the projects approved were for bulk infrastructure development and 22% for business and entrepreneurial development.¹⁰⁰ [¹⁰⁰ Development Bank of Southern Africa, Annual report 1988/89]

Incomes and Growth

Gross domestic product in the homelands

The following two tables indicate the gross domestic product (GDP) of the ten homelands in 1970, 1980 and 1986 at current prices, and the GDP growth rate from 1970 to 1980 and 1980 to 1986:¹⁰¹ [¹⁰¹

Development Bank of Southern Africa and Africa Institute of South Africa, *Southern Africa: An Interstate Comparison of Certain Salient Features*, 1989, p44]

Total GDP at current prices

1970

1980

1986

Rm

Rm

Rm

Bophuthatswana

54

609

1 423

Ciskei

21

130

599

Gazankulu

9

75

330

KaNgwane

3

52

159

KwaNdebele

N/A

17

126

KwaZulu

79

443

1 517

Lebowa

39

205

718

QwaQwa

1

27

187

Transkei

87

568

1 683

Venda

7

56

339

N/A-Not available

GDP growth rate in real terms

1970-1980

1980-1986

Bophuthatswana

10,4%

0,9%

Ciskei

8,2%

12,2%

Gazankulu

11,3%

12,2%

KaNgwane

19,2%

4,9%

KwaNdebele

N/A

21,8%

KwaZulu

7,1%

7,6%

Lebowa

4,1%

7,4%

QwaQwa

21,3%

20,2%

Transkei

8,8%

5,7%

Venda

10,9%

1

Gross national product in the homelands

The following tables show total gross national product (GNP) in the homelands at current prices, GNP per capita, the total GNP growth rate between 1970 and 1980 and between 1980 and 1986, and the GNP growth rate per capita in those periods:¹⁰² [¹⁰² Ibid, p43]

Total GNP at current prices

1970

1980

1986

Rm

Rm

Rm

Bophuthatswana

119

1 101

2 843

Ciskei

60

305

1 064

Gazankulu

27

184

685

KaNgwane

11

186

577

KwaNdebele

N/A

105

515

KwaZulu

241

1 600

4 922

Lebowa

109

623

2 026

QwaQwa

4

127

480

Transkei

112

1 207

3 713

Venda

18

130

575

N/A-Not available

GNP per capita at market prices

1970

1980

1986

R

R

R

Bophuthatswana

113

637

1 394

Ciskei

101

412

1 290

Gazankulu

86

340

945

KaNgwane

161

537

955

KwaNdebele

N/A

536

1 257

KwaZulu

96

393

939

Lebowa

92

322

760

QwaQwa

123

631

1 582

Transkei

52

399

1 065

Venda

61

312

1 093

N/A-Not available

Real GNP growth rate

1970-1980

1980-1986

R

R

Bophuthatswana

12,4%

2,8%

Ciskei

5,9%

8,1%

Gazankulu

9,0%

9,3%

KaNgwane

19,3%

6,0%

KwaNdebele

N/A

14,5%

KwaZulu

8,8%

5,9%

Lebowa

7,1%

6,8%

QwaQwa

28,6%

9,6%

Transkei

14,2%

5,9

GNP per capita growth rate in real terms

1970-1980

1980-1986

R

R

Bophuthatswana

7,0%

—

Ciskei

3,6%

6,2%

Gazankulu

3,2%

4,1%

KaNgwane

1,5%

-3,4%

KwaNdebele

N/A

1,2%

KwaZulu

3,7%

1,5%

Lebowa

2,0%

1,3%

QwaQwa

6,0%

2,3%

Transkei

10,4%

3,3%

Venda

6,0%

8,2%

N/A-Not

Informal sector

The Central Statistical Service published its findings on the statistically unrecorded economic activities of coloured people, Indians and Africans in South Africa (excluding the ‘independent’ homelands) in March 1990 (see chapter on *Business*.) It found that 2 555 000 Africans were involved, full time or part time, in the informal sector. Excluding housewives and schoolchildren—defined as non-economically active—1 548 000 Africans were involved, or one out of every four African workers. The informal sector contributed R16bn to South Africa’s GDP (excluding the ‘independent’ homelands) in 1989—almost 8% if not included in GDP estimates, and just over 7% if its contribution had been taken into account. (These figures excluded white informal activities and informal activities of blacks in white urban areas.) Of the 2 555 000 Africans involved, 654 000 were full time and 1 901 000 part time. Of the 2 555 000, 60% were employed in the white-designated area and 40% in the non-independent homelands. Of all blacks employed in the informal sector (including coloured people and Indians) 38% were employed in these homelands, and 62% in the white-designated area.¹⁰³ [¹⁰³ Central Statistical Service, *Statistically Unrecorded Economic Activities of Coloureds, Indians and Blacks: October 1989*, Statistical News Release P0315, 20 March 1990]

Poverty

A study conducted by the Development Bank of Southern Africa in 1985 and published in 1990 found that two decades of development and decentralisation policies to stimulate less developed areas, including the ten homelands, had failed to tackle the problems of serious poverty. The gap between the metropolitan areas and less developed areas was even wider than before, some 80% of families in the latter earning below the minimum subsistence income (see chapter on *Business* for details).

Land

Land purchases and consolidation

The minister of development aid, Dr Gerrit Viljoen, said in March 1989 that the size of each homeland was as follows:¹⁰⁴ [¹⁰⁴ *Hansard* (A) 3 q col 128, 24 February 1989; *Hansard* (A) 5 q col 312, 10 March 1989]

Size of the homelands in March 1989

Hectares

Bophuthatswana

4 214 737

Ciskei

794 827

Gazankulu

796 789

KaNgwane

505 615

KwaNdebele

239 958

KwaZulu

3 239 522

Lebowa

2 527 697

QwaQwa

90 276

Transkei

4 287 000

Venda

708 897

Total

17 405 318

The land referred to above includes land belonging to individual African owners, tribes, the South

African Development Trust and the various homeland governments.¹⁰⁵ [¹⁰⁵ Ibid]

Land in the districts of Vryburg (northern Cape); Brits, Delareyville, Lichtenburg, Marico, Pretoria, Rustenburg, and Warmbaths (Transvaal) and Excelsior and Bloemfontein (Orange Free State) was given to Bophuthatswana on 30 June 1989.¹⁰⁶ [¹⁰⁶ *Government Gazette*, no 11979, Proclamation no 98, 30 June 1989] On 2 April 1990 land in the districts of Vryburg, Rustenburg and Marico was transferred to Bophuthatswana.¹⁰⁷ [¹⁰⁷ *Government Gazette*, no 12410, Proclamation no 70, 1 April 1990] Land in the Stutterheim and East London districts was transferred to the Ciskei in March 1989.¹⁰⁸ [¹⁰⁸ *The Citizen* 4 March 1989] Further land, in the King William's Town, East London, Cathcart and Stockenstrom districts, was transferred to the Ciskei on 3 November 1989.¹⁰⁹ [¹⁰⁹ *Government Gazette*, no 12161, Proclamation no 187, 3 November 1989]

The chairman of the Commission for Co-operation and Development, Mr Jurie Mentz, said in March 1989 that 21 000ha in the Babanango district would be incorporated into KwaZulu.¹¹⁰ [¹¹⁰ *Eastern Province Herald* 8 March 1989]

Dr Viljoen said in April 1989 that the quotas set in the Development Trust and Land Act of 1936 had already been exceeded by 900 000ha and would still be exceeded by about a further 230 000ha, before consolidation could be completed.¹¹¹ [¹¹¹ *Hansard* (A) 14 col 6836, 26 April 1989] By the end of 1988 the government had spent R1,32bn buying land in terms of the Development Trust and Land Act for the purposes of homeland consol

Regarding homeland consolidation, Mr Mentz said in April 1989 that the commission was 'rapidly nearing the end' of its task. Excepting KaNgwane and KwaZulu, the commission had almost concluded its task in the homelands. It was busy with KwaZulu and hoped to complete the consolidation of KaNgwane in 1990.¹¹³ [¹¹³ *Hansard* (A) 13 col 6698, 25 April 1989] In February 1990 Mr Mentz said that the consolidation programme had reached its final stage and he hoped that KaNgwane's consolidation would be finalised by the end of 1990. He said that once the final stages of consolidation had been reached, the commission would look at identifying land for African urban settlement. He said that the consolidation programme was in line with the vision for a new South Africa, in that where it was most needed, land for African settlement was consolidated.¹¹⁴ [¹¹⁴ *Business Day* 20 February 1990]

In terms of the Black Land Act of 1913 and the Development Trust and Land Act, urban infrastructure may be developed only in proclaimed townships. KwaZulu and QwaQwa both passed land affairs acts in 1989 which essentially abolished the two land acts, freeing the land for urban development and allowing for the privatisation of land. The executive officer of the Law Review Project, Professor Louise Tager, drafted the new legislation. She said that the new acts enabled the tribal authorities to decide on whether to change the land tenure system to freehold and to determine the pace of land reform. The underlying principle was private land ownership rather than tribal allocation. Gazankulu was considering introducing a similar act.¹¹⁵ [¹¹⁵ *Cross Times* December 1989] KwaZulu's minister of interior, Mr Steven

Sithebe, said in July 1990 that the KwaZulu Land Act would allow residents of traditional areas to purchase freehold rights to land, but would retain the traditional leaders' rights to decide on its use and who occupied it. They would no longer have the right to dispose of the land, however. The tribal authority retained the discretion to determine how much land to release for individual sale. Mr Sithebe said that the land in the traditional areas, over 80% of KwaZulu, was the subject of intense negotiations between the KwaZulu administration and the traditional leaders. 'The crux of the problem is that the tribal authorities do not wish to lose all authority. But there is no doubt that this power will be eroded,' he said. The act would allow the conversion of existing deed of grant rights into full land ownership.¹¹⁶ [116 *Business Day* 30 July 1990]

The executive director of the Free Market Foundation, Mr Leon Louw, said in January 1990 that the most obstructive myth about the homelands was the argument that the land acts had left Africans—who comprised 75% of the population—owning only 13% of the land. He said that critics of white South Africa were being unduly charitable because the truth was that Africans owned no land. Property ownership had been denied homeland residents. Apart from fewer than 1% who had freehold title for historic reasons, the land was owned by the homeland governments, most of it 'in trust', and was allocated without title via the chiefs to residents. This had resulted in plots uneconomically sized for commercial crop growing. Mr Louw said that he had found through a survey he conducted in the Ciskei that 80% of rural Ciskeians would have preferred free title.¹¹⁷ [117 *Cross Times* January 1990]

The chairman of the Development Bank of Southern Africa, Dr Simon Brand, said at an agricultural conference in February 1990 that free access to agricultural land had been restricted in South Africa by the two land acts and other legislation. He said. It must clearly be expected that this question of the distribution of access to land between different groups will increasingly become a burning issue in respect of the rural areas, as it has already become in respect of urban areas.' He said that the issue could become emotional 'especially when linked to radical proposals for land reform'. He said that if restrictions were relaxed the agricultural industry might even be enhanced. The chairman of the state president's Economic Advisory Council, Mr Warren Clewlow, said that 'as political reforms continue, black people will gain ownership of agricultural land, possibly legally. There will be a huge demand for many black small farmers to be accommodated.'¹¹⁸ [118 *The Star* 14 February 1990]

In the same month the minister of planning and provincial affairs, Mr Hernus Kriel, said that no change to the land acts could be expected during the first session of Parliament in 1990. A cabinet committee had been instructed to ascertain which acts governed land acquisition in rural areas, and to draw up a 'just policy in respect of its availability'. He said that once the status of the acts governing the ownership of rural land had been ascertained, the cabinet committee would hold talks with homeland leaders before drawing up a policy.¹¹⁹ [119 *Business Day* 1 February 1990]

Land disputes

During 1989/90 there were a number of struggles around the incorporation of various communities into the homelands. Eight communities in the eastern Cape, Orange Free State and Transvaal launched a national campaign after representatives of east Peulton, Potsdam and Thornhill (Ciskei), fighting to be reincorporated into 'South Africa', met other communities facing the problem of forced incorporation at a national workshop in September 1989. The Stop Incorporation Campaign (SIC) was launched at the end of 1989, embracing also the communities of Botshabelo (Orange Free State), Hartebeesfontein, Leeuwfontein and Braklaagte (western Transvaal), and Moutse (central Transvaal). It launched a national petition against forced incorporation into homelands, for their own reincorporation into 'South Africa', and calling also for an end to the homeland system. In three months it had collected 45 000 signatures.¹²⁰ [¹²⁰ *GRC Newsletter*, no 22, March 1990] A fieldworker with the National Committee Against Removals, Mr Buhle Sibisi, said, 'These people fighting incorporation are in the forefront of the anti-bantustan struggle. They are fighting this system in quite a concrete way.' This took the form of refusing to co-operate with the homeland authorities. In Peulton, residents refused to pay Ciskei taxes, in Braklaagte and Leeuwfontein pensioners rejected Bophuthatswana pensions, and in Moutse residents had refused in 1986 to apply for KwaNdebele business licences or vehicle registrations, for example.¹²¹ [¹²¹ Collinge J, 'Waging War on the Bantustans', *Work In Progress*, no 62/63, November/December 1989]

In response to a letter in late 1989 from communities in the campaign, the state president, Mr F W de Klerk, said that he was aware of the 'sensitivity' of incorporation. 'Consequently, I have requested the minister responsible to investigate thoroughly every incorporation still under consideration and to report to me.'¹²² [¹²² *Financial Mail* 23 February 1990]

In December 1989 the government published the Borders of Particular States Extension Amendment Bill, providing for more land to be given to the 'independent' homelands. It proposed, inter alia, to incorporate three Eastern Cape areas—Hanover, next to Peulton (70 black families), Silverdale, and an area next to Chalumna (some 100 families each)—into the Ciskei. All three communities joined SIC. In February 1990 a SIC delegation delivered the petition of 45 000 signatures to Mr De Klerk's office. Separate petitions representing the communities threatened by the bill were also delivered. The delegation gave oral evidence to National Party members of the standing committee on constitutional and foreign affairs, responsible for the bill. A week later the chairman of the standing committee announced that the three border areas were being dropped from the bill.¹²³ [¹²³ *GRC Newsletter*, no 22, March 1990]

In May 1990 the minister of development aid, Dr Stoffel van der Merwe, said, in the same speech announcing that the government accepted that 'independence' was no longer considered an option for the non-independent homelands, that 'it is also important to say once more that any land occupied by communities will not be incorporated in the self-governing territories without the agreement of the lawful inhabitants'.¹²⁴ [¹²⁴ *The Citizen* 16 May 1990]

Eastern Cape

Peelton

In August 1988 the eastern portion of Peelton (eastern Cape) was incorporated into the Ciskei (the rest of Peelton was already part of the homeland—see *1988/89 Survey* pp87–88) against the wishes of the residents. During the first year of incorporation east Peelton residents were harassed repeatedly by the Ciskei administration. Some 200 Peelton residents were charged with various offences. Only two were convicted, for erecting illegal structures.¹²⁵ [¹²⁵ *Daily Dispatch* 9 November 1989] Residents, including elderly people, were detained or assaulted. In June 1989 police fired on a house where a party was taking place. In August, the police fired rubber bullets and teargas into a church service. By December 1989 Peelton residents had won three interdicts from the Ciskei Supreme Court restraining the police from further unlawful action.¹²⁶ [¹²⁶ Kenyon M, ‘Dumped-And NoS ay, Either’, *Work in Progress*, no 62/63, November/December 1989]

On 16 October 1989 the Ciskei administration declared a state of emergency in the three villages in east Peelton and in a village next to Bisho (Balasi). In terms of the emergency the Ciskei police and army moved part of the community of the largest village, Nkqonkqweni, and residents of another Peelton village, across the border to ‘South Africa’ on 17 October. The South African Police (SAP) objected, however, and the Ciskei police then dispersed these people in the Ciskei. Up to half of the homes in Nkqonkqweni were destroyed from 17 October (including 30 brick homes which were bulldozed) and some 100 people detained by the security forces, who also assaulted residents, leaving 55 hospitalised. Many were loaded on to lorries and put in a fenced-off enclosure under armed guard at a site in a neighbouring village. Residents who were not removed, some 1 000 people, fled to King William’s Town. They said that they would not return to their homes until the Ciskei had been reincorporated into ‘South Africa’. They said that in ‘South Africa’, pensions were double those of the Ciskei, and that in the Ciskei they were liable for arbitrary taxes, levies and various forms of tribute which they had never had to pay in ‘South Africa’.¹²⁷ [¹²⁷ *Ibid*; *Daily Dispatch* 19 October 1989]

Residents of another east Peelton village, Kwarini, said that they had been ordered to renounce their South African citizenship or have their houses demolished and be relocated to other areas in the Ciskei.¹²⁸ [¹²⁸ *Business Day* 24 October 1989]

A Peelton resident applied to the Ciskei Supreme Court on 18 October 1989 for an interdict preventing the Ciskei administration from evicting him from his house and demolishing it. The court ruled, however, that the Ciskei administration had acted lawfully in evicting Peelton residents, demolishing their homes, and stopping them from returning to the village. Mr Justice W H Heath also ruled that the state of emergency declared in Peelton was lawful. He refused an application for leave to appeal. A lawyer representing the community, Mr Mike Smith, said that the judgement meant that the police, or any other Ciskei administration employee, could demolish a house at will.¹²⁹ [¹²⁹ *Ibid* 26 October 1989]

In November 1989 the deputy minister of foreign affairs, Mr Leon Wessels, met east Peelton leaders and agreed to convey their grievances to the Ciskei administration.¹³⁰ [¹³⁰ *Daily Dispatch* 9 November 1989] After discussions with the Ciskei cabinet, Mr Wessels said that the central government was concerned about

the east Peulton people. Chief Sebe, he said, had rejected the suggestion of reincorporating east Peulton into 'South Africa'. Mr Wessels said that he welcomed Chief Sebe's declaration that detained Peulton residents would be charged or released.¹³¹ [¹³¹ *City Press* 12 November 1989] The central government intervened only after it discovered that 200 Peulton residents had dual citizenship. Previously it had insisted that the residents were Ciskeians.

Mr Wessels told the community in December 1989 that 240ha of land next to Ginsberg township in King William's Town had been made available to the refugees to resettle. The King William's Town municipality, which owns the land, said, however, that the offer was for six months only and that the community would have to move by May 1990, and that there was no agreement about developing the land for more permanent settlement as the community had understood.¹³² [¹³² *The Weekly Mail* 15 December 1989] The King William's Town Town Council also rejected proposals from the Cape Provincial Administration for more permanent infrastructure to be built there, which would have encouraged the community to regard the settlement as permanent. Instead, the refugees would be given only a temporary tented camp and a temporary water supply.¹³³ [¹³³ *City Press* 17 December 1989] The Department of Foreign Affairs said that the refugees were now the responsibility of the Department of Development Aid.¹³⁴ [¹³⁴ *Daily Dispatch* 14 December 1989]

Potsdam

In January 1989 three residents of a Ciskei informal settlement, Potsdam, applied to be declared permanent residents of South Africa. They were successful, the Eastern Cape Provincial Division of the Supreme Court deciding on 22 January that they were entitled to permanent residence in 'South Africa' without permit or exemption, and also that the Potsdam community had been unlawfully removed from Blue Rock in 'South Africa' to the Ciskei. The entire Potsdam community was believed to be in a position identical to that of the three applicants, and it was believed that the judgement gave the people of Potsdam the right to permanent residence in 'South Africa'. The central government gave notice of its intention to appeal against this judgement. On 11 April 1989 Potsdam residents began moving out of the Ciskei. More than 500 people settled on an unused farm near Mount Ruth owned by the Department of Development Aid. The department said that it would provide land for the community.¹³⁵ [¹³⁵ *Reality*, vol 21 no 3, May 1989] The minister of development aid, Dr Gerrit Viljoen, said that his department was determined to find a fair solution to the position of the Potsdam squatters who had left the Ciskei because they did not want to live there.¹³⁶ [¹³⁶ *Eastern Province Herald* 27 April 1989] In June the department announced that it was considering a site near East London and that it would provide basic services.¹³⁷ [¹³⁷ *City Press* 4 June 1989] Two previous flights by the Potsdam community from the Ciskei had ended with the SAP taking the residents back to Potsdam.

In May 1989 the minister of foreign affairs, Mr Pik Botha, said that a comprehensive development of Potsdam was being conducted by the Ciskei administration in conjunction with his department and the Development Bank of Southern Africa. Meetings took place on a regular basis regarding establishing

bulk infrastructure, health services and schools.¹³⁸ [¹³⁸ *Hansard* (A) 20 q col 1203, 23 May 1989]

Thornhill

In February 1990 Thornhill's 12 000-strong Group Four community threatened to move from the Ciskei to 'South African' soil if the central government did not keep its promise to give it further land that residents claimed it had made 15 years previously. Their legal adviser, Mr J D Pickering, wrote to Mr Botha warning the government that failure to respond to correspondence would be taken as an indication of a lack of good faith. Mr Pickering said that the land they had been promised in exchange for the areas they had been moved from (in the Herschel and Glen Grey districts) did not meet their expectations. Mr Pickering said that Chief Sebe had repeatedly demanded that the Group Four community join the amaVundla Tribal Authority but residents refused to do so as they had suffered continuous harassment from the Ciskei authorities.¹³⁹ [¹³⁹ *The Star* 19 February 1990]

Orange Free State

Botshabelo

Dr Viljoen said in April 1989 that although the Orange Free State Provincial Division of the Supreme Court had ruled that the incorporation of Botshabelo into QwaQwa in December 1987 was invalid (see *1988/89 Survey* pp89–90), an appeal had been launched, and until a decision was handed down, Botshabelo remained incorporated into QwaQwa. In terms of an agreement, however, the QwaQwa administration had asked the central government to continue providing services. Dr Viljoen said that the homeland's budget had been disproportionately increased to cope with Botshabelo and that QwaQwa would pay the central government to provide services as its agent.¹⁴⁰ [¹⁴⁰ *Hansard* (A) 14 col 6831, 26 April 1989]

On 1 October 1989 more than 50 000 people protested in the streets of Botshabelo against incorporation. They took a petition against incorporation to the magistrate's court where the town clerk was not available to receive it. The police did not intervene.¹⁴¹ [¹⁴¹ *The Star* 2 October 1989]

On 2 March 1990 the Appellate Division of the Supreme Court upheld the August 1988 judgement of the supreme court that found the incorporation of Botshabelo into QwaQwa to be invalid. The judgement was made by Mr Justice W Vivier, with the concurrence of Mr Justice G G Hoexter, Mr Justice J W Smalberger, Mr Justice E Kumleben and Mr Justice Nicholas. The appeal had been brought against that judgement by the state president and the QwaQwa administration. The ruling meant that Botshabelo would again fall under the central government. Botshabelo's legal representative, Professor John Dugard, said that he did not think that the government would be unduly upset by the decision. It accorded with the new political mood, he said.¹⁴² [¹⁴² *Business Day* 5 March 1990, *The Natal Mercury* 3 March 1990]

Transvaal

Braklaagte and Leeuwfontein

Braklaagte and Leeuwfontein (western Transvaal), with 9 000 and 15 000 residents respectively, were incorporated into Bophuthatswana on 31 December 1988 in the face of opposition from the communities concerned. Residents feared harassment from the Bophuthatswana administration, suspicious of their loyalty as many had taken steps to secure their South African citizenship.¹⁴³ [¹⁴³ *Financial Mail* 6 January 1989]

On 30 December 1988 Braklaagte's leader, Mr Pupsey Sebogodi, won a rule nisi in the Transvaal Provincial Division of the Supreme Court (Pretoria) to the effect that the central government should show cause why the proclamation incorporating Braklaagte should not be declared null and void.¹⁴⁴ [¹⁴⁴ *The Star* 31 December 1988] The issue rested on whether the state president could be said to have 'applied his mind' when he excised Braklaagte from the Transvaal.¹⁴⁵ [¹⁴⁵ *Financial Mail* 6 January 1989] When the case went to the Pretoria Supreme Court on 7 March 1989, the judge ruled that the proclamation was valid and that the incorporation should proceed. This judgement was due to go on appeal in 1990.

According to an anti-removals lobby group, the Transvaal Rural Action Committee (TRAC), the areas had been peaceful until the court case was lost. Thereafter, the Bophuthatswana administration set up a roadblock at the entrance to Braklaagte and a police camp was established in the village near the home of Mr Edwin Moilwa, the person it regarded as chief, as opposed to Mr Sebogodi, the popularly elected leader of the community. Pupils were stopped at the roadblock by the Bophuthatswana Police and asked whether they regarded themselves as Bophuthatswana or South African citizens. Those who declared they were South Africans were allegedly struck with rifle butts, according to statements made to lawyers.¹⁴⁶ [¹⁴⁶ *The Star* 28 March 1989, *The Weekly Mail* 31 March 1989] Following the stoning of the house of a pro-incorporation villager, more than 100 people, including Mr Sebogodi, were arrested in terms of Bophuthatswana's Internal Security Act of 1979, along with more than 100 people. They were allegedly assaulted by the Bophuthatswana Police, and doctors treated 40 for weals and wounds.¹⁴⁷ [¹⁴⁷ *The Star* 3 April 1989] Mr Sebogodi and 64 others were charged with public violence. They were released on bail after ten days and appeared in court briefly in September 1989.¹⁴⁸ [¹⁴⁸ *Ibid* 4 April 1989, 8 September 1989]

From April 1989 there were intermittent school boycotts in both Braklaagte and Leeuwfontein. On 19 April a meeting at Mr Sebogodi's kraal to discuss detentions of community leaders was broken up by the police using teargas and rubber bullets. Some 4 000 people fled to a nearby white farm.

Dr Viljoen said in Parliament in April 1989, It is generally known that the people of Braklaagte objected to the incorporation... They took the matter to court.' The court found in favour of the incorporation. The president of Bophuthatswana, Chief Lucas Mangope, had placed affidavits before the court giving assurances in connection with the goodwill of his administration regarding Braklaagte residents, Dr Viljoen said. The Department of Foreign Affairs, he added, was 'giving attention to the alleged maltreatment of residents there—allegations which conflict with what was stated in the affidavits before

the court... Although the people of Braklaagte are unhappy to a certain extent, I nevertheless have a suspicion that a large part of the dissatisfaction revolves around the question of who should be the chief there. There are two competing groups with regard to the chieftainship or the headmanship, and I believe that also plays a significant role.’¹⁴⁹ [¹⁴⁹ *Hansard* (A) 14 col 684] ,26 April 1989]

On 15 May Leeuwfontein residents and Bophuthatswana security forces clashed. Residents again fled to a neighbouring farm but were fetched by the SAP who handed them over to the Bophuthatswana Police, who arrested them and allegedly assaulted them. Chief Mangope visited Leeuwfontein in May and warned residents at a meeting: ‘Beware that Bophuthatswana is like a prickly pear ... Bophuthatswana is very tasty, but it is also dangerous. I warn you strongly not to abuse me... Although Bophuthatswana is a very peaceful and interesting country, we do have laws in Bophuthatswana. I shall start by informing you that I have heard that you do not want to see my police force in this place. Know that I actually love them. I love them for carrying out my instructions. They are the ones who see to it that all people of Bophuthatswana obey the laws to the letter. I am going to order them to come to this place. They will see to it that there is order in this place. Even if you engage the services of attorneys you will not accomplish your wishes. I am not afraid of Johannesburg attorneys or any attorneys.’¹⁵⁰ [¹⁵⁰ Black Sash, *Grasping the Prickly Pear: The Bophuthatswana Story*, Johannesburg, March 1990. p30]

School boycotts continued in June to protest against the security force presence in the two areas. On 1 July a general meeting of both communities was held in Leeuwfontein. According to TRAC, the police ordered the meeting to disperse, attempts to persuade them to allow it to be held were unsuccessful, and the police then began using teargas and rubber bullets.¹⁵¹ [¹⁵¹ *Ibid*] According to the police, they were surrounded and attacked during the negotiations and were left with no alternative but to defend themselves.¹⁵² [¹⁵² *The Citizen* 7 July 1989] In the ensuing clashes, nine policemen and two civilians died. The policemen died when an army vehicle was set alight and four policemen trapped in it burnt to death, while five others were clubbed, stoned and hacked to death.¹⁵³ [¹⁵³ *Sunday Times, City Press* 9 July 1989] Following the murders both areas were sealed off, raided and searched. Some 136 people were arrested and many fled in fear of police reprisals. Most were later released.

By mid-July 16 people had been charged with the murder of the nine policemen. Some were allegedly badly assaulted. In July lawyers were refused access to their awaiting-trial clients until Mr Justice E A T Smith in the Bophuthatswana Supreme Court directed the Bophuthatswana authorities to allow them access. He also directed that a member of the Bophuthatswana Law Society be designated immediately to inform other prisoners of their legal rights. The attorney who won this order and who was representing 30 Leeuwfontein detainees, Mr James Sutherland, was told the following day that his visa exemption had been withdrawn, so he could no longer enter Bophuthatswana unless he had a visa.¹⁵⁴ [¹⁵⁴ *Daily Dispatch* 2 August 1989]

A number of people were arrested by the SAP and handed over to the Bophuthatswana Police after the murders, without benefit of extradition procedures. Many of these people alleged that they were then tortured and assaulted. Legal steps were taken to prevent such arrests and in August the Bophuthatswana

police gave formal undertakings that extradition procedures would be used in future, that the police would be instructed not to assault people arrested, and that arrested people would be given immediate access to their lawyers.¹⁵⁵ [¹⁵⁵ Black Sash, *Grasping the Prickly Pear*, pp30-35; *The Weekly Mail* 11 August 1989]

On 13 July TRAC and its mother body, the Black Sash, were declared unlawful in terms of Bophuthatswana's Internal Security Act, thereby preventing them from operating in the homeland.¹⁵⁶ [¹⁵⁶ Black Sash, *Grasping the Prickly Pear*, pp30-35]

It was reported in February 1990 that for the previous six months, 90% of Braklaagte's pensioners had been engaged in a pension boycott. They refused to collect their pensions from the Bophuthatswana pension offices near their homes and said they would sooner travel more than 21km to Zeerust (in 'South Africa') to fetch them. Local residents and businessmen were supporting them. In October 1989 pensioners had marched to the local magistrate's offices to present their case.¹⁵⁷ [¹⁵⁷ *New Nation* 23 February 1990]

In April 1990, 51 people faced charges, some of murder, in connection with the July violence. The Bophuthatswana administration was also seeking the extradition from 'South Africa' of three men in connection with the violence.¹⁵⁸ [¹⁵⁸ *The Citizen* 28 April 1990]

Moutse

The minister of constitutional development and planning, Mr Chris Heunis, said in May 1989 that the commission investigating the constitutional future of Moutse (central Transvaal) headed by Mr Justice F L H Rumpff had completed its investigations. It had not yet been decided, however, whether a report on its findings would be tabled in Parliament (see *1987/88 Survey* pp884-886).¹⁵⁹ [¹⁵⁹ *Hansard* (A) 15 q col 924, 2 May 1989]

In April 1989, 3 000 Moutse residents met to hear the chairman of the Moutse Regional Authority, Chief T G Mathebe, present a case for the incorporation of Moutse into Lebowa. He said that he had recently seen the state president, Mr P W Botha, in Cape Town and that Mr Botha had stated categorically that 'he did not want us under his government. That is why I am suggesting that we go to Lebowa because there we will be safe.' He feared reincorporation into KwaNdebele. Speakers from the Moutse Civic Association and the Federation of Moutse Youth Congresses, however, made clear their opposition to incorporation into any homeland. Mr Isaac Ditshego of the civic association said, 'We don't oppose this just because it concerns Lebowa, we are against being put under any homeland government.' Chief Mathebe said that in view of the strong opposition from the civic association and youth congress, the discussion needed to be taken further. He appealed for unity.¹⁶⁰ [¹⁶⁰ *The Weekly Mail IS* April 1989]

Political Developments and Security

Elections for the homeland legislative assemblies (in the non-independent homelands) and national assemblies ('independent' homelands) are held every five years. The following table shows the total number of members in each assembly and the respective proportions constituted by members elected by the homelands' populations. Percentage polls have generally been low in homeland elections. In only three homelands do the number of elected members outstrip the number of designated members: in Bophuthatswana elected members constitute 75% of the national assembly, in KaNgwane's legislative assembly, 68%, and in Gazankulu's, 51%.

Homeland legislatures—elected and designated members: 1989

Total no in assembly

Elected

Designated

Proportion that elected members constitute

Bophuthatswana

96

72

24

75%

Ciskei^a

70

22

48

31%

Gazankulu

85

43

42

51%

KaNgwane

84

57

27

68%

KwaNdebele

93

16

77

17%

KwaZulu

141

65

76

46%

Lebowa

96

38

58

40%

QwaQwa

80

34

46

43%

Transkei^a

155

75

80

48%

Venda^a

91

45

46

49%

^a In these three homelands the table indicates the constitutional position prior to military coups there. The military governments in these homelands have dissolved the national assemblies and proscribed but party political activity. Prior to the coup in Venda in April 1990, Venda had banned all political parties one, in a

The non-elected members are chosen in ways varying from one homeland to another, but include

members designated by the homeland's regional authorities, ex-officio chiefs, and/or members nominated by the chief minister, cabinet, paramount chiefs, the rain queen and/or tribal councils.¹⁶¹ [¹⁶¹ Various *Race Relations Surveys*, Development Bank of Southern Africa and Africa Institute of South Africa, *Southern Africa: An Interstate Comparison of Certain Salient Features*, 1989]

Bophuthatswana

International recognition

By June 1989 some 34 British MPs and their wives had visited Bophuthatswana at the homeland's expense. In June an all-party select committee of the British House of Commons was examining, among other matters, MPs' acceptances of trips to Bophuthatswana. A dismissed public relations consultant with Bophuthatswana's London office, Ms Ruth Rees, said that the Bophuthatswana administration wasted 'huge amounts' of money by paying for British MPs' free trips, which damaged the homeland's standing abroad and set back, by years, its struggle for recognition.¹⁶² [¹⁶² *Sunday Times* 4 June 1989] In October 1989, a British MP visiting Bophuthatswana, Mr Andrew Hunter, said that the homeland's bid for international recognition, after an 'effective and persistent campaign', was on the British political agenda. British MPs had made seven visits, and Britain's prime minister, Mrs Margaret Thatcher, listens, takes notes and is deeply sympathetic to Bophuthatswana's aspirations', Mr Hunter claimed.¹⁶³ [¹⁶³ *The Citizen* 7 October 1989, *Business Day* 7 April 1989]

In July 1989 the central government handed control of the Kopfontein border post, located between Botswana and South Africa, to the Bophuthatswana administration, after the land on which it was situated had been incorporated into the homeland on 30 June. Some 95% of all traffic between South Africa and Botswana moves through this post. A few months previously, rail links between the two countries were disrupted when the Bophuthatswana authorities demanded that rail crews apply for visas to enter the homeland. Botswana, which does not recognise the homeland, refused to comply and built a turnaround rail facility on its side of the border so that trains did not have to enter Bophuthatswana.¹⁶⁴ [¹⁶⁴ *The Star* 6 July 1989]

Tribal matters

The Bafokeng tribe brought an application in the Supreme Court of Bophuthatswana in Mmabatho in November 1988 for an order terminating an agreement ceding some of their tribal land and exclusive mineral rights to Impala Platinum. The president of Bophuthatswana, Chief Lucas Mangope, had entered into the agreement on behalf of the tribe to its detriment, it was claimed (see *1988/89 Survey* pp113–114). In June 1989 the tribe lost its application and was ordered to pay costs, expected to be more than R2m. Impala Platinum had disclosed during the hearing that up to 1987 it had paid more than R129m in royalties to the tribe. These payments had enabled the tribe to build essential services to make the Bafokeng capital, Phokeng, one of the most modern 'tribal centres' in southern Africa. It also denied the

tribe's claim that it had repudiated its lease agreements by refusing to make information about ore reserves and geological surveys available, saying that the tribe had asked for sensitive information.¹⁶⁵ [165 Ibid 9 June 1989] The Bafokeng chief, Chief Lebone Edward Molotlegi, had fled to Botswana soon after his release from detention in February 1988 on suspicion of being involved in the abortive coup in that month. The Bafokeng district has long been a focal point of political dissent in Bophuthatswana.

In September 1989 Chief Mangope appointed a commission of inquiry to investigate alleged misappropriation of R4m from the Bafokeng tribal trust fund by Chief Molotlegi. It was also to examine whether or not the chief 'acted or conducted himself in a manner detrimental to good and effective government and the administration of the Bafokeng tribe'. It was also to determine whether or not the chief was 'otherwise unfit' for the duties of his office as he had been absent from his tribal office from 19 February 1988. Mr H Combrink was appointed chairman of the commission. Chief Molotlegi said that the appointment of the commission was an attempt to subvert his tribe's loyalty.¹⁶⁶ [166 *Sowetan*, *The Star* 8 September 1989; *Business Day* 19 September 1989]

In April 1990 the Bafokeng tribe petitioned the Bophuthatswana administration to allow Chief Molotlegi to return home without being detained, arguing that he had been forced into exile by the administration's actions after the abortive coup. It said that after his release from detention, he had been constantly harassed by the security forces.

The tribe also instituted legal proceedings challenging the appointment of Chief Makgwaro George Molotlegi, the brother of Chief Molotlegi, as acting chief of the tribe. The hearing started in the Mmabatho Supreme Court in April 1990.¹⁶⁷ [167 *Sowetan* 11 April 1990]

A week after the petition was sent, eight of the signatories to it were detained in pre-dawn raids, and driven to a meeting with Chief Mangope, members of his cabinet and Chief George Molotlegi, in Mmabatho. Chief Mangope told them that the existing chieftainship would be retained despite the outcome of the court case. He also threatened to have Chief Edward Molotlegi arrested on his arrival back in the homeland. One of the signatories, Mr Mabitso Phetoane, said that there was no discussion at the meeting because 'he kept lecturing us on who he was and threatened us'.¹⁶⁸ [168 *The Weekly Mail* 11 May 1990]

In the same month as the petition was sent, Chief George Molotlegi brought an urgent application in the Transvaal Provincial Division of the Supreme Court in Pretoria to force his brother to hand over R4,5m to the tribe. He claimed that this amount had been paid by Impala Platinum to lawyers acting for his brother. Although the lawyers did not dispute that the money was owed to it, they refused payment to the tribe on the grounds that they would accept instructions only from Chief Edward Molotlegi. Judgement was reserved after an undertaking by Chief Edward Molotlegi and his lawyers not to dispose of the funds.¹⁶⁹ [169 *The Citizen* 12 April 1990]

Sun International

In December 1989 the managing director of Kersaf, Mr Ian Heron, and the chairman of Kersaf, Mr Dick Goss, resigned amid reports that Chief Mangope was keen for Mr Sol Kerzner to be brought in as a special consultant at Sun International Bophuthatswana (Sunbop). Mr Kerzner had founded and managed the Sun International hotel and entertainment empire before resigning in February 1989 in the wake of the Transkei bribery scandal (see *1988/89 Survey* p75 and pp81–82). Sunbop's gambling rights in Bophuthatswana had expired shortly before plans to bring in Mr Kerzner as a consultant. The Bophuthatswana National Development Corporation holds a 41% stake in Sunbop.¹⁷⁰ [¹⁷⁰ *The Star* 21 December 1989]

Coup trials

Three treason trials arose from the abortive coup d'état in Bophuthatswana in February 1988 (see *1988/89 Survey* pp92–95). One involved 143 members of the Bophuthatswana National Security Unit (after 44 of the 195 originally accused were discharged and eight others removed to a separate trial). At the beginning of their trial in February 1989 the accused made statements in which they said that they had only obeyed orders when they participated in the coup.

Of the 143 trialists, 126 were found guilty of treason and 17 of terrorism and sentenced in December 1989. The commanding officer of the unit, Warrant Officer Timothy Phiri, was found to have planned and executed the coup, and was sentenced to 18 years' imprisonment. Mr Justice M W Friedman said. It is clear that Phiri is a danger to society. It is the court's duty to prevent him from operating again.' The remaining trialists were given sentences of between two and nine years. Judge Friedman found that the idea and invitation for WO Phiri to join the coup had come from the self-exiled leader of the Progressive People's Party (PPP), Mr Rocky Malebane-Metsing.¹⁷¹ [¹⁷¹ *The Weekly Mail* 21 December 1989] During the trial, in July 1989, evidence from Mr Malebane-Metsing was heard before a commission of inquiry in London, following an application from the defence to this effect.¹⁷² [¹⁷² *The Star* 28 July 1989, *The Weekly Mail* 17 November 1989] The commission recorded his admission that he was the architect and initiator of the coup. He had believed that the central government would stay out of the coup as it had not interfered with two coups in the Transkei, he said.¹⁷³ [¹⁷³ *The Star* 17 November 1989] WO Phiri told the court that he did not regret his actions. I am not sorry about the coup. I have no regrets because it has brought changes... I would do it again for the same reasons.'¹⁷⁴ [¹⁷⁴ *The Weekly Mail* 17 November 1989]

The second trial involved eight members of the PPP. A ninth accused had been discharged in April.¹⁷⁵ [¹⁷⁵ *The Star* 4 April 1989] They were all members of the Bophuthatswana National Assembly until the PPP was banned after the coup. They were all found guilty of treason by Mr Justice E A T Smith on 15 June 1989.¹⁷⁶ [¹⁷⁶ *Ibid* 16 June 1989]

The third trial involved eight senior officers of the Bophuthatswana Defence Force who had been moved to a separate trial in February 1989.¹⁷⁷ [¹⁷⁷ *Ibid* 9 February 1989] Two were discharged at the outset and the

remaining six included the deputy commissioner of police, Brigadier James Sekame.¹⁷⁸ [¹⁷⁸ *Sowetan* 9 February 1989] Two further officers were acquitted in March 1990, and the trial continued.¹⁷⁹ [¹⁷⁹ *The Citizen* 21 March 1990]

Braklaagte/Leeuwfontein

The incorporation of Braklaagte and Leeuwfontein into Bophuthatswana in December 1988 caused serious dissatisfaction and disturbances (see section on *Land disputes* above).

Capital punishment

Between Bophuthatswana's 'independence' in 1977 and August 1989, 27 people were executed in Bophuthatswana. A further 35 people were on death row. The Bophuthatswana administration had asked the Bophuthatswana Law Commission to inquire into making the death sentence discretionary, following a meeting of the chief justices of the central government and the four 'independent' homelands in September 1988. Bophuthatswana's law requires its courts to impose the death penalty for murder with no extenuating circumstances. The Bophuthatswana Law Commission had investigated the issue and decided to recommend that an automatic right of appeal be allowed where the death sentence had been imposed.¹⁸⁰ [¹⁸⁰ *Sowetan* 25 August 1989] In November 1989 the first white person to be hanged in Bophuthatswana was executed for murder.¹⁸¹ [¹⁸¹ *The Citizen* 11 November 1989]

Protest marches and reincorporation demands in 1990

Following the unbanning by the central government of various political organisations on 2 February 1990 and the release from prison of a senior member of the African National Congress (ANC), Mr Nelson Mandela, on 11 February 1990, the Odi 1 and Moretele 1 districts of Bophuthatswana experienced a wave of protests and violence which left some 30 people dead and hundreds injured in the space of five weeks. Most homeland leaders had expressed the desire for reincorporation into South Africa or for the dismantling of the homeland system (see *General Policy Matters* above). Many protest marchers, petitions and memoranda had as their central theme a demand for Bophuthatswana's reincorporation into South Africa, coupled with socio-economic demands. Chief Mangope responded on 21 February by saying that the homeland 'will be an independent state one hundred years from now... There is no question of Bophuthatswana being reincorporated into South Africa. We are not going to do that. There is a misguided feeling we can be intimidated into returning to South Africa.'¹⁸² [¹⁸² *Ibid* 22 February 1990]

The first protest march, in **GaRankuwa** on 7 February 1990, attracted GaRankuwa residents numbering between 10 000 (according to the Bophuthatswana Police) and 80 000 (according to a report in *The Star*). Many carried ANC flags, and presented a memorandum from the Odi Residents' Co-ordinating

Committee to the chief magistrate of the Odi district, Mr C Greyling, calling for reincorporation, protesting about high electricity and water tariffs and rents, and urging the Bophuthatswana cabinet and Chief Mangope to resign and join 'democratic forces' in creating a nonracial, democratic and unitary South Africa. Between seven and 11 people were injured when the Bophuthatswana security forces fired teargas and rubber bullets at the marchers.¹⁸³ [¹⁸³ *Sowetan* 7 February 1990]

The Bophuthatswana administration said that there was no justification for such marches, as Bophuthatswana was a 'free, democratic' society, and that the march had been organised by 'outsiders'.¹⁸⁴ [¹⁸⁴ *Daily Dispatch* 8 February 1990]

On 12 February residents danced through the streets of **Temba**, celebrating the release of Mr Mandela the day before. They were dispersed by police with teargas and rubber bullets. One youth was killed and 26 people injured. Scores of pupils in the GaRankuwa area were allegedly assaulted by police during celebrations on the day of Mr Mandela's release.¹⁸⁵ [¹⁸⁵ *The Star* 13 February 1990, *The Citizen* 9 March 1990]

On 18 February 1990, **Temba** residents, as well as villagers from **Ramotse**, **Majaneng** and **Marokolong** (under the jurisdiction of Chief A Kekana), numbering some 20 000, gathered at a stadium in Temba and were addressed by members of the ANC, the local civic association and trade unions. They resolved to cut ties with Bophuthatswana and return to South Africa. They planned to march to the local magistrate's office to dump all their Bophuthatswana documentation and demand to be part of South Africa. Bophuthatswana security forces kept a low profile.¹⁸⁶ [¹⁸⁶ *The Star* 19 February 1990]

On 21 February 1990 Chief Mangope said that the people should realise that the ANC and other political organisations were not banned in Bophuthatswana. However, they were 'not organisations of Bophuthatswana', he said.¹⁸⁷ [¹⁸⁷ *The Citizen* 22 February 1990] He had said three days before that the ANC would never be allowed to mobilise political support within the boundaries of Bophuthatswana. It was a South African political organisation, and any organisation wishing to register in Bophuthatswana would have to use the right channels.¹⁸⁸ [¹⁸⁸ *Business Day* 20 February 1990]

On 25 February three people were killed and 17 injured when Bophuthatswana police opened fire on a crowd of 8 000 residents in **Thlabane** (Bafokeng district near Rustenburg) calling for reincorporation and protesting about the statement by Chief Mangope that Bophuthatswana would still be independent 'in 100 years'. (Police said that the crowd numbered 20 000.) The march had been organised by the Thlabane Action Committee. Some 123 people were arrested at the scene. The police said that the crowd had refused to disperse and had damaged property, setting fire to the local offices of the Bophuthatswana National Development Corporation, the electricity corporation, the post office and various vehicles. Various other official and business buildings were damaged.¹⁸⁹ [¹⁸⁹ *The Star* 27 February 1990, *The Citizen* 27 February 1990]

The following day the police fired rubber bullets and teargas into a Roman Catholic Church in

Eersterus where a commemoration service was being held.¹⁹⁰ [190 *The Star* 27 February 1990] A number of people were injured. On the same day **Temba** residents staged a widely supported stayaway, erecting barricades in the streets and setting tyres alight. Pupils boycotted school.¹⁹¹ [191 *The Citizen* 27 February 1990]

By the end of February at least eight people had died, including a further two people in **Jericho** (in the Odi 1 district) in a confrontation with the police and a further two in Eersterus in the last week of February.

Workers at factories in **Babalegi** (Moretele 1 district) claimed that the police had visited factories in the area and assaulted them for having taken part in protest meetings in February. They stayed away from work in protest. Students at the University of Bophuthatswana in Mmabatho joined the stayaway, partly to protest against the 'deportation' from the homeland of an academic, Mr Jon Lewis, originally deported from South Africa two years previously.¹⁹² [192 *The Weekly Mail* 2 March 1990] The University of Bophuthatswana was closed down in March for two weeks following a strike by university workers to demand wage increases, and class boycotts.¹⁹³ [193 *Sowetan* 14 March 1990]

On 7 March 50 000 residents, from **GaRankuwa, Mabopane, Soshanguve, Winterveld** and other areas in the Odi district, marched to the Odi magistrate's court to present a petition listing political and civic grievances. (Police said there were 100 000 people in the march.) The petition protested about high rents and water and electricity tariffs, demanded reincorporation into South Africa and the resignation of Chief Mangope 'within 100 hours'. The march was organised by the GaRankuwa Civic Association and the Mabopane Interim Committee. Residents carried banners of the ANC and South African Communist Party and chanted anti-homeland slogans. After the petition had been presented, an army truck was set alight. Fifteen minutes later, Bophuthatswana troops fired at the crowd and 11 people were shot dead and 450 treated for bullet wounds. The injured said that they were fired on without provocation, and the police then fired teargas and rubber bullets. Shooting continued for an hour. Later, millions of rands of damage was caused as the crowd burnt rent collection offices, two financial institutions, a post office, government vehicles, a factory and shops. Shops were plundered. Houses of suspected supporters of the Bophuthatswana administration were also attacked. Government vehicles were burnt and flaming roadblocks set up in the streets. The march and clashes had followed a widely supported stayaway, during which government offices, schools and businesses had closed down. *The Weekly Mail* reported that some police had joined the marchers earlier in the day.¹⁹⁴ [194 *The Star* 7 March 1989; *The Citizen, Business Day* 8 March 1990; *The Weekly Mail* 9 March 1990]

On the same day some 1 500 members of the National Union of Mineworkers at the Rustenburg Platinum Mine staged work stoppages demanding reincorporation.¹⁹⁵ [195 *Business Day* 8 March 1990]

Chief Mangope declared a state of emergency in the districts of Bafokeng, Mankwe, Moretele and Odi that night (7 March 1990), On 14 March 1990 the state of emergency was extended to the whole homeland. The central government's minister of foreign affairs, Mr Pik Botha, said that following a request from Chief Mangope, South African security forces were co-operating with their

Bophuthatswana counterparts to ensure security in the homeland. He said a disturbing feature of the violence was that people were being bussed in from outside the homeland.¹⁹⁶ [¹⁹⁶ *The Citizen* 8 March 1990, *Sowetan* 15 March 1990] He said that a strong criminal element was involved in looting, arson and plunder.

The general secretary of the United Democratic Front (UDF), Mr Popo Molefe, said that the UDF viewed the uprising in Bophuthatswana as a march to a single, democratic and free society. It condemned acts of violence and arson there, however, as well as such destruction in the Ciskei following the coup in that homeland (see below). 'No property should be destroyed,' he said, because homeland infrastructures were necessary to build the foundations of a 'new society'.¹⁹⁷ [¹⁹⁷ *City Press* 11 March 1990]

Violence continued on 8 March 1990 and school boycotts continued for the next week. *The Weekly Mail* reported that since the beginning of February 1990, 30 people had died in Bophuthatswana. White drivers in GaRankuwa were attacked and further property was damaged.¹⁹⁸ [¹⁹⁸ *The Weekly Mail* 9 March 1990]

On 11 March 1 000 **Hebron** residents joined a march to demand various facilities. Police fired teargas and buckshot and arrested several demonstrators.¹⁹⁹ [¹⁹⁹ *Sowetan* 12 March 1990]

On 12 March six limpet mine explosions damaged a railway line near **Itsoseng** (Lichtenburg) and a substation in **Temba**.²⁰⁰ [²⁰⁰ *The Star* 13 March 1990]

Mr Modikwe Dikobe, a novelist resident in the Moretele district, said that in many Moretele villages the Bophuthatswana flag had been pulled down and replaced with the ANC flag. In his own village, the flag had been replaced with the National Seoposengwe Party flag. The chiefs from all the villages have been insulted. They are being turfed out and turned into messengers of the people. These chiefs are all members of the Bophuthatswana parliament and are not very popular right now... These things are happening without any organisation or leadership. There are no offices of this organisation or that organisation. Sometimes we get pamphlets from Hammanskraal saying that there will be a stayaway or a boycott. But mostly the uprisings are outpourings from the stomachs of people who are fed up.'²⁰¹ [²⁰¹ *The Weekly Mail* 30 March 1990]

The state president, Mr F W de Klerk, and Mr Botha visited Bophuthatswana for talks with Chief Mangope and his full cabinet on 16 March.²⁰² [²⁰² *Business Day* 16 March 1990] In a joint statement after the talks. Chief Mangope and Mr De Klerk said that the homeland had a 'direct interest' in any future negotiations on a new constitutional order for South Africa and would be consulted on all matters affecting its interests. They discussed the potential role of Bophuthatswana and the other 'independent' homelands in the negotiation process, but the statement gave no details. Mr De Klerk said that Bophuthatswana was an independent country and that only it could decide on its own future. Any change in the relationship with 'South Africa' had to be based on mutual accord.

On 23 March 1990 the Bophuthatswana National Assembly unanimously rejected a call for the reincorporation of the homeland into South Africa, following a three-day debate.²⁰³ [²⁰³ *The Citizen* 24 March 1990]

Police broke up a march by church ministers on 4 April in **GaRankuwa**.²⁰⁴ [²⁰⁴ *The Star* 5 April 1990]

By early April 288 people had been arrested for lawbreaking in **GaRankuwa** and **Temba**, and charged with arson, looting and public violence.²⁰⁵ [²⁰⁵ *Sowetan* 5 April 1990]

In May 1990 Chief Mangope told a journalist from the *Sunday Times* 'We intend watching developments in South Africa with keen interest because there's no doubt that we will be affected. We can remain as we are until there's talk of a federal system being established in South Africa. We would be interested in looking at that... That would be extremely attractive. Also, if the future constitution of South Africa is as good as envisaged, then we would certainly be prepared to be part of a new South Africa.' He said that Bophuthatswana would remain 'independent' and watch developments.²⁰⁶ [²⁰⁶ *Sunday Times* 20 May 1990]

Chief Mangope announced on 15 May that a five-person Bophuthatswana cabinet committee had been appointed to initiate contact with extra-parliamentary groups such as the ANC and Pan-Africanist Congress.²⁰⁷ [²⁰⁷ *The Star* 16 May 1990]

Bophuthatswana raised the constitutional option of a merger with Botswana again in 1990. (It had done so previously in December 1987 when Chief Mangope had said that his 'country' had never been part of South Africa and had no wish to merge with it. It would rather merge with Botswana, and this was a 'possibility in the near future' see *1987/88 Survey* p913. Such options were squashed by Botswana at the time.) In May 1990, however, a Botswana foreign affairs spokesman, who did not wish to be named, said such an option was a 'non-starter' and not worth considering, as Botswana saw Bophuthatswana as nothing more than part of a unitary South African state. Mr Rowan Cronje, acting president in May while Chief Mangope was away, said that reincorporation into South Africa was still not on the agenda. He said that a referendum to gauge opinion on support for continued 'independence' would be considered only once a 'new South Africa' had been assessed.²⁰⁸ [²⁰⁸ *New Nation* 25 May 1990]

Civil service strikes in Bophuthatswana

In mid-March 1990 staff at the GaRankuwa magistrate's court went on strike to demand 50% pay increases.²⁰⁹ [²⁰⁹ *Sowetan* 16 March 1990] They rejected an offer of 20% increases. Some 50 workers were dismissed and two magistrates and a prosecutor were detained for 11 days for their part in the strike. They were then suspended pending an investigation. They called on the Bophuthatswana administration to release all emergency detainees and to 'talk to the authentic leaders of the people'.²¹⁰ [²¹⁰ *Ibid* 14, 20]

March 1990; *The Weekly Mail* 30 March 1990]

Detainees

On 19 April 1990 the Human Rights Commission said that 301 political detainees were being held in Bophuthatswana. Some 50 emergency detainees being held at the Odi Prison were, according to the headman of Majaneng Village (Hammanskraal), Mr Andrew Mapola, being subjected to electric shocks and other torture. (He had recently been detained himself.)²¹¹ [²¹¹ *Business Day* 20 April 1990, *The Natal Witness* 27 April 1990] Bophuthatswana's commissioner of prisons. General C Delport, said that his office was 'not aware' of the torture.²¹² [²¹² *The Star* 1 May 1990]

Alleged assassination squads in Bophuthatswana

In March 1990 Lawyers for Human Rights said that it had evidence about a hit-squad comprising Bophuthatswana police officers and security force members that operated in the homeland and that it had passed on details to the Board of Investigation into Informal Repression. It said that it had a list of names of intended victims, including the president of the National African Federated Chamber of Commerce and Industry, Dr Sam Motsuenyane.²¹³ [²¹³ *The Citizen* 21 March 1990] The Bophuthatswana Police said that the allegations were 'wild rumours'.²¹⁴ [²¹⁴ *Sowetan* 23 March 1990]

In May 1990 Mr David Mzimela, a prisoner on Bophuthatswana's death row, said in a written statement that the hit list did exist and that he had been part of a hit squad which operated in 1986 in the homeland. He said that he had participated in the assassination of Brigadier Andrew Molohe in June 1986. (Brig Molohe had led the police who killed 11 people when they opened fire on a meeting in Winterveld in March 1986-see 1986 *Survey* Part 2 pp643-644.) Brig Molohe was allegedly killed because his evidence before a commission of inquiry into the shootings, chaired by Judge Smith, might have implicated a very senior Bophuthatswana official. He also said that he took part in the petrol bomb attacks on the houses of Dr Motsuenyane and a community leader, Mrs Martha Lebopo, who testified before the commission.²¹⁵ [²¹⁵ *The Weekly Mail* 11 May 1990]

Threatened coup d'état

The exiled leader of the banned Progressive People's Party (PPP), Mr Rocky Malebane-Metsing, who said that he had planned the February 1988 coup (see *Coup trials* above), threatened to return to Bophuthatswana on 1 May 1990 and overthrow Chief Mangope. He said that he was a member of the ANC and was involved in trying to have Chief Mangope ousted. I have made plans to land in Bophuthatswana and even though there is such a high reward on my head, I do not expect Mangope to be able to do anything about it.' He said that the interim government that would be established to lead Bophuthatswana back to South Africa would be 'the first ANC government within South Africa'.²¹⁶ [²¹⁶

Sowetan 12 April 1990] The Conservative Party said in Parliament in April that it had received information, which it could not confirm, that the central government was involved in a plot to topple Chief Mangope, because it had decided he was unpopular and it was time for his replacement. Mr Botha said the government had received reports of such plans by Mr Malebane-Metsing, but it was completely untrue that the government was involved. 'For Mr Metsing's information,' he said, 'steps have been taken to meet him if he tries to carry out his plan.'²¹⁷ [²¹⁷ *The Citizen* 27 April 1990] On 26 April the Bophuthatswana Defence Force and South African Defence Force started a joint military exercise, expected to last four weeks.²¹⁸ [²¹⁸ *City Press* 29 April 1990] Mr Malebane-Metsing decided not to return to Bophuthatswana on 1 May because of 'unusually heavy security activities' in the homeland following his threats.²¹⁹ [²¹⁹ *The Star* 1 May 1990]

Ciskei

Harms Commission

In August 1988 the government appointed a commission chaired by Mr Justice Louis Harms called the Commission of Inquiry into Certain Alleged Across-Border Irregularities. It inquired into irregularities involving the Transkei and the Ciskei (see *1988/89 Survey* pp81–84).²²⁰ [²²⁰ *The Citizen* 1 April 1989, *Financial Mail* 14 April 1989] In March 1989 one of the reports of the Harms Commission, dealing with the affairs of a businessman with financial interests in the Ciskei, Mr Albert Vermaas, was handed to the ministry of justice (see *1988/89 Survey* p84). In March 1989 his whole estate and all his businesses were sequestrated, except for the Ciskei-registered Eurobank.²²¹ [²²¹ *Business Day* 2 March 1989] Mr Vermaas had been charged with 22 counts of fraud totalling almost R300m in the previous month. Charges had earlier been withdrawn. In May 1989 claims totalling R28m were accepted by the master of the Transvaal Provincial Division of the Supreme Court (Pretoria) at the first creditor's meeting of the liquidated Ciskei-registered Eurotrust.²²² [²²² *Ibid* 12 May 1989]

In May 1989 the commission heard evidence on the granting of gambling rights in the Ciskei. Lentin, a company associated with Jalc Holdings (which featured prominently in a commission investigating the awarding of housing contracts in the Transkei-see *1988/89 Survey* pp78–79), had obtained almost a third of the rights. The commission heard that Lentin obtained its share after Brigadier M Deyzel, an officer in the South African Defence Force (SADF) involved in undercover operations in Jalc, had used his personal influence with the Ciskei's president. Chief Lennox Sebe, to persuade him to split the rights between Lentin, Sun International and the Ciskei administration.²²³ [²²³ *Ibid* 11 May 1989]

The former MP for East London (National Party), Mr Peet de Pontes, whom the Harms commission recommended be charged, appeared in court in December 1989 on various charges of theft, bribery, fraud, and forgery (see *1988/89 Survey* pp82–83).²²⁴ [²²⁴ *Daily Dispatch* 12 December 1989]

The owner of Ciskei Aircraft Industries, Mr Ranier Moringer, was arrested in August 1989 on charges of

foreign exchange fraud totalling R46m. The company had been placed under provisional judicial management in terms of a court order issued by the Ciskei Supreme Court in June. The order was sought by the major creditor, the Ciskei People's Development Bank.²²⁵ [²²⁵ *Business Day* 20 June 1989]

Investigations by the Harms commission had established a prima facie criminal case against him.²²⁶ [²²⁶ *Financial Mail* 8 September 1989, *Business Day* 1 September 1989]

Labour legislation

The Ciskei passed the Wage Act of 1989 in July 1989. It established a wage board and regulated wages in the homeland. It empowered the minister of manpower utilisation to make wage determinations, and made it an offence not to disclose required information on wages to the authorities.²²⁷ [²²⁷ *Eastern Province Herald* 8 July 1989]

On 1 June 1990 the Ciskei's new military administration (see *The March 1990 coup d'état* below) issued the Ciskei Labour Regulations Decree of 1990.

Prisoner releases

On 3 December 1989 the secretary general of the Border region of the United Democratic Front (UDF), the Rev Arnold Stofile, was released from prison on humanitarian grounds by the Ciskei administration, which said it was a 'contribution towards a new dispensation in the broader Southern Africa'. A prisoner jailed for refusing to testify against Mr Stofile and three others, Mr Sakhumuzi Somyo, was also released. Mr Stofile had been sentenced to 11 years' and Mr Somyo to four years' imprisonment in 1987.²²⁸ [²²⁸ *The Weekly Mail* 8 December 1989]

In mid-February 1990 the Ciskei administration freed six political prisoners, including four trained members of Umkhonto we Sizwe, the military wing of the African National Congress (ANC). The other two were Mr Linda Stofile and Mr M Gqibithole, sentenced to eight years' imprisonment in the same trial as Mr Stofile for furthering the aims of the ANC.²²⁹ [²²⁹ *Sowetan* 15 February 1990]

Political trials and police conduct

Mr Monwabisi Yako, the son of the Ciskei's minister of tourism and aviation, was charged with terrorism in November 1988 (see *1988/89 Survey* p106). He had charges against him withdrawn in the Zwelitsha Regional Court in January 1989, but was immediately redetained. The police had wanted the charges withdrawn since they were investigating more serious charges against Mr Yako and wished to interrogate him.²³⁰ [²³⁰ *Daily Dispatch* 19 January 1989]

Six security policemen, including the head of the Ciskei's security police, were charged with the murder of a detainee, the Border co-director of the Institute for a Democratic Alternative for South Africa, Mr Eric Mntonga. In March 1989 the six were sentenced to effective sentences of between two and 12 (a total of 33) years' imprisonment after being convicted on charges of culpable homicide and/or defeating the ends of justice. Mr Justice Benjamin Pickard said that Ciskei security policemen had abused their powers to such an extent that people regarded them as enemies of the community. He said that Mr Mntonga had been subjected to 'extreme trauma' over a long period and that he had been 'killed slowly'. He said that Major Wellington Potwana, who was given an effective 12-year sentence, had turned his juniors into 'monsters'. In January 1989 the houses of two of the policemen accused in the trial had been attacked with heavy arms, including an AK-47 rifle and a hand grenade.²³¹ [²³¹ *City Press* 29 January 1989]

Two other Ciskei policemen, called as state witnesses during the trial, were charged in April 1989 with Mr Mntonga's murder. They were former Warrant Officer Zamekile Bojana and Warrant Officer Zwelinzima Swelindawo of the Mdantsane security branch.²³² [²³² *Democracy in Action* March 1989, *City Press* 12 March 1989, *The Star* 26 April 1990]

In September WO Bojana was found guilty of murder with extenuating circumstances for the murder of Mr Mntonga. He admitted suffocating Mr Mntonga on instructions from a senior officer. Mr Justice W H Heath found that he had acted under duress and had taken part in the assaults on Mr Mntonga at a late stage.²³³ [²³³ *The Weekly Mail* 22 September 1989] Judge Heath said that the police should use expertise when extracting information from detainees rather than force, and detainees should be treated as innocent until convicted. Charges against WO Swelindawo were temporarily withdrawn due to an illness.²³⁴ [²³⁴ *Daily Dispatch* 22 September 1989]

On 6 June 1989, 12 Mdantsane men were sentenced to death on each of five counts of murder after being found guilty without extenuating circumstances in July 1988 by Judge Heath in the Bisho Supreme Court. Four youths, found guilty of murder with extenuating circumstances—they were below the age of 18—were each sentenced to an effective 20 years' imprisonment. The 16 were convicted for the abduction and burning to death ('necklacing') of five men in Mdantsane on 1 February 1987 (see *1988/89 Survey* pp106–107). The defence intended to appeal against conviction and sentence.²³⁵ [²³⁵ *Sowetan* 7 June 1989] The judge said that even though only a few of the convicted men had been involved in the actual violence, there was enough evidence to convict them of murder, using the common purpose principle.²³⁶ [²³⁶ *The Star* 7 June 1989]

A former Ciskei police colonel in the Ciskei Elite Unit, Colonel Matthew Genda, was acquitted on 9 March 1990 by the Ciskei Supreme Court of high treason and contravening the Ciskei National Security Act of 1982. The charges related to an alleged conspiracy with the former commander of the Ciskei combined forces and brother of Chief Sebe, General Charles Sebe, to overthrow the Ciskei administration violently. He had been in custody since December 1988 and had been assaulted twice in detention by four police captains in the elite unit. The captains were convicted of the assaults by a

magistrate, Mr Meshack Ngoqo, in the Zwelitsha Regional Court in August 1989. Mr Ngoqo was fired a week later after 14 years in the Department of Justice and the four captains were promoted to the rank of major after their convictions. After his acquittal Col Genda was reappointed a security policeman and his suspension was lifted by the new military administration (see below).²³⁷ [²³⁷ *Eastern Province Herald* 10 March 1990, *Daily Dispatch* 20 March 1990, *The Weekly Mail* 11 August 1989]

In January 1989 the Ciskei's former ambassador plenipotentiary, Mr Douw Steyn, said that he intended appealing to the International Red Cross to inspect all places of detention in the Ciskei, because he feared for the lives of a number of detainees, including his successor, Mr V Mafani.²³⁸ [²³⁸ *The Star* 18 January 1989] The Ciskei administration said that such an inspection had been conducted in September 1986 and that the Red Cross had had 'nothing but praise for the conditions, facilities and amenities in Ciskeian prisons'.²³⁹ [²³⁹ *Daily Dispatch* 7 January 1989]

In April and May 1989 the Ciskeian Police were made to pay out thousands of rands in damages claims for alleged assaults, torture and police brutality. A man whose arm was left paralysed by an assault in a stayaway in May 1986, Mr M Pongolo, was paid out R45 000 by the police following a lawsuit. Mr G Bongophi was paid R2 500 for damages in connection with assaults during his detention in 1987. Ms Cynthia Sixishe, who claimed she was severely beaten while in detention, was paid out R4 000 by the police. According to lawyers there were numerous other claims pending.²⁴⁰ [²⁴⁰ *New Nation* 19 May 1989]

Disturbances and protests in the Ciskei in 1989/90

There were a number of bomb blasts and other attacks in the Ciskei in 1989 including a bombing in Bisho in January, two armed attacks in Mdantsane (23 January), three bombings at Bulembu (26 January), a bombing in Frankfort (28 January), an attack in Mdantsane (3 February), two blasts in Mdantsane (15 February), an attack on a Potsdam police station in April, a bombing in Keiskammahoek (20 April), bombings in Mdantsane and Zwelitsha (17 November) and two bombings in Mdantsane (22 November).²⁴¹ [²⁴¹ *Daily Dispatch* 8 February 1990]

The Ciskei administration declared a state of emergency in Balasi (Bisho) and east Peulton on 16 October 1989 (see *Land disputes* above). This followed unrest in Balasi connected to a desire by the community to become part of South Africa. Balasi residents were under threat of removal to make way for an expanded Bisho. In late September the homes of four Ciskei administration supporters in Balasi had been petrol-bombed, and seven youths detained. Residents claimed that those opposing being moved were being attacked by vigilantes calling themselves Inkatha' and in December 1989 the vigilantes were allegedly assisted by the Ciskeian Police. Meetings in the area were dispersed by the police and in January 1990 a member of the Balasi Youth Congress was murdered, allegedly by vigilantes.²⁴² [²⁴² *GRC Newsletter*, no 22, March 1990]

In November 1989, 25 000 Thornhill residents marched through the streets of Queenstown (outside the

Ciskei near Thornhill) demanding their South African citizenship back and in protest at the continuing incorporation of communities into the homelands. In December a march by Thornhill pensioners to the Department of Home Affairs office in Queenstown, to demand that the central government be responsible for their pensions and not the Ciskei administration, was stopped by the South African Police. A delegation, however, met the commissioner of home affairs and told him that pensions in the Ciskei were much lower, that taxes, levies and Ciskei National Independence Party (CNIP) membership fees were automatically deducted from their pensions, and that they wanted to live in South Africa.²⁴³ [243 Ibid]

Between the beginning of January 1990 and the end of February 1990 a defiance campaign involving the burning or returning of membership cards of the CNIP-the ruling and only legal political party in the Ciskei-had reportedly involved two-thirds of the Ciskei's population (living in the southern and central regions). It began in Chalumna (south-east Ciskei) at the beginning of January and spread to the villages around Alice and Keiskammahoeck in the centre of the Ciskei. Five peri-urban townships resorted to similar forms of open opposition. Residents of 62 villages were said either to have returned or burned the card. The card was the key to several essential services, along with proof of the payment of development tax and citizenship cards, and returning it was seen by those involved in the campaign as indicating their rejection of Ciskeian 'independence' and a desire for reincorporation into 'South Africa'.²⁴⁴ [244 *Daily Dispatch, The Star* 1 March 1990]

The desire for reincorporation into South Africa was reportedly based on a sense that South Africa was 'a paradise' in terms of state-provided services compared to the inadequate pensions, understaffed clinics, insufficient schools, and unhygienic water supplies in many of the villages.²⁴⁵ [245 *Sunday Tribune* 11 February 1990, *GRC Newsletter*, no 22, March 1990] The Grahamstown Rural Committee (GRC) said of the various rural protests in 1989/90 that in the first few years after 'independence' in 1981 a large portion of the Ciskei's budget had been devoted to improving services in rural villages. However, the building of the capital, Bisho, became a priority, 'reflecting the outcome of a struggle within the Ciskei regime over priorities-urban versus rural. Funds for rural development and infrastructure dried up, increasing the pressure on the local tribal authorities to extort more "voluntary" taxes from the local residents'. These included security fund tax, Nontsapho fund contributions, CNIP membership fees, and various local levies for the tribal administration such as for entertaining visiting cabinet ministers. Non-payment of any of these meant the denial of access to resources, such as pensions.²⁴⁶ [246 *GRC Newsletter*, no 22]

Chief Sebe said that the resistance would not be tolerated and he would sentence anyone who collected CNIP cards to be returned to the administration to ten years' imprisonment.²⁴⁷ [247 *New Nation* 1 March 1990] Almost 1 000 people were detained as a result of the campaign, many allegedly assaulted, homes destroyed and property damaged.

In Khambashe, north of Chalumna, youths burnt down the homes and kraals of a chief and of a headman in late January 1990.²⁴⁸ [248 *Daily Dispatch* 6 February 1990] A state of emergency was declared on 2 February 1990 in the districts of Mdantsane (which incorporates Chalumna) and Zwelitsha (which includes

Kwarini, Nkqonkweni and Tambo, the three villages that make up east Peelton, and Balasi where a state of emergency already existed) to counter lawlessness' there.²⁴⁹ [²⁴⁹ *Sunday Times* 4 February 1990, *Daily Dispatch* 5 March 1990] Brigadier Avery Ngaki, head of community relations in the Ciskeian Police, said that the state of emergency in the Zwelitsha district had been declared to counter unrest at Khambashe village. It has been noted that they don't like the chief, and the police will make them love the chief,' he said. Asked about vigilantes in the unrest areas. Brig Ngaki said that he regarded them as members of the community who were helping the police. The police briefed them before they went on operations in the villages but did not monitor their operations.²⁵⁰ [²⁵⁰ *Daily Dispatch* 8 February 1990] Numerous people were arrested in Khambashe following the declaration of the state of emergency.

On 18 February 1990 the Ciskeian Police raided Good Hope Village, near Chalumna, on South African soil and reportedly beat and arrested 11 South African citizens living there. They appeared in Ciskei courts on charges of not paying Ciskei development tax and were released on bail. The central government protested.²⁵¹ [²⁵¹ *Ibid* 3 March 1990]

During celebrations in Mdantsane after the release of a senior member of the ANC, Mr Nelson Mandela, in which many uniformed police reportedly participated, ten people were shot dead by the Ciskeian Police and up to 20 injured with gunshot wounds, some critically.²⁵² [²⁵² *The Star* 13 February 1990] The head of the Ciskei security police drove his car into a crowd in Alice injuring 21 people and killing a child, a number of rent offices were burnt in the township and looting of businesses continued for the next four days. A rally to protest against the deaths of people after Mr Mandela's release was banned and police in a helicopter and light aircraft started firing teargas over a shopping centre and taxi rank near the stadium causing panic among shoppers. The home of a Ciskei police officer in Mdantsane was attacked with hand grenades and that of a policeman in Peddie burnt down. Hospital workers in Mdantsane went on strike.²⁵³ [²⁵³ *GRC Newsletter*, no 22, March 1990; *Daily Dispatch* 15, 23 February 1990]

On 29 February 1990 a march through Keiskammahoek, by 15 000 residents led by priests, to protest against the Ciskei's 'independence', was dispersed by the Ciskei security forces using teargas and sjamboks.²⁵⁴ [²⁵⁴ *Daily Dispatch* 1 March 1990] Priests said that two children had died from teargas fumes, and 18 people had been injured.²⁵⁵ [²⁵⁵ *Ibid* 2 March 1990]

Residents in Peddie refused to be bussed to the national shrine of Ntaba ka Ndoda to attend Ciskei Heroes' Day celebrations addressed by Chief Sebe in late February 1990. They also immediately thereafter returned their CNIP cards. Clerics in Peddie said that the Ciskeian Police retaliated by sjambokking youths. One person died and several were injured. Water to Peddie villages was also cut off. The Ciskeian Police also baton-charged a church service congregation, seriously injuring a schoolchild, according to the clerics, and fired shots at random during the night injuring another child.²⁵⁶ [²⁵⁶ *Daily Dispatch* 3 March 1990, *Sunday Times* 11 May 1990]

The March 1990 coup d'état

Early on 4 March 1990 Chief Sebe's administration was overthrown in a bloodless coup by Brigadier Joshua Gqozo, the intelligence chief of the Ciskei Defence Force (CDF), while Chief Sebe was in Hong Kong. Chief Sebe's appeal from Hong Kong for South African intervention was rejected.²⁵⁷ [²⁵⁷ *Financial Mail* 9 March 1990]

Brig Gqozo said that the coup was because of corruption, nepotism and widespread violence by Chief Sebe's administration. He said that all the security forces, including the police and prisons service, had pledged him their support.²⁵⁸ [²⁵⁸ *The Star* 5 March 1990] Thousands of Ciskeians took to the streets to celebrate the coup. Beneath the draped flags of the ANC and South African Communist Party (SACP), Brig Gqozo addressed 100 000 people at Mdantsane's Sisa Dukashe Stadium, where in 1983 hundreds of Mdantsane residents, captured by vigilantes supporting the Sebe administration, had been tortured. The brigadier told the cheering crowd, 'We are looking for a new future.' The ultimate goal of the new Ciskei administration was the homeland's reincorporation into South Africa, he said. He announced that security detainees would be released and promised to allow organisations to operate freely.²⁵⁹ [²⁵⁹ *Ibid*; *Sowetan* 6 March 1990] The UDF shared a platform with him, at his invitation, when he addressed a rally in Bisho the following day, because, he said, it knew the wishes of the people.²⁶⁰ [²⁶⁰ *Business Day* 5 March 1990, *The Weekly Mail* 9 March 1990]

Massive destruction of property occurred for the two days immediately following the coup. Looting of stores, factories and buildings, followed by burning once looted properties were empty, began in Mdantsane on the night of the coup. As they dragged away television sets, furniture and food, looters said they were claiming back what they had paid in development tax over the years. An employee of the Amatola Sun Hotel said, 'All the shops and factories were burning. Everybody was looting and there was complete chaos. There was no evidence of the police or the military. The people seemed to be extremely happy.'²⁶¹ [²⁶¹ *The Star* 5 March 1990] The plundering spread to Dimbaza, Phakamisa and Zwelitsha the following day. The private home of Chief Sebe in Zwelitsha was set alight. Activists of the Mass Democratic Movement (MDM) were said to be 'arresting' looters, confiscating stolen goods and burning them. About 90% of commercial businesses in Mdantsane were destroyed, including the Mdantsane Entertainment and Hotel Centre. Its owner, Sun International, said that the centre would be rebuilt. The Mdantsane damage was estimated to be worth R60m. Nine factories in the Fort Jackson industrial area were razed to the ground and another 18 were totally looted (preliminary estimates put the damage at about R52m here).²⁶² [²⁶² *The Star* 12 March 1990, *Business Day* 7 March 1990] The nine razed factories had employed 3 000 people. The South African Special Risks Association agreed in principle to pay R70m in insurance. It estimated total damage as being worth R130m, in damage to property and looting.²⁶³ [²⁶³ *Business Day* 8, 21 March 1990] Brig Gqozo said in April that the military council was 'thoroughly ashamed' of the lawlessness which had resulted in 'staggering damage, particularly in Mdantsane, where much of the urban infrastructure has been destroyed, together with factories and businesses. It will take years to restore the situation'.²⁶⁴ [²⁶⁴ *Daily Dispatch* 7 April] 990] Medical personnel at the Cecilia Makiwane Hospital in Mdantsane said that an estimated 27 people died in Mdantsane's two

days of looting—20 were dead on arrival and seven died in the wards—and hundreds were injured.²⁶⁵ [265 Ibid 7 March 1990]

Brig Gqozo declared a state of emergency and on 5 March 1990 the SADF moved into the Ciskei, with the approval of Brig Gqozo, to end the looting and destruction. The decision came after rioting spread from Mdantsane. The central government's minister of foreign affairs, Mr Pik Botha, said that the priority was to stop the violence and to bring calm and order. Mr Botha said that the crowds which had gathered after the coup had done so in a mood of celebration and jubilation, but that the feelings of the people had been exploited by people with criminal intentions and matters had got out of hand.²⁶⁶ [266 *The Star* 7 March 1990] He said that the central government's intervention in the Ciskei was different to its intervention on behalf of Chief Lucas Mangope, the president of Bophuthatswana, after the abortive 1988 coup in that homeland. The perceived popularity of coups was an important factor in deciding whether South Africa would intervene or not, he said. But the deciding factor was to what extent the group seizing power was in control and what level of support it had.²⁶⁷ [267 *Business Day* 6 March 1990]

The Grahamstown Rural Committee claimed in a newsletter in March 1990 that while there was much criminal behaviour—stabbing and looting particularly—‘the targets of the arson and looting were all symbols of what made the people suffer under the Ciskei bantustan: the magistrate's courts in Zwelitsha, homes of policemen, businesses owned by Ciskei politicians, factories which pay starvation wages, Ciskei-government owned buses... Significantly not a single church, school, hospital or informal backyard shop was attacked’.²⁶⁸ [268 *GRC Newsletter*, no 22, March 1990]

Within days of the coup, detainees were being freed and meetings began between the military administration and various members of the MDM. The first meeting, the day after the coup, was with the East London branch of the UDF, and then with the UDF regional executive. A delegation of national UDF leaders, including its general secretary, Mr Popo Molefe, then arrived and held discussions with the council. The discussions were dominated by the issue of restoring order. The UDF delegation promised to change people's attitudes to the police and the military rulers. Mr Molefe said, ‘The police were yesterday's enemies, but they can be today's and tomorrow's friends.’ He said that there would be regular contacts between the military council and the UDF. A UDF rally in Bisho two days after the coup called for a major clean-up campaign following the looting. Police helped members of the Mdantsane Residents' Association in a door-to-door search to apprehend looters. The military leaders also sought the advice of Lawyers for Human Rights and the National Democratic Lawyers Association on labour legislation and a possible new constitution.²⁶⁹ [269 *The Weekly Mail* 9 March 1990, *New Nation* 16 March 1990]

A few days after the coup 71 prisoners broke out of Mdantsane Prison. Guards recaptured 51, while 20 remained at large.²⁷⁰ [270 *The Weekly Mail* 9 March 1990]

Various senior members of the previous administration were detained including directors general and the managing director of the Ciskei People's Development Bank, Mr Thami Sondiyazi.²⁷¹ [271 *New Nation* 16

March 1990]

It was divulged that Chief Sebe had been warned by the central government of an imminent coup minutes before he flew to Hong Kong. He continued his journey, however, and the government was not sure why.²⁷² [²⁷² *The Star* 5 March 1990] According to *The Weekly Mail* it was because he thought the advisers were referring to a coup he was expecting and supported, by his son, Lieutenant Colonel Kwane Sebe, head of the Ciskei Elite Unit. Chief Sebe was believed to have wished to retire over the next few months and expected his son to have seized power and taken his place while he was abroad. *The Weekly Mail* said of Brig Gqozo's coup. It was a case of the wrong junta at the right time.'²⁷³ [²⁷³ *The Weekly Mail* 9 March 1990]

On 8 March 1990 Mr Botha discussed the coup with Brig Gqozo and they agreed that Chief Sebe should be advised not to return to the Ciskei. Mr Botha said that Chief Sebe would be allowed to stay in 'South Africa' if he wished. He told Brig Gqozo it was too early for the government to consider the issue of recognition. The priority was peace, stability and reconstruction. According to Mr Botha, 'Brig Gqozo said that his action was essential to pre-empt a coup which was already being implemented by another branch of the security forces who intended to entrench the rule of President Lennox Sebe. His interest, he said, was to save the Ciskei from a corrupt and repressive regime.' Brig Gqozo had assured Mr Botha of his commitment to the implementation of programmes directed at relieving poverty and promoting economic upliftment. He said it was not his intention to form a military government. Mr Botha said that Brig Gqozo had said 'he had only acted at a critical moment in history when the wrong elements were intent on seizing power, which would have plunged the Ciskei into chaos'. All leaders in the region should agree on the need for re-establishing stability in the Ciskei, and the central government was prepared to provide the necessary security assistance to ensure no further lawlessness and disturbances took place, Mr Botha added. Brig Gqozo also assured Mr Botha that the independence of the courts would be respected and freedom of expression would be ensured. Chief Sebe would be arrested if he returned to the homeland, the brigadier told Mr Botha.

Mr Botha said that he was encouraged by Brig Gqozo's objectives.²⁷⁴ [²⁷⁴ *The Citizen* 9 March 1990] Brig Gqozo said after his meeting with Mr Botha at a rally in Peddie, 'Even South Africa was tired of Sebe.' Reincorporation would come in 'its time', but was unnecessary 'at the moment' because the 'oppressive Sebe regime' had fallen. He disbanded the elite unit, and had Lt Col Kwane Sebe and two other prominent security force members arrested.²⁷⁵ [²⁷⁵ *Business Day* 5, 9 March 1990]

Two statues of Chief Sebe costing R90 000 were removed by the Ciskei's Department of Works on 8 March.²⁷⁶ [²⁷⁶ *Ibid* 9 March 1990]

Asked by the *Sunday Tribune* days after the coup whether 'progressive organisations', including the trade unions, would be given 'carte blanche' to operate in the Ciskei, Brig Gqozo, said, 'Yes, all progressive movements existing in the interests of the people, including trade union movements, will be allowed to operate. Their leaders must come forward, discuss with us their plans, and together we will

be able to solve the problems.’ On the question of the Ciskei’s place in the ‘South Africa of tomorrow’. Brig Gqozo said, ‘This depends on negotiations between Pretoria and Mr Mandela ... whether they can carry on while there are homelands. If negotiations can carry on while homelands continue to exist, we will have our structures patterned to keep in accordance with what is decided at the negotiating table.’²⁷⁷ [277 *Sunday Tribune* 11 March 1990]

Chief Sebe’s brother, Mr Charles Sebe, said that he was overjoyed at the news of the coup and planned to return to the Ciskei as soon as possible.²⁷⁸ [278 *Business Day* 5 March 1990] He said that the fact that Ciskeians had returned their CNIP cards to the administration meant that the president was no longer running the country by the will of the people. He had every confidence in Brig Gqozo, whom he had known for many years.²⁷⁹ [279 *The Citizen* 5 March 1990]

Chief Lent Maqoma, the leader of the Ciskei People’s Rights Protection Party, was detained by the Ciskei security police days after returning from self-imposed exile in March 1990.²⁸⁰ [280 *Daily Dispatch* 17 March 1990] He was then ‘deported’.²⁸¹ [281 *Ibid* 20 March 1990]

The Transkei Military Council congratulated the Ciskei’s military leaders on the coup and held talks on 27 March 1990 with the new administration. Brig Gqozo said that his administration did not consider the Transkei an enemy.²⁸² [282 *Ibid* 28 March 1990]

On 8 March 1990 the 11 members of the ruling Military Council of State were sworn in by the chief justice of Ciskei, Mr Justice Benjamin Pickard, with Brig Gqozo as chairman. No member of the Sebe cabinet was appointed to any post on the council. The council’s executive committee consisted of Brig Gqozo, Colonel O M Guzana, Commandant S S Pita and an Austrian, Major P Hauser, who had been seconded to the CDF in 1982 as director of music. Brig Gqozo suspended the constitution, abolished the Ciskei National Assembly and announced the release of all prisoners held under section 26 of the Ciskei’s National Security Act of 1982.²⁸³ [283 *City Press* 11 March 1990, *Daily Dispatch* 9 March 1990] Within two months of the coup. Col Guzana was dropped from the council and detained in late April, and Maj Hauser said he intended to go back to Austria.

The chairman of the Border Council of Churches, Mr Bongani Finca, said that there had been ‘intolerable repression’ under the previous administration. The council’s meeting with the new council of state had given him a distinct impression that the new administration was disciplined and committed to the restoration of democracy and justice. His council had been shocked by the damage in Mdantsane, Zwelitsha and Dimbaza inflicted on property and particularly to businesses and was ‘ashamed’ that such havoc had been caused deliberately by people claiming to be fighting for democracy.²⁸⁴ [284 *The Citizen* 7 March 1990]

Mr Botha said in April that Chief Sebe had been willing to return to the Ciskei after the coup but had been advised not to do so for the time being in the interests of peace and quiet in the homeland. He and

his wife were being accommodated 'in a house which was available'.²⁸⁵ [²⁸⁵ *The Star* 18 April 1990]

In early April 1990 Brig Gqozo told a delegation from the South African Chamber of Business that the issue of seeking reincorporation was still under discussion. Whatever the ultimate decision, he said, he wanted sound relations with 'South Africa', with the emphasis on co-operation, rather than competition with the rest of the eastern Cape region. Brig Gqozo was reportedly determined that the Ciskei's special tax concessions and incentives to attract outside investors should remain intact, according to the business delegation.²⁸⁶ [²⁸⁶ *Ibid* 6 April 1990]

Brig Gqozo told a meeting arranged by the South African Institute of International Affairs in the same month that the fate of the Ciskei in a unitary state 'must still be determined... Our people will decide what is best for them... In the interim the military council are honest caretakers, ensuring that the resources of our nation are optimised to contribute to a still emerging future'. Brig Gqozo also said that the military council had unearthed evidence of gross financial mismanagement, corruption and nepotism at all levels of the Ciskei administration. Brig Gqozo said, 'The web of corruption is widespread, involving a network of rogues in Ciskei, South Africa and even overseas. Most of the villains have been identified and are being investigated. We intend to use the courts to recover the plunder they so assiduously garnered over the years. These people are just as culpable as the looters of Mdantsane.' He also said. It is our belief that people must choose their own leaders, operating within a political system chosen by themselves.' He said that stability had been restored in the homeland, although there was still some dissatisfaction in rural areas that was a legacy of the Sebe administration.²⁸⁷ [²⁸⁷ *Daily Dispatch* 4, 7 April 1990]

In April the military council announced that it knew of plans to overthrow it with mercenaries.²⁸⁸ [²⁸⁸ *The Weekly Mail* 27 April 1990] It split up the Department of Justice, Police and Prisons, with the police falling under the new Department of Law and Order, under the direct control of the executive committee.²⁸⁹ [²⁸⁹ *Ibid*]

Ciskei's chiefs met at the Mngqesha Great Place on 11 April 1990 and expressed their desire to join the Congress of Traditional Leaders of South Africa.²⁹⁰ [²⁹⁰ *Daily Dispatch* 12 April 1990]

On 30 April, the day before Mr Mandela was to address a rally in Bisho, the Ciskei military council unbanned the ANC, SACP, Pan-Africanist Congress, the South African Allied Workers' Union and Iliso Lomzi (a small group set up by Mr Charles Sebe from exile in the Transkei).²⁹¹ [²⁹¹ *The Weekly Mail* 12 April 1990]

On the same day, 106 Ciskei prisoners (15% of the Ciskei's prison population) were released under an amnesty announced by the military council the previous week. They were short-term prisoners and did not include any political prisoners or anyone on death row. The prison authorities were still assessing the cases of other prisoners and anticipated that more would be freed soon.²⁹² [²⁹² *Daily Dispatch* 2 May 1990]

By the end of May 1990 the central government had not yet officially recognised the new Ciskei administration.²⁹³ [²⁹³ Ibid 29 May 1990]

In May 1990 the military council issued a decree indemnifying anyone involved in the March coup from prosecution for their part in the coup and also for later acts aimed at suppressing internal disorder or to restore peace and public safety. It was retroactive to the date of the coup. The decree allowed Brig Gqozo to declare that any acts which were the subject of legal action were connected to the coup and such cases would then be waived.²⁹⁴ [²⁹⁴ *The Weekly Mail* 11 May 1990]

In April 1990 the rector and vice rector of the University of Fort Hare, and the three registrars and an assistant registrar resigned from the university. At the beginning of May 1990 the chancellor, the chairman of the university council and six council members also resigned. Tensions had reportedly developed between the university administration and the military council, which had met the students and staff.²⁹⁵ [²⁹⁵ Ibid 4 May 1990]

The military council said that a commission of inquiry into corruption was due to begin hearing evidence and it wanted Chief Sebe to return to face charges arising out of his 'abuse of power'. A steady stream of officials, military and police officers were appearing in court for a number of offences. The council said that it would seek his extradition if he did not return voluntarily, but the central government said that it had not formally recognised the administration and could therefore not respond to such a request.²⁹⁶ [²⁹⁶ Ibid 1 June 1990]

In May 1990 the military council appointed a commission of inquiry into allegations of irregularities and malpractices by seconded South African officials employed in government and parastatal bodies in the homeland.²⁹⁷ [²⁹⁷ *Daily Dispatch* 16 May 1990] In the same month it also appointed a team to investigate complaints of ill-treatment and the assault of prisoners by warders at the Middledrift Central Prison. The complainants had been on a hunger strike.²⁹⁸ [²⁹⁸ *New Nation* 25 May 1990]

In early June 1990 the Ciskei's commissioner of police, General L B Madolo, was dismissed and detained in connection with an alleged plot to overthrow the military administration, and to install Mr Charles Sebe as head of state. Brig Gqozo said that Mr Sebe had 'arrogantly assumed that he would be welcomed back in Ciskei by a grateful nation' and 'was supported in this fallacy by people who should know a lot better'.²⁹⁹ [²⁹⁹ *The Citizen* 5 June 1990]

Strikes in the Ciskei in 1990

In late April 1990 nurses at the Cecilia Makiwane Hospital in Mdantsane went on strike in support of demands for better pay and working conditions. On 26 April hundreds were arrested when the Ciskeian Police and CDF moved on to the hospital grounds. The military council expressed its 'total disgust' at the strike and said it would deal harshly with those behind it. Some 600 nurses appeared in the

Mdantsane magistrate's court that evening and were released on warning. Charges had not been formulated and they would appear again from 16 May. The Congress of South African Trade Unions said that it had for a long time seen the homelands as unsympathetic towards its affiliates, and it made it clear to the military council that 'we will endeavour our utmost best to defend our workers in these homelands'. The Ciskei nursing strike coincided with go-slows at Johannesburg's three biggest hospitals (see chapter on *Labour Relations*).³⁰⁰ [³⁰⁰ *Daily Dispatch* 27 April 1990]

A series of wildcat strikes affected 28 factories in Dimbaza in May 1990. Brig Gqozo warned that they were jeopardising the 'whole fabric of the country'. It was vital that workers returned to work and addressed problems through their unions. Business returned to normal soon after his pleas.³⁰¹ [³⁰¹ *Business Day* 11 May 1990] It appeared that some affected industries had considered withdrawing from the Ciskei because of strikes, intimidation and the emergence of previously banned unions. The council said that some industrialists had not accepted the 'new democracy'. Industrialists still locked into the labour philosophy of the 19th century must realise they can no longer phone a despotic head of state and arrange for uniformed louts to beat up their labour when it dares to disagree with management,' the council said.³⁰² [³⁰² *The Weekly Mail* 11 May 1990]

Gazankulu

Elections

Gazankulu held elections on 25 January 1989 for members of its legislative assembly, which has 43 elected and 43 nominated members. Fourteen of the 43 members were elected unopposed.³⁰³ [³⁰³ *Business Day* 26 January 1989] Thousands of pamphlets were issued by an organisation calling itself the Gazankulu Anti-Election Committee, calling for an election boycott. In February 1989 Professor Hudson Ntsanwisi was unanimously elected as chief minister by the legislative assembly, for his fifth term of office, after the nomination of his sole opponent, Chief S M Muhlava, failed to secure a seconder. This was the first time that Professor Ntsanwisi had been opposed since becoming chief minister in 1973.³⁰⁴ [³⁰⁴ *Sowetan, Business Day* 28 February 1989]

Political upheavals in 1990

Disturbances, protests and stayaways in February 1990

Gazankulu was affected by serious disturbances between February and April 1990. When the African National Congress (ANC) and other political organisations were unbanned on 2 February 1990, various Gazankulu activists organised themselves into organisations, including the Giyani Youth Congress. (Its formation had evidently been in the pipeline for some time.) At its launch on 14 February it called for a weeklong stayaway to force Professor Ntsanwisi to vacate his seat, on the grounds that he was corrupt

and had amassed wealth for himself by being involved in many business ventures. It demanded the disbanding of Ximoko Xa Rixaka, the Gazankulu Youth Movement (Professor Ntsanwisi is president of both) and the Gazankulu Women's Association (Professor Ntsanwisi's wife Beatrice is its president), as well as the reopening of a school and college in Nkowankowa, closed after student boycotts.³⁰⁵ [³⁰⁵ *Sowetan* 23 April 1990] According to the *Sowetan*, senior administration officials were involved in the planning of the youth congress. In mid-February the Malamulele Youth Congress and Giant Reefs Youth Congress were also formed in Gazankulu.³⁰⁶ [³⁰⁶ *Ibid* 21 February 1990]

A boycott of businesses owned by the Ntsanwisi family started in Nkowankowa in mid-February and spread to Giyani.³⁰⁷ [³⁰⁷ *Ibid*] The Tzaneen Education Crisis Committee, elected by Nkowankowa residents, which went to see the minister of education regarding the closure of the two Nkowankowa educational institutions, had allegedly been ordered off the premises by Professor Ntsanwisi. This had resulted in the decision to boycott his two businesses in Nkowankowa.³⁰⁸ [³⁰⁸ *Cape Times* 22 February 1990]

Unrest began in Gazankulu after police disrupted celebrations in Dzumeri Village after the release from prison of a senior member of the ANC, Mr Nelson Mandela, on 11 February 1990. The body of a schoolboy, K L Mabunda, was found afterwards.³⁰⁹ [³⁰⁹ *The Star* 21 February 1990] On the day of Mr Mandela's release Professor Ntsanwisi was due to address a meeting in Nkowankowa. The meeting was taken over before he could address the crowd by a man who said that the people of Nkowankowa recognised no leaders other than the ANC and Mr Mandela. Professor Ntsanwisi was unable to speak, his words drowned in cheering and applause for the release of Mr Mandela.³¹⁰ [³¹⁰ *The Weekly Mail* 2 March 1990]

On 19 February 1990 the week-long stayaway called by the Giyani Youth Congress began in Gazankulu. It was virtually total, involving teachers, civil servants, and bank and post office employees, and resulted in the deaths of at least eight people. On the first day of the stayaway hundreds of students marched to the legislative assembly buildings in Giyani to demand the resignation of Professor Ntsanwisi and to protest against the education system. One person was killed and 50 others injured when police used quirts and teargas to disperse a group trying to join the march.³¹¹ [³¹¹ *Business Day* 20 February 1990, *The Star* 21 February 1990] The South African Defence Force (SADF) was sent into the homeland on the second day of the stayaway to support the Gazankulu Police.³¹² [³¹² *Sowetan* 21 February 1990]

On 21 February four people were shot dead in Nkowankowa after a mass meeting of 30 000 people in a local stadium. (Demonstrators had commandeered commuter buses and ferried people to the stadium.) One was a woman shot in the stadium by the South African Police (SAP) when the crowd refused to disperse. The other three were shot dead near a bottle store owned by Professor Ntsanwisi that had been attacked and looted. (His home in the township was also attacked and damaged.) Souths then attacked several police homes and a police barracks, and two youths were shot dead by police during these attacks. Soldiers set up tents at the stadium in Nkowankowa. Unrest occurred at four other villages.³¹³ [³¹³ *Business Day*, *Sowetan* 23 February 1990] An SADF commander described the situation in the Gazankulu

countryside as 'dangerously uneasy'. He said that travel at night between villages around Giyani was hazardous.³¹⁴ [³¹⁴ *Business Day* 23 February 1990]

The police and army arrested many youths when they went on house-to-house raids in the townships.³¹⁵ [³¹⁵ *Sowetan* 26 February 1990] Businesses, schools and government offices were closed for the duration of the stayaway. At Nkowankowa a crowd of several thousand youths threatened businesses with arson if they opened their doors for trading.³¹⁶ [³¹⁶ *The Star* 22 February 1990]

At a press conference on 26 February 1990 in Giyani after the stayaway, Professor Ntsanwisi called for restraint by everyone involved in the disturbances. He said that there had been a 50% return to school by boycotting pupils. In response to educational demands, he said he was in favour of the readmission of matriculants who had failed in 1989 and added that a circular to abolish corporal punishment had been sent to all headmasters. He said that the administration would institute a commission of inquiry into the unrest and that the SADF would leave Gazankulu as soon as the situation returned to normal. He rejected calls for his resignation, saying that only the legislative assembly could pass such a motion and not the 'anonymous people who use children to fight'. He said that the speaker of the legislative assembly, Mr Michael Mushwana, who had approached him for an emergency session to discuss the unrest, had been involved in the organisation of unrest in Nkowankowa. Professor Ntsanwisi said that an emergency session of the legislative assembly would serve no purpose, and rejected calls for the dissolution of his political organisations. He said that political opponents within the legislative assembly were teaming up against him but that he was not scared.³¹⁷ [³¹⁷ *Sowetan* 27 February 1990]

In an article in the *Sowetan* Professor Ntsanwisi said, I am concerned that there appears to be no discipline by parents of their children and I am also concerned at the degree to which children and the youth can intimidate the entire community.' He believed that 'those who precipitated the problem have less honourable motives and are more concerned about discrediting us and excluding us from the negotiations towards a new constitution in South Africa than they are about democracy'.³¹⁸ [³¹⁸ *Ibid* 28 February 1990] The Gazankulu administration issued a statement blaming unrest on a deliberate campaign by the Mass Democratic Movement to 'mobilise students and youth and intimidate the moderate population' and to establish support in an area which had been 'notably stable and peaceful over the last decade'. The Gazankulu Youth Congress rejected the statement. 'What they are trying to say is that we can't think for ourselves. Ntsanwisi must stop blaming other organisations and do us a favour by resigning.'³¹⁹ [³¹⁹ *The Citizen, The Star* 27 February 1990; *Sowetan IS* February 1990]

The Gazankulu administration said in a statement on 27 February that 16 people had died since 19 February, six huts and two vehicles had been destroyed by fire, and one house had been gutted. (The hut burnings were evidently related to witchhunts.)³²⁰ [³²⁰ *The Star* 28 February 1990]

A meeting between the Gazankulu cabinet and 80 officials concluded that intimidation had been the main reason for the stayaway by civil servants, employees and factory workers. Most people had

returned to work but stayaways were reported in the Mhala district and at Lisbon Estates, an agricultural project.³²¹ [³²¹ Ibid]

On 1 March 1990 the legislative assembly held an informal meeting following a request by 16 members, including the speaker, Mr Mushwana. All members who spoke, except for two cabinet ministers, identified Professor Ntsanwisi's continuation as chief minister as the main source of the ongoing unrest, and said that Gazankulu would remain unstable until he stepped down. Professor Ntsanwisi told journalists afterwards that the threat of a second stayaway had convinced him that it was time to go.³²² [³²² *Sowetan* 2 March 1990] He also announced that a special session of the legislative assembly would take place on 19 March, to try to resolve the crisis of unrest and stayaways, and address the 'call from certain quarters for me to step down as chief minister'. He would abide by any decision of the assembly, he said, which would be consistent with his views on the importance of the democratic process.³²³ [³²³ *Business Day* 2 March 1990]

Professor Ntsanwisi called off the special session a week before it was due to take place, however. About 55 MPs petitioned him on 19 March to convene a special session immediately. (They constituted 60% of all MPs.) They also demanded the release of emergency detainees and the withdrawal of the SADF from the homeland.³²⁴ [³²⁴ *Sowetan* 20 March 1990]

March/April 1990 stayaway

On 5 March 1990 a second stayaway by civil servants, which lasted six weeks, and a school boycott began in Gazankulu amid demands for educational grievances to be addressed and for Professor Ntsanwisi to resign. This, coupled with witchhunts, led to widespread violence and unrest which left a further 14 people dead and 300 huts destroyed.³²⁵ [³²⁵ *The Star* 19 April 1990] (The huts destroyed included the homes of hundreds of destitute Mozambicans destroyed by peasants at a village near Giyani on the weekend of 3 March.)³²⁶ [³²⁶ Ibid 6 March 1990]

Recorded appeals by Professor Ntsanwisi asking workers to end their stayaway and pupils to go back to school were broadcast from a light aircraft over townships but this failed to restore calm.³²⁷ [³²⁷ *Sowetan* 16 March 1990] Shops in Giyani had begun to reopen their doors after the first stayaway but uncertainty continued in the face of intimidatory raids by youths, described by youth congress members as lawless elements'.³²⁸ [³²⁸ *The Star* 8 March 1990] Tzaneen businessmen said on 6 March that business had slowed virtually to a standstill because of ongoing tension in Gazankulu.³²⁹ [³²⁹ *The Citizen* 7 March 1990] It became very difficult to maintain essential services in the homeland, although medical services were being fully maintained as hospital and clinic staff remained on duty.³³⁰ [³³⁰ *The Star* 6 March 1990]

On 8 March 1990 the state president, Mr F W de Klerk, and Professor Ntsanwisi held talks at Tuynhuys in Cape Town about the security situation in Gazankulu and the role of the non-independent homelands in the negotiating process and progress being made in this process. Professor Ntsanwisi said that there

was a great deal of intimidation taking place in Gazankulu from 'external forces'. Cases of arson and murder had occurred, houses had been burnt, people were being prevented from working in factories and government officials were also being hampered.³³¹ [³³¹ Ibid 9 March 1990]

Professor Ntsanwisi said that he had initiated talks with senior United Democratic Front (UDF) and ANC leaders in the last week of March 1990. On 27 March the UDF confirmed that it had 'recently' held two meetings with Professor Ntsanwisi to resolve the crisis. Executive members of the Tzaneen Education Crisis Committee were present at the second meeting. A senior executive member of the UDF, Mr Popo Molefe, said both parties agreed that there was a need to normalise the situation in the homeland. 'The issue surrounding his resignation is between him and the local population. We are not qualified to tell him to resign,' Mr Molefe said. Professor Ntsanwisi undertook to discuss detainees with the minister of law and order, Mr Adriaan Vlok, and committed himself to working towards the dismantling of the homeland system.³³² [³³² *Sowetan* 28 March 1990] He expressed his total support for the call for a nonracial and undivided South Africa where homelands would not exist as ethnic entities.³³³ [³³³ Ibid 23 April 1990]

After not attending the scheduled 5 April talks with the state president (see *General Policy Matters* above). Professor Ntsanwisi said that he had had talks with Mr Mandela and they had agreed that the unrest in South Africa and Gazankulu was undesirable and should be discontinued. He said that the unrest was not 'at the behest of the ANC' adding that he and Mr Mandela mutually agreed it was essential for civil servants to return to work without delay. They also resolved that the reopening of schools was important.³³⁴ [³³⁴ *The Star* 6 April 1990]

On 3 April 1990 most businesses and factories were operating normally, but thousands of civil servants continued to stay away. The administration adopted a policy of no-work, no-pay.³³⁵ [³³⁵ Ibid 4 April 1990] There was almost total absenteeism from schools. The Gazankulu Police said that 2 265 arrests had been made in connection with 325 cases of intimidation, public violence, attempted arson, attempted murder and murder. Of the 2 265 people arrested, 1 375 had been charged and 512 released.³³⁶ [³³⁶ Ibid]

On the weekend of 7 April 1990 four houses were petrol-bombed in Gazankulu, one belonging to a policeman and two to officials in the Department of the Chief Minister who had gone back to work in defiance of the stayaway.³³⁷ [³³⁷ *Sowetan* 10 April 1990]

On 12 April 1990 a temporary SADF base in Nkowankowa was attacked with hand grenades and AK-47s. Four national servicemen were injured. The commanding officer of the Northern Transvaal Command's Group 13, Colonel Jos Rabie, said that unrest in the homeland had increased markedly over the previous seven weeks and had resulted in the deployment of SADF units in the area for the first time. He said that radical elements had stepped up their intimidation campaign over the previous two weeks, as they had seen their support begin to wane as workers had begun returning to their jobs after an 'almost 100% stayaway'.³³⁸ [³³⁸ *Sunday Star* 15 April 1990]

On 18 April 1990 the Gazankulu Youth Congress said that a decision had been taken to discontinue all boycotts immediately and urge scholars to return to school on 23 April. It claimed that the decision was taken in the light of Professor Ntsanwisi's undertaking to the UDF to release all political prisoners and pay all government workers their full salaries for March despite their stayaway. He also undertook to withdraw SADF and SAP units from all townships, it claimed.³³⁹ [³³⁹ *The Star* 19 April 1990] A spokesman for the Gazankulu administration dismissed as 'typically inaccurate' these claims by the congress.³⁴⁰ [³⁴⁰ *Sunday Times* 22 April 1990]

The stayaway by Gazankulu civil servants had ended by 18 April 1990.³⁴¹ [³⁴¹ *Sowetan* 23 April 1990] They were not paid for the period of the strike, although MPs petitioned Professor Ntsanwisi to pay them.³⁴² [³⁴² *Business Day* 18 April 1990] Those who resumed work after 17 April were required to apply for reinstatement. Those who resumed work on 12 April, a deadline set by the administration, were to be reinstated without prejudice.³⁴³ [³⁴³ *Ibid* 19 April 1990; *Sowetan* 23 April 1990] Scholars in some rural areas were also back at school, but a widespread class boycott was still being observed in most areas. Some 43 people were still detained in terms of the emergency regulations.³⁴⁴ [³⁴⁴ *Sunday Times* 22 April 1990]

In May 1990 a Gazankulu magistrate, Mr S Matshumele, was dismissed on the grounds that he had allegedly involved himself in a protest march to the station commander at Malamulele which demanded the resignation of Professor Ntsanwisi. Mr Matshumele, who was the deputy chairman of the Malamulele branch of the Gazankulu Public Servants' Association, said that he would challenge his dismissal.³⁴⁵ [³⁴⁵ *Sowetan* 29 May 1990] Another Malamulele magistrate, Mr Robert Malavi, who spent 26 days in emergency detention, said that when he reapplied for his job in April after the stayaway, the minister of justice, Mr S D Nxumalo, had refused to renew his appointment.³⁴⁶ [³⁴⁶ *Ibid* 10 May 1990]

KaNgwane

In November 1989 the Insika National Party failed in an application brought in the Transvaal Provincial Division of the Supreme Court to have the KaNgwane Legislative Assembly declared unconstitutionally constituted. The party argued that the elections in 1988 were not held in accordance with the relevant regulations.³⁴⁷ [³⁴⁷ *The Star* 9 November 1989]

In March 1990 the national executive committee of the United Democratic Front (UDF) and a delegation from the Inyandza National Movement, the party led by the chief minister of KaNgwane, Mr Enos Mabuza, held discussions in Johannesburg. The meeting investigated ways of preventing violence in other homelands from spilling over into KaNgwane. A UDF statement said, 'We cannot allow the dissolution of KaNgwane as Mabuza has clearly shown he is on the side of the people.' A UDF president, Mrs Albertina Sisulu, said, 'We want Mabuza to continue as leader in the region because he will serve the best interests of the people.' The publicity secretary of the UDF, Mr Terror Lekota, said, 'The dismantling of the homelands has to be a guided process and we cannot allow the situation in

KaNgwane to deteriorate into anarchy and chaos. People must understand structures that exist today will be needed tomorrow to build the new South Africa.’³⁴⁸ [³⁴⁸ *City Press* 11 March 1990, *The Star* 14 March 1990] Mr Lekota said that the liberation movement had always been opposed to the homelands, but ‘their disappearance must be timed correctly, not haphazardly’. There should be no hurry, he said, to pressure homeland administration officials to abandon their positions when they were ‘sympathetic to the liberation movement, such as that of KaNgwane’. The UDF counted Mr Mabuza as an ally, he said.³⁴⁹ [³⁴⁹ *The Star* 14 March 1990]

KaNgwane was free from the violence and unrest that afflicted other homelands in the wake of the unbanning of the African National Congress (ANC) and other political organisations. Mr Mabuza, in an interview with the British Broadcasting Corporation in the same month, attributed this to KaNgwane’s being ‘accommodative’ to other political organisations.³⁵⁰ [³⁵⁰ *The Citizen* 15 March 1990]

Addressing the tenth annual congress of the Inyandza National Movement on 11 March 1990, Mr Mabuza appealed to KaNgwane residents to ‘set an example’ and refrain from wanton and senseless damage to property such as had occurred in Bophuthatswana and the Ciskei. ‘Freedom entails responsibility and it is no excuse to run amok and cut a swathe of destruction through the fabric of society. Where do these angry people think the money will come from to replace what they have destroyed?’ he asked. Referring to pupils regularly absent from school who demanded to be passed without fulfilling stipulated requirements, Mr Mabuza said they were ‘in for a rude awakening. Even with a majority government in power they will not automatically get good jobs, drive fast cars and have large houses simply because they claim to have been part of the struggle’.³⁵¹ [³⁵¹ *The Star* 12 March 1990]

The KaNgwane cabinet and the executive committee of the Transvaal Provincial Administration met in April 1990 to discuss matters of mutual interest and progress made by joint working committees formed after talks in 1989 between Mr Mabuza and the administrator of the Transvaal, Mr Danie Hough. These committees were co-operating on the planning of matters such as roads, works, conservation, community development and health. Mr Mabuza said that the duplication of services and planning by two regional governments did not make sense. He said that political negotiations could not take place between the two regional administrations until negotiations for a new South Africa had been concluded.³⁵² [³⁵² *Ibid* 19 April 1990]

On 16 April 1990 Mr Mabuza said that KaNgwane’s Inyandza Youth Movement would disband in December 1990 to allow members to join the ANC Youth League.³⁵³ [³⁵³ *Business Day* 17 April 1990]

On 26 April Mr Mabuza called for the dissolution of the homeland’s government. Opening the second session of the 1990 legislative assembly session, he said that he hoped that KaNgwane’s political structure would be wound up within a year. ‘For our own part we are not married to the privileges of office that apartheid has bestowed on us as part of our dowry. Nor are we tied to our ethnic identity and exclusivity. Instead, we are straining at the leash to cast off our bastard status and return to the family of the people of South Africa as part of a united country.’³⁵⁴ [³⁵⁴ *The Natal Witness* 27 April 1990] He said that

dismantling homeland administrations would be in the best interests of constitutional changes in South Africa. Serious attention was being given to phasing out the present assembly within a year. This was part of a concerted move away from 'own affairs' government.³⁵⁵ [³⁵⁵ *Sowetan* 27 April 1990]

KwaNdebele

Aftermath of the 1986 upheavals

Commission of inquiry

The Commission of Inquiry into the 1986 Unrest and Alleged Mismanagement in KwaNdebele, originally to be headed by Mr Justice W G Boshoff (who died after his appointment as chairman), began hearing evidence on 25 September 1989 in KwaMhlanga under the chairmanship of Mr Benjamin Joubert Parsons (see *1988/89 Survey* pp125–126).³⁵⁶ [³⁵⁶ *Government Gazette*, no 12070, Proclamation no 166, 1 September 1989]

Among those who testified before the commission were a former commissioner of police, Brigadier C M van Niekerk; KwaNdebele's minister of citizen liaison and information, Mr Lucas Mthimunye; two former deputy commissioners of police, Colonel Daniel Malan and Colonel Andries Kuhn; homeland MPs and businessmen; pupils; attorneys from the Pretoria Legal Resources Centre; a researcher from the South African Institute of Race Relations; senior police officers; two former KwaNdebele magistrates; Prince James Mahlangu; the former secretary of justice, Mr O J Buys; and various residents.

Brig Van Niekerk testified that he had refused to 'stop playing with teargas and use live bullets', as a cabinet minister, Mr Klaas Mtshweni, had instructed him. His recommendation that an MP, Mr Majozi Mahlangu, be detained for alleged murder during an attack by the Mbokotho (a vigilante group established by the KwaNdebele administration) had been rejected by the cabinet. He said that he had been withdrawn by the central government as commissioner of police after Mr Simon Skosana, chief minister at the time, had requested this.³⁵⁷ [³⁵⁷ *The Star* 2 October 1989] He said that Mr Skosana had personally led revenge attacks on Moutse residents. Mr Skosana had been angered when the police had tried to curb him and said that if the police could not subdue Moutse residents he would have to do so himself. On one occasion when the issue was discussed he had screamed uncontrollably at the commissioner general of KwaNdebele, Mr Gerrie van der Merwe, Brig Van Niekerk testified. People charged by the police were repeatedly given bail or let off with a warning, often after the intervention of the KwaNdebele cabinet, he said, and this had had a seriously demoralising effect on the police. Brig Van Niekerk also said that he had refused during a stayaway in 1986 to obey an instruction from the minister of internal affairs, Mr Piet Ntuli, to the police to hit people with sjamboks in their homes to make them go to work.³⁵⁸ [³⁵⁸ *Beeld* 30 September 1989]

Col Kuhn testified in April 1990 that the Mbokotho enjoyed the protection of the police and that some were included in the special constables at the instruction of Brigadier Hertzog Lerm, appointed

commissioner of police after Brig Van Niekerk's withdrawal. He testified about the misuse of the police and government officials by Mr Skosana's administration to satisfy its political aims. He said that the police had abused the emergency regulations introduced in June 1986 by detaining members of anti-independence groupings.³⁵⁹ [³⁵⁹ *The Star* 19 April 1990] Mr Mthimunye also testified that the emergency regulations had been abused, by being used to detain potential election candidates prior to the 1988 elections. A former KwaNdebele army officer and current chief of security in the office of the chief minister of KwaNdebele, Colonel S Loggerenberg, testified that the majority of the special constables were members or supporters of the Mbokotho. (Mbokotho was banned in August 1986 where after its members allegedly joined the special constables.) He said that the constables were told by Brig Lerm that they should shoot stonethrowers.³⁶⁰ [³⁶⁰ *Sowetan* 26 September 1989, *The Star* 27 September 1989]

A former KwaNdebele police officer, who asked not to be identified, said that Brig Lerm prepared speeches for Mr Majosi Mahlangu. He said that he was the 'godfather' of the vigilantes. His standpoint on the police was that they were there to protect the cabinet, MPs and their families. He said that innocent people were detained on Brig Lerm's instruction.³⁶¹ [³⁶¹ *The Star* 28 November 1989]

Col Malan said that in December 1986 he had tried to stop a group of men, led by Mr Skosana and Mr Ntuli, from attacking Moutse residents, but they had gone ahead and 13 people had been killed in the attack. He testified that Mr Majosi Mahlangu had led heavily armed Mbokotho members in an attack on 'comrades' in Tweefontein. Six people had been killed there.³⁶² [³⁶² *Ibid* 29 September 1989]

Various witnesses testified that the police under the leadership of Brig Lerm had sympathised with the Mbokotho during the unrest and that Brig Lerm had been very involved in the politics of KwaNdebele.

A KwaNdebele prosecutor, Mr Jacob Skosana, told the commission that out of 40 inquest cases on which the attorney general had ordered prosecutions, only one had had a response from the police. Mr Ntuli had told him to follow cabinet instructions and not the attorney general's.³⁶³ [³⁶³ *Business Day* 3 May 1990] Mr Buys testified that he was dismissed shortly after discovering more than 40 dockets of assault and murder which had not been investigated in the office of a lieutenant, most involving vigilantes.³⁶⁴ [³⁶⁴ *The Star* 13 October 1989]

Prince James Mahlangu's brother-in-law, Mr Dini Masiso, testified that after police had assaulted him with sjamboks and pickhandles in May 1987, they had driven him to a house where they found his brother. Brig Lerm, he testified, had put a tyre around his brother's neck, had poured oil over him and had set him aflame. Only his clothes had caught fire, and then he and his brother were detained for a month.³⁶⁵ [³⁶⁵ *Ibid*]

The former chief magistrate in KwaNdebele, Mr Ndaweni Mahlangu, said that the Mbokotho had virtually taken over control of government duties in the 1986 unrest, including the judiciary, and had brutally settled family disputes. 'Judicial officers could no longer exercise their duties without fear of being either dismissed, or abducted and assaulted by the vigilantes.' He said that police and judicial

officers had been instructed not to open criminal dockets relating to members of the Mbokotho or prosecute them in any assault, abduction or murder case.³⁶⁶ [³⁶⁶ Ibid 12 October 1989]

Court cases

A former emergency detainee in KwaNdebele, Mr William Boshomane, was awarded R20 000 in damages in an out-of-court settlement in August 1989 by KwaNdebele's minister of law and order. He was among 36 detainees held at police cells in Kwaggafontein in May 1987, along with three *Sunday Star* staffers who had exposed serious assaults there (see *1987/88 Survey* p902). Others among the 36 detained planned to claim damages following the successful settlement.³⁶⁷ [³⁶⁷ *Sunday Star* 6 August 1989]

In November 1989 the former chief minister of KwaNdebele, Mr George Majozi Mahlangu, and 13 members of the Mbokotho vigilante group appeared in the Mdutjana magistrate's court on charges of murder, attempted murder, arson and assault arising from the 1986 violence. They were not asked to plead. Mr Mahlangu had formed a new political party shortly before his appearance, called the Sindawonye maNdebele Party. According to the charge sheet he shot and killed a man on 1 June 1986 and attempted to murder two other people at the same time.³⁶⁸ [³⁶⁸ *The Star* 6 November 1989]

Missing persons

In November 1989, 400 KwaNdebele citizens marched to KwaMhlanga demanding to know the whereabouts of more than 100 people who went missing during the 1986 unrest, and challenging the administration to state its position on a unitary South Africa.³⁶⁹ [³⁶⁹ Ibid 27 November 1989, *City Press* 8 October 1989] A number of family members of missing persons testified before the Parsons Commission (see above) about the disappearances.

Events following the 1988 elections

During the 1988 elections for 16 of 93 members of the KwaNdebele Legislative Assembly, all candidates supporting the existing administration under Mr Majozi Mahlangu were heavily defeated and the opposition candidates drew 92% of the vote. Expectations were consequently great that the opposition would form the new government and that Prince James Mahlangu, one of the leaders in the anti-‘independence’ struggle would become the new chief minister. Mr Majozi Mahlangu did not manage to get elected as a member of the legislative assembly but became a member of the assembly nevertheless by allegedly ‘arranging’ the resignation of the candidate nominated by a newly formed tribal authority and getting himself nominated in his place in December 1988. On 17 January 1989, however, the Transvaal Provincial Division of the Supreme Court in Pretoria declared his nomination invalid because of a technical blunder over the backdated resignation. Another Pretoria Supreme Court interdict was successfully sought in January 1989 to restrain him from exerting undue influence on MPs. (He had taken the majority of nominated members away on a free trip allegedly to persuade them to elect a surrogate for himself.) The election of a new chief minister finally took place on 3 February

1989. In the ballot Mr Masana Mabena defeated Prince James Mahlangu, whose support was limited largely to the 16 elected members, and another candidate, Mr Mbulawa Skosana. Contrary to expectations, Mr Mabena did not choose Mr Majozi Mahlangu as one of the four assembly members still to be appointed by the chief minister. He also appointed Prince James Mahlangu to the cabinet, although none of the elected members was included.³⁷⁰ [³⁷⁰ Kongwa S, 'KwaNdebele: A New Government-A New Beginning?' *Africa Institute Bulletin*, vol 29 no 3, 1989; *The Citizen* 18 January 1989, *City Press* 22 January 1989, *Financial Mail* 20, 27 January 1989, *Sowetan* 6 February 1989, *The Star* 10 February 1989]

Ndzundza Tribal Authority dispute

In May 1989 the Ndebele paramount chief, Chief D M Mabhoko Mahlangu, and his council dismissed 21 allegedly self-imposed members of the Ndzundza Tribal Authority, who also represented the tribe in the legislative assembly, including the minister of works and water affairs, Mr Klaas Mtshweni. Their dismissal meant that they automatically lost their seats in the legislative assembly.³⁷¹ [³⁷¹ *The Star* 23 May 1989] There had been a three-year power struggle between two factions of 21 members each, one under Prince James Mahlangu and appointed by the paramount chief, and the other under Mr Simon Ketu Mahlangu. The struggle had involved Supreme Court actions. Negotiations between the two factions started in March 1989, Mr Mabena saying that the administration's money could no longer be used to pay the legal costs of the faction represented in the legislative assembly (under Mr Simon Mahlangu).³⁷² [³⁷² *Ibid* 10 March 1990]

Strikes in KwaNdebele

Some 400 workers employed by Strata Control Systems went on strike in KwaNdebele in October 1989. The company is a subsidiary of Boart International, owned by the Anglo American Corporation of South Africa. The company had relocated from West Germany in 1987. The strikers demanded recognition for the Metal and Electrical Workers' Union of South Africa which claimed 90% membership at the firm, and demanded higher wages. The company said that the homeland prohibited union activities and refused to recognise the union on those grounds.³⁷³ [³⁷³ *Sowetan* 20 October 1989] Some 300 workers from the company travelled to Sandton (near Johannesburg) to stage a placard demonstration outside the headquarters of Boart.³⁷⁴ [³⁷⁴ *The Star* 10 October 1989]

The Commercial, Catering and Allied Workers' Union of South Africa was also involved in a dispute with a KwaNdebele company, a subsidiary of Bramley Cane, over wages and working conditions. Some workers earned R20 a week. The company refused to negotiate on the grounds that it did not want to break KwaNdebele's laws.³⁷⁵ [³⁷⁵ *Sowetan* 20 October 1989]

The KwaNdebele administration appointed a Commission of Inquiry into Labour Matters in KwaNdebele, chaired by Professor Nic Wiehahn, which reported in April 1990. The commission had

inquired into causes of labour unrest in KwaNdebele and recommended measures to prevent their recurrence. The commission found that the chief causes of the unrest from October 1989 were very low wages with no annual increases, trade unions' not being allowed to operate, poor employment conditions (including long hours), and a lack of communication between employers and employees. It recommended that various laws be passed, including a labour relations act, a wage and basic conditions of employment act, a safety act, and an injury insurance act. Professor Wiehahn said that the central government's Labour Relations Act of 1956 was complicated and that the Labour Relations Bill he had drafted was simpler and could act as a model for KwaNdebele, possibly to be followed by other non-independent homelands.³⁷⁶ [³⁷⁶ *Business Day* 26 April 1989]

Change in chief minister

Six KwaNdebele chiefs and their designated members-totalling 51 withdrew from the KwaNdebele Legislative Assembly in March 1990 to protest about the administration not 'climbing on the bandwagon' after the reform initiatives of the state president, Mr F W de Klerk. This left the assembly without a quorum. The chiefs asked the central government to appoint KwaNdebele's commissioner general to act as administrator general as an interim measure.³⁷⁷ [³⁷⁷ *The Star* 27 March 1990]

Prince James Mahlangu was elected on 30 April 1990 as the new chief minister after a motion of no-confidence in Mr Mabena was passed in the legislative assembly. Prince Mahlangu said that his administration had been given a 'clear mandate' by KwaNdebele residents in 1986, when they rejected 'independence', to be part of a united and democratic South Africa.³⁷⁸ [³⁷⁸ *Ibid* 4 May 1990] His new cabinet included Mr Solly Mahlangu as minister of internal affairs, Prince Cornelius Mahlangu as minister of works and water affairs, and Mr Lucas Mthimunya as minister of citizen liaison and information.³⁷⁹ [³⁷⁹ *Business Day* 4 May 1989]

Regional co-operation

In December 1989 the KwaNdebele administration, the Transvaal Provincial Administration and the Pretoria Regional Services Council held discussions about possible future co-operation.³⁸⁰ [³⁸⁰ *The Citizen* 6 December 1989]

KwaZulu

Political and security developments in KwaZulu are covered mostly in other chapters of the *Survey*. For details on the KwaZulu Natal Indaba and the joint executive authority, see chapter on *Government and Constitution*. For details on Inkatha, see *Political Organisations*. For details on the KwaZulu/Natal violence, see chapter on *Political Developments*. For details on the United Workers' Union of South

Africa, see the chapter on *Labour Relations*.

KwaZulu/Natal violence

During 1989/90 KwaZulu/Natal continued to be affected by serious conflict and political violence. According to figures from the South African Police, the number of unrest-related deaths in Natal between 1 September 1987 and 31 January 1990 was 1 230. According to unofficial monitoring groups, however, 2 191 people died in 1988 and 1989 alone, in violence in the Natal midlands, the townships around Pietermaritzburg, and the Durban area. Of these, 1 279 died in 1989, a 40% increase on the 912 deaths recorded in 1988. In the first three months of 1990 695 people died in political violence in KwaZulu/Natal, a significant increase over the 284 deaths recorded for the same period in 1989.

State of emergency

After discussions with the state president, Mr F W de Klerk, on 7 March 1990, the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, was asked if he thought that lifting the state of emergency would end violence in Natal/KwaZulu. He said that he would find it 'very difficult to lift the emergency in relation to Natal/KwaZulu. The people are pleading for the troops to come and protect them'. He said that 'it is important that negotiations get off the ground. There can be no possibility of this when we have anarchy'.³⁸¹ [³⁸¹ *Business Day* 8 March 1990] The state of emergency in South Africa was lifted in June 1990, except for KwaZulu/Natal, where its provisions continued to apply, because of serious disturbances.

KwaZulu election

An election was held in KwaZulu on 20 and 21 February 1989 to choose 65 members for the 141-member legislative assembly. Nominees, almost all Inkatha members, were returned unopposed in 23 out of 26 districts. Seats were contested in the districts of Ingwavuma, Simdlangentsha and Vulamehlo.³⁸² [³⁸² *The Natal Witness* 16 February 1989] The national chairman of the Inkatha Youth Brigade, Mr Musa Zondi, said that the lack of opposition was understandable. 'On the one side, there are those of us who believe in participation in government structures. On the other side, there are those (the United Democratic Front and African National Congress supporters) who do not.' Within this framework, Mr Zondi said, the luxury of being able to present a multiparty election did not exist. 'The people of KwaZulu still understand that the KwaZulu elections are not things that we want... It is a temporary thing,' Mr Zondi said.³⁸³ [³⁸³ *Ibid* 21 February 1989]

Negotiations

On 9 January 1989 Chief Buthelezi met the minister of constitutional development and planning, Mr

Chris Heunis, in Durban. After discussions they issued a joint statement saying that they had agreed to establish a joint committee to identify and address obstacles to negotiations to solve South Africa's political problems, as well as to formulate principles on which there was common ground.³⁸⁴ [³⁸⁴ *Clarion Call*, vol 1, 1989, p4]

In April 1989 Chief Buthelezi turned down an invitation to attend talks between Mr Heunis and leaders of the non-independent homelands, because he had seen Mr Heunis in January. He said that he had received a message from the chief minister of KaNgwane, Mr Enos Mabliza, urging him to attend the talks on the grounds that it was important for homeland leaders to talk to the government with one voice.³⁸⁵ [³⁸⁵ *The Citizen* 20 April 1989]

The joint central government/KwaZulu committee investigated obstacles impeding negotiations in South Africa. The KwaZulu administration presented a working document to the committee which identified obstacles. The KwaZulu delegation believed that for negotiations to begin, a jailed leader of the African National Congress (ANC), Mr Nelson Mandela, other Rivonia trialists and political prisoners who had served sentences of more than 15 years should be released; an amnesty for political exiles should be declared; bans on organisations should be lifted; the state of emergency should be lifted; political detainees released; press freedom restored; and discriminatory laws removed. The KwaZulu delegation also believed that the inability of the government to allow groups to form themselves voluntarily and its insistence that only race-based groups be constitutionally recognised, was an obstacle impeding negotiations. The tricameral Parliament's existence, along with its consequences, such as regional services councils and the policy of own affairs, was 'perceived by the black majority as entrenching apartheid and racism and making a mockery of the concept of power sharing'.

The document recommended that the prisoners mentioned should be released immediately and unconditionally, that political prisoners should have the same principles of remission of sentence and parole applied, and that the government should announce an amnesty for exiles and refugees. Once prisoners had been released, the government should immediately negotiate with them for the unbanning of their organisations. Detainees should be released and press freedom restored, and the state of emergency lifted either immediately or progressively according to districts and in accordance with a predetermined timetable before the start of negotiations.

The document recommended that discriminatory laws (such as the Group Areas Act of 1966 and the Population Registration Act of 1950) be repealed before negotiations began, and that other laws like the Black Land Act of 1913 should be phased out in accordance with a negotiated timetable. The working document also said that the government should announce its acceptance of the principle of voluntary association. The document said, 'A mutually acceptable statement of intent should be issued stating clearly that negotiations would aim at replacing the tricameral system with a system acceptable to the majority of the people of South Africa.'

Points of common agreement in the working document presented by the KwaZulu administration included the principle of a united South Africa with one sovereign parliament (which implied that no

non-independent homeland ‘should henceforth be allowed to declare itself independent, and that the “independent” homelands that wished to rejoin a united South Africa should be allowed to do so’.) The document also expressed a belief in a democratic, nonracial and multiparty political system, in the protection of individual and minority rights, and in the free enterprise system with built-in mechanisms to eliminate poverty.³⁸⁶ [³⁸⁶ *Clarion Call*, vol 2, 1989]

KwaZulu chiefs and the Congress of Traditional Leaders of South Africa

The Zulu monarch, King Goodwill Zwelithini, told a large gathering of Zulu chiefs in May 1990 that the ANC was intent on disrupting their unity as a means of destroying Zulu power. This was part of the ANC’s plan, he said, of ‘breaking down everything in the country and putting the pieces back together in such a way that South Africa becomes the ANC’s property’. Chief Buthelezi told the chiefs that it was Inkatha alone which stood between them and the destruction of the institution of chieftaincy. This was not because Inkatha was rural or tribal in orientation. ‘But Inkatha looks to the future and knows that no government will govern successfully in the future unless it employs this institution in rural areas,’ he said.³⁸⁷ [³⁸⁷ *The Natal Mercury* 5 May 1990]

In September 1989 Chief Buthelezi said that the Congress of Traditional Leaders of South Africa, formed by KwaNdebele chiefs and headmen in 1987, was attempting to thrust a ‘spear into the heart of Zulu unity’. He was addressing a gathering of Zulu chiefs, who later resolved to isolate Chief M Maphumulo who had joined the congress in June 1989 and who had become its president. Chief Maphumulo was chief in the tribal area of Maqongqo outside Pietermaritzburg, to which refugees from both sides in the KwaZulu/Natal violence had fled, and which had been peaceful. Chief Buthelezi said, ‘We have come to close ranks and to rejoice in our unity and to tell Chief Maphumulo to go to hell. We must do what needs to be done... We have a duty to flush out anything that in any way undermines the unity and solidarity of our people.’ He said that the congress had been formed as an ‘ANC spear against KwaZulu’s unity and against my leadership’. Chief Maphumulo had postponed a planned meeting with King Goodwill Zwelithini, at which he was to introduce the Congress of Traditional Leaders to him, on the grounds that he wanted the meeting to be held at Nongoma rather than Ulundi, where he felt unsafe. This had evidently given rise to some tensions.³⁸⁸ [³⁸⁸ *Sunday Tribune* 17 September 1989, *The Weekly Mail* 6 October 1989]

Trade unions in the civil service

On 18 May 1989 the minister of education and culture, Dr Oscar Dhlomo, said that his department would not recognise any trade union and would take drastic steps against teachers who joined a union or took part in a union meeting. A law would be introduced, he said, to ensure that his warning was taken seriously.³⁸⁹ [³⁸⁹ *Business Day* 19 May 1989]

Resignation of Dr Dhlomo

Dr Dhlomo announced that from 30 June 1990 he would cease to be a member of the KwaZulu Legislative Assembly, the KwaZulu cabinet and Inkatha (of which he was secretary general). He said in a statement explaining his resignation, 'After 12 years of uninterrupted public service I feel it is time for me to make way for others so that I might be free to devote more time to my family and my other interests.' He thanked his colleagues in Inkatha, the cabinet and the legislative assembly for their support and wished them well 'in the struggle that lies ahead. After 30 June 1990 I intend to rest and reflect on various options pertaining to my future occupation'. Chief Buthelezi denied that there had been persistent clashes or a power struggle between himself and Dr Dhlomo, as some press reports had claimed.³⁹⁰ [³⁹⁰ *The Citizen* 5 June 1990; *South African Update*, vol 2 no 10, 30 June 1990]

Crime

In May 1990 the minister of justice in KwaZulu, Mr Jeffrey Mtetwa, said that there had been almost 4 000 murders in areas of KwaZulu under the jurisdiction of the KwaZulu Police in 1989 and that about five in every eight cases had not yet been brought to court. The figures appeared to exclude deaths in political violence. Mr Mtetwa said that it was clear that some people were creating a state of violence to make the country ungovernable. He linked the crime statistics with what he said were political attempts to disrupt KwaZulu's system of government.³⁹¹ [³⁹¹ *Sowetan* 30 May 1990]

Tracing and Detention of Offenders Act of 1987

In 1989 the Natal Provincial Division of the Supreme Court declared KwaZulu's Tracing and Detention of Offenders Act of 1987 (see *1987/88 Survey* pp862–863) to be ultra vires. The KwaZulu administration had passed the act concerned in terms of item 21 of schedule one of the National States Constitution Act of 1971. The item enables the non-independent homelands to pass laws regarding 'the protection of life, persons and property and the prevention of cruelty to animals'. The court found that the primary purpose of the act was to facilitate the investigation of crime by providing measures for tracing and detaining offenders, and was therefore invalid for all purposes.³⁹² [³⁹² *De Welzim v minister of law and order, KwaZulu* 1989 3 SA 730 (N) per Howard D J P, *Current Law Review*, no 9, 1989, p19]

Business partnership with a tribal authority

A private tourist developer, Ovland Timesharing, signed a deal with the Mbila Tribal Authority in KwaZulu, in terms of which the tribal authority would hold 51% of the shares in a development scheme for a tourist resort at Sodwana Bay. The resort had been built on a 34ha site previously used by the community for grazing.³⁹³ [³⁹³ *The Citizen* 4 December 1989] The tribe would share profits from the sale of

chalets and a lodge as well as from the trading rights of shops and a service station at the resort. The tribal authority was expected to receive some R400 000 by the end of February 1990. The complex was developed according to environmental regulations laid down by the KwaZulu Bureau of Natural Resources.³⁹⁴ [³⁹⁴ *Financial Mail* 27 October 1989]

The conservation activities of the bureau caused some controversy in 1989/90 on the grounds that they had entailed the removal of communities living in the areas at which the conservation was aimed or disrupted the way of life of some communities (see chapter on *Population and Settlement*.)

Lebowa

Elections

In April 1989 Lebowa held elections contested by the Lebowa People's Party led by the chief minister, Mr Nelson Ramodike, and independent candidates, for 38 members of its 96-member legislative assembly. Mr Ramodike was re-elected chief minister on 16 May 1989, beating his opponent, the former minister of works, Mr M J Duba, by 72 votes to 23. He announced after his election that he would personally handle the portfolio of law and order in future.³⁹⁵ [³⁹⁵ *The Star* 17 May 1989, *Sowetan* 17 May 1989]

Corruption

In July 1989 the Lebowa administration appointed Mr A Ode Meyer as the chairman and sole member of a commission of inquiry to investigate alleged mismanagement in government departments. The commission was to investigate any mismanagement which might have occurred in the government service, the Lebowa Development Corporation or the Lebowa Agricultural Company.³⁹⁶ [³⁹⁶ *The Star* 31 July 1989]

In November the deputy minister of commerce, industries and manpower, Mr Derrick Kobe, resigned and the secretary of education, Dr D M Mphahlele, was suspended after they gave evidence to the De Meyer Commission.³⁹⁷ [³⁹⁷ *City Press* 3 December 1989] They testified that their bookshops had received orders from the Lebowa administration totalling R11m.³⁹⁸ [³⁹⁸ *The Star* 22 November 1989, 20 November 1989] The commission also heard that R98m had been paid by the Department of Education to 51 Lebowa bookshops which could not be accounted for.³⁹⁹ [³⁹⁹ *Sunday Times* 19 November 1989] The commission said in December 1989 that it had found that R15m had been withdrawn from the government account and possibly misused by some senior officials.⁴⁰⁰ [⁴⁰⁰ *City Press* 3 December 1989]

Traditional beer sales in Lebowa

In October 1989 the Lebowa administration issued a proclamation banning the trading and supply of any traditional beer, Mabele, brewed outside the homeland. This was in response to the fact that in terms of the South African Sorghum Beer Act of 1962 the central government owned National Sorghum Beer Breweries had been appointed as the sole manufacturer and supplier of Mabele in South Africa. Lebowa Breweries, owned by South African Breweries, manufactures Mabele beer in Lebowa, and was not allowed to sell its beer outside the homeland as a result. The Lebowa administration said that the proclamation would remain in force until the Sorghum Beer Act had been repealed and its beer was allowed to be marketed throughout South Africa. Local traders complained, however, that their customers preferred Kudu beer, manufactured by the central government's company.⁴⁰¹ [⁴⁰¹ *Sowetan* 22 November 1989]

Tribal disputes

On 23 December 1989 two residents were shot dead by the Lebowa Police in a march by 500 Mohlaletse villagers protesting against Chief Rhyan Sekhukhune in Sekhukhuneland, who they said had imposed himself on them, then demanded a R50 fee before they were allowed to plough their land. He also barred them from collecting firewood from the surrounding veld. A number of them were detained.⁴⁰² [⁴⁰² *New Nation* 5 January 1990]

Political violence in Mapulaneng in 1989/90

Fighting in the Mapulaneng area, which incorporates the numerous villages in the Bushbuckridge and Acomhoek areas of Lebowa, started in September 1989 when the community marched to the Acomhoek Police Station to submit a memorandum to the station commander to pass on to the acting state president, Mr F W De Klerk. It complained of the lack of water and health and educational facilities, and about police brutality. Residents also decided to stop paying levies to local chiefs until service provision was more adequate. Following this, the homes of people perceived to be leaders of the boycott were attacked and set alight. Residents protested in another march to the police about what they saw as police complicity in the attacks. The Mankweng Riot Unit stopped the march and many were arrested and allegedly assaulted. Young girls alleged that they were sexually assaulted. Attacks on the homes of activists escalated after the march. On 26 October 1989 members of a group called the Sofasonke Civic Union, set up after the first march to the police station, marched through Brooklyn village (in Bushbuckridge) torching and damaging the homes of seven activists.⁴⁰³ [⁴⁰³ *Sunday Star* 22 April 1990] Sofasonke claimed to stand for the preservation of law and order, for the police, and for youths it said had been victims of attacks by comrades.⁴⁰⁴ [⁴⁰⁴ *The Star* 18 January 1990]

In early December 1989 several activists obtained an urgent Supreme Court application against several Sofasonke members, Lebowa police officers and the minister of police, Mr Ramodike, restraining them from molesting and assaulting the applicants. Pamphlets distributed in January 1990 by Sofasonke ordered two MPs at Mapulaneng and eight other families to leave the area. It said in the pamphlet that the R5 it had demanded of residents the week before would be used for legal aid and to buy torches and

weapons to guard against ‘comrades’ at night.⁴⁰⁵ [⁴⁰⁵ Ibid 9 January 1990]

At a press conference that month the United Democratic Front (UDF) called for an end to the Bushbuckridge violence. It claimed that the South African Defence Force (SADF), South African Police (SAP) and Lebowa Police were participating in incidents of violence and intimidation against UDF supporters in the area through the Sofasonke group. It said that the Lebowa administration was trying to stifle political freedom as a result of UDF mobilisation in the homeland. One person had died, 15 houses had been attacked (ten of which were destroyed) and one person hospitalised, it said. Activists said that vigilantes involved in the attacks had been seen at roadblocks wearing police uniforms. The SADF, SAP and Lebowa Police denied the allegations, but urged people to report incidents and details to them.

At the end of January 1990 the South African Council of Churches and Lebowa cabinet ministers met, and drew up a peace plan which was accepted by members of both the Bushbuckridge/Acomhoek Youth Congress and the Sofasonke Civic Union. The groups agreed on an immediate ceasefire, that there would be a close working relationship between the local chiefs and community organisations, all community organisations would keep the chiefs informed of their activities within their areas of jurisdiction, all grievances would be directed to the relevant authorities, a commission of inquiry would investigate the causes of the violence and the conduct of the police, the administration would assist those who lost their homes and property, the safe return of those who fled from their homes would be ensured, and all students would be readmitted to school.⁴⁰⁶ [⁴⁰⁶ *City Press* 15 April 1990, *Sunday Star* 22 April 1990, *The Citizen* 30 January 1990, *Business Day* 25 January 1990]

Renewed violence broke out in April 1990, however, following the killing of the sister of an activist in the Bushbuckridge/Acomhoek Youth Congress. Villagers said that she had been killed after she had refused to divulge her brother’s whereabouts to the vigilantes. Activists claimed that the vigilantes then went on the rampage, damaging houses and seriously injuring three youths. Villagers fled from Mapulaneng to the Hazyview Police Station, 40km away. They suspected the police at the closer Acomhoek Police Station of complicity in the attacks.⁴⁰⁷ [⁴⁰⁷ *Sunday Star* 22 April 1990] A Lebowa MP and member of the African National Congress (ANC), Mr M Mashile and his nephew, were shot at in the area at close range and admitted to hospital in a critical condition in April. It was the third attempt on Mr Mashile’s life.⁴⁰⁸ [⁴⁰⁸ Ibid]

Police conduct

In February 1989 a Lebowa inquest magistrate, Mr Marks Lebelo, found that the death of a student leader, Mr Ngoako Ramalepe, in October 1985 (see 1985 *Survey* p293 and p501) had been caused by ‘multiple wounds, and acts amounting to an offence of murder’, inflicted by members of the Lebowa Police on duty at the Bolobedu Police Station. The inquest magistrate said that the matter would be referred to the attorney general for a decision regarding prosecution.⁴⁰⁹ [⁴⁰⁹ *The Star* 1 February 1989]

Mr Ramodike announced in March 1990 that the Harms Commission had been mandated by Mr De Klerk to investigate the existence of a hit squad in the Lebowa Police during 1986. He said that the squad, known as the A-Team, was linked to the deaths of several political activists. These included the northern Transvaal president of the UDF, Mr Peter Nchabeleng, and a member of the Azanian People's Organisation, Mr Lucky Makompo Kutumela (see 1986 *Survey* Part 2 pp661–663 and 1987/88 *Survey* p907). He said that the A-Team had also been responsible for the destruction of private property and the maiming of innocent civilians. He also said that it would investigate the activities of the Sofasonke Civic Union.⁴¹⁰ [⁴¹⁰ *Sowetan* 26 March 1990]

Lebowa on negotiations

In late February 1990 Mr Ramodike called on the government to dismantle the homeland system. He said that a drafted declaration addressing negotiations had been issued by Lebowa to all homeland leaders (see *General Policy Matters* above and chapter on *Government and Constitution*.)

Stayaway action in 1990

Only 34% of Lebowa's matriculants passed their exams in 1989. From January 1990, various areas in Lebowa organised meetings to discuss the education crisis, and they believed that the cause of the failures was that pupils had had no text books for the whole year. The Lebowa administration had promised books but later stated that there were insufficient funds. Numerous education organisations were established as a result of these meetings. In early March 1990 at least two schools started a boycott in Seshego, the scene of a protest march about the lack of text books the previous month. A school principal in Seshego, transferred after he had attended several of the meetings about education, sparked off dissatisfaction. The Seshego Education Watchdog Committee's secretary, Mr Thabo Montfane, said that it was ironic that Mr Ramodike was going about shaking hands with Mr Mandela, a senior member of the ANC released from prison on 11 February 1990, while his subordinates were punishing a school principal for allowing a meeting which addressed community problems.⁴¹¹ [⁴¹¹ *Ibid* 6 March 1990] (In February 1990 Mr Ramodike had visited Mr Mandela at his home in Orlando West (Soweto) and thereafter declared that the homeland system had to be disbanded. He had also said that he would visit Lusaka (Zambia) for more talks with the external ANC leadership, and that he supported the ANC's preconditions for negotiations.)⁴¹² [⁴¹² *Ibid* 26 March 1990]

On 17 March 1990 various organisations were launched in the Pietersburg area, including the Northern Transvaal Public Servants' Union, to represent the interests of civil servants. Its launch was attended by about 1 000 people.⁴¹³ [⁴¹³ *Ibid* 20 March 1990]

On 19 March 80% of Lebowa's civil servants started a work stayaway, demanding that books be provided for Lebowa's schoolchildren, that Mr Ramodike rescind a decision not to hire more teachers, and that more classrooms and educational facilities be provided. The Lebowakgomo Youth Congress and Lebowakgomo Civic Association, who called the stayaway, also demanded that Mr Ramodike

dismantle his youth organisation, the United Youth Organisation of South Africa, which had been involved in fights with youth congress members the previous week at schools. A meeting on 19 March, called by the minister of education for Lebowakgomo residents to discuss the education crisis, was disrupted by youths who would not allow him to speak.⁴¹⁴ [⁴¹⁴ Ibid 26 March 1990]

Mr Ramodike asked civil servants to return to work saying that he was not contemplating any action against them and that he too accepted that the homeland should go. He said that educational problems would remain until there was one education department for everyone. At an extraordinary session of the legislative assembly to pass an Additional Appropriation Bill, he said that the homelands should be dismantled before the start of negotiations. He said that the shortage of books was due to embezzlement and that police and soldiers were already delivering books to schools.⁴¹⁵ [⁴¹⁵ Ibid]

Prior to educational grievances Mr Ramodike had evidently been popular in the homeland among the youth, many of whom were bussed around the homeland during his 1989 election campaign and did the toyi-toyi at his election rallies.

Addressing a rally of 80 000 people at the University of the North on 25 March 1990, Mr Mandela hailed the formation of the Congress of Traditional Leaders of South Africa as a tremendous development, and advised his audience to respect traditional chiefs, particularly those who had fought against apartheid. He said that the ANC welcomed homeland leaders 'who genuinely repent of their participation in the government's oppressive policies'. Referring to Mr Ramodike, Mr Mandela insisted that he was obliged to release all detainees and to apologise to liberation leaders before he could be associated with large ANC rallies such as the one he was addressing.⁴¹⁶ [⁴¹⁶ *The Star* 26 March 1990]

The continuing stayaway by Lebowa civil servants, called by the Lebowakgomo Civic Association to protest about educational inadequacies, ended on 24 April 1990 following a meeting called by the public service commission. It was attended by more than 1 000 people and several cabinet ministers.⁴¹⁷ [⁴¹⁷ *Sowetan* 24 April 1990]

During the stayaway six members of the civic association and four other people were detained.⁴¹⁸ [⁴¹⁸ *New Nation* 29 March 1990]

Lebowa chiefs and the ANC

On 14 March the Lebowa College of Chiefs, a body comprising all Lebowa chiefs, pledged its support for the ANC. The formation of a new constitution for the country, however, should not tamper with chieftainship, which should remain the pillar of any government to rule in a new South Africa, it said in a statement. The members of the college also decided to obtain a copy of the constitution of the Congress of Traditional Leaders of South Africa, and that they would send a delegation to meet the ANC as soon as possible.⁴¹⁹ [⁴¹⁹ *Sowetan* 15 March 1990]

Disbanding of Lebowa People's Party

On 8 April 1990 the Lebowa People's Party said that it had agreed in principle to disband and join forces with any political organisation prepared to accept its members. The resolution was adopted at its annual congress. Mr Ramodike said that the party could not keep up with political developments because it was hampered by its ethnic base. The congress resolved that the party's leadership would liaise with all progressive organisations. Mr Ramodike said that the party had called on Mr De Klerk to delimitate the provinces on a nonracial basis as a step towards abolishing the homelands. He said that he and his administration were not prepared to go into talks on a new South Africa while the homelands still existed. He and the leaders of KaNgwane and KwaNdebele had called on Mr De Klerk, he said, to scrap the homelands. A working group was to be established to work out their joint approach, he said, and it would also include the Transkei.⁴²⁰ [⁴²⁰ Ibid 9 April 1990]

Witchcraft-related violence

A 50-year-old traditional healer, whom the community claimed was a witch, was stoned and beaten to death by about 50 people at Acomhoek in July 1989.⁴²¹ [⁴²¹ Ibid 4 July 1989]

In May 1990 residents of GaMakweya village (Pietersburg) in Lebowa stoned and burned to death six old people who they said had killed, for muti purposes, a boy found drowned in a well. Seventy-two people were questioned and 17 of them detained. The police said that they had received several reports of alleged witches being killed in the area in the previous two months.⁴²² [⁴²² *Sunday Times* 13 May 1990] A source said that youths, believed to be members of a local youth congress, had consulted a sangoma (traditional healer) in Seshego to 'sniff out' those 'responsible' for the boy's death.⁴²³ [⁴²³ *The Citizen* 12 May 1990]

QwaQwa

In May 1989 Mr D T Mokoena, the secretary of QwaQwa's ruling party, the Dikwankwetla Party, said that the party would not participate in South Africa's Parliament unless the concepts of own and general affairs were scrapped. He said that they were a blatant form of apartheid. His party's prerequisites for participating 'in any envisaged constitutional structure' were the release of all political prisoners and detainees and the scrapping of all discriminatory laws.⁴²⁴ [⁴²⁴ *The Natal Witness* 15 May 1989]

Addressing the annual conference of the Dikwankwetia Party in December 1989, the chief minister of QwaQwa, Chief Kenneth Mopeli, said that the group concept to which the government was 'still tenaciously clinging' remained the greatest impediment to negotiations on South Africa's constitutional future. He said that only a strong unitary or federal form of government would guarantee lasting political

stability.⁴²⁵ [⁴²⁵ *The Citizen* 4 December 1989]

Chief Mopeli said in January 1990 that South Africa could never be the same after the release of several senior members of the African National Congress (ANC). All that remained, he said, was to unban the ANC and all other banned organisations, allow those in exile to return, lift the state of emergency and allow free political activity so that the ANC leaders could become full participants at the negotiating table. 'We are very anxious to help [the state president, Mr F W de Klerk] to negotiate a new constitution with all the leaders on a non-group basis.' He said that the homeland system should be overhauled with a view to scrapping it, and then existing structures should be developed into nonracial regional governments within a greater South Africa. 'We applaud the intention of those homelands that wish to make a comeback into the South African fold,' Chief Mopeli added.⁴²⁶ [⁴²⁶ *Ibid* 29 January 1990]

Violence in Botshabelo (Orange Free State) on 15 February 1990 associated with a protest march against Botshabelo's incorporation into QwaQwa (see *Land disputes* above) and celebrations for the release of a senior member of the ANC, Mr Nelson Mandela, by schoolchildren, left four people dead and many injured. Marchers were prevented from making their way to the Appellate Division of the Supreme Court in Bloemfontein by police who set up roadblocks around the township and fired teargas.⁴²⁷ [⁴²⁷ *The Star* 16 February 1990] Later in the month Chief Mopeli said at a rally that he was prepared to meet Mr Mandela as soon as possible to discuss the future of Botshabelo.⁴²⁸ [⁴²⁸ *The Citizen* 27 February 1990]

Violence was also reported in QwaQwa on 22 March 1990, when rioters plundered shops and burnt buses. The QwaQwa bus service estimated damage to buses at R300 000. At QwaQwa's capital, Phuthaditjhaba, gangs prevented children from attending school.⁴²⁹ [⁴²⁹ *Sowetan* 23 March 1990]

Strikes in QwaQwa

Court officials in QwaQwa, including magistrates, prosecutors and translators, went on strike in March 1990. They demanded the same salaries as their counterparts outside homelands.⁴³⁰ [⁴³⁰ *Ibid* 14 March 1990]

Some 700 industrial workers also went on strike in March to demand higher wages. Their Taiwanese employer at Gideon's Manufacturing was said to receive an annual wage subsidy of R770 000 from the central government in decentralisation incentives, but paid out only R440 000 a year. (The wage subsidy is R110 for each worker employed.)⁴³¹ [⁴³¹ *New Nation* 16 March 1990]

In May 1990 civil servants in QwaQwa sent a petition to Chief Mopeli demanding a minimum wage of R600 a month and the abolition of posts for whites while there were blacks qualified for the jobs. They were also demanding the resignation of the QwaQwa secretary of health, Dr G L Becker.⁴³² [⁴³² *Sowetan* 8 May 1990, 14 August 1990] In mid-May some 10 000 civil servants went on strike, crippling essential services. Other workers were evidently also on strike. Mr Steven Phokela, the leader of the official

opposition party, Thebe-eNtsho Democratic Party, estimated that as many as 31 000 workers in QwaQwa were striking. Strikers included nurses and court officials. A strike by junior nurses had caused a crisis at Phuthaditjhaba's Manapo Hospital, senior staff battling to cope with the workload.⁴³³ [⁴³³ Ibid 16 May 1990] Chief Mopeli and his cabinet held a series of meetings with strike leaders to try to reach an agreement. Mr Phokela said Chief Mopeli should work towards the reincorporation of QwaQwa into South Africa. 'Can't he see the signs? That is the only way out, because that is what the people want,' he said.⁴³⁴ [⁴³⁴ *City Press* 20 May 1990]

Transkei

Corruption investigations

By January 1989, 70 civil servants had appeared in Transkei courts on theft and/or fraud-related charges.⁴³⁵ [⁴³⁵ Ibid 15 January 1989] Two South African residents, formerly businessmen in the Transkei, were extradited to the homeland in January 1989 to face 59 charges of theft, fraud and reckless trading.⁴³⁶ [⁴³⁶ *Business Day* 13 January 1989]

The chairman of the Transkei Military Council, Major General Bantu Holomisa, said in December 1989 that embezzlement involving more than R8m had been uncovered by his administration since it assumed power in a coup d'état at the end of 1987. He said that great progress had been made towards the recovery of money owed in the form of taxes not paid by former political office bearers and businessmen. A number of headmen and traditional leaders had been convicted of corrupt practices in the selling of land in rural areas. South African judges and advocates had been co-opted to speed up prosecutions and he hoped that all investigated cases would have been dealt with by the courts by the end of 1990.⁴³⁷ [⁴³⁷ *Financial Mail* 17 November 1989, *The Natal Witness* 30 December 1989]

The second report of the Commission of Inquiry into Certain Alleged Across-Border Irregularities chaired by Mr Justice Louis Harms (see *1988/89 Survey* pp81–84) was tabled in Parliament on 7 February 1989.

It dealt with the allocation of gambling rights in the Transkei and an alleged bribe of R2m given by the managing director of Sun International at the time, Mr Sol Kerzner, and an attorney, Mr David Bloomberg, to secure exclusive gambling rights for Sun International in the Transkei (see *1988/89 Survey* pp74–78 and p82). The report pointed out that it was not a crime in 'South Africa' to bribe a 'foreign' official. Judge Harms said that whether it amounted to a crime in the Transkei was not a matter for the commission to consider. The prospectus of Transun, a Sun International subsidiary, however, had made false representations about its rights in the Transkei and this did concern 'South Africa'. There were a number of mitigating factors, however, such as the situation in the Transkei where politicians were abusing their positions at the highest level of government, up to the prime minister at the time, Chief George Matanzima. Judge Harms recommended that no prosecution be instituted in 'South Africa'

in respect of bribery or corruption, and that the question of whether perjury, bribery or corruption was committed in terms of the law of the Transkei be left to its attorney general.⁴³⁸ [⁴³⁸ *The Citizen* 8 February 1989]

In March 1990 the Transkei's attorney general, Mr Chris Nel, said that it was possible that criminal charges might still be brought against Mr Kerzner, who had resigned from the boards of Sun International and associated companies in February 1989 after his evidence to the Harms Commission.⁴³⁹ [⁴³⁹ *Eastern Province Herald* 17 March 1990]

Gen Holomisa said that a white paper on the Transkei's future gambling policy would be published in 1990. Applications for gambling rights had been frozen while his administration prepared a court challenge to Sun International's monopoly on gambling rights, on the grounds that they might have been acquired by corrupt means.⁴⁴⁰ [⁴⁴⁰ *The Star* 12 June 1989, *City Press* 31 December 1989, *Business Day* 25 August 1989] Sun International wrote off project costs of almost R3m when it abandoned a planned R30m hotel and casino in the Transkei in August 1989 as a result of the dispute about its rights.⁴⁴¹ [⁴⁴¹ *Business Day* 11 August 1989] In January 1990 a Transkei Supreme Court hearing on the exclusivity issue was cancelled when the Transkei administration accepted an out-of-court settlement offer from Sun International. In terms of the offer, the Transkei was divided into three areas—northern, southern and central—for the purposes of gambling rights, and for an initial period each would contain only one casino complex. The administration would receive a payment from Sun International whose exclusive rights would be restricted to northern Transkei, for eight years. After that it would have to compete with other operators. The Transkei administration was passing a law to regulate casino rights deals, and would then consider pending applications for rights.⁴⁴² [⁴⁴² *The Star* 9 April 1990]

In April 1989, the state president, Mr P W Botha, appointed Mr Justice Louis Harms to chair a commission to investigate irregularities arising from the activities of Jalc Holdings and associated companies. Jalc Holdings; its subsidiary, Temba Construction; and various personalities involved in these companies, were implicated in two commissions of inquiry into irregularities and corruption in the Transkei in 1988 (see *1988/89 Survey* pp74–79). The commission's report was completed and handed to the minister of justice, Mr Kobie Coetsee, in August 1989. He said in June 1990 that he was still considering a request by the attorney general not to table the report until the finalisation of criminal prosecutions against certain individuals. The commission had heard allegations of illicit diamond dealing, covert military operations—including that the three directors of Jalc had become involved in undercover security work for the National Intelligence Service because their work made them aware of security matters in those homelands that Jalc had business dealings with (see *Ciskei* above)—and bribes amounting to millions of rands paid for gambling rights.⁴⁴³ [⁴⁴³ *The Citizen* 11 August 1989, *Daily Dispatch* 2 June 1990] A director of Jalc, Mr Chris van Rensburg, and a former military intelligence officer in the South African Defence Force, Brigadier Marthinus Deyzel, appeared on 15 March 1990 in the East London District Court in connection with allegations of bribery, alternatively corruption.⁴⁴⁴ [⁴⁴⁴ *Business Day* 16 March 1990, 6 March 1989]

In October 1989 Mr Justice J J Trengove acted as an arbitrator in a dispute between the Transkei administration and Jalc Holdings and ruled that the administration was not obliged to pay the company R11m owed for housing development it had carried out in eZibeleni, as the contract was null and void (see *1988/89 Survey* pp78–79). The military council had refused to pay on the grounds that the work did not meet expected standards, and because it questioned the validity of directives given by the former prime minister. Chief George Matanzima, and his brother, Chief Kaiser Matanzima, to the company (see *1988/89 Survey* pp78–79).⁴⁴⁵ [⁴⁴⁵ *Sunday Star* 15 October 1989] In January 1990 Jalc appealed successfully against Judge Trengove's decision to an appeal tribunal of three judges in Durban which found that the contract was valid, and that the R11m should be paid. Jalc said that it would sue the Transkei administration for at least R20m damages in addition.⁴⁴⁶ [⁴⁴⁶ *Eastern Province Herald* 29 January 1990]

Assassination and coup attempts

In April 1989 a member of the military council, Lieutenant Colonel Craig Duli, was detained in connection with a plot which the administration said it had discovered to oust Gen Holomisa by discrediting him through accusations of adultery.⁴⁴⁷ [⁴⁴⁷ *Sunday Star* 30 April 1989, *The Star* 1 June 1989, *The Weekly Mail* 4 August 1989]

Major General Zondwa Mtirara, former chief of the Transkei Defence Force and the deposed Tembu paramount chief, was alleged by the Transkei authorities to be involved in the conspiracy with Col Duli. Gen Mtirara was abducted from Daveyton (Transvaal) in July 1989 and detained in the Transkei. In December 1989 Col Duli and Gen Mtirara were released after a successful court application.⁴⁴⁸ [⁴⁴⁸ *City Press* 28 January 1990]

On 21 July 1989 six South Africans were arrested in connection with a suspected plot to assassinate Gen Holomisa after a shoot-out in Umtata.⁴⁴⁹ [⁴⁴⁹ *The Star* 1 August 1989] Gen Holomisa accused certain white South African businessmen who formerly conducted business in the Transkei of planning an attempt on his life. He believed they were working with exiled Transkeians who were wanted for corruption or outstanding debts. He said that another plot on his life two months previously had been foiled after a tip-off.⁴⁵⁰ [⁴⁵⁰ *Business Day* 1 August 1989] The men arrested allegedly said during interrogation that the chairman of Temba Construction and a director of Jalc Holdings, Mr Vulindlela Mbotoli, had sent them to the Transkei to kill Gen Holomisa.

On 27 December 1989 two South Africans, one a South African policeman, were arrested in the Transkei, allegedly planning to kill Gen Holomisa. The car in which they were travelling was found to be owned by Jalc Holdings.

In April 1990 the central government informed the Transkei that it had arrested a group of 25 armed men near Queenstown (eastern Cape) wanted by the homeland for various activities, including a plot to kill Gen Holomisa. A quantity of weapons had also been seized, and one of the people arrested was Mr

Mbotoli.⁴⁵¹ [⁴⁵¹ Ibid 11 April 1990] Mr Mbotoli had failed to appear for an extradition hearing in the East London magistrate's court earlier that week.⁴⁵² [⁴⁵² *Daily Dispatch* 11 April 1990]

Political trials

In April 1989 Mr Ndibulele Ndzamela and Mr Phumzile Mayaphi were convicted on charges of two counts of murder and one of terrorism in the Transkei Supreme Court (Umtata) related to a bomb blast at the Wild Coast Sun at Mzamba in April 1986 in which two people died and three were injured (see *1988/89 Survey* pp107–108). They were given double death sentences. On 1 February 1990 their sentences were reduced to 18 years' imprisonment by the Appellate Division of the Transkei Supreme Court.⁴⁵³ [⁴⁵³ *Business Day* 2 February 1990]

On 5 May 1989 Mr Victor Zamela was sentenced by the Umtata Regional Court to an effective one month's imprisonment for possessing banned literature. His four co-accused were acquitted. All five had faced terrorism charges relating to membership of the Pan-Africanist Congress (PAC) and recruiting and harbouring PAC guerrillas.⁴⁵⁴ [⁴⁵⁴ *Daily Dispatch* 6 May 1989] Two other accused had been acquitted earlier in the trial, which ended more than three years after the accused were first detained (see *1988/89 Survey* p108).⁴⁵⁵ [⁴⁵⁵ *New Nation* 12 May 1989]

In May 1989 the trial of Mr Mzwandile Vena, Mr Mzimkulu Tukela and Mr Sonwabo Mbekela began. They were charged with terrorism, sabotage and harbouring guerrillas. Mr Vena was allegedly the western Cape commander of Umkhonto we Sizwe, the military wing of the African National Congress (ANC), and was accused of bombing the Umtata bulk fuel depot in June 1985. He had been extradited from 'South Africa' to stand trial in the Transkei (see *1988/89 Survey* 107).⁴⁵⁷ [⁴⁵⁷ *Daily Dispatch* 11 October 1989] The judge in the case, Mr Justice M L Mitchell, adjourned the trial on 10 October 1989 after Gen Holomisa had released six political prisoners (see *Release of political prisoners* below). This was to allow the administration time to determine its attitude to the accused in view of the releases. He said that the pardoning could undermine the position of the court as some of the prisoners released had committed similar or identical offences to those which the accused in the case were alleged to have committed. Gen Holomisa said that the decision was a political one, and that the judge should follow the statutes and confine himself to the case before him.⁴⁵⁷ [⁴⁵⁷ *Daily Dispatch* 11 October 1989] In February 1990, after Gen Holomisa had unbanned the ANC (see *Unbannings of various organisations and lifting of the state of emergency* below), Mr Vena was released on bail of R2 000. In May 1990 the Supreme Court acquitted the three accused.⁴⁵⁸ [⁴⁵⁸ *New Nation* 25 May 1990]

A member of the ANC, Mr Teko Mokhou, was jailed for eight years on 21 June 1989 by the Umtata Regional Court after being convicted on charges of sabotage in terms of the Public Security Act of 1977. He was charged in connection with a bombing at the Cala Post Office in April 1986. The magistrate said that the court had taken into account that Mr Mokhou had suffered at the hands of the Transkei security

police.⁴⁵⁹ [⁴⁵⁹ *The Star* 21 June 1989]

In November 1989 five men were facing terrorism charges in the Transkei Supreme Court. They were Messrs Sisa Ndamase, Xolani Malamlele, Tandekile Maheneza, Pambili Jizana, and Aga Khan Tiya. They were accused of receiving military training under the auspices of the ANC, possession of firearms and explosives, and harbouring guerrillas.⁴⁶⁰ [⁴⁶⁰ *City Press* 19 November 1989]

Two men, Mr Phumlani Kubukeli, and Mr Mfanelo Matshaya, were handed over by the Bophuthatswana authorities to the Transkei authorities in 1989, who charged them with attempting the violent overthrow of the Transkei administration. Both were accused of receiving military training in Angola.⁴⁶¹ [⁴⁶¹ *New Nation* 20 April 1989]

Political reforms in the Transkei

Unbanning of various organisations and lifting of the state of emergency

In January 1989 the Transkei Military Council unbanned 15 organisations including the Christian Institute of Southern Africa, the South African Council of Churches, the South African Society of Journalists, the World Council of Churches, and Young Christian Workers.⁴⁶² [⁴⁶² *City Press* 15 January 1989]

The Transkei lifted its state of emergency, declared on 30 June 1989, and banning orders on 15 organisations on 8 November 1989. The organisations unbanned included the Azanian People's Organisation, the Black People's Convention, the African People's Democratic Union of South Africa, the Azanian Students' Organisation, the Prisoners' Welfare Programmes, the South African Allied Workers' Union, the South West African People's Organisation, the United Democratic Front and the Congress of South African Students.⁴⁶³ [⁴⁶³ *Daily Dispatch* 9 November 1989, *The Citizen* 9 November 1989]

On 7 February 1990 Gen Holomisa announced the unbanning of the ANC, PAC, South African Communist Party (SACP), South African Student's Organisation, the Marxist Front, the Congress of South African Trade Unions (COSATU) and the Azanian Liberation Movement.⁴⁶⁴ [⁴⁶⁴ *Business Day* 8 February 1990] As a result, no organisations remained banned in the homeland.

Release of political prisoners

In October 1989 the Transkei released six political prisoners (out of 12). Gen Holomisa said, The majority of these prisoners were motivated in their actions by their hatred of the policies which have led to the partitioning of what, at one stage, was a united South Africa.⁴⁶⁵ [⁴⁶⁵ *The Citizen* 7 October 1989]

In a speech on 7 February 1990, announcing the unbanning of the ANC and other political organisations,

Gen Holomisa announced the release of a further six political prisoners, including Mr Ndzamela and Mr Mayaphi, convicted for the Wild Coast Sun bomb blast (see *Political trials* above), along with four other political prisoners, as part of furthering his administration's policies of promoting dialogue in South Africa. The others were Mr Mokhou, Mr Tandisile Jada, Mr Mcebisi Waqu and Mr Sindiso Sigcu.⁴⁶⁶ [⁴⁶⁶ *The Natal Mercury* 8 February 1990]

Moratorium on executions

On 2 October 1989, 25 000 people marched to the offices of the Transkei state president. Chief Tutor Ndamase, where a delegation of six presented a petition for the abolition of the death penalty and for the reprieve of two political prisoners, Mr P Mayaphi and Mr N Ndzamela, sentenced to death earlier in the year for the death of two people in a bomb blast at the Wild Coast Holiday Inn in 1986.⁴⁶⁷ [⁴⁶⁷ *The Citizen* 3 October 1989] The march was part of the Save the Patriots campaign of the South African Youth Congress (SAYCO).⁴⁶⁸ [⁴⁶⁸ *New Nation* 6 October 1989]

Ten days later the Transkei Executive Council met and considered a call by the legal fraternity in the Transkei for the abolition of executions in the homeland. The council decided to stay all executions pending an investigation by a special committee into whether or not the death sentence should be abolished.⁴⁶⁹ [⁴⁶⁹ *Business Day* 13 October 1989]

Suspension of political trials

In mid-February 1990 the Department of Justice advised the Transkei's courts to postpone for three months cases involving politically motivated crimes in which the accused had pleaded and where violence was used; and to withdraw charges completely in cases where the accused had not pleaded and where no violence was involved. All intended prosecutions arising from politically motivated acts were shelved.⁴⁷⁰ [⁴⁷⁰ *Daily Dispatch* 15 February 1990, *The Natal Witness* 8 February 1990]

Review of Transkei security legislation

On 26 October 1989 Chief Ndamase said that the Transkei administration would review security legislation to enable the homeland's security forces and legal personnel to function normally, 'Transkeians have never been found wanting when it comes to the vanguard of spearheading the liberation of the black people. In pursuing this noble objective, the Transkei government has pledged itself to review security legislation,' he said.

Gen Holomisa said on 10 May 1990 that security laws, which prohibited political activity in the Transkei, were being reviewed to remove restrictive provisions which might inhibit political activity. I wish to state openly that the future of this region lies in the hands of all who live in it and it is therefore the duty of everyone to build this country for the benefit of posterity.' Gen Holomisa added that his administration had consulted various political organisations and had decided that there was no longer a

need for anyone in the homeland to be prevented in any way from espousing any political view.⁴⁷¹ [471 *Daily Dispatch* 11 May 1990]

Strikes and labour reforms

The director of labour relations in the Department of Manpower Planning and Utilisation, Mr L V Ntsubane, said in February 1989 that a labour relations section had been established in the department because employers in the Transkei were engaged in 'mass exploitation' of Transkeians and failed to pay the stipulated minimum wage rates. He said that the administration was studying new labour legislation.⁴⁷² [472 *Ibid* 25 February 1989]

The Transkei experienced a spate of strikes in 1989. In June, Umtata members of the Transkei's only elected workers' association, the Transkei Postal Workers' Association, were involved in a dispute with the Transkei administration. The association claimed that it was being harassed and demanded that this should stop, and that it should be recognised. While the union's executive was meeting the administration, demanding union recognition, police ordered a group of 180 workers, waiting outside the meeting, to disperse. They marched to the police station, were arrested, and charged in terms of the Public Security Act of 1977 for staging an illegal strike. (The act prohibits 'statements and acts subverting the authority of the state'.) Alternatively, they were charged in terms of the Transkei's 1985 emergency regulations in that they held or were part of an unlawful meeting without proper authorisation. They were held for two weeks without bail. Postal workers in other areas staged protests and work stoppages in solidarity, resulting in further arrests. The army took over the running of the postal services. The postal workers who were charged were suspended from work.⁴⁷³ [473 *Work in Progress*, no 61, September/October 1989; *The Weekly Mail* 30 June 1989; *Sowetan* 21 June 1989; *Financial Mail* 7 July 1989] On 1 June 1990 the 180 postal workers who were arrested were fined R400 each and given a year's imprisonment, suspended for five years, for striking illegally, causing a common nuisance and convening an unlawful gathering in June 1989.⁴⁷⁴ [474 *Daily Dispatch* 2 June 1990]

An interim structure, the Transkei workers' co-ordinating committee, was set up in 1989 to pave the way for a general union.⁴⁷⁵ [475 Flanagan L, 'Tutor Ndamase: The Homeland Leader Who Doesn't Believe in Union-Bashing-Or Does He?' *Work In Progress*, no 62/63, November/December 1989]

In July 1989 workers at Langeni Sawmills organised the first known legal strike in the Transkei.⁴⁷⁶ [476 *Ibid*, p47]

A ten-day wave of strikes affected at least 11 factories in Butterworth and Umtata in October 1989 over poor pay and working conditions. Most of them were spontaneously organised but there were signs of attempts to set up a trade union. (Trade unions had been illegal in the Transkei since 'independence'.) Gen Holomisa, representatives of employers and workers and administration officials met for discussions about the strikes. Gen Holomisa said that they had agreed that there had been a breakdown

in communication between workers and employers. He said that there was a need for workers' representative bodies and that the illtreatment of workers should cease. A delegation from the administration would monitor progress and no striking workers would be dismissed. The minister of manpower planning and utilisation, Mr Mike Mazwana, said that a new labour policy would be announced.⁴⁷⁷ [⁴⁷⁷ *Eastern Province Herald, The Weekly Mail* 20 October 1989; *Daily Dispatch* 19 October 1989]

More than 10 000 workers marched in Umtata on 23 October 1989 and presented a list of grievances to Gen Holomisa. These included a complaint about the lack of trade union rights in the homeland and a demand for an end to the state of emergency. Gen Holomisa met 13 representatives of the marchers. The march was marred by intimidation when some of those participating forced several shops and a bank to close and police took action after complaints by shopkeepers that they were being intimidated. At Ngangelizwe township, several vehicles were stoned and a policeman was hauled from a minibus by a chanting crowd. Several policemen were admitted to hospital.⁴⁷⁸ [⁴⁷⁸ *The Star* 24 October 1989]

On 26 October 1989 the president of the Transkei, Chief Tutor Ndamase, said during 'independence' celebrations that unions could be formed, and encouraged this process, and said they should register with the Department of Manpower Planning and Utilisation by the end of November. A wage board would start operating in December and an industrial council was also planned as an interim measure until new legislation was passed.⁴⁷⁹ [⁴⁷⁹ *New Nation, The Weekly Mail* 27 October 1989]

The legislation being replaced, the Transkei's Labour Relations Act of 1977, had made provision for liaison committees to be set up with workers and management nominating an equal number of members, set out limited procedures for disputes and defined strictly limited conditions in which strikes were legal. The Wage Act of 1977 provided for a wage board to make wage determinations (although the first gazetted were in April 1988).⁴⁸⁰ [⁴⁸⁰ Flanagan, 'Tutor Ndamase']

On 20 December 1989 the Transkei Military Council appointed a commission to 'inquire into, and report and make recommendations on all aspects of the existing labour system and the relevant legislation in force in the Republic of Transkei'. It appointed Professor Nicholas Wiehahn as chairman and sole member. The acts to be investigated included the Transkeian Apprenticeship Act of 1974, the Labour Relations Act of 1977, the Wages Act of 1977, the Workmen's Compensation Act of 1977, the Training of Artisans Act of 1977, the Factories, Machinery and Building Work Act of 1978, the Shops and Offices Act of 1979, the Unemployment Insurance Act of 1983 and the Machinery and Occupational Safety Act of 1985. The commission was to make recommendations about the adjustment of the labour relations regulation system in the Transkei to make it 'provide more effectively for the changing times as well as the needs of a developing society' such as the Transkei, the adjustment of the existing machinery for the prevention and settlement of disputes 'which changing needs may require', the methods and means by which a 'foundation for the creation and expansion of sound labour relations may be laid for the future of the Transkei', and the 'elimination of restrictions, difficulties and other problems which are at present being experienced in the sphere of labour'.⁴⁸¹ [⁴⁸¹ Transkei Military Council decree, 20 December 1989]

In December 1989 Gen Holomisa said that once trade unions were established in the homeland there would be no objection to them associating themselves with organisations 'outside the country'. The co-operation of 'South African' trade unions would facilitate the formation and legalisation of trade unions in the Transkei.⁴⁸² [⁴⁸² *City Press* 31 December 1989]

At a meeting in Umtata on 22 January 1990, Transkei workers decided to organise their unions under the umbrella of COSATU.⁴⁸³ [⁴⁸³ *Business Day* 23 January 1990]

In what may have been the first negotiated agreement between a union and management in the Transkei, the Food and Allied Workers' Union and Ohlsson's Brewery Transkei (in Butterworth) agreed on the trial reopening of the factory, closed in December after the 300-strong workforce was fired after labour unrest. They signed an interim recognition agreement and would negotiate full recognition once the union had a majority membership.⁴⁸⁴ [⁴⁸⁴ *The Star* 23 January 1990] Ohlsson's undertook also to phase in payparity with South African Breweries 'South African' workers over an 18-month period.⁴⁸⁵ [⁴⁸⁵ *Ibid* 22 January 1990]

In March 1990 Gen Holomisa said that rumours that some investors would leave the Transkei could be attributed to the fear of the implications of the Wiehahn Commission's report on labour which revealed the 'unbridled exploitation of the Transkei workers for many years'.⁴⁸⁶ [⁴⁸⁶ *Business Day* 19 March 1990]

Other reforms

Releases of non-political prisoners

In July 1989 the Transkei administration freed almost 1 000 prisoners in an amnesty commemorating the military takeover in the territory. The homeland's 12 political prisoners were excluded (see below). There had been some 5 000 prisoners incarcerated in prisons built to accommodate only 3 000. There had been numerous complaints about prison conditions, including several hunger strikes in 1988 and 1989 (see *Prison conditions* below).⁴⁸⁷ [⁴⁸⁷ *The Weekly Mail* 28 July 1989]

In December 1989 Gen Holomisa announced a general amnesty for prisoners over 60 years of age, but excluded the Transkei's former prime minister, Chief George Matanzima, who had been convicted on three counts of bribery in March 1989 and sentenced to an effective four and-a-half years in jail. He had lost an appeal against his sentence in October. Gen Holomisa offered him his freedom if he revealed more details of bribery and corruption. The same offer was made to Mr Sidney Qaba, a former cabinet minister, who was jailed for an effective two years at the same time and whose appeal also failed.⁴⁸⁸ [⁴⁸⁸ *Sunday Times, City Press* 31 December 1989] Chief Matanzima reportedly agreed and in March 1990 was in the process of making a detailed statement about various aspects of corruption.⁴⁸⁹ [⁴⁸⁹ *Eastern Province Herald* 17 March 1990]

Prison conditions

The Transkei appointed a magistrate to investigate complaints about conditions at the Wellington Prison in Umtata after a hunger strike by 15 prisoners in March 1989. The previous month eight prisoners had been on a hunger strike in protest about conditions.⁴⁹⁰ [⁴⁹⁰ *New Nation* 30 March 1989] Further hunger strikes protesting about prison conditions were held at the Umtata Central Prison and at the Lusikisiki Prison in April 1990 in protest about conditions and lengthy periods of imprisonment before trial. In the same month a prisoner at the Umtata Central Prison committed suicide after being subjected to solitary confinement and dietary punishment.⁴⁹¹ [⁴⁹¹ *Ibid* 11 May 1990]

African National Congress rallies in the Transkei

Chief Sabata's reburial

On 1 October 1989 Chief Sabata Dalindyebo was buried in the Transkei in a funeral attended by 40 000 people, many waving African National Congress (ANC) and South African Communist Party (SACP) flags. Chief Sabata, the deposed paramount chief of the Tembus, had been involved in opposition politics in the Transkei and had died in self-imposed exile in Zambia in 1986, reportedly as a 'senior member of the ANC'. His first burial had been controversial (see 1986 *Survey* Part 2 pp699–700) and his remains were exhumed in September 1989 and reburied in a funeral honouring him as the leader of the Tembu tribe. The chairman of the Transkei Military Council, Major General Bantu Holomisa, shared the platform with other speakers including the president of the restricted South African Youth Congress, Mr Peter Mokaba; the publicity secretary of the United Democratic Front (UDF), Mr Murphy Morobe; COSATU's president, Mr Elijah Barayi; and Mrs Winnie Mandela, the wife of a jailed ANC leader, Mr Nelson Mandela. Gen Holomisa said, 'Regimes have come and gone. If the people want to be part of South Africa, we shall hold a referendum.'⁴⁹² [⁴⁹² *Business Day* 2 October 1989] (Chief Buyekhaya Dalindyebo, the son of Chief Sabata, had been confirmed in May 1989 as the rightful heir to the Tembu paramountcy. He had followed his father into exile in Zambia and would not immediately assume power. His cousin, Chief Mdanjelwa Mtirara, had been chosen as his regent. The former commander of the Transkei Defence Force, Gen Zondwa Mtirara, had been forced to resign earlier in the month as the Dalindyebo Regional Authority refused to confirm his position as paramount chief.⁴⁹³ [⁴⁹³ *The Citizen* 29 May 1989, *Sowetan* 19 July 1989, *The Weekly Mail* 24 September 1989] Chief Buyekhaya Dalindyebo returned to the Transkei in October and attended his father's reburial incognito.)⁴⁹⁴ [⁴⁹⁴ *The Weekly Mail* 6 October 1989]

November 1989 rally for ANC leaders

On 26 November 1989 a welcome-home rally for seven ANC leaders released from prison was held in the Independence Stadium in Umtata. A crowd estimated at between 45 000 and 80 000 attended. Gen Holomisa shared the platform with the ANC leaders and the general secretary of the National Union of Mineworkers, Mr Cyril Ramaphosa. Speakers rejected the homeland system. One of the ANC leaders, Mr Walter Sisulu, noted the military council's actions-unbannings. releases of political prisoners, the

lifting of the state of emergency and the reburial of Chief Sabata. He encouraged chiefs in the homeland to join the Congress of Traditional Leaders of South Africa and expressed his support for a referendum on Transkei's 'independence'. He hailed Gen Holomisa for carrying forward the 'struggle against tribalism' and seeking the reunification of South Africa and the homelands', and called on people in other homelands to follow Gen Holomisa's example.

Another of the ANC leaders, Mr Andrew Mlangeni, said, 'Many of the leaders of the ANC come from the Transkei which has a nearly tradition in the fight for freedom. Umkhonto we Sizwe, the ANC's army, is alive and well in the Transkei, alongside the army of Gen Holomisa and it is my personal belief that Holomisa is a spiritual member of Umkhonto we Sizwe.' Another of the seven released ANC leaders, Mr Govan Mbeki, said, 'The government of Transkei has begun to set the people free.'

The day before the rally the leaders addressed a group of about 400 at a church hall where the Transkei Police teargassed the gathering. Two supporters subsequently died and a policeman was later attacked and killed. Gen Holomisa issued an apology which was read out to the rally, and announced a special commission of inquiry into the incident. He blamed 'renegade' police for the incident.⁴⁹⁵ [⁴⁹⁵ *Beeld* 27 November 1989, *The Weekly Mail* 1 December 1989, *The Natal Witness* 27 November 1989] The commission of inquiry found that there was no evidence that anyone had died as a result of teargas. Its chairman, Mr P Magid, said on 19 April 1990 that police had overreacted and run riot, however. Two people had died, one with an advanced lung disease and the other with advanced heart disease, and it could not be established if they had died either directly or indirectly as a result of inhaling teargas. Mr Magid recommended that senior policemen 'root out' policemen who had brought the force into disrepute with their actions, and he sent the evidence to the attorney general with a view to possible prosecution.⁴⁹⁶ [⁴⁹⁶ *The Citizen* 20 April 1990]

Mr Mandela's visit to the Transkei

Mr Mandela addressed a group of Transkei businessmen in Umtata in April 1990, assuring them that the ANC would nationalise only certain business sectors if this would strengthen the economy.⁴⁹⁷ [⁴⁹⁷ *Business Day* 27 April 1990] On 22 April 1990 he visited his family home at Qunu, 30km from Umtata, where he was born as the son of the chief councillor of the paramount chief of the Tembu, one of the region's two major tribes.⁴⁹⁸ [⁴⁹⁸ *Sowetan* 24 April 1990] On the same day he addressed a rally of 50 000 people in Umtata, sharing a platform with Gen Holomisa.⁴⁹⁹ [⁴⁹⁹ *The Star* 23 April 1990] He also addressed Transkei's chiefs and paramount chiefs at a meeting in Umtata called by the ANC. He said that there had been a misunderstanding in the past that chiefs were not welcome in the ANC. This impression had been created by the youth during the years when the ANC had been banned. The youth had seen chiefs in some cases as collaborators with the system. He called on chiefs to support the ANC because they had always been part of the liberation struggle.⁵⁰⁰ [⁵⁰⁰ *Business Day* 24 April 1990]

Referendum on reincorporation and relations with

central government

At the reburial of Chief Sabata Dalindyebo in Umtata on 1 October 1989 (see *Chief Sabata's reburial* above), Gen Holomisa told the crowd of 40 000 that if they wanted a referendum on rejoining South Africa he would arrange it.⁵⁰¹ [⁵⁰¹ *The Natal Mercury* 2 October 1989] The National Union of Metalworkers of South Africa said a few days later that it was consulting its members, many of whom were from the Transkei, about the question of possible reincorporation.⁵⁰² [⁵⁰² *Sowetan* 5 October 1989] On 1 November a committee to discuss a referendum met for the first time. Gen Holomisa said that the Transkei would like to be included in constitutional negotiations in South Africa.⁵⁰³ [⁵⁰³ *The Star* 1 November 1989]

In January 1990 the state president, Mr F W de Klerk, and the minister of foreign affairs, Mr Pik Botha, visited the Transkei for talks with the military council. Mr De Klerk said that a referendum about incorporation was untimely and unsuitable. It should keep its options open with an eye on forthcoming developments in South Africa. With positive constitutional changes in South Africa, the Transkei could in the future receive greater international recognition, for example. Mr De Klerk also advised that the Transkei return to civilian rule as soon as possible. Gen Holomisa said that it would still be a long road back to a civilian government.⁵⁰⁴ [⁵⁰⁴ *Beeld* 12 January 1990]

On 7 February 1990 a committee investigating the conducting of a referendum held its first meeting.⁵⁰⁵ [⁵⁰⁵ *Sowetan* 8 February 1990, *City Press* 28 January 1990] Gen Holomisa said to the committee, 'It is an open secret that Transkeians have always identified themselves with the struggle for liberation in South Africa. All our symbols of independence carry no significant meaning; the Transkei passport is a document of no consequence; Transkei citizenship has become a symbol of denial, deprivation and further disadvantage'. He said that Mr De Klerk's speech five days earlier, unbanning various organisations, irrevocably committed South Africa to fundamental change which implied a unitary state. 'If apartheid is to be abandoned, it follows that all its cornerstones and structures will systematically be relinquished.' The committee said on 9 February that the voting in the referendum would be open to all Transkeians over the age of 16.⁵⁰⁶ [⁵⁰⁶ *Daily Dispatch* 10 February 1990]

The Pan-Africanist Congress and representatives of the Transkei Military Council met in Tanzania in February 1990, and the PAC applauded the intended referendum as a 'progressive and most democratic' step.⁵⁰⁷ [⁵⁰⁷ *The Star* 28 February 1990]

In March the military council set up a special cabinet committee to work out the details of how the referendum should be conducted.⁵⁰⁸ [⁵⁰⁸ *Daily Dispatch* 15 March 1990]

Following Mr De Klerk's meeting in January 1990 with the military council, during which he advised a return to civilian rule, relations between the central government and the Transkei deteriorated. The central government accused the Transkei of breaking the customs union agreement by banning the import of sorghum beer from Natal and saying that Gen Holomisa's administration had attempted a coup

against the Ciskei in August 1989. The central government also disputed the continued detention of seven South Africans who Gen Holomisa claimed were members of two hit squads sent to assassinate him (see *Assassination and coup attempts* above). He also said that the central government was refusing to extradite to the homeland those allegedly behind the plots. The government said that the Transkei had not followed the correct procedures in trying, since July 1989, to extradite a former Transkei businessman, Mr Vulindlela Mbotoli, the chairman of Temba Construction and a director of Jalc Holdings (see *Corruption investigations* above). Gen Holomisa said that the seven suspects would continue to be interrogated until the central government handed Mr Mbotoli over to the Transkei to stand trial.⁵⁰⁹ [⁵⁰⁹ *Financial Mail* 19 January 1990, *The Star* 1 July 1990] The central government also charged that Gen Holomisa had interfered in several labour disputes in the Transkei, in every case on behalf of workers, and that this was driving companies out of the homeland.⁵¹⁰ [⁵¹⁰ *The Star* 17 January 1990] Gen Holomisa held talks with the South African ambassador to the homeland, both agreeing that the atmosphere of distrust could benefit neither.⁵¹¹ [⁵¹¹ *Ibid*]

In April 1990 Gen Holomisa claimed that Mr Botha was putting pressure on him to abandon possible criminal charges against the former managing director of Sun International, Mr Sol Kerzner. After these remarks, Mr Botha said that the Transkei conducted its diplomatic relations in an unusual way and also said that poor financial planning and control by the military administration had ‘played an important role in worsening an already precarious situation’. The Transkei had overspent its budget by 17%. Advice given to Gen Holomisa, Mr Botha said, was regarded by him as interference. Regarding Gen Holomisa’s opinion that the military council still required a long time to clean up the corruption of the previous administration, Mr Botha said, It is not clear why a new civilian government, elected in a free election, cannot do this.’⁵¹² [⁵¹² *Eastern Province Herald* 5 April 1990] Gen Holomisa said that Mr Botha’s remarks were ‘tantamount to a deliberate, gross distortion of facts’.⁵¹³ [⁵¹³ *Cape Times* 6 April 1990, *Business Day* 19 March 1990]

In late May 1990 the minister of constitutional development and planning, Dr Gerrit Viljoen, warned the Transkei administration not to take any ‘hasty’ decisions about rejoining South Africa. He had just held talks in Umtata with the military council and been told that there was a strong desire for reincorporation. He cautioned that there was much that was uncertain about the new South Africa. ‘No one knows at this stage what principles, what agreements, will emerge once negotiations get under way and start to produce results.’ He encouraged Transkeians to canvass various possible options in public debate and academic study before committing themselves to a definite course of action.⁵¹⁴ [⁵¹⁴ *Daily Dispatch, Eastern Province Herald* 29 May 1990]

Relations with other homelands

Relations between the Transkei and **KwaZulu** came under strain after the chief minister of KwaZulu, Chief Mangosuthu Buthelezi, turned down an invitation in September 1989 from the Transkei administration to a meeting of the heads of the homelands. He criticised the Transkei in his reply for

having taken 'independence' and demanded that the Transkei reincorporate itself into South Africa before he would join the talks. He also expressed some irritation about a meeting between Gen Holomisa and the ANC in Lusaka (Zambia) that month.

In October 1989 Chief Buthelezi remarked in an address to the Inkatha Women's Brigade that the publicity secretary of the UDF, Mr Murphy Morobe, had said at Chief Sabata's reburial that the military in the Transkei had carried out the mission of the struggle for liberation by deposing the Matanzima administration. Chief Buthelezi said, 'Let me challenge Gen Holomisa thus: you speak boldly, sir, and it is said in your presence at a function on your soil that your Transkei coup d'état was orchestrated by the ANC working in collaboration with Mr Morobe. Be now man enough, sir, to complete your work and undertake to take over the Ciskei through a coup... Use this as practice and then dare a coup d'état in KwaZulu. If your coup was orchestrated and sanctioned your hands are already very filthy and they cannot be more soiled by orchestrating a coup in innocent KwaZulu.' Chief Buthelezi added that Gen Holomisa should stop 'peddling his political arse'.⁵¹⁵ [⁵¹⁵ *Sunday Tribune* 15 October 1989]

Gen Holomisa wrote to Chief Buthelezi expressing 'disbelief and amazement' and said that Chief Buthelezi had an 'unfortunate knack of annoying both friend and foe alike' and had 'alienated everybody seriously engaged in the body politic of the region'. He asked Chief Buthelezi in his letter if he was really concerned with South Africa's future or just safeguarding his position and 'the purse attached to it'. He said, 'People will respect you if you resign as a homeland leader and pursue the national liberation struggle from a different platform.'⁵¹⁶ [⁵¹⁶ *The Weekly Mail* 20 October 1989]

In a letter in November 1989 to Gen Holomisa, Chief Buthelezi requested him to bring the Transkei back into South Africa, and criticised the ANC.⁵¹⁷ [⁵¹⁷ *The Citizen* 6 November 1989]

Gen Holomisa addressed the annual **Lebowa** People's Party congress in April 1990, and said that all black groupings subscribed to one political idea, the liberation of blacks from apartheid and their participation in all levels of government. There was, therefore, no need 'to scramble for a position at the negotiating table'. He asked all black leaders to attend negotiations as one solid unit representing common demands. He said they should meet and define goals so that they would not differ and be divided. He appealed to the chief minister of Lebowa, Mr Nelson Ramodike, to play the role of facilitator among political groupings in the northern Transvaal.⁵¹⁸ [⁵¹⁸ *The Natal Mercury* 9 April 1990]

Following the coup in the **Ciskei** in March 1990 Gen Holomisa said that he welcomed it and hoped it would result in the gradual improvement and intensification of the relationship between the Transkei and the Ciskei.⁵¹⁹ [⁵¹⁹ *Daily Dispatch* 5 March 1990] In July 1989 three Ciskei exiles living in the Transkei, Mr Lent Maqoma, Mr Charles Sebe, and Mr Namba Sebe, were relocated to 'South Africa', in terms of an agreement between the Ciskei, the Transkei and the central government. Their presence in the Transkei had strained relations between the two homelands, the Ciskei administration demanding that they be handed over to it.⁵²⁰ [⁵²⁰ *Ibid* 17 July 1989] On 11 July 1989 the Umtata home of Mr Charles Sebe had been attacked with hand grenades.⁵²¹ [⁵²¹ *The Citizen* 12 July 1989]

Free trade port

The Transkei Development Corporation was carrying out a feasibility study for the development of an international free trade zone near Port St Johns. The main activity envisaged was manufacturing for export. The zone would be outside the rand monetary area with no exchange control restrictions over funds brought into the zone and profits derived from trading there. Foreign investors would be guaranteed repatriation of funds with minimal currency risks and trade in the currency of their main trading partners. No duties would be paid on imported materials to make goods for export. The harbour at Port St Johns would have to be reopened after being closed for 40 years and upgraded. The harbour would also be used to export ore from the copper and nickel mine which was to be reopened at Mount Ayliff, because of escalating world prices of nickel.⁵²² [⁵²² *Cape Times* 25 February 1989] It was believed that exploitation of the Transkei's deposits of heavy mineral beach sands (including titanium) would pay for the development of harbour infrastructure.⁵²³ [⁵²³ *Growth*, spring 1989, *Sunday Times* 29 October 1989]

Venda

Le Roux Commission

On 25 August 1988 the president of Venda, Mr Frank Ravele, appointed a commission 'to investigate and report on the causes of the present unrest, school boycotts and work stoppages in Venda, with reference, inter alia, to the circumstances surrounding the investigation of so-called ritual murders committed during 1988' (see *1988/89 Survey* pp95–97).

The chief justice of Venda, Mr Justice D JH le Roux, was appointed as the sole commissioner. Forty-seven witnesses gave evidence and 33 exhibits and memoranda were submitted.

In his *Report of the Commission of Inquiry into the Causes of the Unrest and Ritual Murders in Venda During 1988*, Judge Le Roux concluded that 'the unrest which culminated in the general work stoppage of 16 to 19 August originated at the funeral of James Mavhina and certain inflammatory speeches delivered there'. Even though the death of Mavhina was not a clear-cut ritual murder and the bulk of the evidence and probabilities pointed to suicide, 'it could be promoted to this category by radical organisations'. Judge Le Roux said that the Lutheran Church decided that it was a murder and that he could be given a church burial. In reality the Lutheran Church in Venda espouses the "revolutionary theology" philosophy which condones and promotes violence under the Christian banner against so-called apartheid and the independent states and thus aligns itself with radical and subversive organisations under the umbrella' of the African National Congress (ANC) and United Democratic Front (UDF). Referring to the murder in 1988 of a schoolgirl, Ms Sharon Mashige, he said that the case had given 'subversive groups the ammunition they needed to attack the police and the system. Unfortunately, in this case, the police and the attorney general are not free from criticism'.

He said that other factors had created a climate of dissatisfaction and instability, particularly opposition to the 'khosi' system (political system of chieftainship) and its role in the parliamentary structure. The educated youth, civil service and 'certain churches' saw chiefs as a force retarding political and economic development. They argue that the time has passed when a hereditary ruler should automatically assume power without taking into account merit, training or ability. In the superstitious minds of the masses this power, like riches, can be achieved only through a powerful medicine made from human organs, and thus the ritual murder is naturally linked to the tribal chief, or to the successful businessman.' In the popular belief, he said, Mr A A Tshivhase, Venda's minister of justice who was suspended during the 1988 unrest, was 'rich, powerful and ruthless and thus a certain suspect of ritual murder, for how else can an ordinary man obtain so much success in such a short time?' Judge Le Roux said that 'a major democratic reform of the system coupled with an eradication of all corruption and a positive promotion of Christian doctrine in schools appear to be indicated to combat this attitude. If enough young people can be motivated to accept Venda as their country and to be proud of their nationhood, it would go a long way towards combating the evil plan formulated by the leaders of the ANC which sends its tentacles into every village, street and home to poison, activate and intimidate the people to accept the ANC and communist principles. At the same time the evil of ritual murder will be stamped out if the superstition which feeds it, disappears'.⁵²⁴ [⁵²⁴ Le Roux Judge D J H, *Report of the Commission of Inquiry into the Causes of the Unrest and Ritual Murders in Venda During 1988* (Republic of Venda, 1989)]

In response the Venda administration published a white paper on Judge Le Roux's findings in August 1989. To 'combat the evil plan formulated by the leaders of the UDF/ANC', it would inform the public regularly about its economic and constitutional reform plans, ensure a clean administration at all times, promote Christianity in schools to eradicate superstition, launch a special campaign to motivate the youth to accept Venda as their own country and to be proud of their nationhood', stamp out ritual murders and superstition with the co-operation of priests, and review the case of Ms Sharon Mashige.⁵²⁵ [⁵²⁵ Republic of Venda, *White Paper on the Report of the Commission of Inquiry into the Causes of the Unrest and Ritual Murders in Venda Explaining the Steps Cabinet Intends Taking with Regard to the Recommendations Contained Therein*, August 1989]

In the case of Ms Mashige, five people, including a former MP and her father, had had charges of murder against them withdrawn, following the conviction of a sixth person, and this had led to widespread accusations of corruption in 1988. In September 1989 the five were rearrested in connection with the murder.⁵²⁶ [⁵²⁶ *Sowetan* 28 August 1989, 6 October 1989]

In August 1989 Venda's director general of intelligence, Mr Theophilus Mutshaeni, was one of eight people charged with the ritual killing of a child. The trial resumed in April 1990.⁵²⁷ [⁵²⁷ *The Star* 16 March 1990]

Court case related to Venda elections

In June 1989, 16 Venda politicians lost an application in the Venda Supreme Court (Thohoyandou) to

declare a special meeting of the homeland's national assembly in September 1988 invalid. The chief justice of Venda, Mr Justice DJ H Le Roux, also ruled that amendments to the Electoral Act of 1979 and the Republic of Venda Constitution Act of 1979 passed during the special session were valid. The applicants had been barred from contesting the homeland's election as a result of these retroactive amendments (see *1988/89 Survey* p140).⁵²⁸ [⁵²⁸ *Sowetan* 15 June 1989]

Upheavals in Venda in 1989

Thousands of students at four Venda tertiary education institutions were involved in boycotts in May 1989. From late April until the end of May students at the Venda College of Education boycotted classes demanding the resignation of the rector and in protest about hostel conditions and student admission policy. Students at three other institutions boycotted in sympathy.⁵²⁹ [⁵²⁹ *The Star* 30 May 1990]

Tenth anniversary 'independence' celebrations began in Venda in July 1989. All civil servants were expected to pay varying amounts depending on area (of between R10 and R80) towards the cost of the festivities. The regional celebrations, leading up to the major celebrations in September, were badly attended. The celebrations, as well as three ritual murders in July and the detention of some 100 people in the same month, resulted in protest meetings and marches throughout Venda and a total school boycott. Some 3 000 University of Venda students also boycotted classes from 25 July, demanding that detained students be released, that stronger action be taken against ritual murderers, and that police stop interfering with school and university affairs.⁵³⁰ [⁵³⁰ *Sowetan* 20 July 1989, 13 September 1989; *The Star* 18 August 1989] Local activists said that investigations into ritual murders never got very far because 'people in high places' stopped the investigations. Chiefs in Venda believed that in order to keep their positions of power, they had to drink medicine made from human organs.⁵³¹ [⁵³¹ *New Nation*, *The Weekly Mail* 28 July 1989]

A state of emergency was declared in the homeland on 1 August 1989. The Far Northern Transvaal Crisis Co-ordinating Committee called for a week-long stayaway from 5 September to protest against 'independence' celebrations planned for that week, and to demand the release of detainees and the withdrawal of security forces from towns and villages. It claimed that 590 people were in detention. It added, 'The authorities are also planning to spend R6m to renovate the independence stadium while people are starving.'⁵³² [⁵³² *New Nation* 1 September 1989] The call was unsuccessful, but the two-month-old school boycott at 67% of Venda schools continued. Students at the University of Venda had returned to classes on 17 August, but boycotts continued at teacher training colleges.⁵³³ [⁵³³ *Sowetan* 20 July 1989, 13 September 1989; *The Star* 18 August 1989]

In mid-September hundreds of Venda detainees were briefly freed, then redetained, following a successful application for their release. Lawyers argued that Venda's Maintenance of Law and Order Act of 1985 required that reasons for detention had to be handed to detainees within 24 hours of their arrest, and no such orders had been issued. Four people on trial for terrorism, who were on bail of R1 000, were detained as well. Their bail conditions required that they report to a police station twice daily

and they were detained while doing so.⁵³⁴ [⁵³⁴ *The Weekly Mail* 15 September 1989]

During the week of the September celebrations in Thohoyandou, which were completely boycotted, police conducted various pre-dawn raids and sealed off villages with roadblocks. In the same month Venda police dispersed a protest march against detentions by priests and church members, and detained the presiding bishop of the Lutheran Church and several deans and priests. All but three were released on the same day and told to leave Venda. They joined more than 120 detainees being held following widespread protests against ritual killings and 'independence' celebrations.⁵³⁵ [⁵³⁵ *Sowetan, The Weekly Mail* 8 September 1989]

In October 1989, 102 Venda detainees were charged and 22 were released. Charges included incitement, public violence, arson, malicious damage to property, and defeating the ends of justice. Those released included 18 detainees who had been on hunger strike for two weeks.⁵³⁶ [⁵³⁶ *Sunday Times* 8 October 1989]

Upheavals in 1990

In late January and February 1990 some 20 people died in Venda in political violence and in anti-witchcraft unrest. People were accused either of being witches or of being involved in ritual killings, and hacked or burnt to death. Many homes were burnt. Many allegedly took advantage of the upheavals to settle personal scores. In February both the UDF and the Azanian People's Organisation (AZAPO) decried the violence and said that their members were not involved.⁵³⁷ [⁵³⁷ *Sowetan* 28 February 1990]

Clashes with the police followed a rally on 12 February 1990 of 80 000 people in Thohoyandou, Venda's capital, called to celebrate the release of a senior member of the ANC, Mr Nelson Mandela, the day before. Many were believed to have died.⁵³⁸ [⁵³⁸ *The Citizen* 22 February 1990] On 16 February all meetings to discuss witchcraft unrest were banned and several people were detained.⁵³⁹ [⁵³⁹ *Sowetan* 19 February 1990] The escalating violence in Venda was sparked by allegations of ritual killings and the existence of zombies. Venda villagers said that whole villages were searching mountains and forests for alleged zombies. By 7 February 14 people had died in anti-witchcraft violence, and more than 100 homes had been burnt.⁵⁴⁰ [⁵⁴⁰ *Ibid* 7 February 1990] Bands of youths were on a witch-hunt spree, killing and destroying homes and property in many areas of the homeland. The Northern Transvaal Students' Organisation called on pupils to return to classes following the disruption of schooling.⁵⁴¹ [⁵⁴¹ *Ibid* 5 February 1990]

In February 1990 a general strike by all government employees except police, soldiers and nurses, began over pay in Venda, bringing all sectors of the civil administration to a halt. It began when magistrates and prosecutors at Thohoyandou started a sit-in on 19 February to protest about the disproportionate increases, and others in other areas joined the next day. Postal staff joined in on 21 February and by 22 February all government departments had stopped work.⁵⁴² [⁵⁴² *The Citizen* 24 February 1990] On 23 February

industrial workers at Shayandima joined the strike. The strike had begun after new salary scales for senior government officials were published, giving increases of between 28% and 44%. Magistrates and prosecutors got only an 8% increase, while more junior officials, teachers, technicians and labourers were not covered by the increase at all. Some 6 000 teachers gathered at a stadium in Makwarela on 23 February and drew up a petition which was handed to the Department of Education after a protest march. They resolved to strike until 2 March when they would gather to hear the authorities' response.⁵⁴³ [⁵⁴³ *The Star* 26 February 1990] All schools in Venda were closed on 26 February as a result of the strike. The Venda authorities announced that a 20% increase for all civil servants would come into effect on 1 April.⁵⁴⁴ [⁵⁴⁴ *Ibid*] The civil service strike resulted in pensioners not receiving their payouts and prison and police cells overflowing with awaiting-trial prisoners.⁵⁴⁵ [⁵⁴⁵ *Sowetan* 26 February 1990]

On 24 February 1990 two children died at Tshiozwi when police dispersed a rally in honour of Mr Mandela. The day before a child died when police intercepted a van carrying youths who had joined the teachers' rally.⁵⁴⁶ [⁵⁴⁶ *The Citizen* 27 February 1990]

On 26 February 1990 Venda police presented a petition to the Department of Police demanding a salary increase of 80% to 90% and improvement in conditions of service.⁵⁴⁷ [⁵⁴⁷ *The Star* 28 February 1990]

On 28 February 1990 security forces broke up a student march to the Venda Department of Education with teargas.⁵⁴⁸ [⁵⁴⁸ *Business Day* 1 March 1990]

On 8 March 1990 the minister of foreign affairs, Mr Pik Botha, met the Venda cabinet and said that the central government would not stand by and let chaos reign in Venda. It would provide the means to bring about stability.⁵⁴⁹ [⁵⁴⁹ *The Citizen* 9 March 1990] Mr Ravele committed himself to letting the homeland residents decide whether they wanted reincorporation and, if it was in Venda's best interests, he would lead his people back'. 'However, during our discussions it again became abundantly clear that this is no simple step,' he said. I as head of state, therefore, call upon the people of Venda to give me their opinion in this important matter.'⁵⁵⁰ [⁵⁵⁰ *Ibid* 10 March 1990]

The Venda administration lifted the bans on the ANC, Pan-Africanist Congress (PAC), South African Communist Party (SACP), the Venda Independent Party (VIP) and other political organisations on the weekend of 10 March 1990. People being held merely for being members of these organisations would be released as quickly as possible, it said.⁵⁵¹ [⁵⁵¹ *Business Day* 12 March 1990] Protest marches, Mr Ravele said, would not be allowed to become springboards for lawlessness, violence and intimidation.⁵⁵² [⁵⁵² *The Citizen* 12 March 1990]

On 12 March 1990, 10 000 people marched in Thohoyandou, carrying a human skull, believed to be from the body of a ritual murder victim, to the president's office to protest about ritual murders in the homeland. They claimed that Venda's minister of local government, Chief M M Mphaphudi, was responsible for the ritual murder, and had been protected from prosecution by his status. During the

march a 15-year-old girl was shot dead by police, allegedly without provocation. Mr Ravele said that a policeman was being detained in connection with the shooting of the girl and that a full investigation was being launched. This event sparked off another bout of strikes and school boycotts.⁵⁵³ [⁵⁵³ *Sowetan* 21 March 1990] Pupils and civil servants staged a stayaway on 13 March, shops were closed and transport services did not operate.⁵⁵⁴ [⁵⁵⁴ *The Star* 14 March 1990] Youths in various areas went on the rampage.

Following two weeks of labour unrest, involving civil servants, teachers, parastatal officials and other factory workers, and the submission of memoranda by groups such as the UDF, calling for the rejection of independence and the resignation of the cabinet, and teachers calling for salary parity with their counterparts in South Africa, the Venda National Assembly held a special debate on unrest in the homeland and on future links with 'South Africa'. During the debate, on 13 March, Mr Ravele and his cabinet were called on to resign immediately by various MPs. Mr Ravele rejected calls to resign, but announced afterwards that a referendum would be held soon to determine whether citizens of Venda were in favour of reincorporation.⁵⁵⁵ [⁵⁵⁵ *Ibid*] The Venda administration also suspended Chief Mphaphudi, who the 10 000 protesters had claimed was a ritual murderer and whose arrest they demanded. Mr Ravele called on all workers to return to work and pupils to go back to school.⁵⁵⁶ [⁵⁵⁶ *Sowetan* 14 March 1990] He also announced that he would institute 'major reforms', including providing for a multiparty administration.⁵⁵⁷ [⁵⁵⁷ *The Citizen* 15 March 1990] His government accepted the need to 'go back to South Africa'. He said that unbanned organisations could call for elections and have their own representatives in the national assembly.

The situation in Venda remained unchanged. Schools continued to be boycotted, shops remained closed and most taxis were not operating.⁵⁵⁸ [⁵⁵⁸ *Sowetan* 19 March 1990]

On 21 March 1990 more than 3 000 residents marched from Makhado township to the local police station demanding an end to police shootings of civilians, the resignation of Mr Ravele and the immediate reincorporation of Venda.⁵⁵⁹ [⁵⁵⁹ *Ibid* 22 March 1990] More than 40 000 marched at Ha-Mashau to the local police station to denounce 'independence' and to demand the release of youths detained in other protest marches.⁵⁶⁰ [⁵⁶⁰ *Ibid* 23 March 1990] A UDF march was planned on 22 March to protest against the official opening of the Venda National Assembly, but the Venda administration announced that day that the official opening had been postponed indefinitely.⁵⁶¹ [⁵⁶¹ *Ibid*]

On 26 March 1990 more than 500 Venda policemen stopped work demanding higher wages and the resignation of the commissioner of police. Lieutenant General T R Mulaudzi. (Gen Mulaudzi was also the commander of the Venda National Force and had been in charge of the defence force, police, prisons and traffic since 1979.) They rejected a planned 10% pay increase, and uniformed and security police arrived in Sibasa, singing freedom songs, to discuss their grievances with the minister of police. Chief TT Ramabulana. They refused to work again on 3 April and Gen Mulaudzi resigned on the same day.

Nurses from three Venda hospitals and prison warders also joined the strike briefly on 3 April 1990.

They joined a protest in Thohoyandou with thousands of other civil servants who had been on a sit-in since 27 February, and demanded salary parity with their South African counterparts.⁵⁶² [⁵⁶² *Business Day, The Star* 4 April 1990] Strikers all massed at Thohoyandou singing protest songs. Shops and businesses belonging to Venda MPs were boycotted to pressure them to resign. One MP resigned on 2 April.⁵⁶³ [⁵⁶³ *Sowetan* 5 April 1990]

All government workers returned to work on 4 April 1990 after reaching an agreement with the Venda cabinet. The cabinet undertook to give salaries urgent attention. All departments were reported to be functioning normally once more, but pupils and students were still boycotting classes.⁵⁶⁴ [⁵⁶⁴ *The Star* 5 April 1990]

In late March 1990 six bomb blasts damaged the Venda National Assembly building in Thohoyandou, a bottle store, an electricity transformer and substation, and offices of the Department of Health.⁵⁶⁵ [⁵⁶⁵ *The Citizen* 31 March 1990, *Sunday Star* 1 April 1990] Three limpet mine blasts had damaged the Venda government buildings in December 1989.⁵⁶⁶ [⁵⁶⁶ *The Natal Witness* 23 December 1989]

On 4 April 1990 several thousand marchers led by priests marched to the South African embassy in Sibasa, carrying ANC and SACP flags, to demand reincorporation and the release of detainees. They were told that the ambassador was out.⁵⁶⁷ [⁵⁶⁷ *Sowetan* 5 April 1990]

April coup d'état

On 5 April 1990 the Venda administration was overthrown in a bloodless military coup. The second-in-command of the Venda Defence Force (VDF), Lieutenant Colonel Gabriel Ramushwana, announced on the radio that he was in control of the homeland, and thousands of pamphlets signed by him were distributed in the course of the day, giving reasons for the takeover. In a radio address he said that the head of the VDF, Brigadier P G Steenkamp, a seconded South African Defence Force (SADF) officer, had been 'compelled' to leave Venda. He said that the takeover by the 'Council of National Unity' was the only step possible to 'restore law and order'. A resignation letter from Mr Ravele said, 'My government is not in a position to restore and maintain law and order in Venda... We do not seek position and benefits for ourselves. We only seek what is good for Venda. Accordingly, my cabinet and I hereby resign from our offices with immediate effect.' There were a number of allegations that the coup had been executed with the full knowledge of the central government.⁵⁶⁸ [⁵⁶⁸ *New Nation* 12 April 1990]

Col Ramushwana addressed 20 000 people after his radio address and said that he would form a council for national unity which he would chair. The state president, Mr F W de Klerk, said on the day of the coup that the lawlessness of the Ciskei coup would not be repeated and that the central government would give Venda whatever assistance was needed to protect lives and property and to maintain law and order.⁵⁶⁹ [⁵⁶⁹ *The Star* 6 April 1990]

The colonel imposed a state of emergency—which banned meetings—and a curfew between 8pm and 4.30am. He also announced commissions of inquiry into government corruption and nepotism, and ritual murders. He said that the ANC, UDF, SACP, PAC and other political parties were welcome to talk to him, but he warned that they would not be allowed to hold demonstrations or ‘forcibly propagate’ their goals in Venda. He said that he would remain in control until ‘a new South African government came into play’. The minister of foreign affairs, Mr Pik Botha, appealed to Col Ramushwana to ‘prevent all forms of violence’.⁵⁷⁰ [⁵⁷⁰ *The Citizen* 6 April 1990]

The euphoria immediately following the coup was short-lived. The day after, at Venda’s Independence Stadium in Thohoyandou, thousands of youths wearing ANC T-shirts yelled abuse and jeered at Col Ramushwana when he addressed 15 000 people. He left by helicopter immediately after his speech.⁵⁷¹ [⁵⁷¹ *Sunday Star* 8 April 1990]

On the issue of reincorporation Col Ramushwana said that it was not necessary to hold a referendum on reincorporation because ‘all the people of South Africa are working towards that goal’. All liberation movements were welcome to talk to him about operating in the homeland. I am not operating as the head of any political party. We just want to stabilise and normalise the situation. We are just an interim government. First we need stability and law and order. There must be proper channels for reincorporation. Proper structures will have to be maintained and the whole thing will have to be done properly.’⁵⁷² [⁵⁷² *City Press* 8 April 1990]

There was a sharp decline in violence in Venda following the coup. The curfew was lifted on 7 April 1990 but the emergency remained in force.⁵⁷³ [⁵⁷³ *The Star* 9 April 1990] Pupils returned to school on 9 April and civil servants also returned to work.⁵⁷⁴ [⁵⁷⁴ *Ibid* 10 April 1990]

On 1 May 1990 more than 100 prisoners at Venda Central Prison overpowered prison guards and marched to Sibasa to protest against conditions there. The security forces took them to the VDF headquarters where they met Col Ramushwana, who promised that he would appoint a commission of inquiry to look into their grievances. Four of the prisoners later escaped, but the others asked to be transported back to prison after their meeting.⁵⁷⁵ [⁵⁷⁵ *The Star, The Natal Witness* 2 May 1990]

Col Ramushwana swore in members of the council on 2 May, The Mass Democratic Movement (MDM) and Venda’s Council for National Unity agreed at a meeting on 7 May to set up a joint working committee to define political prisoners and to find ways to enable the speedy lifting of the state of emergency.⁵⁷⁶ [⁵⁷⁶ *Sowetan* 11 May 1990] The MDM had turned down an invitation made during an earlier meeting in April to serve on the military council. The MDM also warned other parties, including the VIP, not to participate in the council. An MDM spokesman in Venda said that the movement was still uncertain about Col Ramushwana’s role in Venda’s future.⁵⁷⁷ [⁵⁷⁷ *New Nation* 20 April 1990]

A trade union, the Allied Workers' Union (AWU), was formed in Venda in March 1990 by AZAPO. It was Venda's only union as unions had never been allowed to operate in the homeland. More than 6 000 workers attended its first meeting, staying away from their jobs to do so.⁵⁷⁸ [⁵⁷⁸ *Sowetan* 10 April 1990] The Council for National Unity, however, restricted it on 10 April. VDF soldiers had earlier disrupted an AWU meeting because no permit had been sought.⁵⁷⁹ [⁵⁷⁹ *Ibid* 11 April 1990] AWU leaders, who had organised a mass stayaway in protest, were detained. Col Ramushwana said at the end of April, following discussions with the detained leaders, that he would make an announcement about the future of trade unions in Venda, as soon as he had studied the situation in detail.⁵⁸⁰ [⁵⁸⁰ *The Star* May 1990]

A march by University of Venda students was dispersed by soldiers and police on 26 April 1990. A student boycott followed, involving students at the university and four teacher training colleges.⁵⁸¹ [⁵⁸¹ *Sowetan* 30 May 1990] The four colleges were closed indefinitely in June, when students failed to return to classes. Col Ramushwana said that he had been given instructions by top leaders of the ANC during a visit to Lusaka to deal 'sternly' with youths who launched class boycotts and challenged orders to return to classes.⁵⁸² [⁵⁸² *Ibid* 4 June 1990]

GOVERNMENT AND CONSTITUTION

The First Tier

Parliament

The franchise

As at 31 March 1990 there were 3 171 875 registered white voters in white-designated South Africa. There were 1 583 456 coloured and 539 549 Indian registered voters.¹ [¹ Information given by the Department of Home Affairs; *The Star* 18 April 1990] Africans had a municipal franchise and one for homeland legislatures but no parliamentary practice.

State of the parties

House of Assembly (white) (178 members)

As at May 1990 the National Party (NP) had 102 representatives, the Conservative Party (CP) 41 and the Democratic Party (DP) 34. There was one vacancy. Following a by-election in Umlazi (Natal) in June 1990, which was won by the NP, this vacancy was filled. This brought the NP's total number of representatives to 103. The overall number of representatives included nominated members and those

elected by members.² [² *Hansard* 14, P [11], 30 April to 4 May 1990]

House of Delegates (Indians) (45 members)

Solidarity had 23 members, the National People's Party (NPP) had nine, the National Federal Party (NFP) had one, the Democratic Party (DP) had three, the People's Party of South Africa had one and the Merit People's Party had four. There were four independent members. No vacancies existed.³ [³ *Ibid*, P [18]]

House of Representatives (coloured people) (85 members)

The Labour Party (LP) had 74 members, the Democratic Reform Party (DRP) had four, the United Democratic Party (UDP) had three and the Freedom Party had one. There were three independent members. No vacancies existed.⁴ [⁴ *Ibid*, P[15]]

Legislation

During the 1990 session of Parliament, 143 bills were tabled, of which one was tabled twice. Of these, 121 bills were passed, two bills lapsed, six were withdrawn and 12 were held over to the 1991 session.⁵ [⁵ Information given by Mrs Anne Trulock, Democratic Party Research Office, Cape Town, 31 July 1990]

General election

A general election was held on 6 September 1989 for all three houses of Parliament. It was held against the backdrop of a National Party (NP) leadership crisis, widespread political defiance throughout the country and the emergence of the new Democratic Party (DP) through the merger of the Progressive Federal Party, the Independent Party and the National Democratic Movement (see chapters on *Political Developments* and *Political Organisations*). The questions of political reform, constitutional negotiations and the security situation were the dominant issues in the run-up to the elections. During the campaign, which lasted five months, the Conservative Party (CP) demanded self-determination for whites in a white homeland, the DP argued for real movement towards Western democracy in a federal as opposed to a unitary system and the NP through its 'five-year action plan' stressed the need to negotiate a system of full political participation for all with protection of minorities and a move away from rigid race classification. Group rights remained the NP's point of departure.⁶ [⁶ Taylor R, 'Between Democracy and Apartheid: The South African Election', *South African Review*, no 5, 1989]

House of Assembly

The NP maintained its position as the majority party in the house by winning 93 of the 166 directly

elected seats. The CP won 39 seats, the DP winning 33 seats. One seat in the Orange Free State (Fauersmith) was tied. However, the NP won the seat on a recount of the votes, which was ordered by the Orange Free State Provincial Division of the Supreme Court (Bloemfontein) in February 1990.⁷ [⁷ *The Citizen* 15 February 1990] This gave the NP a total of 94 directly elected seats. The NP lost 17 seats to the CP and 12 to the DP. Half the seats lost by the NP were won by other parties with majorities of less than 800.⁸ [⁸ Taylor, *Between Democracy and Apartheid*] The real swing from 1987 to 1989 was leftwards to the DP. About 12% of NP voters in 1987 voted for the DP in 1989 compared with a 5% swing to the CP.⁹ [⁹ *Indicator SA*, vol 6 no 4, spring 89] While the CP gained 17 seats, its overall total of 39 fell short of the 60 to 70 seats it had predicted it would win.¹⁰ [¹⁰ *Sunday Tribune* 10 September 1989] For the first time since the 1953 general election the NP polled fewer votes than those of the combined opposition parties. The CP, DP and Herstigte Nasionale Party (HNP) obtained a total of 1 116 991 votes and the NP 1 039 704, giving the combined opposition a majority of 77 287.¹¹ [¹¹ *The Citizen* 7 October 1989]

Despite the setback suffered by the NP, it claimed that most voters were in favour of reform, adding that the increased support for the DP merely underlined the point.¹² [¹² *Sunday Tribune* 10 September 1989]

The first table opposite. *Provincial breakdown of the House of Assembly election results: 1989*, gives a provincial breakdown of the number of votes polled, the overall number of votes polled, the number of voters on the voters' list and the percentage polled in the House of Assembly.¹³ [¹³ *Government Gazette*, no 12137, 13 October 1989]

The second table opposite. *Provincial breakdown by party of House of Assembly election results: 1989*, gives the provincial breakdown of the number of votes and the total number of votes polled by each party.¹⁴ [¹⁴ *Ibid*]

The third table opposite, *House of Assembly election results: 1989* shows the number of directly elected seats won, the number of seats unopposed and the number of seats tied in the House of Assembly.¹⁵ [¹⁵ *Ibid*]

Provincial breakdown of the House of assembly election results: 1989

Pr

To Total number of voters on voters' list

% Cape of Good Hope

592 194

863 371

68,6

Natal

244 333

369 878

66,1

Orange Free State

174 209

228 959

76,1

Transvaal

1 157 193

1 657 896

69,8

Total

2 167 929

3 120 104

69,5

Provincial breakdown by party of House of Assembly election results: 1989

Cape of Good Hope

Natal

OFS^b

Transvaal

Total

Total number of votes for each party^a

CP

106 427

32 803

80 072

460 829

680 131

DP

164 687

103 043

4 381

159 333

431 444

HNP

1 262

256

590

3 308

5 416

I

—

241

—

657

898

NP

315 967

107 077

88 490

528 170

1 039 704

Number of ballot papers rejected

3

91

67

4

10Total

592 194

244 333

174 209

1 157 193

2 167 929

^a NP-National Party; CP-Conservative Party; DP-Democratic Party;

HNP-Herstigte Nasionale Party; I-Independent.

^b Orange Free State

House of Assembly election results: 1989

National Party

93

Conservative Party

39

Democratic Party

33(2)^a

Herstigte Nasionale Party

0

Independent

0

Unopposed^a

2

Equal number of votes

1

^a The two unopposed seats were won by the DP.

The table below compares the results of the 1981, 1987 and 1989 general elections according to the number of directly elected MPs, and the percentage of votes won by each party.¹⁶ [¹⁶ Taylor, 'Between Democracy and Apartheid']

House of Assembly election results: 1981, 1982 and 1989

1981

1987

1989

No of seats won

% Votes polled

No of seats won

% Votes polled

No of seats won

% Votes polled

National Party

131

(57,7%)

123

(52,5%)

93

(48,0%)

Conservative Party

a

22

(26,4%)

39

(31,2%)

Progressive Federal Party

26

(1

19

(1

b

New Republic Party

8

(7,6%)

1

(2,0%)

b

Democratic Party

a

a

33

(20,4%)

Herstigte Nasionale Party

0

(1

0

(3

0

(0Independent

—

1

(1,3%)

—

Total

165

166

165^c

^a Not yet in existence.

^c One seat tie.

^b Disbanded to form the Democratic Party.

House of Delegates

As in its inaugural elections in 1984, no single party emerged with a clear majority in the House of Delegates and the overall percentage poll remained low. Solidarity, which won 16 seats compared to the eight seats won by the National People's Party, eventually formed an administration with the support of smaller parties and independents. The overall percentage poll was 23,7% compared to the 20,2% in the 1984 election.¹⁷ [¹⁷ Mackay S, *Quarterly Countdown 14*, South African Institute of Race Relations (SAIRR), 20 January 1990] Thus, more than three quarters of the registered electorate did not participate in the elections. According to government sources, a further 5% of potential voters were not registered, which meant that the actual percentage poll was in effect lower. Of all the votes cast in the House of Delegates, 96,3% were in the form of special (prior) votes. Under the new special vote system, no special reason is necessary for casting a vote prior to election day. The Democratic Party (DP), which was severely criticised by the Mass Democratic Movement (MDM) for contesting seats in the House of Delegates, won only three of the ten seats it contested.¹⁸ [¹⁸ *Indicator SA*, vol 6 no 4, spring 1989 ¹⁹ *Government Gazette*, no 12137,]

The first table opposite, *Provincial breakdown of House of Delegates election results: 1989*, gives a provincial breakdown of the number of votes polled, the overall number of votes polled, the number of voters on the voters' list and the percentage polled in the House of Delegates.¹⁹ [¹⁹ October 1989]

The second table opposite, *Provincial breakdown of House of Delegates election results: 1989*, gives a provincial breakdown of the number of votes polled by each party and the total number of votes polled by each party.²⁰ [²⁰ Ibid]

The third table opposite, *House of Delegates election results: 1989*, indicates the number of directly elected seats won in the House of Delegates.²¹ [²¹ Ibid]

Provincial breakdown of House of Delegates election results: 1989

Pr

ToTotal number of voters on voters' list

%PCape of Good Hope

4 668

21 621

21,1

Natal

128 956

549 563

23,5

Orange Free State^a

—

—

—

Transvaal

20 900

92 420

22,6

Total

154 524

663 604

23,3

^a No seats were contested in the Orange Free State

Provincial breakdown of House of Delegates election results: 1989^a

Cape of Good Hope

Natal

OFS^b

Transvaal

Total

Number of votes for each Party^c

PIP

—

1 224

—

273

1 497

NNP

91

36 360

—

2 072

38 523

S

2 140

48 224

—

7 852

58 216

NFP

106

6 917

—

1 035

8 058

PPSA

—

2 437

—

3 627

6 064

UP

1 044

1 668

—

—

2 712

F

114

—

—

589

703

MPP

—

—

—

2 078

2 078

RP

—

701

—

—

701

DP

—

10 427

—

—

10 427

I

1 079

20 042

—

3 036

24 157

Number of ballot papers rejected

94

95

—

33

1 Total

4 668

128 956

—

20 900

154 524

^a Dashes indicate either that seats were not contested or that no votes were obtained.

^b Orange Free State.

^c PIP-Progressive Indian Party; NNP-National People's Party; S-Solidarity;NFP-National Federal Party of South Africa; PPSA-The people's Party of South Africa; UP-United Party; F-Freedom Party of South Africa; MPP-Merit People's Party; RP-Republican Party of South Africa, DP-Democratic Party; I Independents.

House of Delegates election results: 1989

Democratic Party

3

Freedom Party of South Africa

2

Independent

6

Merit People's Party

3

The National Federal Party of South Africa

1

Nation People's Party of South Africa

8

The People's Party of South Africa

1

Progressive Independent Party

—

Republican Party of South Africa

—

Solidarity

16

United Party

—

House of Representatives

As in the 1984 elections, in which it had won 76 seats, the Labour Party (LP) emerged with a clear majority, winning 69 of the 80 directly elected seats. The official opposition in the House of Representatives, the Democratic Reform Party (DRP), which held seven seats at the dissolution of Parliament, won five seats. Although the percentage poll was lower than in 1984, 20,1% compared with about 30%, the number of voters participating was slightly higher. This was because the number of people on the voters' roll almost doubled between the two elections. However, the increase in voters was relatively insignificant and the vast majority of eligible adults did not vote.²² [22 Mackay, *Quarterly Countdown 14, Indicator SA*, vol 6 no 4, spring 1989]

The table below gives a provincial breakdown as well as an overall total of the number of votes polled, the number of voters on the voters' list and the percentage polled in the House of Representatives.²³ [23 *Government Gazette*, no 12137, 13 October 1989]

Provincial breakdown of the House of Representatives election results: 1989

PrTotal number of votes polled

Total number of voters on voters list

%PCape of Good Hope

193 857

1 180 257

16,4

Natal

14 734

69 446

21,2

Orange Free State

5 175

15 440

33,5

Transvaal

47 281

173 969

27,2

Total

261 047

1 439 112

18,1

The table below indicates a provincial breakdown of the number of votes polled by each party and the total number of votes polled by each party.²⁴ [²⁴ Ibid]

Provincial breakdown of the House of Representatives election results: 1989^a

Total number of votes for each party^c

Cape of Good Hope

Natal

OFS^b

Transvaal

Total

DRP

36 705

882

—

2 154

39 741

FP

1 949

—

—

—

1 949

I

10 934

3 618

1 648

8 505

24 705

LP

131 629

8 773

3 127

28 401

171 930

NCPP

—

—

—

—

—

UDP

10 420

1 321

321

7 799

19 861

Number of ballot papers rejected

2

14

79

42

2 Total

193 857

14 734

5 175

47 281

261 047

a

Dashes indicate that either no votes were obtained or no seats were contested.

b

Orange Free State.

c

DRP-Democratic Reform Party of South Africa; FP-Freedom Party of South Africa; I-Independents; LP-Labour Party; NCPP-New Convention People's Party;UDP-United Democratic Party.

The table below gives the number of seats unopposed and the number of directly elected seats won.²⁵ [25 Ibid]

House of Representatives election results: 1989

Democratic Reform Party of South Africa

5

Freedom Party of South Africa

1

Independent

—

Labour Party

69(17)^a

New Convention Party of South Africa

—

United Democratic Party

3

Unopposed^a

17

^a The 17 unopposed seats were won by th

Extra-parliamentary responses to the elections

Extra-parliamentary organisations, including the Mass Democratic Movement (MDM) and the Azanian People's Organisation (AZAPO), dismissed the elections as 'irrelevant to the struggle of the masses to dismantle apartheid'. A spokesman for the MDM, Mr Titus Mofolo, said the main thrust of the election was the protection of white privilege and affluence.²⁶ [²⁶ *The Leader* 8 September 1989] The period leading up to election day and the election day itself was characterised by conflict between riot police and anti-election demonstrators. A number of people were killed in the western Cape, where the conflict was worst. A national stayaway called by the MDM and AZAPO was also held to protest against the elections (see chapters on *Political Developments* and *Political Organisations*). Praising the stayaway, the African National Congress said it demonstrated that the election was irrelevant to the oppressed majority.²⁷ [²⁷ *The Star* 8 September 1989]

Byelection for the House of Assembly

A byelection was held in Umlazi (Natal) in June 1990. The seat became available in April 1990 following the appointment of Mr Con Botha MP (NP) as the administrator of Natal.²⁸ [²⁸ *Ibid* 12 February 1990] The byelection took on a special significance because it was viewed by political commentators as a test or a referendum on the reform initiatives of the government.²⁹ [²⁹ *Ibid* 5 June 1990] The byelection was won by the NP candidate, Mr P Matthee, who received 5 762 votes. The CP candidate, Mr F Hitchcock, received 5 215 votes, the DP candidate, Mr T Coppen, receiving 982. While the NP retained the seat, the majority it received was reduced from 2 835 in the 1989 general election to 547. The result was interpreted by political commentators as a rejection of reform initiatives. The director of the Centre for Policy Studies at the Graduate School of Business Administration of the University of the Witwatersrand, Professor Lawrence Schlemmer, said that not only did the result indicate that the CP would win a general election, but also that it could come close to defeating the government in a referendum on a new constitution.³⁰ [³⁰ *The Citizen* 7 June 1990] The state president, Mr F W de Klerk, argued that it could not be claimed on the basis of one byelection result that the confirmed trend was a shift towards the CP. He said that the government would not stop its reform programme.³¹ [³¹ *Nationalist* July 1990]

Delimitation of seats in the House of Assembly

Speaking in Parliament in May 1990, the deputy minister of constitutional development and planning, Mr Roelf Meyer, said that the government planned to postpone the appointment of a delimitation committee for the House of Assembly to allow more time for the negotiation process. Under existing legislation, the House of Assembly's delimitation commission, which defines the boundaries of

constituencies, would have to be appointed by October 1990, while for the House of Representatives and the House of Delegates, it would have to be appointed by June 1994. Introducing the Constitution Amendment Bill, which allows for the postponement of the appointment of the delimitation commission, Mr Meyer said an important objective of the bill was to bring the delimitation timing of the three houses into line. A Conservative Party (CP) MP, Mr Jurgens Prinsloo, said the CP would oppose the bill on the grounds that it was an attempt by the government to deny the electorate its democratic right. 'The government is afraid of a delimitation which would give an additional 15 seats to the Transvaal where it is most vulnerable to the CP.'³² [³² *The Star* 22 May 1990] The Transvaal has the highest number of white registered voters, 1 703 788. The Cape province has 858 856, Natal 370 556 and the Orange Free State 238 675.³³ [³³ *Ibid* 18 April 1990]

The executive

The state president

According to the 'five-year plan of action' of the National Party (NP), approved by the NP's federal congress in June 1989, the functions and powers of the president in a new system would have to be reassessed, together with his role as head of government and the manner in which he should be elected (see *1988/89 Survey* pp690–695). NP MPs said that they accepted that the presidency had to be 'depoliticised' and its powers curtailed as the present powers of the president would be incompatible with a system in which 'group domination' was eliminated.³⁴ [³⁴ Mackay S, *Quarterly Countdown 13* (SAIRR), 25 August 1989] In April 1990, the state president, Mr F W de Klerk, reiterated that the post of state president would have to be fundamentally reformed. He said that the powers of the president would have to be curbed to prevent black or white domination and that this would be sorted out during discussions on a new constitution.³⁵ [³⁵ *Cape Times* 21 April 1990]

In August 1989 Mr P W Botha resigned as state president.³⁶ [³⁶ *The Star* 15 August 1989] This was the culmination of a conflict surrounding the leadership of the NP and the state presidency, which began in February 1989 (see *1988/89 Survey* p502). However, the actual issue which led to Mr Botha's resignation was the talks between the president of Zambia, Dr Kenneth Kaunda, and the leader of the NP, Mr De Klerk, in Zambia in August. Prior to the talks Mr Botha claimed that he had not been consulted on the proposed meeting and also said that he was opposed to the meeting because the African National Congress (ANC) initiatives were being organised in Lusaka and that Dr Kaunda had played a key role in promoting the ANC.³⁷ [³⁷ *Business Day* 15 August 1989] The minister of foreign affairs, Mr Pik Botha, insisted, however, that the state president had been consulted. Referring to the state president's statement on the presence of the ANC in Lusaka, Mr Pik Botha said that the ANC had a presence in many African and European countries.³⁸ [³⁸ *The Star* 15 August 1989] In his farewell address to the nation, the state president accused ministers of a breach of trust, of playing into the hands of the ANC and of trying to get him to lie to the country by saying that his resignation was due to ill health.³⁹ [³⁹ *The Citizen* 15 August 1989] Mr De Klerk denied that the government was playing into the hands of the ANC. He said that

the government was sad that a man who had done so much for his country had had to retire under such 'unfortunate circumstances'. In the same month, Mr De Klerk was appointed acting state president.⁴⁰ [⁴⁰ *The Star* 16 August 1990]

Following the general election held in September 1989 (see below), Mr De Klerk was elected state president.⁴¹ [⁴¹ *Sowetan* 21 September 1989]

President's Council

In September 1989 Mr De Klerk announced that the President's Council (PC) would no longer be a full time body and that only four of its 60 members would serve full time. Mr De Klerk said that the change in the composition of the PC was in line with a PC report adopted in April 1989. The report recommended that the total membership of the PC be reduced to 36. The report also recommended that under the present constitutional dispensation, the PC retain its deadlock-breaking function.⁴² [⁴² *The Citizen* 23 September 1989] However, the government acknowledged that in its present form, the PC allowed the majority party in the House of Assembly to override the House of Delegates and the House of Representatives, thereby entrenching white domination.⁴³ [⁴³ Mackay, *Quarterly Countdown* 14] Addressing the PC in November 1989, Mr De Klerk indicated that the PC might lose its function of settling disputes between the houses of Parliament on legislation, but that it would continue as an advisory body.⁴⁴ [⁴⁴ *The Citizen* 17 November 1989] The government suggested that this function could be transferred to another body such as a constitutional court (see below).⁴⁵ [⁴⁵ Mackay, *Quarterly Countdown* 14] This was consistent with the National Party's 'five-year plan of action' proposal that under a new system, the deadlock-breaking function of the PC would be transferred to 'an institution which will be held in high esteem by the whole population and will be designed to function objectively and as apolitically as possible'.⁴⁶ [⁴⁶ Mackay, *Quarterly Countdown* 13]

Constitutional developments

Constitutional court

In October 1989 the chairman of the joint parliamentary committee for constitutional development, foreign affairs and development aid, Mr Tertius Delport, indicated that 'because both the government and the people are fallible', he believed that the country needed a non-political senate, upper house or constitutional court. Mr Delport said that this body could serve as a watchdog against domination. According to him, it would protect the public from legislation which was not in its broad interest, it would be able to overrule laws in terms of a bill of rights and it would break deadlocks if consensus could not be reached between leaders of the groups represented in the legislature.⁴⁷ [⁴⁷ Mackay, *Quarterly Countdown* 14]

Bill of rights

At the time of writing the South African Law Commission had not yet published its final report on a draft bill of rights to be tabled in Parliament. The report was due to be published in the course of 1990 (see *1988/89 Survey* pp504–505).

In July 1989 the minister of information, Dr Stoffel van der Merwe, said that while the National Party (NP) accepted the concept of a bill of rights in principle, it had not accepted the commission's report, published in March 1989, in so far as it recommended that cultural, religious and linguistic values should be protected not as 'group' rights but as individual rights.⁴⁸ [⁴⁸ *Business Day* 29 July 1989]

In an article in the *Financial Mail* in June 1990 various views on a bill of rights were expressed by members of the commission, the government and the African National Congress (ANC). The vice chairman of the South African Law Commission, Mr Justice P J Olivier, said that only once a new constitution had been adopted and all racially discriminatory legislation had been repealed or amended could a full bill of rights become part of a constitutional dispensation. He emphasised that such a constitution would have to be one which came about by the will of the majority and was accepted by all the people in the country.⁴⁹ [⁴⁹ *Financial Mail* 1 June 1990] Asked how a bill of rights would fit into a new dispensation. Judge Olivier said, It will define the parameters of a new legal dispensation. We will probably have a bill of rights entrenching in the first place the Western human rights, the so-called "first generation" rights, that is civil and political. It will probably also include "second generation" socio-economic rights, and also some of the "third generation" rights such as economic rights.'⁵⁰ [⁵⁰ *Leadership*, vol 8 no 9, November 1989]

The state president, Mr F W de Klerk, said that his government 'accepts the principle of the recognition and protection of fundamental individual rights which form the constitutional basis of most Western democracies. We acknowledge, too, that the most practical way of protecting those rights is vested in a declaration of rights justiciable by an independent judiciary. However, the formal recognition of individual rights does not mean that the problems of a heterogeneous population will simply disappear. Any new constitution which disregards this reality will be inappropriate and harmful. It is not the government's policy nor its intention that any group, in whichever way it may be defined, shall be favoured above or in relation to any others'.⁵¹ [⁵¹ *Financial Mail* 1 June 1990]

A member of the ANC's legal department, Mr Albie Sachs, said, 'At the constitutional level, the issue is no longer whether to have democracy and equal rights, but, how best to achieve these principles and how to ensure that within the overall democratic scheme, the cultural diversity of the country is accommodated and the individual rights of all citizens are respected. The ANC adopted a justiciable bill of rights, based on the Freedom Charter, as official policy in January 1986.'⁵² [⁵² *Ibid*]

In February 1990 Mr De Klerk asked the South African Law Commission to investigate ways of

balanced protection in a future constitution of the human rights of all South African citizens, as well as of collective units, associations) minorities and nations. The terms of reference included the identification of the main types and models of democratic constitutions which deserved consideration in the South African context, an analysis of the ways in which the relevant rights were protected in each model, and ways in which such constitutions could be made to succeed and be safeguarded in a legitimate manner.⁵³ [⁵³ *The Citizen* 2 February 1990]

Prelude to negotiations

During the period under review constitutional negotiations became a key issue in both parliamentary and extra-parliamentary politics following a number of significant political developments in the country,

Lifting of bans and restrictions on political organisations

In his opening address to Parliament on 2 February 1990, Mr De Klerk announced that the banning orders on the ANC, the Pan Africanist Congress (PAC) and the South African Communist Party (SACP) and the restrictions on 33 organisations, including the United Democratic Front (UDF) and the Azanian People's Organisation, would be lifted immediately.⁵⁴ [⁵⁴ *Sunday Times* 4 February 1990]

Release of political prisoners

In October 1989 seven senior ANC leaders, including Mr Walter Sisulu and a senior PAC leader, Mr Japhta Masemola, were released from prison.⁵⁵ [⁵⁵ *The Star* 16 October 1989]

In his opening address to Parliament in February 1990, Mr De Klerk announced that people serving prison sentences merely because they were members of a banned organisation or had committed an offence which was an offence merely because a prohibition on the organisation was in force would be released.⁵⁶ [⁵⁶ *Sunday Times* 4 February] Responding to this announcement, the ANC said that it wanted all political prisoners freed. In the same month the minister of justice, Mr Kobie Coetsee, said that possible amnesty for or the release of people who had committed political offences was open to further negotiation (see *Indemnity* below).⁵⁷ [⁵⁷ *The Citizen* 8 February 1990]

On 11 February 1990 a senior ANC leader, Mr Nelson Mandela, was released after spending 27 years in jail. Addressing a press conference following his release, Mr Mandela said that he was confident that talks between the ANC and the government would take place soon.⁵⁸ [⁵⁸ *Business Day* 13 February 1990] Mr De Klerk called on Mr Mandela and others to assist in creating a positive climate for negotiations.⁵⁹ [⁵⁹ *The Citizen* 12 February 1990]

Indemnity

In February 1990 Mr Mandela said that the government had not met all the ANC's preconditions for negotiations and that the government should allow the unconditional return of all exiles.⁶⁰ [⁶⁰ Ibid 21 February 1990] In April Mr De Klerk said that legislation would be tabled which granted temporary indemnity from prosecution to people coming into the country to participate in discussions with the government. Subsequent to talks between the ANC and the government in May 1990, Parliament passed the Indemnity Bill. The act provides for indemnity against prosecution to be extended to people 'who in the process of conflict and in the pursuance of a cause, may have committed some or other offence'. This indemnity could be extended to people in jail, those currently awaiting trial and exiles wanting to return.⁶¹ [⁶¹ *The Star S* May 1990] Indemnity or immunity depended on the creation of a satisfactory definition of the concept 'political offender' (see *Talk between the government and the ANC* below).⁶² [⁶² *The Citizen* 8 May 1990]

Lifting of the state of emergency

In June 1990 Mr De Klerk announced the lifting of the state of emergency throughout South Africa, except in Natal and KwaZulu.⁶³ [⁶³ *The Star* 8 June 1990 (*A Mackay, Quarterly Countdown 15* (SAIRR), 10 June 1990)]

Talks between the government and Inkatha

In January 1989, on the initiative of the central government, a committee was set up between it and KwaZulu to remove obstacles to negotiations between them. This became informally known as the 'obstacles committee'.⁶⁴ [⁶⁴ *The Star*] In May 1989 Chief Buthelezi held talks with Mr De Klerk covering a number of issues, including constitutional negotiations.⁶⁵ [⁶⁵ *The Star* 29 May 1989]

In July 1989 Inkatha outlined what it saw as obstacles to negotiations and proposed ways of removing these obstacles. Inkatha said that the government's favouring of exclusive negotiations to the exclusion of certain groups or individuals for one or another reason was an obstacle to negotiations. In this regard Inkatha proposed inclusive rather than exclusive negotiations and called on the government to release Mr Mandela and other political prisoners who had already served sentences of over 15 years; lift the ban on all political organisations including the ANC; declare an amnesty through appropriate national and international channels which would allow political exiles to return; lift the state of emergency; release political detainees and restore press freedom. Inkatha also said that all discriminatory legislation such as the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953 should be abolished immediately before negotiations could begin. Inkatha added that the government should move away from its race-based group concept and accept the principle of voluntary association or freedom of association. Finally, Inkatha said that the tricameral parliamentary system was seen by blacks as entrenching apartheid and therefore a statement of intent on the part of the government should be issued slating that negotiations would replace it with a system acceptable to the majority of people Of South Africa (see *1988/89 Survey* pp673–675). Following the lifting of the ban on political organisations, including the ANC, and the release of Mr Mandela in February 1990, Chief Buthelezi said that he was

ready to start negotiations with the government immediately because Mr De Klerk had reached the point of no return in his moves away from apartheid.⁶⁶ [⁶⁶ *The Natal Mercury* 9 February 1990, *The Star* 4 April 1990]

Talks between the government and the ANC

During the period under review there were a series of meetings between representatives of the ANC and the government. Most of these meetings centred around the removal of obstacles to negotiations. In July 1989 Mr Mandela, while still a prisoner, held talks with the state president, Mr P W Botha. Mr Mandela said that the only way to peace was through dialogue with the Mass Democratic Movement (MDM) and the ANC in particular.⁶⁷ [⁶⁷ *The Citizen* 13 July 1989] In December 1989 Mr Mandela and Mr De Klerk held talks at Tuynhuys (Cape Town). The meeting was held at the request of Mr Mandela.⁶⁸ [⁶⁸ *Business Day* 12 December 1990]

In April 1990 proposed talks between the government and the ANC were cancelled after the ANC withdrew from the talks. The ANC said that it had suspended talks with the government in protest against police action in Sebokeng (southern Transvaal) where 12 people had been killed after police had opened fire on a crowd demonstrating against rent and living conditions.⁶⁹ [⁶⁹ *City Press* 1 April 1990] However, following a meeting between Mr Mandela and Mr De Klerk in the same month, it was agreed that talks between the ANC and the government should proceed as planned. Mr De Klerk assured Mr Mandela that the circumstances surrounding the Sebokeng shootings would be investigated.⁷⁰ [⁷⁰ *The Citizen* 7 April 1990]

In May 1990 the first official talks between the government and the ANC were held at Groote Schuur in Cape Town (see chapter on *Political Organisations*). The government delegation consisted of the state president, Mr F W de Klerk; the minister of constitutional development and planning, Dr Gerrit Viljoen; the minister of justice, Mr Kobie Coetsee; the minister of foreign affairs, Mr Pik Botha; the minister of planning and provincial affairs, Mr Hernus Kriel; the deputy minister of constitutional development and planning and of national education, Mr Roelf Meyer; the minister of law and order, Mr Adriaan Vlok; the minister of energy affairs and public enterprises, Dr Dawie de Villiers; the minister of finance, Mr Barend du Plessis; and the minister of education and development aid, Dr Stoffel van der Merwe. The ANC delegation consisted of the deputy president of the ANC, Mr Nelson Mandela; the director of international affairs of the ANC, Mr Thabo Mbeki; the commander-in-chief of Umkhonto we Sizwe, Mr Joe Modise; the secretary general of the ANC, Mr Alfred Nzo; the general secretary of the SACP, Mr Joe Slovo; the internal leader of the ANC, Mr Walter Sisulu; the publicity and information officer of the internal leadership core of the ANC, Mr Ahmed Kathrada; and the head of religious affairs of the ANC, Mrs Ruth Mompati. It also included leaders of the MDM: the publicity secretary of the UDF in the western Cape, Miss Cheryl Carolus; the co-president of the UDF, Mr Archie Gumede; and Dr Beyers Naudé.⁷¹ [⁷¹ *The Star* 29 March 1990, *City Press* 15 April 1990] As a result of the talks, a document called the 'Groote Schuur Minute' was drafted and signed by the ANC and the government. The document allowed for the establishment of a working group consisting of ANC and government members to investigate and make recommendations on a definition of political offences and advise on mechanisms

for dealing with the release of political prisoners and the granting of immunity (see *Indemnity* above). At the time of writing the report of the working group was not available.⁷² [72 *The Citizen* 4 May 1990] Subsequently, a 'Pretoria Minute' was signed in August, in which the ANC promised to suspend 'armed struggle'.

Constitutional negotiations

Listed briefly below are the positions of certain parliamentary and extra-parliamentary groupings regarding key aspects of negotiations.⁷³ [73 Unless otherwise specified, material in the following three subsections is derived from Mackay, *Quarterly Countdown* 15] For a more detailed discussion on negotiations see chapter on *Political Organisations*.

Process

According to the director of international affairs of the **African National Congress** (ANC), Mr Thabo Mbeki, once the first phase of negotiations, the removal of obstacles, had been addressed, the question of armed confrontation and a mutual suspension of hostilities must be discussed.

The **Azanian People's Organisation** (AZAPO) rejected negotiations and instead supported the setting up of a constituent assembly, which would involve the ruling party's resigning and playing an identical role to that of all other political participants.⁷⁴ [74 *The Weekly Mail* 4 August 1989]

The Conservative Party (CP) said in September 1989 that it was against inviting 'terrorists' like the ANC to talks and said that the CP found it unacceptable that the ANC would be allowed the opportunity to decide on the rights and freedoms of whites. However, the CP said it would negotiate with democratically elected leaders of other communities.⁷⁵ [75 *The Citizen* 27 September 1989]

In April 1990 the **Democratic Party** (DP) said that it was possible that an interim government, or a government of national unity, could be set up to manage South Africa while negotiations were taking place.⁷⁶ [76 Mackay S, *Quarterly Countdown* 18]

Inkatha Yenkululeko Yesizwe (Inkatha) argued that there should first be a mutually agreed upon procedure for the conduct of negotiations, devised by all participating parties. Then, following successful negotiations, a free and fair election for a new democratic government should be held.⁷⁷ [77 *The Natal Witness* 12 March 1990]

The **National Party** (NP) favoured a three-phase approach to the process of negotiations. In March 1990 the minister of constitutional development and planning, Dr Gerrit Viljoen, said that the first phase would involve the clearing away of perceived obstacles, the next phase would deal with how negotiations should be structured and who should be there, and the last phase would involve the actual

negotiation of a constitution. The government rejected the idea of both an interim government and a constituent assembly.⁷⁸ [⁷⁸ *The Star* 28 March 1990] The state president, Mr F W de Klerk, insisted that any new constitutional proposals would have to be approved by the white electorate in a referendum or election before they were implemented.⁷⁹ [⁷⁹ *City Press* January 1990]

The **Pan-Africanist Congress (PAC)** rejected negotiations and said that a constituent assembly based on one-person one-vote, to draw up a new constitution, had to be established."

Participants in negotiations

The **African National Congress** favoured negotiations between all existing parties. In February 1990 Mr Mbeki said that the genuine representatives of the people for the purpose of drawing up a constitution should be determined by nonracial elections. He added that those who favoured nonracial democracy should sit on one side and those representing group-based thinking should sit on the other. The publicity secretary of the United Democratic Front, Mr Patrick Lekota, said that if an electoral process was the means of selecting regional leaders or constituency leaders, there ought to be a place for homeland leaders who had majority support.

In October 1989 a spokesman for the Democratic Party, Mr Harry Schwarz, said that negotiations should be as inclusive as possible, representing a variety of opinions.⁸⁰ [⁸⁰ *The Star* 28 October 1989]

Inkatha Yenkululeko Yesizwe favoured inclusive, as opposed to exclusive, negotiations. In April 1990 the chief minister of KwaZulu and the president of Inkatha, Chief Mangosuthu Buthelezi, said that all political parties should be involved in the politics of negotiation.⁸¹ [⁸¹ *The Citizen* 6 April 1990]

The chief minister of KaNgwane and the leader of the **Inyandza National Movement**, Mr Enos Mabuza, said in March 1990 that the Namibian model of a constituent assembly should be used to determine who would represent the people of South Africa in drawing up a new constitution. Inyandza rather than KaNgwane should be represented at these talks.

The chairman of the ministers' council in the House of Representatives and the leader of the **Labour Party**, the Reverend Allan Hendrickse, said in February 1990 that talks should be as inclusive as possible and should involve leaders of significant groupings both inside and outside Parliament.

The National Party favoured inclusive negotiations. In May 1990 Dr Viljoen said that the government wished to ensure that negotiations would be as inclusive and comprehensive as possible, including all South African political organisations with a proven substantial support base, provided they committed themselves to peaceful negotiations.⁸² [⁸² *Ibid* 29 May 1990] The NP's chief information officer, Mr Renier Schoeman, said that the position of elected leaders in Parliament as well as of the non-independent homeland leaders would be guaranteed at the negotiating table.

The chief minister of **QwaQwa**, Mr Kenneth Mopeli, said in March 1990 that representatives of the people in the drawing up of a new constitution for South Africa could be determined by the Namibian model of a constituent assembly.

In April 1990 the national chairman of **Solidarity**, Mr Ismail Omar, said that negotiations should include leaders of significant groupings both inside and outside Parliament and that they should be as inclusive as possible.

Constitutional perspectives

The African National Congress envisaged a unitary state, with universal suffrage on a common voters' roll based on one-person one-vote. A bill of rights enforceable by an independent judiciary was also envisaged. The protection of religious, cultural and language rights was supported and provision was made for the existence of non-racist parties in a multiparty democracy.

The **Azanian People's Organisation** supported a one-person one-vote franchise, a unitary state under a socialist economic system and the redistribution of resources. The homeland system and any form of federal structure was rejected.

The **Conservative Party** (CP) favoured partition and self-determination. In April 1990 the CP spokesman on law and order, Mr Koos van der Merwe, said the party accepted that it could not force its model on all other groups, and was therefore now demanding only self-determination for the Afrikaner in his own state. If other people wanted to enter into a nonracial democracy the CP would not stop them. The homeland system fitted into the CP's idea of racially exclusive homelands.

The **Democratic Party** (DP) envisaged universal adult suffrage in a geographic federation of states or provinces, each conducting its own affairs. Matters of national concern such as foreign affairs, national finance and defence, would be dealt with by the central government. Each party would be represented at all levels by proportional representation to prevent majority domination and to protect minorities. The right of every South African to own property would be included in a bill of rights. In March 1990 the co-leader of the DP, Dr Zach de Beer, said that the legislative, judicial and executive arms should be separate. The DP supported the idea of consensus government and therefore the concept that special majorities might be required for special issues.

In November 1989 the chief minister of **Gazankulu**, Professor Hudson Ntsanwisi, said that Gazankulu should be represented as a separate regional government in a new South Africa.

Inkatha Yenkululeko Yesizwe (Inkatha) supported a nonracial multi-party democracy in a united South Africa with one sovereign Parliament. No non-independent homeland should be allowed to declare independence and 'independent' homelands should be allowed to return to South Africa if they so wished. Inkatha was prepared to compromise on its ideal of one-person one-vote in a unitary state. It sought protection of individuals and minorities in democratic ways, no domination of one group over

another and the protection of cultural activities. It advocated an independent judiciary and the rule of law. All should have the right to own property and to follow their entrepreneurial skills.

In March 1990 Mr Mabuza said that the **Inyandza National Movement** envisaged the dismantling of the homelands, and the institution of a united nonracial democracy based on universal franchise and incorporating a bill of rights.

The chief minister of KwaNdebele, Mr Masana Mahlangu, said in May 1990 that KwaNdebele had been given a clear mandate by its people to rejoin a new democratic South Africa when they rejected independence in 1986.

The chief minister of Lebowa, Mr Nelson Ramodike, said in May 1990 that Lebowa envisaged the dismantling of all homelands and the institution of a single Parliament in a unitary nonracial and multiparty democracy.

The **Labour Party** favoured a nonracial geographical federation based on the four existing 'white-designated' provinces, together with the homelands. Provision had to be made for a federal parliament elected by proportional representation, including a federal senate in which all states would have equal representation. It wanted either a directly elected president or one elected by both houses of the federal legislature. A bill of rights enforced by an independent judiciary was envisaged.

Referring to the view of the **National Party** (NP) on a future constitution, Dr Viljoen said in March 1990 that there would have to be structural guarantees for minorities. In April 1990 Mr De Klerk said the NP was opposed to simple majority rule.⁸³ [⁸³ Ibid 20 April 1990] In July 1990 the deputy minister of constitutional development and planning, Mr Roelf Meyer, said the government was committed to a pluralistic concept of democracy and that any future constitution would need to make structural provision for the protection of minorities.⁸⁴ [⁸⁴ Ibid 3 July 1990] In April 1990 Dr Viljoen said that one of the models the government was looking at was a two-chambered Parliament with the lower house elected on the basis of one-person one-vote. The second chamber would possibly be based on the concept of equal representation for each geographic unit in South Africa plus elected representatives of each race group. This would allow the second chamber to block legislation affecting minority groups on important political issues, including such things as the nature of the economic system and regular elections. According to Mr De Klerk local government based on colour only would have to be replaced by a system of power-sharing without domination. The NP supported a bill of rights and an independent judiciary.

In March 1990 the secretary general of the **Pan-Africanist Congress** (PAC, internal), Mr Benny Alexander, said the PAC was striving for a unitary state with universal adult suffrage on a nonracial basis, together with the return of the land to the African people and African majority rule. A union of African states was envisaged. The homeland system was rejected.

In March 1990 the chief minister of **QwaQwa**, Mr Kenneth Mopeli, said that QwaQwa should become a

nonracial regional government within a greater South African federal government.

In April 1990 the national chairman of **Solidarity**, Mr Ismail Omar, said that Solidarity envisaged a one-person one-vote franchise in some type of federal structure. Provision would be made for the protection of minorities, which would be formed on a voluntary basis of freedom of association. Property rights would have to be ensured.

The head of the ruling military council of **Transkei**, Major General Bantu Holomisa, envisaged a multi-party democracy within a political system to be decided at the negotiating table. He was in favour of reintegration into South Africa and a referendum would be held on the issue. He did not support the idea of homeland regional governments.

In April 1990 the new military leader of **Venda**, Lieutenant Colonel Gabriel Ramushwana, said that it was not necessary to hold a referendum on reincorporation because 'all the people of South Africa are working towards that goal'.⁸⁵ [⁸⁵ *City Press* 8 April 1990]

The Second Tier

Provincial administrations

In June 1989 the Transvaal member of the executive committee responsible for local government and housing, Mr Olaus van Zyl, said that the introduction of a legislative body representing all the people of the Transvaal was one of a number of changes that could take place at a provincial level. According to Mr Van Zyl, the body should preferably have the power to raise finance and should be implemented only after there was clarity on a new constitution. Constitutional planners said that they did not expect problems if multiracial legislatures were introduced since the present provincial administrations, although not elected, were already multiracial. A major reason for interest in the reintroduction of elected provincial legislatures was a belief among planners that the present system had deprived provincial administrations of the powers they needed to function effectively. A number of functions previously carried out by provincial bodies had been transferred to own affairs administrations or Regional Services Councils (see below).⁸⁶ [⁸⁶ Mackay, *Quarterly Countdown* 14]

In his 1990 new year message, the administrator of the Transvaal, Mr Danie Hough, said that the provincial government would resort to 'strict and responsible action' against people who were deliberately attempting to wreck the system of black local authorities (see below). He said the task rested on the shoulders of the provincial government to place recently established black local authorities on a firm footing. He said other challenges facing the provincial government included orderly urbanisation and environmental conservation.⁸⁷ [⁸⁷ *Sowetan* 3 January 1990]

In May 1990 the government said it would give priority to economic development in KwaZulu/Natal in

an attempt to end the ongoing conflict in the province. The minister of provincial affairs and planning, Mr Hernus Kriel, said an action committee would be set up under the chairmanship of the deputy minister of provincial affairs, Mr Tertius Delport, to co-ordinate socio-economic development of the KwaZulu/ Natal region. The action committee would consist of very senior officials and representatives of all the role-players in the area. It would have a regional co-ordinator, who would serve as chief executive officer and deputy chairman.⁸⁸ [⁸⁸ *The Natal Witness* 22 May 1990]

In July 1990 the KwaNdebele government and the Transvaal Provincial Administration (TPA) agreed in principle to the formation of a joint executive authority. Commenting on the agreement, the chief minister of KwaNdebele, Prince James Mahlangu, said that the parties had agreed to form functional and political committees to look into the needs and common interests of KwaNdebele and the TPA. Mr Hough said the two parties were at present conducting bilateral informational discussions which could pave the way for a multilateral structure, since the Transvaal consisted of four homelands and the province.⁸⁹ [⁸⁹ *The Star* 19 July 1990]

Joint Executive Authority for KwaZulu and Natal

In June 1989 the member of the executive committee responsible for implementation of regional services councils (RSCs) in Natal, Mr Peter Miller, announced that the government was suspending the introduction of RSCs in Natal.⁹⁰ [⁹⁰ *Sunday Times* 4 June 1989] In the same month, the chairman and the vice chairman of the joint executive authority (JEA) of KwaZulu and Natal, Mr V A Volker and Dr Oscar Dhlomo, announced that an ad hoc committee of the JEA had reached agreement on a draft bill to permit the joint establishment by the JEA of metropolitan services boards to provide municipal services on a regional basis in Natal and KwaZulu. They added that the bill, the KwaZulu and Natal Joint Services Bill, had been accepted by the JEA and would be submitted to central government for approval after formal ratification by the KwaZulu cabinet and the administrator-in-executive committee. The agreement on the bill brought an end to deadlock between the government and the KwaZulu administration over the introduction of RSCs into KwaZulu. The KwaZulu administration had rejected RSCs from the outset on the grounds that the government had not consulted blacks before introducing them.⁹¹ [⁹¹ Mackay, *Quarterly Countdown* 13]

In June 1990 the KwaZulu and Natal Joint Services Act was passed by Parliament. The act provides for the establishment, throughout the Natal/KwaZulu region, of joint services boards by the JEA to deal with the provision of services on a regional basis and replaces the Regional Services Council Act of 1985 as far as Natal and KwaZulu are concerned; it enables the JEA to delimit, combine, and alter the boundaries, and to revoke the delimitation of regions; and it outlines the powers and duties of the joint services boards.⁹² [⁹² Memorandum on the objects of the KwaZulu and Natal Joint Services Bill, KwaZulu and Natal Joint Services Bill, B86-90(GA), 1990]

In June 1990 Dr Dhlomo announced his resignation from the JEA.⁹³ [⁹³ *The Natal Witness* 2 June 1990]

The KwaZulu/Natal Indaba

Following a meeting between the minister of constitutional development and planning, Dr Gerrit Viljoen, and the chairman of the KwaZulu/Natal Indaba, Dr Oscar Dhlomo, in May 1990 a joint statement was issued saying that it was agreed that the pursuit of regional constitutional options should be held in abeyance in view of impending national negotiations. It was further agreed that all endeavours should be made to afford the Indaba an opportunity of submitting its proposals to the forthcoming national negotiations. Dr Viljoen acknowledged the useful input made by the Indaba process in constitutional thinking.⁹⁴ [⁹⁴ Ibid 22 May 1990]

The resignation in June 1990 of the Indaba's two key figures, Dr Dhlomo and its director, Mr Peter Mansfield, signalled the end of the Indaba four years after its launch. Commenting on his resignation, Mr Mansfield said the Indaba had run its course. It played an important part in stimulating thinking in South Africa about negotiations, but events have reached a stage where national solutions can and must be debated, I saw the Indaba as a regional means to a national end.⁹⁵ [⁹⁵ *The Natal Witness* 4 June 1990]

The Third Tier

Regional Services Councils (RSCs)

Establishment of RSCs

During the period under review, the system of regional services councils (RSCs) was fully established in all provinces except Natal (see above). At the time of writing, there were 37 RSCs in South Africa. There were 21 in the Cape province, 12 in the Transvaal and four in the Orange Free State.

Rural councils

In September 1989 the minister of local government and housing in the House of Assembly, Mr Arnie Venter, said that white rural councils would be established in the Cape province and the Transvaal. The rural councils are intended mainly to give rural communities representation on RSCs. Before their introduction only municipalities were automatically entitled to representation. Rural councils are an 'own' affair and the House of Delegates and House of Representatives have not as yet decided to introduce any of these councils. While the government agreed in April 1989 to the establishment of rural councils for Africans, no such councils appear to have been established. The introduction of rural councils has thus far increased white representation on RSCs but not that of other races.⁹⁶ [⁹⁶ Mackay, *Quarterly Countdown* 14] At the time of writing there were 79 white rural councils, established in all the provinces except Natal. There were 58 in the Cape province, 12 in the Orange Free State and 9 in the

Transvaal.⁹⁷ [⁹⁷ Information received from the Department of Local Government, Housing and Works, per the Directorate: Local Government (Administration: House of Assembly), 25 July 1990]

Regional levies

In October 1989 the Pretoria and Western Cape RSCs raised their levies. The Pretoria RSC raised its services levy (salaries and wages) by 28% from 0,25% to 0,32% and its establishment levy (turnover) by 35% from 0,1% to 0,135%. The western Cape RSC raised only its turnover levy by 15% from 0,1% to 0,115%. Prior to these increases, RSC levies had been uniform, 0,25% on payroll and 0,1% on turnover, for all RSCs (see *1987/88 Survey* p 123). The increases were thus the first sign of regional differentiation in levies.⁹⁸ [⁹⁸ *Business Day* 12 October 1989] Subsequent to this, a number of other RSCs also increased their levies. In November 1989 the president of the RSC Association of South Africa, Mr Pietie Loubser, said that the total income from payroll and turnover levies for the financial year July 1988 -June 1989 amounted to approximately R532m. There were 16 functional RSCs at the time.⁹⁹ [⁹⁹ Mr P J Loubser, address to Bureau for Information, Cape Town, 28 November 1989] In July 1990 Mr Loubser said the total income for the 37 established RSCs from levies for the 1989/90 financial year was approximately 673m.¹⁰⁰ [¹⁰⁰ Information received from Mr P J Loubser 25 July 1990]

Voting on RSCs

Despite the obligatory annual determination of voting power on RSCs, the major determinant of voting strength remained the proportion of RSC services consumed by each local authority. According to the *South African Policy Review* of November/December 1989, the number of members nominated by a local management institution for an RSC was determined by the percentage of services such an institution bought from the council.¹⁰¹ [¹⁰¹ *South African Policy Review* November/December 1989]

Local government

In May 1990 the minister of planning and provincial affairs, Mr Hernus Kriel, said the government was committed to creating a new system of local government that was not based on race. He said that power sharing would be the guiding principle and there would be no domination of minorities. Mr Kriel said that black local authorities at present lacked credibility because they had no sound financial basis.¹⁰² [¹⁰² *The Star* 22 May 1990] In the same month the Thornhill committee, a technical committee of the Council for the Co-ordination of Local Government Affairs, presented a progress report on its investigation into a uniform local government system to the council. The committee concluded that because of the diversity and need to accommodate regional differences, the replacement of the Present collection of acts and ordinances by a single act on local government would be neither feasible nor desirable. It therefore proposed a system of autonomous local authorities with maximum powers and functions, which would be regulated by a uniform legal framework laying down general principles and accommodating regional

differences. Divergent local circumstances and needs would be provided for by means of negotiated constitutional and institutional local options.¹⁰³ [¹⁰³ *Progress Report of the Technical Committee of the Council for Co-ordination of Local Government Affairs* May 1990] The committee recommended four models for local choice:

- separate local authorities for various population groups, as at present, where this was viable;
- local services councils, where autonomous local authorities would constitute a joint administration;
- community government which entailed a joint local authority for a town or city with an option to establish neighbourhood management committees on a nonracial geographical basis, with nonracial voters' rolls in its wards; and
- a simple majoritarian model, with or without wards, and with or without protection of minorities, on a nonracial basis.

However, the report also recommended that where negotiation at a local level indicated that the communities concerned felt they could set up a better model for themselves, this too should be possible.¹⁰⁴ [¹⁰⁴ *The Citizen* 29 May 1990]

In addition to this, the committee recommended various ways in which the executive authority of a local authority could be constituted. It suggested that in addition to the present system of electing a mayor, local authorities could also consider an indirectly elected mayor, or the American system of the voters themselves directly electing the mayor. Mr Kriel said that in broad terms, the recommendation was that a new system be created, consisting of autonomous, democratically elected local authorities with maximum powers and functions. He warned that, in re-examining structures, local authorities should not think in terms of existing boundaries, for example, black areas could not simply be excluded where these were within the same area.¹⁰⁵ [¹⁰⁵ *Ibid*] Mr Kriel said in June 1990 that the Thornhill committee had also been asked to flesh out suggestions, particularly regarding the detail of how a forum could be established to negotiate a local option.¹⁰⁶ [¹⁰⁶ *Financial Mail* 1 June 1990]

In June 1990 the minister of justice, Mr Kobie Coetsee, said that the possibility of devolving functions such as health, education, transport, justice and prisons from central on to local government should be investigated.¹⁰⁷ [¹⁰⁷ Mr Kobie Coetsee, address to the congress of the Institute of Town Clerks, 5 June 1990]

Political developments in white, coloured and Indian local government

In March 1990 a spy network run by the Johannesburg City Council was uncovered. Responding to reports, the town clerk, Mr Manie Venter, admitted the existence of such a network and said that it was started in 1985/86 in the light of socio-political circumstances in the country at the time and that it was

abolished in July 1989. However, reports in *The Star*, which uncovered the network, claimed that the intelligence system had been set up by the council's security department in 1983 and that it was still functioning in November 1989. The network was alleged to have used council revenues to spy on and monitor the activities of various organisations and individuals.¹⁰⁸ [¹⁰⁸ *The Star, The Citizen* 22 March 1990]

Following demands that a commission of inquiry be appointed to investigate these allegations, the administrator of the Transvaal, Mr Danie Hough, appointed a commission of inquiry, under the chairmanship of Mr Justice V G Hiemstra, into alleged irregularities in the Johannesburg City Council's security department. The terms of reference of the commission were 'to inquire into the validity and justification of alleged irregularities in connection with certain security matters in the security department of the city council, as exposed in the press, and to further investigate the question whether any violation of any ordinance, regulation or other act in regard to the safeguarding of the council's information in connection with security matters [has] occurred'.¹⁰⁹ [¹⁰⁹ *The Star* 29 March 1990] At the time of writing the report of the commission was not available.

Black local authorities (BLAs)

In April 1990 a 20% pay increase for mayors and councillors was announced. The announcement drew strong criticism from extra-parliamentary groupings. The treasurer of the United Democratic Front (UDF), Mr Azhar Cachalia, said the increase was an effective vote of confidence in the black local authorities (BLAs) which did not have the support of their communities and were alleged to be corrupt. The publicity secretary of the Azanian People's Organisation, Mr Strini Moodley, said it was 'criminal' to increase salaries of people who did not represent the community when millions of black people were starving and unemployed.¹¹⁰ [¹¹⁰ *Ibid* 6 April 1990]

In May 1990 the Transvaal member of the executive committee (MEC) for local government, Mr Olaus van Zyl, dissolved the Lekoa Town Council for failing to rectify the council's unhealthy financial state of affairs. The president of the United Municipalities of South Africa (UMSA), Mr Tom Boya, strongly criticised Mr Van Zyl for the decision and called for his resignation. The Vaal Civic Association, an affiliate of the UDF, praised Mr Van Zyl's actions while criticising councillors for wanting to hold on to their jobs.¹¹¹ [¹¹¹ *City Press* 27 May 1990] The Lekoa Town Council said that it would challenge the decision in court. Other councils which have been dissolved by the Transvaal Provincial Administration (TPA) during the period under review include Tokoza (east Rand), Tsakane (east Rand), Embalenhle (eastern Transvaal), KwaGuqa (eastern Transvaal), and Zithobeni (northern Transvaal).¹¹² [¹¹² *Sowetan* 28 May 1990]

In June 1990 the deputy director general of community services of the TPA, Mr Len Dekker, said that bridging finance to BLAs would be curtailed from July 1990 and that BLAs would have to start providing for themselves. He said that collection of rents and services charges would have to improve dramatically as the TPA was simply unable to afford bridging finance. He added that the boycott of

payments had increased the need for financial assistance to R35,5m in April and R60,5m in May. However, only R26m a month was available as bridging finance for the whole of the Transvaal. Mr Dekker said that the TPA's actions had been dictated by the simple fact that it did not have funds to pay for, or subsidise, consumer services indefinitely.¹¹³ [¹¹³ *Business Day* 20 June 1990]

Resignation of councillors

During the period under review, a number of black town councillors resigned from their posts, resulting in an increasing number of councils being unable to function,

In March 1990, 61 councillors resigned in the Transvaal. Commenting in April on the resignations, Mr Van Zyl said that the councillors had resigned as a result of intimidation and violence but denied that the system of local government was crumbling. The acting publicity secretary of the UDF, Mr Murphy Morobe, said Mr Van Zyl's claims of intimidation were 'nonsense' and added that the system of local government had been destined to collapse from its inception. He said the people's rejection of the system had been demonstrated by the low percentage polls in the 1988 municipal elections (see *1988/89 Survey* p514).¹¹⁴ [¹¹⁴ *The Star* 2 April 1990] In the same month the Cape MEC for black local government, Mr Temba Nyati, admitted that the system of black local government was in a crisis and called for the creation of single local authorities.¹¹⁵ [¹¹⁵ *Daily Dispatch* 13 April 1990]

In April 1990 figures cited in *The Star* claimed that 299 wards were vacant countrywide. The Transvaal and eastern Cape were the most affected. In the Transvaal 107 out of 692 wards were vacant and ten out of 82 town councils were not functioning normally.¹¹⁶ [¹¹⁶ *The Star* 25 April 1990] A spokesman for the Cape Provincial Administration, Mr W van Heerden Heunis, confirmed in April 1990 that at least 98 vacancies had arisen in the eastern Cape since January 1990. He said that 11 councils had no quorum while another five councils functioned by means of government-appointed administrators. He added that the western Cape region had 33 vacancies out of 148 posts while in the northern Cape there were six out of 152.¹¹⁷ [¹¹⁷ *Eastern Province Herald* 12 April 1990]

In May 1990 the mayor and chairman of the Seshego Town Council (northern Transvaal), Mr Chris Dipela, said that the entire council had resigned following a call by the local civic association to address the housing shortage or resign before 31 May 1990.¹¹⁸ [¹¹⁸ *New Nation* 18 May 1990]

Municipal associations

In November 1989 both LIMSA and the Urban Councils' Association of South Africa (UCASA) agreed that the merging of the two groups could bring big changes for local government. The mayor of Daveyton (east Rand) and president of UMSA, Mr Tom Boya, and the national organiser of UCASA, Mr Zikhali Ndlazi, said that should the two organisations merge, it would benefit not only the two organisations but also the community they served. UMSA was formed as a breakaway from UCASA in

February 1987 (see *1987/88 Survey* p136).¹¹⁹ [¹¹⁹ *The Citizen* 22 November 1989] At the time of writing, no such merger had taken place.

In March 1990 Mr Boya rejected the notion that councillors serving in black local government represented a stumbling block to future non-racial local government. Addressing an UMSA meeting in Daveyton, Mr Boya said that UMSA had always rejected racism and domination. He contended that the government had created BLAs 'to curtail the inefficient and arrogant development boards' which had previously ruled all aspects of township life.¹²⁰ [¹²⁰ *The Star* 5 March 1990]

In April 1990 UMSA called on the government to dismantle local authorities based on colour. He said, 'Effective and efficient provision of services cannot be carried out while clinging to apartheid structures as they tend to duplicate and sometimes triplicate the cost of rendering them.'¹²¹ [¹²¹ *City Press S* April 1990]

In April 1990 UCASA said the government was responsible for the mass resignation of councillors (see above). Delegates attending the annual general meeting of Urban Councils' Association of Transvaal, a UCASA affiliate, warned that if the government did not increase its security for councillors and their families, BLAs would collapse.¹²² [¹²² *Sowetan* 30 April 1990]

In May 1990 UCASA held talks with the minister of constitutional development and planning, Dr Gerrit Viljoen. Dr Viljoen said that the purpose of the meeting was to inform UCASA about recent developments in the negotiation process, with particular reference to local authority affairs. The president of UCASA, Mr Philip Nhlapo, confirmed UCASA's willingness to contribute to the negotiation process.¹²³ [¹²³ Press statement issued by the Ministry of Constitutional Development, 21 May 1990]

BUSINESS

Business Policy

Desegregation of trading areas

The minister of constitutional development and planning, Mr Chris Heunis, said in February 1989 that as at 31 December 1988, a total of 85 central business districts (CBDs) had been proclaimed as open trading areas and that 44 were still under investigation.¹ [¹ *Hansard* (A) 3 q col 123] In 1986, 26 CBDs had been declared open; in 1987, 30; and in 1988, 29. In 1989, 15 CBDs were opened, giving a total of some 100 white CBDs which had been opened to black traders.² [² *African Business* December/January 1989] Of the open trading areas, 47 were in the Cape. 18 in Natal, five in the Orange Free State, and 30 in the Transvaal.³ [³ *Black Enterprise* March 1990] The move towards the declaration of free trade areas was part of the government's deregulation policy and efforts to encourage the development of black business.⁴ [⁴ *Finance Week* 23 February 1989]

In January 1990 the Johannesburg City Council approved a proposal to declare the whole municipal area a free trade area subject to the approval of the Department of Constitutional Development and Planning.⁵ [5 *The Citizen* 31 January 1990] Once the proposal had been approved, Johannesburg would be the first South African city to be opened in its entirety to trading by all races.⁶ [6 *Black Enterprise* March 1990] The chairman of the Johannesburg management committee, Mr Jan Burger, said that he did not expect a rush for business premises because many blacks had been trading in white areas since the turn of the century.⁷ [7 *The Star* 21 January 1990] Commenting on the opening up of the CBD in Pretoria as a free trade area in January 1990, the chief executive of the Pretoria Chamber of Commerce, Mr Alcede Beer, said that the move was inline with the free trade principle but that overnight changes would not occur because high rentals discouraged new traders from entering the CBD to trade.⁸ [8 *Business Day* 1 February 1990] A Johannesburg city councillor belonging to the Democratic Party, Mr Clive Gilbert, said that blacks could rent business premises in the free trade areas but could not buy them. He accused the ruling National Party (NP) of ignorance of the law and challenged the chief whip of the NP, Mr Hein Kruger, to withdraw a claim that blacks could own property in free trade areas in white-designated areas.⁹ [9 *The Star* 23 January 1990]

The chairman of the Johannesburg Central Business District Association, Mr Nigel Mandy, argued in February 1989 that 'there is no longer justification for non-residential use of property to be subject to the Group Areas Act' (of 1966). He saw the declaration of free trade areas as a cumbersome device, which had served a useful transitional purpose but which should now be abolished.¹⁰ [10 *Finance Week* 23 February 1989]

Open CBDs had proved to be expensive for many black traders. Mr Burger claimed that the opening of the Johannesburg CBD to black traders in 1986 had not been 'much use to them in practice'. The traders had stressed that they were not looking for upmarket establishments in expensive areas such as the CBD but were interested in corner cafe-type businesses along the Putco bus routes, such as at Booyens and Ophirton.¹¹ [11 *The Star* 2 February 1990] A Soweto civic leader, Dr Nthato Motlana, said that the CBD rentals were beyond the reach of many black traders. He argued that it would be better if peripheral areas were opened where black traders could afford to operate.¹² [12 *Finance Week* 23 February 1989]

The Witwatersrand regional manager of Old Mutual Properties, Mr Ian Watt, said in July 1989 that the tempo of CBD lettings to black businessmen was gaining momentum in Johannesburg. The number of black tenants had almost doubled from 57 in October 1988 to 108 in July 1989.¹³ [13 *Sunday Tribune* 16 July 1989] Mr Anton Bieber, the new regional manager, estimated in March 1990 that up to 60% of the new leases in the CBD had been signed by black businessmen.¹⁴ [14 *Black Enterprise* March 1990]

Decentralisation

According to the annual report of the Board for the Decentralisation of Industry for the period 1 April 1988 to 31 March 1989, a total of 1 042 projects out of 1 106 applications were approved for the standard package of concessions in decentralisation areas and 130 projects were approved for the simplified wage incentive package (excluding the 'independent' homelands). These 1 042 projects were seen to have the potential of creating 70 721 job opportunities at a cost of R2,2bn, representing an average of 08 job opportunities at R2,1m per project. Of the 1042 approved projects:¹⁵ [15 Board for the Decentralisation of Industry, Annual report 1988/89]

- 538 (52%) were for the creation of new industries;
- 302(29%) were for the expansion of existing projects;
- 115(11%) were for the relocation of foreign firms to South Africa; and
- 87(8%) were for the relocation of local firms.

The projects that were approved in terms of the simplified wage incentive package had the potential to create 1 152 job opportunities, which would bring the total number of job opportunities recorded since the inception of that wage package to 4 824.

Since 1982, when the two packages were introduced, 408 928 job opportunities had been created for Africans, representing 79% of the total number created, 46 785 (9%) for coloured people, 30 514 (6%) for Indians, and 31 749 (6%) for whites.

During the period 1 April 1988 to 31 March 1989, 471 projects were approved in regions D and E, which comprised 45% of the total number of approved projects and also just under 44% of the total number of potential jobs created. The highest number of approved applications was for Port Elizabeth/Uitenhage (eastern Cape) with 86 applications, followed by East London (eastern Cape) with 77, and Isithebe (KwaZulu) with 72. These three together made up almost 50% of the approved applications for regions D and E.

A regional breakdown of the 1 042 approved applications, the expected employment to be created (percentage of the expected jobs in brackets), and the total expected investment are shown in the following table:

Application foe decentralised benefits: 1988/89

Re

Ap

ExExp(A) Western Cape

153

5 112

(7,2%)

272,7

(B) Northern Cape/western Transvaal

32

1 480

(2,1%)

52,5

(C) OFS^a

150

18 452

(26,1%)

308,2

(D) Eastern Cape

205

9 309

(13,2%)

551,5

(E) Natal/KwaZulu

266

21 476

(30,4%)

540,0

(F) Eastern Transvaal/KaNgwane/ part of Lebowa and Gazankulu

54

1 734

(2,4%)

46,0

(G) Northern Transvaal/parts of Lebowa and Gazankulu

114

7 979

(11,3%)

265,7

(H) PWV^b/KwaNdebele

52

4 837

(6,8%)

156,9

(J) Western Transvaal

11

233

(0,3%)

4,5

Walvis Bay

5

109

(0,2%)

2,4

Total

1 042

70 721

(100,0%)

2 200,4

^a Orange Free State.^b Pretoria/Witwatersrand/Vereeniging area.

The highest number of expected job opportunities per project was for region C with 123 jobs per project, followed by region H (93 jobs per project) and region E (81 jobs per project). The most efficient use of the expected investment would be in region C, where one job opportunity cost R16 700 to create, compared to R19 000 and R22 000 for region J and Walvis Bay respectively.

The expenditure for the period between 1 April 1988 and 31 March 1989 and the budgeted expenditure

for the 1989/90 financial year as published in the board's annual report are given below:

Actual expenditure in 1988/89 and budgeted expenditure for 1989/90

Expenditure 1988/89 R(000)

Budget 1989/90 (R000)

Rebate on railage

147 779

170 000

Rebate on road and transport

116 369

132 000

Rebate on coastal shipping

11 557

15 000

Rebate on wharfage

5 609

10 000

Rebate on unprocessed steel

145

500

Rebate on airfreight

129

100

Employment concession

144 259

147 313

Interest concession on industrial investment

92 483

100 000

Rent concession on land and buildings

34 719

43 000

Relocation costs

30 449

40 000

Interest subsidy on housing

19 197

18 000

Income tax concession

5 983

5 000

Electricity concession

290

1 000

Productivity scheme

1 382

2 500

Concession on steel sales

149

350

Concession on industrial buildings

41

200

Development on Mandini residential site

—

50

Publicity

136

181

Total

610 676

685 194

Comments on decentralisation

At a conference hosted by the South African Property Owners' Association in August 1989, the government was criticised for its continued emphasis on decentralisation. The group economics consultant of the Johannesburg Consolidated Investment Company, Dr Ronnie Bethlehem, said that it made no sense to accept black urbanisation and simultaneously maintain policies which were designed to prevent, redirect and disguise urbanisation. He argued that 300 000 additional black people entered the job market every year and only 25 873 jobs were created by the decentralisation scheme annually as was shown in the 1986/87 annual report of the decentralisation board. The cost incurred in the creation of these jobs amounted to four times the equivalent cost in the metropolitan areas.¹⁶ [¹⁶ *Business Day* 17 August 1989]

At the same conference the director general of development planning, Mr Duggie de Beer, said that the decentralisation policy was based on the premise that the metropolitan areas could not accommodate the expected rate of urbanisation in an orderly fashion. Through the development of jobs in the rural areas, the rate of migration to the cities could be slowed down.¹⁷ [¹⁷ *Ibid*]

In August 1989 the minister of constitutional development and planning, Mr Gene Louw, said that since 1982 the government's decentralisation policy had attracted R3,3bn worth of industrial investment and had led to the creation of 181 000 new jobs. He said that six development points had created approximately 45% of the employment opportunities.¹⁸ [¹⁸ *Ibid* 25 August 1989]

In October 1989 it was reported that the government had commissioned a panel of 14 experts to evaluate the regional industrial development policy in southern Africa. Chaired by the principal of the University of the Transkei, Professor Wiseman Nkuhlu, the panel completed its report at the end of 1988.¹⁹ [¹⁹ *Sunday Times* 29 October 1989] Although the report had not been officially published by early 1990, information and comments had been published with regard to its content.

The executive director of the decentralisation board, Mr Jacobus Pienaar, said that the purpose of the report was to establish the adequacy and cost-effectiveness of the decentralisation scheme. He said, 'We are looking at how further to streamline operations, and, more particularly, how to eliminate excesses.' Mr Pienaar went on to say that the decentralisation concept had support all over the world and thus 'what we are doing in South Africa is a miniature exercise which is fully reflective of a larger international effort'. He remarked that the incentives catered for the needs of those involved in the decentralisation scheme and that it was 'the only development instrument available in South Africa to cater for the needs of the entrepreneurs from the ranks of all communities', He said that the architects of the current scheme could be proud of its achievements so far.²⁰ [²⁰ *Ibid*]

Mr Roger Hulley MP (Democratic Party) criticised the government for not publishing the report's findings. He said in February 1990 that it was 'disgraceful' that the report, which had been completed at

the end of 1988, had not been made available immediately to the public. He said that the report exposed the 'massive failure' of the National Party's policies, which were legacies of the Verwoerdian strategy, to reverse the flow of black people to the cities. Mr Hulley said that the DP's view was that decentralisation should be structured around measures developed for the particular needs of the various regions in terms of their own interests.²¹ [²¹ *Business Day* 1 March 1990]

Commenting on its findings, the panel said that the government's original reason for the implementation of the scheme, namely to reverse the flow of blacks to the metropolitan areas, had failed.²² [²² *Cape Times* 1 March 1990] It also stated that although some 300 000 jobs had been associated with the regional industrial development programme, this 'paled into insignificance' when compared to the scale of the dominant urbanisation process.²³ [²³ *Business Day, Cape Times* 1 March 1990]

The panel pointed out that the average wage paid to labourers at the Botshabelo development point was R140 per month, despite the monthly wage concession of R120. The implication of such low wages was that it encouraged workers to migrate to the metropolitan areas in pursuit of higher wages.²⁴ [²⁴ *Business Day* 1 March 1990]

Among the major findings of the panel were that:²⁵ [²⁵ *Ibid*]

- 74% of decentralised firms were unprofitable;
- 25% of the sampled decentralised companies had debt ratios exceeding 100%, 'which meant they were theoretically insolvent';
- 40% to 60% of the firms were dependent on subsidies;
- firms at the decentralised points were 'generally more vulnerable' than those in the cities;
- low wages offered no real alternative to metropolitan jobs or migration;
- the system of incentives was susceptible to abuse;
- legal abuse of the system had led to the enrichment of certain industrialists at the expense of the taxpayer; and
- the high levels of subsidisation caused unviable firms to enter into production.

The panel further said that the formation of regional and sectoral strategies should be based upon the goal of promoting self-sustaining economic growth and development for an integrated South African

economy.²⁶ [²⁶ Ibid] The minister of trade and industry and tourism, Mr Kent Durr, promised that a thorough evaluation of the decentralisation scheme would be undertaken in which he would retain its good, and reject its bad, features.²⁷ [²⁷ Ibid 5 March 1990]

Privatisation

In February 1988 the state president, Mr P W Botha, announced that several state corporations were to be prepared for privatisation. Legislation would be introduced which would convert Eskom, the South African Transport Services (SATS), and Posts and Telecommunications into taxpaying, profit-seeking enterprises. The assets of these undertakings were estimated at R54bn.²⁸ [²⁸ Ibid 8 February 1988]

In May 1989 the minister for administration and privatisation, Dr Dawie de Villiers, announced that the government had decided to privatise its cleaning, catering, nursery and horticultural services over the following three years.²⁹ [²⁹ *The Citizen* 12 May 1989]

A government source said in April 1990 that plans for the privatisation of the sorghum beer industry were progressing but that the privatisation of enterprises such as Transnet (the successor to SATS) and Posts and Telecommunications was a long way off, with Eskom's further away still. He said that privatisation was no longer the issue and that the commercialisation of state enterprises was being looked at. Commercialisation was the first necessary step to privatisation but the actual privatisation of these enterprises was perhaps five to six years away, he said. He added that no one could object to the introduction of businesslike approaches and the use of private sector 'yardsticks' for measuring the success of operations.³⁰ [³⁰ *Business Day* 2 April 1990]

Concerning the effect of privatisation on employment, Dr De Villiers said in March 1989: 'Our indications are that we could reduce the civil service quite considerably over a period. But having said that, I must add that efforts to do so must always be viewed against the background of a rapidly expanding population that produces ever greater needs in the fields of teaching, nursing, police, prisons and security. So whatever reductions one might achieve in one segment might be completely negated in others.'³¹ [³¹ *Leadership* March 1989]

In November 1989 Dr Wim de Villiers, the newly appointed minister for administration and privatisation, said in an interview that if services were discontinued owing to privatisation, those employees affected would be accommodated in other posts and vacant posts would not be filled. He also stated that privatisation would not lead to a higher unemployment level because privatisation, a higher economic growth rate, and more job opportunities went hand in hand.³² [³² *RSA Policy Review*, vol 2 no 9, November/December 1989]

In his budget speech on 14 March 1990 the minister of finance, Mr Barend du Plessis, said that privatisation would boost private share ownership among the general public, giving more people a stake

in South Africa's productive assets. By exposing public enterprises to market forces, it would lead to greater efficiency, lower costs and ultimately to a lower tax burden on the public.³³ [³³ *Business Day* 15 March 1990]

Proceeds

In April 1989 Mr Du Plessis said that the proceeds of privatisation would be used to reduce the public debt, and not the deficit before borrowing. However, the director general of finance, Mr Gerhard Croeser, said that whether the government used the proceeds from privatisation to borrow less in 1989 or to reduce the existing debt, the result would be the same.³⁴ [³⁴ *Ibid* 14 April 1989]

In February 1990 Mr Du Plessis said that the proceeds from the sale of public sector enterprises could be used to promote educational and socio-economic services for the less privileged in the short term.³⁵ [³⁵ *The Citizen* 21 February 1990] In March 1990 the state president, Mr F W de Klerk, committed R1bn of privatisation proceeds to a special government fund for socio-economic development in South Africa.³⁶ [³⁶ *Business Day* 20 March 1990] Mr De Klerk said that if the proceeds from privatisation did not materialise because of market factors, other steps would be taken to finance the fund in anticipation of future privatisation proceeds.³⁷ [³⁷ *Ibid*]

Comments

In March 1990 the finance spokesman for the Democratic Party, Mr Harry Schwarz, said that the privatisation of state monopolies, such as Eskom, should not proceed in the near future and should be held back. He said he was concerned that state monopolies would be converted into private monopolies.³⁸ [³⁸ *Ibid* 29 March 1990]

At a meeting held in March 1990 an official of the African National Congress (ANC), Mr Wilton Mkwayi, said that the working class rejected privatisation because it would increase the minority's economic power, generate funds for the state over which workers had no control, turn workers' houses into a source of profit and force employees into squatter camps, and leave the future ANC government with few economic resources.³⁹ [³⁹ *Ibid* 30 March 1990]

In April 1990 the minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, said that the government had taken note of the reservations regarding privatisation which had been expressed by certain groups. He was responding to the holding of protest marches in Johannesburg, Pretoria and Port Elizabeth on 29 March 1990 by members of four unions which organised public sector workers. The unions, all affiliates of the Congress of South African Trade Unions (COSATU), were the National Education, Health and Allied Workers' Union (NEHAWU), the Posts and Telecommunications Workers' Association (POTWA), the South African Municipal Workers' Union (SAMWU), and the

South African Railways and Harbours Workers' Union (SARHWU).⁴⁰ [⁴⁰ Ibid 2 April 1990]

Some trade unionists feared that privatisation would lead to retrenchments and a greater monopolisation of the economy by large corporations. The national organiser for the National Union of Mineworkers (NUM), Mr Gwede Montashi, stated in May 1989 that privatisation would destroy prospects of 'self-determination among the oppressed' through the 'swallowing up' of small businesses by large ones.⁴¹ [⁴¹ *Cape Times* 5 May 1989] He said that privatisation was a remedy for capitalist ills. It benefited only 40% of the population and thus excluded the majority of the South African population. He argued, 'Profits know no safety, profits have no regard for the welfare of the workers or job security. Those interested in profits do not care whether people have jobs or not.'⁴² [⁴² *The Star* 8 May 1989]

Privatisation to date

A list of completed privatisation measures was recorded by the South African Chamber of Business (SACOB) in the *Midland Chamber of Industries Information Bulletin* dated the 23 April 1990. The list was compiled from 'the relevant minister's answers to Parliamentary questions and sundry media reports'. Completed privatisation measures as at March 1990 are given below:⁴³ [⁴³ *Midlands Chamber of Industries Information Bulletin*, 23 April 1990; *Hansard* (A) 4 q cols 208-209, 27 February 1990]

- the following work had been given out on contract:

- the construction and maintenance of roads;

- the construction and maintenance of big and small works;

- sewage purification works;

- consultancy services in respect of housing and development projects, design of schools: amendment of legislation, and mineral exploitation:

- state property valued at R80m had been sold between 1983 and 1989;

- meat standards and the roller marking of carcasses had been transferred to the Meat Board;

- the Deciduous Fruit Board had been privatised in 1987;

- seed certification had been transferred to two bodies, the South African National Seed Organisation and the Potato Board;

- the procurement and supply of jute grain bags had been sold to two organisations, Vetsak and Boersake. This had generated R14,8m for the Treasury;
- the Lydenburg fish hatchery in the Transvaal had been leased to a private undertaking. Rent for 1988/89 had amounted to R84 000;
- medal engraving for the prison services had been privatised in 1988/89;
- the servicing of criminal process documents had been transferred to the messengers of the court. Expenditure of approximately R2,8m had been involved;
- Iscor had been privatised in October 1989, generating approximately R2,9bn in proceeds (see below);
- the South African Mint had been privatised in 1989 and R90m had been generated for the government;
- sixty hospital beds had been leased to the Iscor Medical Provident Fund (Ferrored);
- law work for SATS had been sold in 1989; and
- rural development projects had been farmed out to the Rural Development Company (LANOK).

Privatisation of Iscor

The period under review saw the first major move in the process of privatisation in South Africa since the part privatisation of Sasol on 26 June 1979.⁴⁴ [⁴⁴ *South African Journal of Economics* December 1988] The Conversion of Iscor Bill was passed on 17 May 1989, enabling Iscor to be converted into a public company in terms of the Companies Act of 1973.⁴⁵ [⁴⁵ *The Citizen* 14 April 1989]

The target date for the selling of Iscor shares to the public was set for early November 1989. Dr Dawie de Villiers said that the government had no intention of trying to maintain control over Iscor after the shares had been sold.⁴⁶ [⁴⁶ *Ibid* 10 May 1989] According to Iscor's annual report for 1989, the state would offer 10% of Iscor's shares to its employees. 'Every full-time employee will be offered 200 shares free of charge. In addition, all employees will be offered shares at a 20% discount on the price at which shares will be offered to the public and to institutions, up to a total of some 92,5m shares. These two elements will account for 5% of the shares on issue at the time of the listing. A further 5% will be offered to employees at the same price as the public and institutions, but on a preferential allocation basis.'⁴⁷ [⁴⁷ *Iscor*, Annual report 1989]

Safeguards were placed on the purchasing of Iscor shares so that large blocks of shares could not be

bought. In terms of the Company's Memorandum of Association, no domestic shareholder shall hold more than 20%, no foreign shareholder more than 10% and foreign shareholders in aggregate not more than 20% of the issued shares of the company.⁴⁸ [48 Ibid]

According to the managing director and chief executive of Finansbank, Mr Hendrik van der Merwe, Iscor would have 1,85bn shares in issue, held as follows:⁴⁹ [49 *The Star* 13 September 1989]

- 300m by the Industrial Development Corporation of South Africa;
- 185m by Iscor employees;
- 150m by the members of the general public; and
- 1 215m by approximately 200 institutions.

Iscor shares were placed on the market on 2 October 1989 at R2 per share. An estimated 250 000 applications worth more than R1,2bn were made for the shares. This represented an over-subscription of three times.⁵⁰ [50 *The Citizen* 30 October 1989] At the close of the Iscor employee share offer on 23 October 1989, 58% of the workforce had applied for 50m (70%) of the shares allocated to them at a 20% discount. Only 30% of the unskilled and semiskilled workers had applied for shares at a discount of 20%.⁵¹ [51 *Business Day* 25 October 1989] Dr Dawie de Villiers said that more than 86% of Iscor's employees had taken up the offer of 200 free shares.⁵² [52 Ibid 30 October 1989]

Of Iscor's employees:⁵³ [53 Ibid 1 November 1989]

- 87% of blue collar workers had taken up free shares;
- 99% of white collar workers had taken up free shares;
- 57% of blue collar workers had bought discount shares; and
- 95% of white collar workers had bought discount shares.

The sale of Iscor shares realised R3,7bn.⁵⁴ [54 Ibid 10 November 1989] The deputy governor of the Reserve Bank, Mr Japie Jacobs, said that the R3,7bn would be used to reduce the government's R12,7bn budgeted loan. The chief economist of the Nedbank Group, Mr Edward Osborn, said that this was in direct conflict with the government's undertaking not to use the proceeds from Iscor to fund current expenditure. Mr Du Plessis argued that if R3,7bn was used to pay off the public debt, it would save R500m in interest.⁵⁵ [55 Ibid 26 September 1989]

In February 1990 it was reported that Parliament was to be asked to vote an additional R87,9m for the 1989/90 main budget to cover the costs of the privatisation of Iscor. An explanatory memorandum, which was tabled by Dr Dawie de Villiers, said that the amount would be financed out of the proceeds from the sale of the Iscor shares as follows:⁵⁶ [⁵⁶ *The Citizen* 17 February 1990]

- R14,6m for listing expenses;
- R17,3m for marketing costs;
- R46,5m for transfer costs; and
- R9,6m for fringe benefit tax on staff benefits.

Future privatisation

The South African Chamber of Business (SACOB) compiled a list of privatisation measures in the planning stage, as follows:⁵⁷ [⁵⁷ *Midlands Chamber of Industries Information Bulletin* 23 April 1990]

- catering services;
- cleaning services;
- horticultural and nursery services;
- government motor transport;
- furniture manufacture for the provincial administrations of Natal and the Orange Free State;
- public works department workshops;
- meat hygiene services;
- the sorghum beer industry;
- the printing and updating of postcode booklets;
- wool marketing and beneficiation;
- state abattoirs;

- Foskor;
- telecommunications;
- rail services; and
- air services.

Eskom

In February 1988 Mr P W Botha announced that Eskom was to be privatised. Eskom canvassed the views of its users late in 1988 and discovered that most major private sector bodies were opposed to the proposed privatisation. Agriculture, mining, industry, commerce and consumer bodies feared that Eskom's privatisation would lead to an increase in tariffs to provide for shareholder dividend payments and taxes.⁵⁸ [⁵⁸ *Business Day* 1 August 1989]

Forestry

Investigations were made into the possible privatisation of the forestry and timber industry. The deputy director of the forestry and environmental conservation branch of the Department of Environment Affairs, Mr Aat van der Dussen, said that if the state decided to sell its timber plantations, all interested parties would have a chance to participate. The state owned 29% of South Africa's total planted area and was the largest single grower of softwood timber. Approximately 55% of all sawlogs were grown by the state and of that, 75% were of strategic importance for the construction industry.⁵⁹ [⁵⁹ *Ibid* 21 September 1989]

Smaller growers feared that privatisation would result in state timber falling into the hands of major growers, such as SAPPI. The managing director of SAPPI, Mr Eugene van As, said that the privatisation of state forests would not be practical because the softwood market would be concentrated in the hands of its main buyer, the paper industry.⁶⁰ [⁶⁰ *Ibid*]

The National Forestry Corporation Draft Bill was published for comment on 15 December 1989. The bill was designed to 'make provision for the establishment of a corporation to run the state's commercial and timber processing interests on a business basis' and 'to make provision for the management of state forest land for determined purposes by the corporation on an agency basis.'⁶¹ [⁶¹ *Government Gazette*, no 12213, 15 December 1989] Mr Van der Dussen said that the state forestry sector would be formed into a corporation to enable it to operate like a private sector company.⁶² [⁶² *Financial Mail* 12 January 1990]

National parks

During the second reading of the National Parks Amendment Bill in February 1990 in the House of Representatives, Mrs Soheir Hoosen (Freedom Party of South Africa) said that all national parks in South Africa should be privatised. She said that the authorities should start by leasing out some of the smaller parks to the private sector, which in turn would help to improve the salaries and working conditions of the parks' employees. The minister of environment affairs and water affairs, Mr Gert Kotze, said in reply: 'We would have to be careful about total privatisation. There are many private parks but they are expensive... If we had to privatise completely, fees would increase and not as many people would be in a position to visit the parks... The ideal is therefore a joint venture between the private and public sectors.'⁶³ [⁶³ *The Citizen* 23 February 1990]

Post Office

In March 1989 the minister of home affairs and of communications, Mr Stoffel Botha, said that the Post Office (ie postal services and telecommunications) could not be privatised within the next three years.⁶⁴ [⁶⁴ *The Daily Dispatch* 9 March 1989, *The Citizen* 17 March 1989]

An investigation of the possible privatisation of the Post Office, conducted by the government's privatisation adviser, Dr Wim de Villiers, highlighted the problems which faced the Post Office.⁶⁵ [⁶⁵ *The Daily Dispatch* 9 March 1989] Dr De Villiers said that telecommunications looked like an obvious candidate for privatisation, but there were problems with postal services. He said, 'Although telecommunications declared an operating surplus of R1,1bn in the 1988 financial year, about R200m was used to cross-subsidise the postal loss. If privatised, 50% of the balance (about R450m) would go on tax, leaving R450m for dividends, provision of loans and capital expenditure.'⁶⁶ [⁶⁶ *Financial Mail* 8 December 1989] He called for a cut in the Post Office's expenditure through the modernisation of its equipment, namely switching over from an electro-mechanical telephone system to a digital operation of networks. This change would cut expenditure on operational and maintenance costs and thus reduce manpower requirements.⁶⁷ [⁶⁷ *Ibid*] The new system would require only one fifth of the current labour force and would cut total labour costs, which constituted 46% of the budgeted 1989/90 operating cost of R5,2bn.⁶⁸ [⁶⁸ *Ibid* 12 December 1989]

The postmaster general, Mr Johan de Villiers, said in March 1989 that before privatisation could be considered for the Post Office, the department would have to operate on a profit basis. Telecommunications had been running at a profit and had contributed more than 80% to the Post Office's revenue, and its share was expected to rise to 86% during 1989.⁶⁹ [⁶⁹ *The Daily Dispatch* 9 March 1989] He said that the state would be in control of the Post Office even after its division in January 1991 into two separate companies, namely postal services and telecommunications, and would maintain control until such time as its shares would be offered to the public.⁷⁰ [⁷⁰ *The Citizen* 17 March 1989]

In February 1990 the postmaster general announced that the Post Office's operating surplus for the 1988/89 financial year had increased by 15,5% to R894m. He said that revenue had increased from

R4,5bn to R5,2bn.⁷¹ [⁷¹ *Business Day* 12 February 1990] Introducing the Post Office budget for 1990/91, the minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, said that many postal tariffs were insufficient to compensate for the cost of the service and in order to apply ‘business principles’ to the postal services the department would be compelled to increase tariffs.⁷² [⁷² *The Citizen* 27 February 1989] Increases in tariffs were announced for the posts and telecommunications services and Dr De Villiers warned that privatisation would force the Post Office to charge profit-related fees in the future.⁷³ [⁷³ *Ibid* 26 February 1990]

The deputy minister of mineral and energy affairs and public enterprises, Dr Piet Welgemoed, said in March 1990 that there were too many services in the Post Office which did not carry their full cost. He said that the government was urgently looking at the rationalisation of Post Office services.⁷⁴ [⁷⁴ *Ibid* 2 March 1990] During the debate on the Post Office vote in March 1990, Dr Dawie de Villiers said that the Post Office’s services could be marketed and used on a profitable basis. He said that the privatisation of the Post Office was not a priority but foremost was the commercialisation of Posts and Telecommunications and its division into two business units.⁷⁵ [⁷⁵ *Ibid* 3 March 1990]

South African Transport Services (SATS)

In line with the plan to privatise the South African Transport Services (SATS), the company was converted into a tax-paying entity by the Legal Succession to the South African Transport Services Act, passed in March 1989. The purpose of the act was to ‘make provision for the formation of a company, for the legal succession to the South African Transport Services by the company, for the establishment of the South African Rail Commuter Corporation Limited and for related matters’. SATS recorded a surplus of R147m in the 1988/89 financial year.⁷⁶ [⁷⁶ *Sunday Times* 25 June 1989] Its profitability was seen as facilitating the privatisation process, which was expected to begin in 1991.⁷⁷ [⁷⁷ *Finance Week* 29 June 1989]

On 1 April 1990 SATS was incorporated as a company to be called Transnet, controlling five companies, namely, Petronet (pipelines), Autonet (roads), Railnet (railways), Portnet (harbours), and South African Airways (SAA).⁷⁸ [⁷⁸ *Business Day* 21 February 1990]

An anti-privatisation campaign was launched by SARHWU, along with NEHAWU, POTWA, and SAMWU, which believed that privatisation would result in job losses and more expensive service tariffs.⁷⁹ [⁷⁹ *New Nation* 3 November 1989] The campaign intensified after the dismissal of 23 000 SATS workers during an eight-week railway strike, which started in November 1989 (see chapter on *Labour Relations*.) According to SARHWU, SATS’s uncompromising hostility and the dismissal of 23 000 workers were largely motivated by SATS’s privatisation drive. The union claimed that managers had provoked the strike in order to facilitate dismissals without having to negotiate retrenchment benefits.⁸⁰ [⁸⁰ *Ibid* 5 January 1990] This was denied by SATS.

In February 1990 SATS offered a severance package for its employees which, if accepted, had to be

taken up before 15 March 1990. Workers who agreed to resign before the deadline would receive three months' salary, their pension contributions and their outstanding leave pay.⁸¹ [⁸¹ *The Citizen* 20 February 1990] The Federation of Trade Unions of SATS advised employees not to accept the offer, seeing the package as a cheaper solution than retrenchment in the rationalising of the workforce.⁸² [⁸² *Ibid* 17 February 1990] The general secretary of SARHWU, Mr Martin Sebakwane, said, Instead of SATS negotiating retrenchment with the union, it has gone behind our backs and offered workers voluntary retrenchment. The company should put retrenchment on the table as a collective bargaining issue, as we believe we can negotiate a better deal for our members.⁸³ [⁸³ *City Press* 23 February 1990]

According to Dr Dawie de Villiers a total of R105m was paid out to 6 806 employees who accepted the offer.⁸⁴ [⁸⁴ *The Citizen* 18 April 1990] The SAA lost 600 personnel because of the severance package. Those who accepted it could not be re-employed by Transnet for a minimum of three years. That in turn meant that SAA would have to train new personnel at great cost or revise the conditions of the package.⁸⁵ [⁸⁵ *Ibid* 20 March 1990]

In May 1990 Dr De Villiers said that Railnet might not be privatised for a long time. He said that every division of Transnet might not necessarily make a profit and socio-economic services might still have to exist.⁸⁶ [⁸⁶ *The Star* 11 May 1990]

Sorghum beer industry

In February 1989 the minister of constitutional development and planning, Mr Chris Heunis, said that the sorghum beer industry would be privatised with a view to stimulating black business.⁸⁷ [⁸⁷ *The Weekly Mail* 29 September 1989] Volkskas Merchant Bank submitted recommendations to the government regarding privatisation proposals for the industry.⁸⁸ [⁸⁸ *The Star* 28 June 1989] Black entrepreneurs who showed an interest in the privatisation of the industry were mainly represented by the National African Federated Chamber of Commerce and Industry (NAFCOC), the National Taverners' Association and the Ukhamba Liquor Association.⁸⁹ [⁸⁹ *Sunday Star* 9 July 1989]

According to the general manager of the Industrial Development Corporation of South Africa, Mr Jan de Bruyn, the delay in the industry's privatisation process was the result of difficulties in the transfer of land ownership for the 22 sorghum breweries and their 260 selling points.⁹⁰ [⁹⁰ *The Star* 28 June 1989]

In May 1990 Dr Dawie de Villiers said that the government was waiting for guidelines from NAFCOC and the Ukhamba Liquor Association for the most equitable manner in which the sorghum beer industry could be transferred to black ownership.⁹¹ [⁹¹ *The Citizen* 11 May 1990]

Deregulation

Conversion of Certain Rights to Leasehold Act of 1988

This law, which inter alia benefited black township traders, came into operation on 1 January 1989 (see *Small Business and the Informal Sector* below).

Draft Business Bill

The Draft Business Bill of 1989 was published for general information and comment on 7 April 1989. The bill set out to ‘repeal or amend certain laws regarding the licensing and carrying on of businesses, and shop hours; to make certain new provisions regarding such licensing and carrying on of businesses: and to provide for matters connected therewith’.⁹² [⁹² *Government Gazette*, no 228, 7 April 1989]

The bill arose from an investigation by the Competition Board into trade regulations at local authority level. The minister for administration and privatisation, Dr Dawie de Villiers, said that the primary objective of the legislation was to change the country’s fragmented licensing system into a uniform system. He said it was also designed to simplify it without detracting from the security, health or ecclesiastical values of communities.⁹³ [⁹³ *Cape Times, Business Day* 7 April 1989]

When passed, the bill would reduce the number of business activities for which official licences were required to two, namely for food handling and catering and for places of entertainment and congregation. The bill also repealed the restrictions placed on business hours, except for Sundays and certain public holidays, which would be regulated by the administrator of the province. In terms of the bill a licence could be refused only ‘if circumstances relating to the relevant business premises or the person carrying on the business are such that a threat to public health or safety exists’. Control measures for street vendors, hawkers and pedlars were entrusted to the provincial administrators. The bill also provided for the abolition of licensing boards and the empowering of local authorities to issue licences. If any person was denied a licence, that person had a right of appeal to the administrator.⁹⁴ [⁹⁴ *Government Gazette*, no 228, 7 April 1989]

The bill was not placed on Parliament’s agenda during 1989. Pending its discussion in Parliament, the state president suspended most restrictive licensing provisions in the four Provincial Licensing Ordinances, acting in terms of the authority given to him by the Temporary Removal of Restrictions on Economic Activities Act of 1986.⁹⁵ [⁹⁵ *Black Enterprise* March 1990] The state president’s proclamation was published in the *Government Gazette* on 22 December 1989 and came into immediate effect.

A notice in the *Government Gazette* of 15 September 1989 set out the intentions of the forthcoming proclamation, which was published in draft form. It ‘suspends the requirement of a trading licence for substantially all businesses except, in the interests of public health, those involved in the preparation and processing of food... Although a trading licence will no longer be required for other businesses, all

businesses will still have to comply with all other applicable rules and regulations. Thus the laws imposing building standards or other measures to protect public safety will continue to be generally applicable. It is only the trading licence which is being dispensed with... Where legislation requires another type of licence apart from a trading licence for a business (for example a liquor licence) the position remains unchanged. Such licences are not affected by the proclamation at all.⁹⁶ [96 Notice no 1151 of 1989, *Government Gazette*, no 12092, 15 September 1989]

Under the proclamation annual licences would be changed into perpetual licences in those areas where Regional Services Council (RSC) levies had been established (most parts of the Cape, Orange Free State and Transvaal). Where there was no RSC, as in Natal, the licence still had to be renewed annually.⁹⁷ [97 *Black Enterprise* March 1990]

The proclamation streamlined licensing processes by reducing red tape in application procedures; limiting the powers of licensing boards to refuse, suspend, review, and cancel licences; and abolished those provisions which took the suitability of the applicant, such as proficiency in an official language and business skills, into account.

The provisions under which traders' goods and wares could be confiscated were suspended.

In addition to food processing, certain other businesses, such as turkish baths, escort agencies, nightclubs, discothèques and businesses providing coin- or token-operated amusement apparatuses, were not affected by the proclamation.

Ordinances governing shopping hours were suspended and trading was allowed for 24 hours a day and on six days a week.⁹⁸ [98 *Black Enterprise* March 1990]

Comments on the bill

An economist of the Association of Chambers of Commerce and Industry of South Africa (ASSOCOM), Mr Bill Lacey, said that ASSOCOM welcomed the broad thrust of the Draft Business Bill and saw it as a major step in the deregulation process. He stated that issuing of trade licences and fixed trading hours were major factors which inhibited the development of small businesses. The bill facilitated the removal of these regulations.⁹⁹ [99 *The Citizen* 8 April 1989]

The chairman of the Competition Board, Dr Pierre Brooks, said the bill and the Close Corporations Act of 1984 were the only laws which drastically improved the circumstances of the small businessman in particular. He said, 'This is so because the licensing of small businesses, with the exception of those where health or public safety is at stake, will no longer be compulsory in terms of law and because restrictions on trading hours, Sundays excluded, will be lifted in terms of the legislation.' He said that established businessmen and women would be opposed to deregulation because of the unknown

implications of competition to their businesses. Trade unions and local by-laws were also seen to be hindrances to deregulation because of unions' fears of the deterioration of protective measures for their members and because by-laws would still hamper trading activities.¹⁰⁰ [¹⁰⁰ *RSA Policy Review* September 1989]

The newly appointed minister of administration and privatisation, Dr Wim de Villiers, said, I trust this practice (deregulation) will not be to the detriment of workers, since the protection of workers' rights is primarily a matter for our labour legislation. Should there be a further need, I will also consult with my colleague, the minister of manpower, and with the National Manpower Commission.'¹⁰¹ [¹⁰¹ *Business Day* 24 November 1989]

Commenting on the bill, the executive officer of the Law Review Project, Professor Louise Tager, said that proponents of deregulation should now turn their focus to racially restrictive property laws and local authority regulations which affected a variety of economic activities. She said, 'You cannot talk about deregulation until everyone has the same rights. Land tenure and access to land is a fundamental requirement for deregulation and business development.' Professor Tager was opposed to deregulation being carried out through arbitrary actions and said that in the case of local authority regulations they should be dealt with individually. She said that 'deregulation is a process, not an overnight event' and that 'deregulation is not intended to sweep away every control. It is designed to create a responsible and appropriate legal system which everyone can respect and understand'.¹⁰² [¹⁰² *Ibid* 26 October 1989]

Professor Tager said that resistance would be shown by trade unions, civil servants and organised commerce. Trade unions saw privatisation and deregulation as merely other forms of apartheid and the further exploitation of black labour. Deregulation would reduce the number of officials needed and thus they feared that they would be made redundant. Organised commerce had been protected by regulations and therefore the removal of those regulations would expose it to greater competition, she said.¹⁰³ [¹⁰³ *The Natal Witness* 9 November 1989]

Specific areas under deregulation

Air travel

The imminent deregulation of the air travel industry gave rise to concerns regarding market size and safety. However, Mr Victor Prins, the research leader of a study group from Van Wyk and Louw, which investigated the market situation in South Africa, said, 'Competition in the South African domestic air service market would be possible economically and would be beneficial to the consumer and the country as a whole.'¹⁰⁴ [¹⁰⁴ *Business Day* 30 June 1989]

The managing director for the Air Crew Operating and Recruitment Network (ACORN), Mr Blake Flemington, said that ACORN believed that deregulation would entail the fragmentation of national airlines' routes since the only criteria for entering the market would be quality and safety. Pilots of South African Airways (SAA) argued that deregulation would lead to an overall decline of airline

services and thus not benefit the industry.¹⁰⁵ [¹⁰⁵ Ibid] Dr Dawiede Villiers announced in May 1990 that the deregulation of the air transport industry could be expected in the 'near future'. He said that even in a deregulated market, the dominant position of SAA could inhibit the entry of competitors into the transport industry. Dr De Villiers said that it might be necessary to split the SAA into different companies in order to encourage competition.¹⁰⁶ [¹⁰⁶ *The Citizen* 11 May 1990]

Road transport

In March 1990 the director general of transport, Mr Ronnie Meyer, said that the proposed Road Traffic Act would rationalise provincial road ordinances into one regulatory act. The Road Traffic Bill concerned itself with regulations on issues such as traffic control methods, traffic officers' rights and rules of the road.¹⁰⁷ [¹⁰⁷ *Business Day* 19 March 1990]

The director of the National Association of Private Transport Operators, Mr Andre Jacobs, said that the industry welcomed the move to eliminate petty ordinances and laws which differed from province to province. Mr Jacobs said that the proposed act would unify road ordinances into one set of regulations and was the first step towards total transport deregulation.¹⁰⁸ [¹⁰⁸ Ibid]

Sugar

The deregulation of the sugar industry seemed imminent following an announcement in September 1989 by the deputy minister of economic affairs and technology, Mr George Bartlett, that the government had accepted in principle the need for a R120m ethanol plant. The South African Sugar Association had agreed to deregulation if the ethanol plant was established. As part of the deregulation package, easier access to sugar mills would be given to growers and the sugar association would take over sugar pricing control from the government. Under the current system, the larger and more established sugar cane growers monopolise the use of the sugar mills. The new deregulation package would benefit small black growers within a 30km radius of the mill by allowing them open access to mills.¹⁰⁹ [¹⁰⁹ *The Weekly Mail* 8 September 1989]

The building industry

In March 1990 the minister of trade and industry and tourism, Mr Kent Durr, said that the government was investigating the possibility of allowing architects to certify their own building plans. Mr Durr said that national building regulations which had been introduced in 1985 had reduced regulations to less than 10% of those previously in existence, and added that the government wanted to deregulate even further. The process of self-certification was seen to be one way of hastening the passing of building plans.¹¹⁰ [¹¹⁰ *The Citizen* 13 March 1990]

The president of the South African Institute of Building, Mr Chris Jones, said that although the institute was in favour of deregulation, building contractors should be required to employ qualified people in

order to protect consumers from irresponsible and underqualified contractors.¹¹¹ [¹¹¹ Ibid 19 February 1990]

Small Business and the Informal Sector

Statistics

A survey conducted by Business line, a subsidiary of Business Marketing Intelligence, established that in 1988 the South African small business sector had a turnover of R100bn and had 4m employees. The survey involved 2 000 small businessmen of all racial groups who had a turnover of R5m or less and revealed the following:¹¹² [¹¹² *City Press* 2 April 1989]

- ‘undeveloped’ businessmen tended to rent rather than buy business premises;
- they employed five or fewer people;
- managing directors tended to have post-matric qualifications and were mostly English speaking;
- most owners tended to run their businesses as sole proprietors; and
- just less than 50% of the small businesses used computers.

It was said that most economists and politicians had underestimated the extent of the informal sector and its impact on the South African economy.¹¹³ [¹¹³ *Hilite* May 1989]

The Small Business Development Corporation estimated that there were some 625 000 unrecorded, unlicensed, untaxed informal businesses in South Africa (excluding the ‘independent’ homelands), which employed between 3m and 4m black and white people in rural and urban areas. The annual income of the black community engaged in the informal sector was estimated at between R15bn and R20bn, with an annual growth rate of approximately 12%. If this growth rate was taken into account, South Africa’s real annual growth rate for 1988 would increase from 3,2% to 5% or 6%.¹¹⁴ [¹¹⁴ Ibid May 1989]

According to the Central Statistical Services’ (CSS) *Statistical News Release* of 20 March 1990, if the contribution of the informal sector had been taken into account in the calculation of gross domestic product (GDP) estimates, ‘informal economic activities would have represented 7,3% of the total GDP (in other words, the level of the GDP is underestimated by 7,3%)’. The CSS’s estimate of the informal sector’s contribution to the GDP excluded informal activities of whites and those of Africans, coloured people and Indians who resided in white urban areas.¹¹⁵ [¹¹⁵ Central Statistical Service, *Statistically Unrecorded*

Economic Activities of Coloureds, Indians and Blacks: October 1989, Statistical News Release, P0315, 20 March 1990] (See also the chapter on *The Economy*.)

The executive director of the Free Market Foundation, Mr Leon Louw, said in May 1990 that the size of the informal sector depended on how it was defined.¹¹⁶ [¹¹⁶ *Business Day* 23 May 1990] Mr Louw said that the CSS survey established the absolute minimum size of the informal sector but not its actual size. He regarded the survey result as a 'minimum possible statement' because of its narrow definition of the informal sector, its accumulation of data from only black areas and its failure to overcome the lie factor'. He said that although he regarded the CSS definition of the informal sector to be narrow, this did not imply criticism of the survey. Mr Louw said that in South Africa the informal sector was commonly regarded as being 'small' and 'black' and existing as a business 'sector'. He said that the unrecorded economy included economic activities such as home industries, tax evasion practices, moonlighting and money lending. He said that many whites were involved in the 'informal sector'.¹¹⁷ [¹¹⁷ Mr Leon Louw, telephonic interview, 5 June 1990]

Legislation

The Conversion of Certain Rights to Leasehold Act of 1988 came into operation on 1 January 1989.¹¹⁸ [¹¹⁸ *Black Enterprise* May 1990] According to the executive officer of the Law Review Project, Professor Louise Tager, the law repealed Regulation 1036 of 1968 and since that repeal, any person living in any black town or city, in the urban or trust-owned areas, could use their residence for any purpose. The only restrictions were that the property on which the business was carried out had to be used primarily as a residence and that the business activity should not offer any interference to the public facilities of the neighbourhood.¹¹⁹ [¹¹⁹ *Ibid*]

The president of the African Council of Hawkers and Informal Businesses (ACHIB), Mr Lawrence Mavundla, said that many obstacles to trading had been removed but that only 10% of the people knew that they could operate freely from their homes in the townships.¹²⁰ [¹²⁰ *Ibid* February 1990]

In February 1989 the Johannesburg City Council's management committee announced that the restriction preventing hawkers from trading within 400m of licensed premises would be amended and a new limit of 100m imposed.¹²¹ [¹²¹ *The Citizen* 28 February 1989] ACHIB called for the complete removal of restrictive by-laws requiring hawkers to move every two hours, to re-apply annually for licences, to operate 100m away from general dealers, and providing for the confiscation of goods.¹²² [¹²² *Sunday Times* 5 March 1989]

Commenting on the draft Business Bill which lifted licensing requirements for certain hawkers (see *Deregulation* above), Mr Mavundla said that the bill was a step in the right direction but that all restrictive by-laws should be abolished and the government should introduce a bill to promote small

enterprise.¹²³ [¹²³ *Sunday Times* 16 April 1989]

Developments

In 1988 Markinor undertook a study among 1 300 black adult men and women who were resident in the townships of the metropolitan areas of South Africa. Markinor established that there was a trend by consumers to favour stores, street vendors and spaza shops in the black areas (see below, *Hawkers and spaza shop owners*), as opposed to major stores.¹²⁴ [¹²⁴ *Cape Times* 5 May 1989] Markinor conducted a further survey in order to establish the kind and number of businesses involving adults in the informal market. Its results were as follows:¹²⁵ [¹²⁵ *Cape Times* 5 May 1989, *Sunday Tribune* 7 May 1989]

Informal businesses: 1989

Kind of activity

Number of adults

Selling fruit and vegetable

79 000

Running a community tavern

56 000

Running a spaza shop

49 000

Hairdressing

35 000

Operating taxis

25

Big and small businesses

According to the managing director of Business and Marketing Intelligence, Mr Jonathan Harrod, the informal sector was growing at a rate which was five times faster than that of the formal sector.¹²⁶ [¹²⁶ *Finance Week* 12 April 1990] The executive director of the Self-Employment Institute, Mr Theo Rudman, said in March 1989 that if South Africa were to create more jobs and generate more export income, it would have to follow the examples of Japan and Taiwan where big businesses farmed out work to small and informal businesses because of their more efficient manufacturing of specific components. Mr Rudman said that South Africa should concentrate upon freeing capital for small businesses, thus curing the unemployment problem.¹²⁷ [¹²⁷ *The Star* 30 March 1989]

The managing director of Job Creation South Africa, Mr Ian Hetherington, believed that purchasing agents could play a valuable role in the establishment of small businesses and in the creation of job opportunities through the restructuring of their corporation's buying patterns. He also pointed out the difficulties that would be involved in the potential interaction between big and small businesses. Small businesses had problems such as a lack of liquidity and of highly trained staff and some businesses were functioning illegally in terms of business legislation. If they were to buy manufactured goods or services from the small business sector, big businesses would have to restructure their purchasing departments and controls.¹²⁸ [¹²⁸ *Ibid* 25 April 1989]

During the period under review organisations created specialised units and projects to promote interaction between big and small businesses. The African Council of Hawkers and Informal Businesses (ACHIB) created its own training organisation which would help large manufacturers deal with the informal sector.¹²⁹ [¹²⁹ *Cape Times* 7 June 1989] The Small Business Development Corporation (SBDC) initiated a project to facilitate the sub-contracting needs of big business through the creation of a 'contactmaker'. The 'contactmaker' was a guide to the range of goods and services offered by the small business sector.¹³⁰ [¹³⁰ Small Business Development Corporation (SBDC), Annual report 1988/89] The SBDC also created a sub-contracting unit which was involved in contracting, sub-contracting, networking and special projects between big and small businesses. A spokesman for the SBDC said that the sub-contracting unit had already been involved in contracts worth R1,4m and there was a potential to be involved in further contracts worth R2m. He said, 'Sub-contracting will be pursued only if there are direct financial benefits for those larger companies that deal with small companies... In addition, it provides an opportunity to channel resources in a social responsibility direction, with an added benefit of financial returns.'¹³¹ [¹³¹ *The Star* 10 October 1989]

In February 1989 ACHIB launched an awareness campaign aimed at educating retailers about the advantages of working with and not against the informal sector. Some retailers and manufacturers had acknowledged the importance of the informal sector. Between 1988 and 1989, over 31 manufacturers had approached ACHIB for help in reaching the informal sector. The marketing manager of a subsidiary of Johnson and Johnson, Mr Stephen Hartley, said, 'Our object is to combat unemployment while at the same time getting an "in" with our products to an extremely important market.'¹³² [¹³² *Finance Week* 16 February 1989]

The general manager of the development services of the SBDC, Mr Sonny Tarr, said in April 1990 that since April 1989 the Anglo American Corporation of South Africa had entered into sub-contracting agreements with black entrepreneurs for goods and services worth more than R6m. Mr Tarr said that contracts had been made with entrepreneurs to supply Anglo American with goods and services such as mining products and clothing, catering, transport, gardening, general cleaning, and waste recovery.¹³³ [133 *Business Day* 4 April 1990] In June 1990 Anglo American announced a 'two-pronged' strategy called the small business initiative, involving the small business unit and the Labour Intensive Industries Trust Limited (LITET). According to Anglo American's annual report for 1990, the aim of LITET was to 'provide financial and managerial assistance through the taking of minority stakes in emerging businesses'. The first of such investments was made with Masakhane Cleaning Services, which was contracted to clean a mine hostel on the Free State goldfields. The purpose of the small business unit was to 'increase the corporation's and associate companies' business transactions with the small business sector... The object is to enable the small entrepreneur to compete effectively with more established concerns.' Anglo American had agreed during the 1989/90 financial year to invest an additional R1,3m over a five-year period in the SBDC, bringing its total commitment in the SBDC to R5m.¹³⁴ [134 Anglo American Corporation of South Africa, Annual report 1990]

At a marketing and advertising seminar held in June 1989 in Cape Town, Mr Terry Levenberg, the director of an advertising agency, Ogilvy and Mather, Rightford, Searle-Tripp and Makin, pointed out that the best way in which to reach the market was through hawkers and the informal sector and not through the top three supermarkets. He remarked that some large retailers such as Pick 'n Pay Stores, Wooltru and Metro Corporation had already created 'cash and carry' outlets, which mainly catered to the needs of informal sector businesses.¹³⁵ [135 *Cape Times* 7 June 1989] A survey conducted in 1988 by the Trade Opinion Panel revealed that wholesalers such as Cash and Carry distributed R2,1bn worth of confectionery products, groceries and toiletries to the informal sector every year. This amount was estimated to be slightly higher than 33% of their total annual sales of R6bn.¹³⁶ [136 *Indicator SA*, vol 7 no 2, 1990]

The Small Business Development Corporation (SBDC)

Statistics

By the end of March 1989, the Small Business Development Corporation (SBDC) had granted a total of R579m indirect loans to 22 408 entrepreneurs. The number of jobs created and maintained through the SBDC's programmes amounted to 216 281, at an average cost of R3 068 each. During the period 1 April 1988 to 31 March 1989, the SBDC increased its assets from R451m to R601m and its corporate programme funds from R195m to R275m. Its investment in property development increased from R35m to R150m, of which R50m was allocated to black areas.¹³⁷ [137 SBDC, Annual report 1989]

In March 1989 the SBDC received R13m from the Industrial Development Corporation (IDC) as part of

a R70m five-year plan.¹³⁸ [¹³⁸ *The Citizen* 25 January 1990] The IDC undertook to contribute to the capital requirements of the SBDC for the next five years.¹³⁹ [¹³⁹ *Business Day* 24 January 1990] It was announced in August 1989 that the government was to allocate R40m to the SBDC in order to provide loan finance for businesses which were adversely affected by the high interest rates and poor economic conditions.¹⁴⁰ [¹⁴⁰ *Ibid* 10 August 1989] The managing director of the SBDC, Dr Ben Vosloo, said, 'We will put the funds to good use by injecting them into the SBDC's support fund to assist small businesses, so that the small business sector continues to grow and develop as the engine for wealth creation in our economy and that is ultimately of the greatest importance for all South Africans.' Dr Vosloo also pointed out that as at 25 June 1989 the government had allocated an accumulated amount of R205m to the corporation. The SBDC had 'granted 8 779 loans, valued at R279,5m from these state funds, creating 137 278 job opportunities at an average cost per job opportunity of R2 038'.¹⁴¹ [¹⁴¹ *The Citizen* 10 August 1989]

Developments

There were complaints that high rentals charged by the SBDC were restricting the growth of the small business sector. Entrepreneurs said that they paid between R400 and R1 000 per month for a site, depending on the space occupied. A spokesman for the SBDC said the monthly rentals paid at the industrial parks were as follows:¹⁴² [¹⁴² *Sowetan* 8 February 1990]

Rent per square metre

Soweto

Dobsonville

R3,38

Emdeni land

2

R3,41

Orlando West

1

R3,18

2

R3,24

3

R3,24

East Rand

Sebokeng

1

R3,17

2

R3,17

Vuka/Tsoga

R3,01

East Rand

KwaThe

Hawkers and spaza shopowners

Statistics

At a marketing seminar held in June 1989 in Cape Town it was said that approximately 900 000 hawkers and 20 000 spaza shop owners were operating in the Pretoria/Witwatersrand/Vereeniging area.¹⁴³ [¹⁴³ *Cape Times* 7 June 1989] Spaza, or camouflaged, shops were shops which operated illegally prior to the Conversion of Certain Rights to Leasehold Act of 1988, which repealed the regulations governing the control and supervision of an urban black residential area and relevant matters (see *Legislation* above).¹⁴⁴ [¹⁴⁴ *Indicator SA*, vol 7 no 2, 1990]

At a conference held in June 1989 in Johannesburg concerning spaza shops, the executive director of the

Self-Employment Institute, Mr Theo Rudman, said that the total annual retail sales of hawkers and spaza outlets could be as great as R7bn and not R3bn as had previously been estimated.¹⁴⁵ [¹⁴⁵ *Business Day* 29 June 1989]

Obstacles to hawkers

In February 1989 the Grahamstown City Council (eastern Cape) closed the central business district (CBD) to fruit and vegetable sellers after it had accepted the recommendations put forward by its general purposes committee. The 15 licensed and a number of unlicensed hawkers had to vacate the area within 30 days. A city councillor, Mr Clarrie Truscott, said, I support the hawkers every day, but things are rather chaotic and we have a responsibility towards our ratepayers.’ A Masizame Trade Centre spokeswoman, Ms Miggi Lorraine, said that the CBD closure would leave 30 or more people unemployed and that the alternative hawker stalls would not solve the hawkers’ problems.¹⁴⁶ [¹⁴⁶ *Eastern Province Herald* 10 February 1989]

Despite the government’s efforts to promote deregulation, the period under review saw the continued arrest and harassment of hawkers. Mr Rudman stated that police, even in Johannesburg, ‘still wage unrelenting war on the street traders, collecting huge amounts of fines’.¹⁴⁷ [¹⁴⁷ *The Natal Mercury* 2 February 1989] During a two-week period near the end of January 1989, 304 hawkers were arrested in Johannesburg.¹⁴⁸ [¹⁴⁸ *The Star* 1 February 1989] The president of the African Council of Hawkers and Informal Businesses (ACHIB), Mr Lawrence Mavundla, commented after an arrest of 22 hawkers by 30 plain clothes policemen and traffic officers, that there was a need for the reassessment of laws restricting hawkers in Johannesburg. The senior legal adviser for ACHIB, Mr Sonnyboy Mmatli, said, ‘When a hawker is issued with a licence he is not briefed on the laws, and feels the authorities are taking advantage of this fact.’¹⁴⁹ [¹⁴⁹ *City Press* 5 February 1989]

The Durban City Council adopted a new policy regarding street trading, ensuring that designated trading areas were adequately controlled and serviced. A city councillor, Mr Peter Breytenbach, said that street trading was a problem in the city because of a lack of control, the congestion of pedestrian areas and littering.¹⁵⁰ [¹⁵⁰ *Leader* 23 June 1989]

In February 1989 the minister of foreign affairs, Mr Pik Botha, criticised both the National and Conservative parties’ local government restrictions on hawkers. He called those restrictions ‘sanctions on ourselves’ and further said that the central government had deregulated to such an extent that ‘anyone can bring a pail of milk or figs’ and sell them on the street.¹⁵¹ [¹⁵¹ *Business Day* 3 February 1989] Mr Mavundla said that ‘about 3% of the local authorities know which by-laws have been scrapped. And very few know that local authorities may not refuse the right to trade’.¹⁵² [¹⁵² *Executive* February 1990]

Other developments

In January 1989 the KaNgwane administration took steps to promote the informal sector. Over a period of five days, more than 2 500 hawkers attended promotional rallies during which guest speakers addressed them on issues such as informal sector group organisation. The KaNgwane minister of the interior, Mr E N Ginindza, said, 'To boost this economy we believe that street sellers should be given a chance, because they have a big role to play in promoting a spirit of self-reliance among the people.'¹⁵³ [153 *City Press* 29 January 1989]

In February 1989 a pharmaceutical company donated R32 000 to ACHIB in order to create jobs for 200 hawkers. The general manager of Eli Lilly South Africa, Mr Noel Dolman, said that the money had been given to ACHIB's employment creation project.¹⁵⁴ [154 *Sowetan* 6 February 1989]

At a hawkers' meeting held at Sebokeng (east Rand) in February 1989, Mr Mavundla announced a sponsorship of R250 000 to assist hawkers countrywide in the establishment of businesses. The meeting was also attended by Lekoa city councillors who stressed that hawkers would no longer be arrested in their vicinity but had to operate within the law.¹⁵⁵ [155 *City Press* 19 February 1989]

The Pietermaritzburg City Council identified seven new sites in the city which were suitable for the erection of especially built hawker trading areas. The first pilot scheme was to be built near the city's bus terminus with a completion date set for early July 1989. The project was funded by Hulett Aluminium, BP Southern Africa, the Urban Foundation, and the council. The scheme was to provide 105 hawkers with stall and once all seven street-trading areas were completed, the number would rise to 750 stalls.¹⁵⁶ [156 *Biz News* (Pietermaritzburg Chamber of Commerce), June 1989]

In May 1989 the Premier Group and the SBDC launched a R100 000 pilot scheme to provide a fleet of mobile trolleys to street vendors in Johannesburg. The project had donated an initial ten trolleys to hawkers and was seen as a test exercise for the trolley prototypes after which more would be produced if they proved successful.¹⁵⁷ [157 *Business Day* 9 May 1989]

In July 1989 the SBDC launched an innovative trolley pilot project in Port Elizabeth. The project proved to be successful and was extended to other parts of the country. A member of the SBDC's regional executive committee, Mr Arthur Shipalana, said that the city of Port Elizabeth had become an important catalyst in the eastern Cape as far as the accommodation of the informal sector was concerned.¹⁵⁸ [158 *Eastern Province Herald* 25 July 1989]

The major advantages of the trolleys for the hawkers were seen to be the following:¹⁵⁹ [159 *City Press* 19 February 1989]

- they provided hawkers and their merchandise protection against the weather;

- the merchandise was displayed better, kept clean and protected against pilfering;
- trolleys were easily moved and occupied less space than pavement displays;
- littering was reduced because bins were provided on the trolleys; and
- trolleys were easily stored away in a central lock-up area as was required by law.

Hawker organisations

The African Council of Hawkers and Informal Businesses (ACHIB) was founded in 1986 by Mr Lawrence Mavundla and in 1989 had a membership ranging from 16 000 to 20 000 hawker and spaza shop owners.¹⁶⁰ [¹⁶⁰ *Sunday Times* 12 February 1989, *City Press* 12 November 1989]

The ultimate aim of the council was black economic empowerment so that people would be able to provide for themselves.¹⁶¹ [¹⁶¹ *The Natal Mercury* 2 February 1989] ACHIB saw its role in the informal sector as one of easing the licensing restriction on hawkers, providing legal aid to hawkers who faced fines and arrest and negotiating with businesses to support the small business sector.¹⁶² [¹⁶² *Sunday Times* 12 February 1989]

Although many restrictions governing hawkers had been removed, retailers still remained a problem. Mr Mavundla said that retailers regularly complained to local authorities that hawkers constituted unfair competition. He predicted in February 1989 that the 'war' between hawkers and retailers would 'escalate' but claimed that ACHIB had the backing of the major manufacturers and wholesalers.¹⁶³ [¹⁶³ *Business Day* 3 February 1989] An information campaign was planned by ACHIB in order to dispel the myths that concerned hawkers.¹⁶⁴ [¹⁶⁴ *Ibid* 4 April 1989]

In March 1989 ACHIB gave its full support to the consumer boycott campaign against the re-introduction of separate amenities in Boksburg (east Rand) and Carletonville (west Rand) (see *Consumer boycotts* below). ACHIB said that the boycott would boost the sales of hawkers and spaza shopowners. Mr Mavundla said. In areas where there are boycotts, the community should take the opportunity of uplifting its own people... Hawkers and spaza shop owners are helping to break the cycle of dependency, crime and poverty by promoting economic self sufficiency of communities... If the community puts its full weight behind informal businesses, the market lies open for other unemployed people.'¹⁶⁵ [¹⁶⁵ *City Press* 12 March 1989]

In June 1989 ACHIB opened an office in Chicago, United States, in order to raise funds for the organisation in South Africa.¹⁶⁶ [¹⁶⁶ *The Star* 7 June 1989]

In July 1989 ACHIB's public relations officer, Ms Vicki Sussens, said some 500 companies had shown interest in the activities of hawkers and spaza shopowners. A management consultancy, Perry and Associates, had conducted a survey in 1988 from which they had discovered that the 'hidden market' was as big as the top three South African retailers, which had a combined turnover of R3bn. Ms Sussens said that many advertising agencies were suggesting that if big businesses wanted to remain in business in 20 years' time, they should look to the informal sector to market their goods and not to established retailers.¹⁶⁷ [¹⁶⁷ *The Weekly Mail* 7 July 1989]

A conference held in Johannesburg which was organised by ACHIB brought together representatives of small and big businesses, trade unions and government economists in order to exchange views on privatisation and deregulation. The president of the National Council of Trade Unions, Mr James Mndaweni, said that ACHIB 'should avoid being an appendage of the business captains and the ruling class' and should instead be a part of the working class movement which it was designed to serve. Mr Mavundla replied that 'hawkers are not workers. Hawkers are hawkers and that means they are doing business. If they have to join the struggle, they don't have to be workers. They are hawkers' Mr Mavundla said that common ground had to be found on the issue of privatisation and later remarked that deregulation had benefited hawkers.¹⁶⁸ [¹⁶⁸ *Race Relations News* July 1989]

In February 1990 Mr Mavundla responded to remarks made by the African National Congress with regard to nationalisation by saying that ACHIB was in favour of free trade because it made people more competent through competition. He said, 'We have fought against laws preventing us from operating freely as the informal sector, a clear indication that we are committed to freedom in trade, and we do not want to go back to where we came from.'¹⁶⁹ [¹⁶⁹ *Cape Times* 26 February 1990]

Taxis

Statistics

Over a period of three years the black taxi industry was said to have provided employment for over 300 000 people of whom 100 000 were taxi drivers and 200 000 were involved in the industry's back-up services, namely as mechanics and spare-parts dealers.¹⁷⁰ [¹⁷⁰ *Post Natal* 8 March 1989]

According to a book written by the director of the Self-Employment Institute, Mr Theo Rudman, entitled *The Third World: South Africa's Hidden Wealth*, it was estimated that there were between 60 000 and 90 000 illegal taxis in South Africa. Some operators were believed to possess up to 25 taxi licences which they hired out to unlicensed drivers at prices ranging from R2 500 to R3 000. Mr Rudman said that a taxi operator could earn up to R1 000 per week. This amount would generally double in the last week of the month, because people with pay packets wanted private transport in order to avoid being mugged.¹⁷¹ [¹⁷¹ *The Weekly Mail* 23 March 1989]

The Central Statistical Service published figures in May 1989 which indicated that more whites than

blacks had bought kombitaxis. Within the first four months of 1989, 786 new kombitaxis were registered, of which 386 were registered by whites and 68 by blacks. Of the 1 152 used kombitaxis registered, 624 were registered by whites and 368 by blacks. The chairman of the Bara-City Taxi Operators' Association, Mr Joshua Simelane, said that 45% of the taxis in his organisation were owned by whites. He said, The men hand in about R500 every week to the whites. They are actually working for them. But if you make inquiries the white owner will tell you the operator is paying off the vehicle.¹⁷² [¹⁷² *Business Day* 2 May 1989]

The number of taxi permits issued between 1 January 1989 and 31 December 1989 totalled 32 460, which was almost ten times greater than the number issued between 1 April 1985 and 31 March 1986, which totalled 3 781.¹⁷³ [¹⁷³ *The Citizen* 27 February 1990]

New developments

In March 1989 the Department of Transport commissioned an investigation into the black taxi industry.¹⁷⁴ [¹⁷⁴ *Financial Mail* 10 March 1989] The study was undertaken by three private consultants and the Council for Scientific and Industrial Research. The study was divided into six sections concerning:¹⁷⁵ [¹⁷⁵ *Ibid*]

- the creation of a black taxi statistical bank;
- the study of taxi law enforcement;
- the study of black taxi facilities;
- research into high occupancy vehicle lanes;
- research into the energy effectiveness of the black taxi industry compared to other modes of public transport: and
- the operational characteristics of black taxis, such as their effect on traffic, average operating speeds and the number of taxis required to do the work of one bus.

The department hoped to use the findings of the study to counter opposition to the black taxi industry and to highlight the industry's civil engineering requirements in towns and cities.¹⁷⁶ [¹⁷⁶ *Ibid*]

A committee consisting of representatives of the Department of Transport and the Southern Africa Black Taxi Association (SABTA) was established in March 1989 in order to discuss the deregulation of the black taxi industry and its long-term implications. In 1987 the government recommended that the only

requirement for a taxi permit should be a safe vehicle, adequate insurance and a driver with a professional driver's licence. According to a statement issued by the Department of Transport in March 1989, It is therefore clear that deregulation is aimed at making it easier for entrepreneurs to enter the taxi business, whilst at the same time ensuring acceptable standards of operation and safety.' SABTA resisted the deregulation process and argued that overnight deregulation would lead to 'chaos'.¹⁷⁷ [¹⁷⁷ *The Star* 15 March 1989] An executive member of SABTA, Mr Paradis Mahlangu, welcomed the talks. He said that blacks were suspicious of deregulation and privatisation and therefore it was important that changes be handled in a sensitive manner.¹⁷⁸ [¹⁷⁸ *City Press* 19 March 1989]

In June 1989 the minister of transport affairs, Mr Eli Louw, approved the deregulation recommendations made by the committee and said that they would be phased in over a period of three years. The recommendations involved the creation of local taxi liaison committees in all the larger metropolitan areas, which would deal with problems at a local level. Secondly, criteria were introduced which had to be met for a national taxi association to be recognised. The third recommendation dealt with measures to prevent undesirable practices on the part of white taxi owners who exclusively served the black community.¹⁷⁹ [¹⁷⁹ *Sowetan* 6 June 1989]

SABTA welcomed the approval by the Department of Transport of its suggestions for the deregulation of the taxi industry. In a press statement, it said that deregulation was a major breakthrough and would enable SABTA to exercise better control over its local, regional and provincial branches.¹⁸⁰ [¹⁸⁰ *Business Day* 7 June 1989]

During the period under review statistics showed a significant rise in the number of accidents involving kombitaxis. SABTA tried to counteract these numbers with road safety promotions. The media liaison officer of SABTA, Mr Lendile Lavisa, said, 'We are most concerned about the matter and are in the process of instituting a number of programmes to increase our members' awareness of road safety.'¹⁸¹ [¹⁸¹ *Africa Now* March 1989] The following safety programmes were instituted by SABTA:

- a mass media campaign, which was designed to apply peer pressure on taxi operators to drive safely and look after their vehicles. It was also designed to bridge the gap between the operator and his passengers;
- the taxi tape concept, which involved the use of music tapes which were played in the vehicle and interspersed with advertisements and various safety tips;
- the Driver of the Year competition, which was designed to involve the community in the nomination of candidates according to their driving skills;¹⁸² [¹⁸² *Ibid*] and
- Project Spear, which was to realise the long-term goal of training taxi drivers and owners to improve their business and operating skills. It was also created in order to increase job opportunities for black

entrepreneurs through the aid of a new commercially run company, Associated Training Resources.¹⁸³ [183 *Southern Africa Today* December 1989]

In January 1990 a group known as the Taxi Safety Action Group was formed with representatives of SABTA, law enforcement agencies, community members, researchers and professionals in the transport industry. The president of SABTA, Mr James Ngcoya, said that the group was expected to produce an action programme in March 1990 to address the issue of road accidents involving kombitaxis.¹⁸⁴ [184 *The Citizen* 30 January 1990]

It was reported that only 10% to 15% of kombitaxis which were operating in South Africa and which had been bought in the preceding three years were insured. Mr Ngcoya confirmed that most of his members did not have comprehensive insurance because of the high premiums. He said, 'Some [insurers] increase premiums and it becomes financially impossible for the operator to continue the cover.' An insurance broker, Mr Khehla Mthembu, commented that most kombitaxis were worn out after three years of use and, because of defects and the risk of accidents, insurance premiums were increased.¹⁸⁵ [185 *Sowetan* 1 February 1990]

The growth of the black taxi industry created a need for more facilities to accommodate the increased number of commuters. A new R6m taxi terminus was planned near Shareworld, Soweto, which was to cater for 1 000 taxis and for 50 000 commuters. The facilities would include new SABTA offices, a service station, a retail area, shelters for commuters, loading areas and ablution blocks. SABTA's deputy managing director, Mr Jabu Mabuza, said that the new interchange would cater mainly for long-distance operators and would also lessen congestion in the Central! business district.¹⁸⁶ [186 *Business Day* 5 April 1989]

It was reported that the black taxi industry had cut deeply into Putco's profit margins. The bus company, which was one of the biggest in South Africa, was forced to cut its fleet by a third after losing 180m passengers. The latest figures available in April 1989 showed a loss of R4m in Putco's profits for 1988.¹⁸⁷ [187 *Sowetan* 19 April 1989]

Taxi organisations

In March 1989 the media liaison officer of the **Southern Africa Black Taxi Association** (SABTA), Mr Lindile Lavisa, said that SABTA members had been affected by economic sanctions against South Africa. He pointed out that Japanese trade restrictions on exports to South Africa had affected the Nissan, Toyota and Delta dealers, which were the three main suppliers of minibuses to the black kombitaxi industry. He said that the shortage of new vehicles was limiting the grants of the industry dramatically.¹⁸⁸ [188 *Africa Now* March 1989]

The chairman of the **Southern Africa Long Distance Taxi Association** (SALDTA), Mr Peter Rabali, accused the government of trying to 'squeeze' people out of the taxi market. Mr Rabali argued that

although 360 permits had been issued to SALDTA members who operated between Johannesburg and Pietersburg, South African Transport Services still had ten to 15 buses operating on the same route.¹⁸⁹ [189 Ibid]

Violence surrounding taxis

In March 1990 the president of the Alexandra Civic Association, Mr Moses Mayekiso, said that the rival taxi associations, the **Alexandra United Taxi Association** and the **Alexandra-Randburg Midrand-Sandton Taxi Association** would merge.¹⁹⁰ [190 *Sowetan* 9 March 1990] Such action was taken in a bid to end a ‘taxi war’ in Alexandra Township between the associations.¹⁹¹ [191 *The Star* 9 March 1990]

In February 1990 conflict broke out between members of the Germiston District Taxi Association and the Katlehong Taxi Organisation over the utilisation of routes in the Katlehong township (east Rand). Eyewitness reports said that the clash began on 24 February 1990 when the rival taxi groups attacked each other at the Natalspruit Hospital taxi rank. The conflict later spread to other parts of Katlehong.¹⁹² [192 *Sowetan* 27 February 1989] By May 1990 the unofficial number of ‘taxi war’ related deaths amounted to 49.¹⁹³ [193 Ibid 21 May 1990]

In March 1990 the joint managing director of SABTA, Mr Jabu Mabuza, announced that the Germiston District Taxi Association had been suspended from operating. He said the suspension would remain in force until conditions for peace and the unity of the taxi bodies were achieved.¹⁹⁴ [194 Ibid 8 March 1990] The Katlehong Civic Association Crisis Committee called for a taxi boycott in the area until the violence between the rival groups had ended.¹⁹⁵ [195 *The Citizen* 5 March 1990] (See also chapter on *Transport*.)

Business Organisations

During the period under review, the business community took an active role in social, economic and political developments in South Africa.

Association of Chambers of Commerce and Industry of South Africa (ASSOCOM)

In April 1989 the Association of Chambers of Commerce and Industry of South Africa (ASSOCOM) submitted its views regarding constitutional models for a future South Africa to the President’s Council. An ASSOCOM spokesman said that the organisation supported the need for the formulation of principles and guidelines in order to facilitate negotiations regarding black participation in the political system. He said, ‘ASSOCOM considers that the business sector has a vital stake in the successful outcome of such discussions and negotiations, in common with all groups who genuinely have the

welfare of South Africa at heart.’

An ASSOCOM spokesman pointed out that the primary need in South Africa was the removal of discrimination against blacks, and black participation in government.¹⁹⁶ [¹⁹⁶ *Ibid* 25 April 1989] He said that the best manner in which economic performance, social justice and personal liberty could be reconciled was through a federal system.¹⁹⁷ [¹⁹⁷ *The Star* 25 April 1989]

In June 1989 concern was expressed by ASSOCOM and the Afrikaanse Handelsinstitulit over the disruptive effect of military service on the economy. This expression of concern followed a speech given by the research chief of the Human Sciences Research Council, Mr D D J Botha, in which he said that the South African economy could no longer afford a two-year military training cycle. The manpower secretary of ASSOCOM, Mr Vincent Brett, said that his organisation was not really concerned about the initial call-up period of two years, but about the subsequent annual camps. He said that fewer professional and technical workers would emigrate if military service and annual camps were reduced.¹⁹⁸ [¹⁹⁸ *The Citizen* 12 June 1989]

A spokesman for the ministry of defence, Dr D A S Herbst, said in June 1989 that military service and the manpower requirements of the South African Defence Force were already under review. He said that the defence force was part of the broader community and that it was not insensitive to public needs.¹⁹⁹ [¹⁹⁹ *The Star* 10 June 1989]

Foundation for African Business and Consumer Services (FABCOS)

In October 1988 the Foundation for African Business and Consumer Services (FABCOS) was formed. It was created in order to harness the power of black entrepreneurs and consumers. It was reported in February 1989 that FABCOS represented over 100 000 people in black business, and consumer and co-operative groups.²⁰⁰ [²⁰⁰ *Financial Mail* 3 February 1989] By June 1989 FABCOS claimed to have a membership of over 1m people through its 12 affiliates.²⁰¹ [²⁰¹ *African Business* June 1989] The president of FABCOS, Mr James Ngcoya, said that black economic empowerment would be achieved through the co-operation of all black organisations.²⁰² [²⁰² *Financial Moil* 3 February 1989]

In June 1989 the National African Federated Chamber of Commerce and Industry (NAFCOC) was approached by FABCOS, which asked it to affiliate. NAFCOC refused. A meeting between FABCOS and NAFCOC collapsed because, according to a NAFCOC spokesman, the organisation saw no need for the establishment of another black business body.²⁰³ [²⁰³ *African Business* June 1989] The general secretary of FABCOS, Mr Joas Mashele, said in November 1989 that he could not say whether unity between FABCOS and NAFCOC was possible but remarked that the intense rivalry between the two organisations was no secret. He said that although the organisations had the same objectives, they could

not 'iron out' their differences and agree on unity.²⁰⁴ [²⁰⁴ *Sowetan* 23 November 1989]

National African Federated Chamber of Commerce and Industry (NAFCOC)

It was reported in February 1989 that the president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, had said that the survival of the free enterprise system in South Africa would depend upon the extent to which blacks perceived themselves to be beneficiaries of the system. He said that the dilemma which faced South Africa in the post-apartheid era was the manner in which blacks could rapidly be integrated into the first world sector of the economy.²⁰⁵ [²⁰⁵ *Financial Mail* 3 February 1989]

In August 1989, speaking at NAFCOC's 25th annual conference at Sun City in Bophuthatswana, Dr Motsuenyane criticised the government for not dismantling apartheid. He said, 'The truth must be accepted that no serious negotiations about the future of South Africa can be entered into until the representatives of mass democratic organisations, like the African National Congress, the Pan-Africanist Congress and others, are directly involved.'²⁰⁶ [²⁰⁶ *Sowetan* 9 August 1989]

Dr Motsuenyane pointed out that the re-imposition of the state of emergency and international pressures on the economy had created conditions which worked against the growth and the restructuring of investment confidence in the South African economy.²⁰⁷ [²⁰⁷ *Ibid*] He said that without the rapid implementation of required socio-economic changes which would lead to the total elimination of apartheid, economic strangulation would be inevitable in the near future.²⁰⁸ [²⁰⁸ National African Federated Chamber of Commerce and Industry (NAFCOC), report, 25th Anniversary Conference, 6-10 August 1989] Dr Motsuenyane later announced the following NAFCOC strategies, which were seen to be top priority:²⁰⁹ [²⁰⁹ *Ibid*]

- the restructuring of NAFCOC in order to enable the organisation to affiliate to other specialist, national business organisations;
- the strengthening of NAFCOC's administrative capacity through the adoption of sound financial and information management systems and in the appointment of certain key administrative personnel;
- the launching of a membership drive, along with the upgrading and streamlining of membership services; and
- the implementation of a fund-raising strategy, which would ensure the ultimate financial independence of NAFCOC.

South African Chamber of Business (SACOB)

In January 1990 ASSOCOM and the South African Federated Chamber of Industries (FCI) merged to form one organisation called the South African Chamber of Business (SACOB). The chief executive of ASSOCOM, Mr Raymond Parsons, was appointed director general of the new organisation. The executive director of the FCI, Mr Ron Haywood, was appointed deputy director general of SACOB.²¹⁰ [²¹⁰ *Business Day* 25 January 1990] In May 1990 SACOB was formally launched at a media conference. The regional organiser of SACOB, Mr Eric van Dyk, said that the establishment of the new organisation was inevitable. He said. It not only seemed logical for business to speak with a stronger voice, but the members of the two bodies indicated clearly this was what they wanted.’ SACOB represented 102 chambers of commerce and industry with a membership of approximately 35 000 companies. It also represented 109 direct members and 62 national associations. In May 1990 SACOB published its charter of economic, social and political rights, which provided ‘a valuable framework and a point of departure for the formulation of more specific policies and strategies’.²¹¹ [²¹¹ *Ibid* 17 May 1990] The members of SACOB agreed to and supported the rights and principles published in the charter, which is quoted opposite.²¹² [²¹² South African Chamber of Business (SACOB), *Charter of Economic, Social and Political Rights*, May 1990]

PART I: ECONOMIC RIGHTS AND PRINCIPLES

1.

1.1 Everyone has the right to own property, alone as well as in association with others, including communal ownership as found in traditional communities.

1.2 No one shall be deprived of his property without due process of law and compensation.

2. Everyone has the right to the rewards of his endeavours and this right shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the public interest and the promotion of the public wealth and well-being.

3.

3.1 Everyone has the right freely to employ labour and to own or manage a business in accordance with the rights and principles set out in this Charter.

3.2 Everyone shall be entitled to equal work opportunities and to free choice of employment.

3.3 Everyone who works has the right to fair remuneration.

3.4 Everyone with contractual capacity shall have freedom to contract and to conclude agreements with others in the voluntary exercise of his rights and freedom and generally for the promotion of his interests.

3.5 Everyone, without discrimination, has the right to equal pay for equal work.

3.6 Everyone has the right to form or join trade unions, or commercial, industrial or other associations of his choice for the furtherance or protection of his economic interests; however, no one may be compelled to join such a union or association.

PART II: SOCIAL AND CULTURAL RIGHTS AND PRINCIPLES

4. All human beings are born free and equal in dignity and rights.

5. Everyone has the right to respect for his private and family life; and the widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group in society.

6. Everyone has the right to freedom of thought, conscience, and religion; this right includes the freedom to change his religion or belief and the freedom alone or in community with others and, in public or in private, to manifest his religion or belief in worship, teaching, practice and observance.

7. Everyone has the right to equal educational opportunities and, in the exercise of any functions which the State or private institutions assume in relation to education and to teaching, the State shall respect the rights of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

8.

8.1 A person belonging to an ethnic, religious or linguistic group shall not be denied the right to enjoy his own culture, to profess and practice his own religion or to use his own language.

8.2 Everyone shall have the right freely to participate in the cultural life of the nation, to enjoy the arts, to share in scientific advancement and its benefits, and to the free and full development of his personality.

PART III: CIVIL AND POLITICAL RIGHTS AND PRINCIPLES

9. Every human being has the right to recognition as a person before the law.

10. Everyone is equal before the law and is entitled to equal protection of the law without any discrimination on the basis of race, colour, language, sex, religion, ethnic or social origin, age, property, birth, political or other opinion and economic or other status.

11.

11.1 Everyone has the right to life, liberty and security of person.

11.2 No one shall be arbitrarily deprived of these rights.

12. No one shall be subjected to arbitrary arrest, detention or exile and everyone shall be entitled to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and of any obligations and of any criminal charges against him.

13. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

14. No one shall be held in slavery or servitude and no one shall be required to perform forced or compulsory labour,

15.

15.1 Everyone has the right to freedom of movement and residence within the borders of the State.

15.2 Everyone has the freedom to leave the country and, if having the right of permanent residence, to return.

16.

16.1 Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media, regardless of frontiers.

16.2 Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.

17. Everyone has the right to freedom of association and freedom of peaceful assembly.

18.

18.1 Everyone born in South Africa or the independent or national states, or naturalised in accordance with law has the right to South African citizenship.

18.2 Every citizen has the right to take part in public affairs, directly or through freely chosen representatives.

18.3 Everyone has the right of equal access to the public service.

18.4 Due regard being given to the protection of the rights of individuals and minorities, the will of the people is the basis of the authority of the government and this shall be expressed by way of periodic and genuine elections which shall be by universal suffrage and shall be held by secret vote or by equivalent free voting procedures.

19. The form of any new constitution shall be the subject of negotiation between interested parties, and it is essential that any future political system in South Africa provides:

19.1 the necessary checks and balances;

19.2 the safeguard of basic human rights;

19.3 protection for minorities against domination.

20. The State shall not be above the law, but shall, through decentralisation and devolution of state powers, be close to the people and responsive to their needs.

21. Business endorses the view that economic freedom and the private enterprise ethic—as well as the norms with which they are associated—should be entrenched in an appropriate future political system.

22. The institutions of democratic government, and in particular, the separation of state powers, the independence of the judiciary and the supremacy of the law, the freedom of the press and the free formation of political parties shall be the foundations of South African statehood.

23. South Africa, as a sovereign state, shall respect

23.

23.1 The rights and independence of all nations and shall strive to maintain world peace and the settlement of all international disputes by negotiation.

23.2 The right of other peoples to independence and self-government shall be recognised and shall be the basis of close co-operation.

PART IV: PERSONAL AND PUBLIC RESPONSIBILITIES

24. Everyone is entitled to all the rights and freedoms identified in this Charter, without distinction of any kind, such as race, colour, language, sex, religion, political or other opinion, ethnic or social origin, age, property, birth and economic or other status.

25. Everyone's exercise of his rights and freedoms shall be subject to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just requirements of morality, public order and the general welfare in a democratic society.

26.

26.1 Nothing in this Charter shall be interpreted as a denial of the right and duty of the State to compel anyone to desist from any activity or to refrain from any act aimed at the abrogation of any of the rights and freedoms of others as set forth herein.

26.2 In times of public emergency which threaten the life of the nation or the democratic institutions of the State, or when anyone acts or plans to act in a manner aimed at the abrogation or destruction of any of the rights and freedoms of others as identified herein, the State may take such measures to the extent strictly required to meet the exigence of the situation; provided that such measures are consistent with the laws which provide for such emergency powers, as well as with other obligations under international law; and further provided that they do not involve unlawful discrimination.

South African Federated Chamber of Industries (FCI)

In January 1989 the executive director of the South African Federated Chamber of Industries, Mr Ron Haywood, said that because of difficult trading conditions for many South African businesses, a trend of company consolidation had developed through the processes of amalgamation and take-overs. This

development had led to a decline in job opportunities, in the number of small companies and in a loss of entrepreneurial skills. Mr Haywood said that education policy in South Africa was not designed to counteract the ever increasing shortage of technically qualified people who were needed for the expansion of the industrial sector. He said that the following issues would have to be addressed in order to develop a comprehensive economic strategy: education, raw materials, research and development, market opportunities, productivity, exports and the government's role in the economy.²¹³ [²¹³ *Business Day* 25 January 1989]

Black Business

General

In March 1989 a conference was held in Pretoria (central Transvaal) on the economic participation of blacks in South Africa. According to the president of the National African Federated Chamber of Commerce and Industry, Dr Sam Motsuenyane, the black business sector in South Africa contributed only approximately 1% to the country's gross national product. He said that black business had no representation in the major economic sectors such as mining, manufacturing and agriculture and that the black businessman did 'not wish to remain small in a rapidly growing black-dominated South African market place'.²¹⁴ [²¹⁴ *The Star* 20 March 1989]

In June 1989 the executive director of the South African Institute of Race Relations, Mr John Kane-Berman, said that greater black economic power did not automatically lead to increased political power.²¹⁵ [²¹⁵ *Ibid* 3 June 1989]

An American economist, Professor Prakash Sethi, argued that the black business sector would remain small and informal as long as it concentrated upon serving the black community. He said that only 2% of the black population was involved in entrepreneurial activities as opposed to 12% of whites.²¹⁶ [²¹⁶ *The Weekly Mail* 18 August 1989]

The director of the Centre for African Studies, Mr Eugene Nyathi, said that the past black economic empowerment programme, which had been promoted by the government and private enterprise, had amounted to half-hearted attempts at 'selective embourgeoisement' of some blacks. He said that black economic empowerment 'must be seen within the context of the continuing quest for political and economic justice in South Africa'.²¹⁷ [²¹⁷ *Sowetan* 7 September 1989]

Obstacles

In March 1989 Dr Motsuenyane, addressing the Council for Scientific and Industrial Research, said that discriminatory laws prevented or restricted blacks from participating in the South African economy. He

said that the black business sector also continued to face problems because of a lack of funds. This was because of the ignorance of funding institutions regarding the specific funding requirements of black business.²¹⁸ [²¹⁸ *City Press* 26 March 1989]

The obstacles which faced the black building industry were highlighted in May 1989 when the South African Property Owners' Association held a conference concerning the future of black business in South Africa. The president of the Transvaal Builders' Association, Mr Baker Mogale, said that black builders had no credible involvement in the construction industry and that their progress was hampered by bureaucratic obstacles, a lack of capital for buying land and a lack of skills and expertise. The director of the Building Industries Federation of South Africa, Mr Neil Fraser, focused on the lack of costing skills among inexperienced and black builders. He said that builders often faced heavy losses because they failed to incorporate overhead or contingency costs in their quotes for tenders. He added that the Small Business Development Corporation had stopped giving loans to small builders because of their high occurrences of debt. The former chief executive of the African Bank, Mr Gaby Magomola, said that the inability of black entrepreneurs to compete with established businesses was a result of their being situated far away from wholesale suppliers and energy sources, other than electricity. This forced them to charge higher prices.²¹⁹ [²¹⁹ *The Weekly Mail* 12 May 1989]

Developments

In July 1989 the chief executive of a business consultancy, Mr Qudelimzwezwe Majola, said that white businessmen should help black entrepreneurs through the process of franchising. He said, I say franchising is the formula because in the United States, while more than two thirds of small businesses collapse within five years, only about 4% of franchises fail over the same period.'²²⁰ [²²⁰ *The Star* 7 June 1989]

In November 1989 it was reported that two new black financial institutions were being created. The Black Management Investment Fund for Black Savings discussed the feasibility of establishing a 'massive financial institution' to channel black savings in a direction which would benefit the black community.²²¹ [²²¹ *The Weekly Mail* 24 November 1989]

According to the Black Management Investment Fund, virtually all the savings of the black community were placed in white managed investment institutions, which in turn did not make investments in the black townships. The Southern Africa Black Taxi Association (SABTA) indicated that there were plans to initiate a new black financial institution. The newly appointed chairman of Taxi South Africa Marketing, Mr Gaby Magomola, said that it had always been the intention of the president of SABTA, Mr James Ngcoya, to establish an in-house financial institution which would be sensitive to the particular needs of the taxi operator.²²² [²²² *Ibid*]

In February 1990 black businesses responded to a statement made by the deputy president of the African National Congress (ANC), Mr Nelson Mandela, on the proposed nationalisation of certain sectors of the

economy, such as mining and banking. The president of the National African Federated Chamber of Commerce and Industry (NAFCOC), Dr Sam Motsuenyane, said that nationalisation would not necessarily solve the socio-economic and political problems of South Africa, but that it could contribute to the provision of some of the answers to those problems.²²³ [223 *Sowetan* 15 February 1990] Dr Motsuenyane suggested some alternatives to nationalisation, which were as follows:²²⁴ [224 *Ibid*]

- corporate restructuring of the economy in which companies would transfer some of their assets to the disadvantaged;
- affirmative action to facilitate the process of black economic participation through the creation of appropriate legal and funding structures; and
- the creation of trusts, which would be designed to enable blacks to play a real role in the economy.

Dr Motsuenyane said that ‘all these are assuming the total elimination of statutory apartheid, and the creation of a climate for equal opportunities for all South Africans regardless of race, colour, sex or creed’.²²⁵ [225 *Interface* March 1990]

In March 1990 Dr Motsuenyane said that a request had been made to NAFCOC by the ANC to conduct an in-depth investigation into the nationalisation of businesses in South Africa. He said that NAFCOC would invite major South African businesses to a conference in May 1990 in order to discuss the issue of nationalisation.²²⁶ [226 *The Star* 1 March 1990]

In the same month, a NAFCOC delegation went to Lusaka (Zambia) to meet senior ANC officials. Dr Motsuenyane said, ‘NAFCOC and the ANC share the concept of a mixed economy in South Africa, and one that represents a realistic acceptance of the situation that must prevail in the future... We at NAFCOC envisage the economy being based on public, private, small business and co-operative sectors, and with government operating some state enterprises along the same lines as other Western countries.’²²⁷ [227 *Interface* March 1990]

A spokesman for the Foundation for African Business and Consumer Services said that state control of certain sectors of the economy was unavoidable.²²⁸ [228 *Sowetan* 15 February 1990]

Black Consumers

Consumer boycotts

Mainly white businesses in both Boksburg (east Rand) and Carletonville (west Rand) were badly

affected by consumer boycotts from November 1988 to November 1989 and February 1989 to September 1989 respectively. The boycotts by blacks against white businesses arose from the reintroduction of segregated facilities by the towns' Conservative Party (CD-controlled town councils (see *1988/89 Survey* pp379–382). It was reported that 379 people had lost their jobs over one period of nine weeks in Carletonville.²²⁹ [²²⁹ *The Star* 19 April 1989] According to the president of the Carletonville Chamber of Commerce, Mrs Annatjie Claasen, It was estimated in April that business in Carletonville had lost more than R4m since the start of the boycott in February 1989.²³⁰ [²³⁰ *Sowetan* 20 April 1989] The chairman of economic affairs and technology of the CP, Mr Clive Derby-Lewis, said in January 1989 that the boycott experienced in Boksburg had not had the effect which the media had suggested. He said that the decrease in sales of large goods was due to higher interest rates and increased hire purchase instalments. The managing director of the OK Bazaars, Mr Gordon Hood, said that the Boksburg branch of the OK had experienced a 45% decrease in turnover from December 1987 to December 1988. A large clothing retailer, Champions, experienced a drop in turnover of R41 000 over the same period.²³¹ [²³¹ *Finance Week* 12 January 1989]

A report published by the South African Institute of Race Relations, entitled *The Boksburg Boycott*, pointed out that the consumer action had been a success but that it would take a long time before Boksburg's council felt the effect of it.²³² [²³² *Race Relations News* July 1989]

Mrs Claasen conducted a survey of 139 major traders in Carletonville one week after the boycott began on 27 February 1989 and discovered that:²³³ [²³³ *Financial Mail* 10 March 1989]

- 53% had experienced turnover losses of between 41% and 100%;
- 7% had experienced turnover losses of between 0% and 40%;
- 27% said that they had had to close down;
- 45% said that they had had to discharge staff; and
- 60% said that they had had to cut their buying.

Consumer buying power

A survey conducted by the Bureau of Market Research at the University of South Africa found in February 1989 that although white consumers were still the major users of goods and services, their share of total spending was rapidly decreasing. It said that expenditure by blacks was responsible for approximately 40% of all expenditure on goods and services in the main metropolitan areas.²³⁴ [²³⁴ *City Press* 26 February 1989]

At a consumer conference held in Sandton (near Johannesburg) in August 1989, the executive director of the Consumer Research and Promotion Association, Mr Eldridge Mathebula, said that black consumers were exposed to risks owing to discrimination, poor infrastructure, and restrictions on black business. He said that care should be taken that free enterprise did not include the freedom to exploit the ignorant and powerless consumer. People needed to be protected against those who had greater social and economic power.²³⁵ [²³⁵ Mathebula E, 'Is it Right to Protect Business at the Expense of the Consumer?' paper presented at conference, 'Consumer Power in a Free Market', Sandton, 23-24 August 1989]

In February 1990 at a conference held by the Human Sciences Research Council in Pretoria, Mr Mathebula attributed the growth in the black consumer market to the following factors:²³⁶ [²³⁶ HSRC conference, 15 February 1990]

- black population increase;
- the rise in the purchasing power of blacks;
- urbanisation; and
- the general improvement of educational and living standards among blacks.

The projections given by Mr Mathebula of the proportion of the black market's share of the total consumer market represented an increase of 18% from 1980 to 1990 in the food, drink and tobacco market, while the clothing/footwear and furniture/appliance markets showed increases of 22% and 21% respectively over the same period.²³⁷ [²³⁷ Ibid]

At a conference held in February 1990 in Pretoria, Mr Mathebula said that blacks' share of the consumer market was expected to increase to 66% of all disposable income in the South African economy by the year 2000. He said that the Institute for Futures Research at the University of Stellenbosch estimated that black disposable income by the year 2000 would be approximately R20bn per year.²³⁸ [²³⁸ Ibid]

Corporate Social Responsibility and Investment

General

The managing director of Analytical Marketing, Mr Alistair Davidson, believed that companies involved in corporate responsibility projects could be wasting their money on community projects which did not fulfil the needs of the black community. A study was conducted by Analytical Marketing among 1000 African and 300 coloured employees from companies which were involved in corporate social responsibility projects. It was discovered that educational programmes were perceived to be the greatest

need, other needs being for health and sport facilities, housing, bursaries, old age homes and recreational amenities. Mr Davidson said that corporations should not spend vast amounts of money on corporate social responsibility programmes if they did not pay their staff well.²³⁹ [²³⁹ *City Press* 23 April 1989]

In October 1989 it was reported that companies were spending more than R600m a year on projects to improve educational standards, housing and job opportunities. A director of Business Marketing Intelligence, Ms Bets Nel, said that corporations were spending money mostly on education and housing. Ms Nel said that large companies supplied, on average, more than 80% of all corporate social responsibility funds in South Africa. She added that the government was the largest source of money for education, housing, social welfare and health but that it could not take on the full responsibility of fulfilling those needs on its own.²⁴⁰ [²⁴⁰ *Sunday Star* 1 October 1989]

In December 1989, during a Warner-Lambert Social Responsibility Award Ceremony, the convener of the judging panel, Mr Arthur Swartz, commented, 'Everyone wants to create a more prosperous business environment in which all will benefit. People are starting to call it social investment rather than social responsibility, which speaks volumes for the attitude commonly adopted these days by South African companies.' Mr Swartz said that many companies were paying their employees above the minimum household subsistence levels. This was a good indication that South African companies were sincere in their attempts to introduce fair labour practices, he added.²⁴¹ [²⁴¹ *Cape Town Chamber of Commerce Bulletin* 15 December 1989] He said that housing and other employee benefits over and above pension and medical aid benefits and equal employment were 'the norm rather than the exception'.²⁴² [²⁴² *Financial Mail* 2 March 1990]

The human resources manager of Mobil Oil Southern Africa, Mr Mel Palmer, said at the ceremony, 'Business has a responsibility to assist both financially and with its expertise to empower the disadvantaged to overcome the disabilities they suffer as a result of the prevailing social system'.²⁴³ [²⁴³ *Ibid*]

Foreign companies

American companies

The executive director of the American Chamber of Commerce in South Africa (AMCHAM), Mr Wayne Mitchell, said that there were approximately 132 American companies still operating in South Africa with combined assets of about \$1,6bn. These US companies had to report either to the Signatory Association or to the US State Department on their activities relating to social responsibility. According to the Signatory Association, the workforce of all subscribing companies was approximately 30 000. It said that in 1989, US companies had spent R83m on social responsibility programmes, compared to R86m in 1988. Mr Mitchell said that expenditure in some areas had increased in 1989, such as bursary grants (13%), housing programmes (15%) and black enterprise development (6%). He commented that the 1989 community development expenditure had increased by 20% and education spending by 50%.

More than 11000 bursaries had been awarded to blacks in pre-primary, primary and high schools, technical colleges and universities. He said that since the AMCHAM programme of social responsibility had begun in 1976, R657m had been contributed for the benefit of blacks in South Africa.²⁴⁴ [²⁴⁴ Ibid]

British companies

In February 1989 the chairman of BP Southern Africa, Mr Ian Sims, said that more investment was needed in South Africa in order to provide employment, housing and education. He said that disinvestment and sanctions would turn South Africa into an economic desert with poverty, unemployment and misery. Mr Sims said that progress had been made by BP Southern Africa in its project to make District Six in Cape Town a new open area for residential and business purposes.²⁴⁵ [²⁴⁵ *Business Day* 22 February 1989]

In May 1989 the chairman of Shell in London, Sir Peter Holmes, said that his company was committed to staying in South Africa. Addressing Shell's annual general meeting. Sir Peter emphasised the company's social responsibility programmes, its increased market share and growing black customer base.²⁴⁶ [²⁴⁶ *Cape Times* 12 May 1989]

Employee Share Ownership Plans (ESOPs)

In March 1988 the managing director of the Anglo American Corporation of South Africa, Mr Gavin Relly, argued that a fundamental reordering of the relationship between management, workers and shareholders was needed in a post-apartheid society, with workers becoming involved in equity ownership schemes and other forms of company participation.²⁴⁷ [²⁴⁷ *South African Journal of Labour Relations*, vol 12 no I, March 1988]

In an article written in March 1988, Mr Frank Horwitz of the Graduate School of Business, University of Cape Town, said that the advantages of employee share ownership plans varied from reducing employee alienation from management to the creation of joint partnership between 'capital and labour'.²⁴⁸ [²⁴⁸ Ibid]

In January 1989, the head of the department of political studies at the University of Cape Town, Professor Hermann Giliomee, said that the enabling of black employees to become shareholders of their companies was the only favourable alternative to their nationalisation. 'And that is why it is essential that private entrepreneurs give attention to imaginative schemes which not only give black employees a meaningful say in the management of companies but allow them to acquire a substantial shareholding', he said.²⁴⁹ [²⁴⁹ *Sunday Times* 22 January 1989]

An article published in *Finance Week* in March 1990, entitled *In praise of ESOPs*, gave the benefits of ESOPs as follows:²⁵⁰ [²⁵⁰ *Finance Week* 23 March 1989]

- a company which had issued shares for ESOPs received immediate cash benefits;
- ESOPs provided new incentives to staff; and
- they allowed shares to remain in ‘friendly hands’.

According to *Chamber News*, ESOPs:²⁵¹ [²⁵¹ *Chamber News* (Natal Chamber of Industries) 20 November 1989]

- inculcated an understanding of the private enterprise system in employees;
- promoted an interest in company performance:
- created a drive for better results;
- developed company loyalty; and
- generated dividends for employee shareholders.

Constraining features of ESOPs were pointed out by Project Free Enterprise, which stated that ‘the maximum limit of employee share ownership is usually set at around 10% of the issued share capital by stock exchange regulations. Effectively this means that the employees’ stake in a company never amounts to more than a minority share holding’. ESOPs were seen by ‘protagonists of socialism’ as a means of ‘buying workers’.²⁵² [²⁵² Project Free Enterprise, *Wealth Creation in South Africa*, 1989]

A researcher of the Labour and Economic Research Committee, Ms Judy Mailer, said that ESOPs created an illusion of participation in company matters because they did not entitle workers to have decisionmaking powers.²⁵³ [²⁵³ *South African Labour Bulletin*, vol 14 no I, April 1989]

ESOPS in South Africa

Anglo American Corporation of South Africa

In January 1989 the head of industrial relations and public affairs at the Anglo American Corporation of South Africa, Mr Bobby Godsell, said that Anglo had introduced its ESOP to make employees feel part of the company and not to undermine trade unions. He said that initially Angle’s ESOP had been seen as a pilot scheme which would lead to workers’ owning 10% of the company (see *1988/89 Survey* p388).²⁵⁴ [²⁵⁴ *Daily Dispatch* 20 January 1989]

Project Free Enterprise stated that the total number of shares issued in terms of the Anglo ESOP was approximately 1,3m, which represented about 2% of the total corporate equity. It also said that in the first year 114 485 employees had taken up the offer, which represented 64% of the workforce.²⁵⁵ [²⁵⁵ Project Free Enterprise, *Wealth Creation*] In March 1990 an Anglo newsletter stated that 73% of its eligible workforce had taken up shares since the scheme was launched at the end of 1987.²⁵⁶ [²⁵⁶ *Cape Times* 27 May 1990] This meant that 142 000 employees had taken up shares, which totalled R235m worth of Anglo stock.²⁵⁷ [²⁵⁷ *The Citizen* 27 March 1990]

De Beers Consolidated Mines

In April 1989 the chairman of De Beers Consolidated Mines, Mr Julian Ogilvie Thompson, said that the shares taken up in June in 1988 by employees in terms of the company's ESOP had more than doubled in value.²⁵⁸ [²⁵⁸ *Business Day* 3 May 1989]

According to the De Beers annual report for 1989 the proportion of employees out of the total workforce participating in the De Beers Employee Shareholder Scheme increased from 43% in 1988 to 61% in 1989, representing 8 200 employees in its South African operations.²⁵⁹ [²⁵⁹ De Beers, Annual report 1989] The assistant manager of the De Beers Employee Shareholder Scheme, Mr R Bauser, said in June 1990 that the proportion of employees participating in the ESOP had increased to 65%, which represented approximately 9 000 employees.²⁶⁰ [²⁶⁰ Mr R Bauser, telephonic interview on 4 June 1990]

Pick 'n Pay

The chairman and joint managing director of Pick 'n Pay, Mr Raymond Ackerman, announced an extension of the company's ESOP (see *1988/89 Survey* p388). The extended scheme operated as follows:²⁶¹ [²⁶¹ Project Free Enterprise, *Wealth Creation*]

- a purchase capital of R25m was deposited in a trust fund by the company over which trustees exercised acting rights on behalf of the employees;
- previous shares were divided into four in order to generate more shares;
- the qualification period was reduced from ten to five years with people in all job grades becoming eligible to purchase shares;
- dividends were paid into the trust as repayments by employees for the initial loan provided; and
- employees had the option of either purchasing the shares after five years or waiting for ten years when the shares automatically became theirs owing to accredited dividend payments.

In March 1990 Mr Ackerman said that the membership of the ESOP had expanded from 2 000 to approximately 9 000 in 1989.²⁶² [²⁶² *Business Day* 7 March 1990]

South African Motor Corporation (SAMCOR)

In 1987 a South African Motor Corporation (SAMCOR) Employees' Trust was created to hold and administer the 24% equity of previous Ford share holdings in SAMCOR (see *1988/89 Survey* p388).²⁶³ [²⁶³ Project Free Enterprise, *Wealth Creation*]

The chairman of SAMCOR, Mr Les Boyd, said in January 1989 that all of the 4 500 employees who had been in service for a year or more had each received R940 in dividends in December 1988.²⁶⁴ [²⁶⁴ *Business Day* 17 January 1989] It was reported that many SAMCOR workers were disappointed with this amount as they had expected at least R3 000 each.²⁶⁵ [²⁶⁵ *Ibid* 18 January 1989] According to a spokesman for the National Union of Metalworkers of South Africa, Mr Fred Samuels, the trustees of the SAMCOR Employee Trust Fund had violated the fund's rules when they had paid dividends directly to employees.²⁶⁶ [²⁶⁶ *Industrial Relations Information Sheet*, Jan/Feb 1989]

South African Transport Services (SATS)

It was reported in November 1989 that the Federation of Trade Unions of the South African Transport Services (SATS) had launched a scheme which would finance the purchase of at least R1,7bn worth of shares by employees when the company was privatised. The federation's general secretary, Mr A Koekemoer, said that project Federal Privatisation Action would enable employee shareholders to use their shareholding to influence manpower policies of a privatised SATS.²⁶⁷ [²⁶⁷ *Business Day* 3 November 1989]

EMPLOYMENT

Economically Active Population

The Central Statistical Service (CSS) gave the following figures for the economically active population (EAP) per race group in South Africa for June 1987, 1988 and 1989, excluding Bophuthatswana, the Ciskei, the Transkei and Venda:¹ [¹ Central Statistical Service (CSS), *Bulletin of Statistics*, mid-year estimates, March 1990]

Economically active population^a

1987

1988

1989

African

6 921 000

7 090 000

7 256 000

Coloured

1 184 000

1 204 000^b

1 223 000

Indian

335 000

340 000

344 000

White

2 009 000

2 018 000^b

2 033 000

Total

10 449 000

10 652 000

10 856 000

a

EAP: The CSS definition includes employers, workers for own account, workers and unemployed.

b

Revised fig

Structure of the workforce

Racial and sectoral

According to the CSS, the number of people in the four different race groups employed in the different sectors of the economy in June 1989 and the percentage change over June 1988 were as follows:² [Public sector: CSS, *Employment and Salaries and Wages: Public Sector, Sane 1989* Statistical News Release, P0251, 9 October 1989; private sector: CSS, *Bulletin of Statistics*, March 1990]

Public sector employment in June 1989

Central government

Provincial administration

Local authorities

African

Number

181 682

114 888

141 633

Change

3,0%

0,8%

1,4%

Coloured

Number

86 104

32 081

39 955

Change

4,2%

1,4%

2,2%

Indian

Number

19 804

6 788

7 118

Change

2,6%

2,5%

2,1%

White

Number

233 673

73 549

63 533

Change

0,4%

-0,6%

2,3%

Total Number

521 263

227 306

252 239

Total Change

2,

Public sector employment in June 1989

Post and telecommunication

South African Transport services

Civil srvices of self-governing territories^a

African

Number

28 171

81 746

196 290

Change

2,1%

-4,3%

9,5%

Coloured

Number

11 945

14 372

—

Change

0,2%

-3,5%

—

Indian

Number

2 393

1 717

—

Change

4,2%

9,6%

—

White

Number

53 520

80 561

—

Change

-0,8%

-2,5%

—

Total Number

96 029

178 396

196 290

Total Change

0,3%

3,3%

9,5%

^a Coloured, Indian and white civil servants are paid by the South African government and therefore are not recorded under 'self-governing' territories'.

Public sector employment in June 1989

Public corporation

Prastatal institutions

Agricultural marketing boards

African

Number

64 440

9 312

779

Change

-21,0%

0,6%

13,7%

Coloured

Number

9 600

1 569

225

Change

1,0%

8,3%

6,6%

Indian

Number

396

128

41

Change

-59,4%

30,6%

86,4%

White

Number

60 518

10 342

1 922

Change

-28,2%

0,7%

6,6%

Total Number

134 954

21 351

2 967

Public sector employment in June 1989

Staff of universities and technikons

Total

African

Number

12 152

831 093

Change

0,7%

0,6%

Coloured

Number

4 669

200 520

Change

3,3%

2,4%

Indian

Number

2 339

40 724

Change

28,0%

2,6%

White

Number

31 570

609 188

Change

3,8%

-3,7%

Total Number

50 730

1 681 525

Total Change

3,9%

-0,7%

Private sector employment in June 1989^a

Construction

Finance ^b

Manufacturing

Trade and catering^c

African

Number

302 200

24 303

777 100

380 479

Change

1,2%

3,9%

0,8%

2,6%

Coloured

Number

59 900

18 660

274 100

109 125

Change

-1,3%

10,2%

1,3%

10,0%

Indian

Number

7 000

8 727

93 400

45 941

Change

14,8%

13,0%

0,1%

6,8%

White

Number

48 100

127 284

314 200

284 122

Change

-0,6%

3,1%

0,3%

4,0%

Total Number

417 200

178 974

1 458 800

819 667

Total Change

0,8%

4,3%

0,7%

4,3%

^a Excluding mining, agriculture and domestic workers

^b Including banks, building societies and insurance companies

^c Including wholesale trade, retail trade, motor tr

Foreign workers from neighbouring states

According to the annual report of the National Manpower Commission for 1989, the number of registered contract workers from neighbouring states (excluding Bophuthatswana, the Ciskei, the Transkei and Venda) was 378 125 in 1986. (This data is based on statistics of the Development Boards, which were dissolved in 1986. More recent figures were not available.) The table below gives the territorial breakdown of foreign workers from neighbouring states working in South Africa in 1986.³ [³ National Manpower Commission (NMC), Annual report, 1989]

Foreign workers from neighboring states employed in South Africa as at 30 June 1986

Country of origin

Number of workers

Botswana

28 244

Lesotho

138 193

Malawi

31 411

Mozambique

73 186

Swaziland

21 914

Other

85 177

Total

378 125

The breakdown per sector was as follows:⁴ [⁴ Esterhuysen P W, *Southern Africa: An Interstate Comparison of Certain Salient Features, 1989*, (Development Bank of Southern Africa, 1989)]

Sectoral distribution of foreign workers employed in South Africa as at 30 June 1986

SeNumber of workers

Proportion

Agriculture

13 849

3,7%

Construction

8 956

2,3%

Domestic service

11 900

3,1%

Electricity and water

3 073

0,8%

Financing and insurance

1 216

0,3%

Manufacturing

9 028

2,4%

Mining

317 481

84,0%

Other services

4 145

1,1%

Transport and communication

4 107

1,1%

Wholesale and retail trade

4 370

1,2%

Total

378 125

100,0%

These figures include Namibia and the six non-independent homelands, but exclude the ‘independent’ homelands.

The minister of home affairs, Mr Stoffel Botha, gave the following figures in April 1989 of the number of people repatriated from South Africa in terms of the Admission of Persons to the Republic Regulation Act: 1988

Number of people repatriated in terms of the Admission of Persons to the Republic Regulation Act: 1988

Country of origin

Number repatriated

Botswana

757

Ghana

1

Lesotho

4 400

Malawi

248

Mozambique

33 446

Swaziland

1 839

Tanzania

7

Zimbabwe

3 527

Total

44 225

In answer to a parliamentary question Mr Botha said that the number of persons repatriated in 1989 to Botswana, Lesotho, Mozambique, Swaziland and Zimbabwe in terms of the Aliens Act of 1937 was as follows:⁶ [*Hansard(A)* 6 q cols 511-512, 14 March 1990]

Number of persons repatriated during 1989 in terms of the Aliens Act

Country of origin

Number repatriated

Botswana

843

Lesotho

4 728

Mozambique

38 758

Swaziland

1 269

Zimbabwe

5 817

Total

51 415

According to the annual report of the Department of Home Affairs for 1989, the illegal entry of citizens from Mozambique into the non-independent homelands of Gazankulu and KaNgwane continued. A total of 12 464 illegal entrants had been issued with provisional permits for residence in KaNgwane since December 1985 and 36 890 for Gazankulu since April 1986. The permits were valid only until they could return to Mozambique.⁷ [⁷ Department of Home Affairs, Annual report, 1989]

In March 1989 a new air service was opened which especially catered for Mozambican workers on the South African mines. Daily flights from Xai-Xai, the capital of the Gaza province in southern Mozambique, to the South African border town of Komatipoort were introduced. Before the introduction of this service, workers from Mozambique had had to travel by road or by train to South Africa. Trains that travelled from the Mozambican border town of Ressano Garcia to the Mozambique capital of Maputo had frequently been ambushed by the Resistência Nacional Moçam

Migrant workers and commuters

According to an honorary fellow of the Rural Urban Studies Unit of the Centre for Social Development Studies at the University of Natal, Mr Julian May, a shift had occurred from 'predominantly oscillating migrant labour' to 'more frequent relocation of at least part of the rural household to the urban fringe'. Mr May gave the following reasons for the weakening of rural 'pull' factors:⁹ [⁹ May J, 'The Migrant Labour System: Changing Dynamics in Rural Survival', Natrass N et al, *The Political Economy of South Africa*, (Oxford University Press, 1990).]

- the gains derived from maintaining a rural home were minimal if access to agricultural production was limited, such as land, capital and equipment;

- the ownership of cattle in some parts of South Africa was restricted because of poverty, overcrowding, poor quality of grazing land or bureaucratic traditional rules and regulations: and
- a lack of access to social facilities.

Mr May used the findings of a survey undertaken in KwaZulu by the Rural Urban Studies Unit between 1982 and 1985. The findings showed that wages and remittances contributed almost 77% of the rural household income and that pensions and other transfer payments made up 14%, as shown in the table below:

Relative importance of source of household income

Proportion of total income

Source

Rural areas

Shack areas

Township areas

Wages and remittances

77%

80%

88%

Agriculture and informal sector

8%

6%

4%

Pensions and transfers

14%

7%

7%

Miscellaneous

1%

7%

1%

Mr May said that the rural/urban differentials could be seen in the employment profiles of the potentially economically active population (EAP) within the rural, shack and township areas in KwaZulu. The occupational breakdown for these areas is given below:

Employment profile of the potential EAP^a

Employed

Not economically active

Work seekers

At school/ college

Rural

Migrant

83%

4%

8%

5%

Resident

21%

45%

23%

11%

Shacks

Migrant

43%

26%

10%

21%

Resident

44%

20%

20%

16%

Township

Migrant

62%

12%

6%

20%

Resident

45%

19%

16%

20%

^a Mr May's definition of the EAP includes all people from 18 to 6

Mr May pointed out that 70% of all sampled rural household members who were employed were migrants. He said that of those who were employed in the rural areas, 44% were full-time farmers or otherwise self-employed, and 21% were domestic, farm or casual labourers. In shack settlements and townships the proportion of those living temporarily away from their homes as migrants is far smaller than it is in rural areas (8%, 10% and 31% respectively).⁹ He said that there was an increase in the numbers of women who were joining the ranks of migrant workers. He said that in 1960 the percentage of females in the economically active age group who were migrants was approximately 6%, rising to approximately 9% in 1970 and to 19% in 1985. Mr May showed that the proportion of shack dwellers who were work seekers was higher among residents than migrants, which in turn showed the importance of 'these areas in facilitating easier access to the job market through their proximity to the urban areas'.

He also said that there had been an increase in the level of commuting and that according to figures produced by the Development Bank of Southern Africa, the total number of commuters from the homelands, 'independent' and non-independent, increased from 698 000 in 1980 to 768 000 in 1985, representing a growth rate of just under 2% per annum.¹⁰ [¹⁰ Ibid]

However, according to the commuter/migrant figures used by Mr P W Esterhuysen in *Southern Africa: An Interstate Comparison of Certain Salient Features, 1989*, there had been a decrease in the number of commuters to 'South Africa' between 1980 and 1986, from 698 000 to 556 000. In comparison there had been an increase in the number of migrants from 1 263 000 in 1980 to 1 706 000 in 1986. The following breakdown was given of the proportion of commuters and migrant workers from the 'independent' and non-independent homelands employed in South Africa in 1986:¹¹ [¹¹ Esterhuysen P W, *Southern Africa: An Interstate Comparison of Certain Salient Features, 1989*, (Development Bank of Southern Africa, 1989)]

Proportion of commuters and migrant workers from the 'independent' and non-independent homelands employed in South Africa: 1986

Commuter

Migrants

Bophuthatswana

16%

15%

KwaZulu

46%

26%

Lebowa

14%

14%

Transkei

a

20%

Others

24%

25%

^a Figures included under 'othe

Citizens of 'independent' homelands

The number of people deported to the 'independent' homelands in 1989 in terms of section 43 of the

Admission of Persons to the Republic Regulation Act of 1972 was as follows:¹² [¹² *Hansard* (A) 6 q col 510, 14 March 1990]

Number of people deported in 1989 in terms of section 43 of the Admission of Persons to the Republic Regulation Act

Bophuthatswana

2

Ciskei

21

Transkei

116

Venda

5

Total

1

Mining

According to the 1989 annual report of the Department of Mineral and Energy Affairs, the average number of persons employed on all mines in South Africa during 1989 was 740 804, compared with 738 214 in 1988.¹³ [¹³ Department of Mineral and Energy Affairs, Annual report, 1989]

The distribution of mineworkers was as follows:

Distribution of mineworkers in South Africa: 1989

Coal mines

103 065

Gold mines

520 023

Other mines

117 716

Total

740 804

The annual report pointed out that manpower shortages in mining were caused by higher wages in other sectors which made it difficult to attract good applicants and also encouraged experienced officers to accept better paid jobs elsewhere.¹⁴ [¹⁴ Ibid]

The average numbers of unskilled and semi-skilled workers who were employed by member mines of the Chamber of Mines of South Africa totalled 513 000 in December 1989. Of these, approximately 424 000 worked on the gold mines, 43 000 on the collieries, and the remaining 46 000 on platinum, lead, copper and tin mines.¹⁵ [¹⁵ Chamber of Mines of South Africa, *1989 Review*]

The chamber said in its 1989 review that the employment division of the Chamber of Mines, The Employment Bureau of Africa (TEBA), had recruited approximately 60% of its mineworkers in 1989 from within South Africa and the 'independent' and non-independent homelands. The remainder had been recruited from neighbouring foreign countries, of which Lesotho was the largest supplier, providing approximately 22% of the total.

According to the chamber, the territorial division of migrant employees in service on member gold and coal mines for 1987, 1988 and 1989 was as follows

Territorial division of the number of migrants workers in service on chamber of mines' coal mines

Country of origin

1987

1988

(Change)

1989^a

(Change)

Bophuthatswana

333

225

(-32,4%)

196

(-12,9%)

Botswana

3

1

(-66,7%)

1

(0,0%)

Ciskei

1 833

1 512

(-16,9%)

1 431

(-6,1%)

Lesotho

7 451

6 706

(-10,0%)

6 076

(-9,4%)

Malawi

149

127

(-8,1%)

70

(-48,9%)

Mozambique

1 186

1 012

(-14,7%)

1 113

(10,0%)

South Africa^b

34 064

30 106

(-11,5%)

27 931

(-7,4%)

Swaziland

575

570

(-0,9%)

552

(-3,2%)

Transkei

7 142

6 325

(-11,4%)

5 936

(-6,2%)

Venda

51

35

(-31,4%)

30

(-14,3%)

Zimbabwe

8

4

(-50,0%)

2

(-50,0%)

Total

52 795

46 699

(-11,5%)

43 338

(-7,2%)

Territorial division of the number of migrants workers in service on chamber of mines' gold mines

Country of origin

1987

1988

(Change)

1989^a

(Change)

Bophuthatswana

15 107

13 861

(-8,2%)

12 038

(-13,2%)

Botswana

17 939

17 061

(-5,0%)

16 051

(-5,9%)

Ciskei

12 249

11 593

(-5,4%)

10 569

(-8,8%)

Lesotho

105 506

100 951

(-4,3%)

100 529

(-0,4%)

Malawi

17 620

13 090

(-25,7%)

2 212

(-83,1%)

Mozambique

45 917

44 084

(-4,0%)

42 807

(-2,9%)

South Africa^b

115 169

117 545

(2,1%)

112 020

(-4,7%)

Swaziland

15 743

16 171

(2,7%)

16 730

(3,5%)

Transkei

128 513

120 008

(-6,6%)

108 957

(-9,2%)

Venda

2 364

2 261

(-4,4%)

1 972

(-12,8%)

Zimbabwe

0

0

(0,0%)

0

(0,0%)

Other

0

0

(0,0%)

1

(100,0%)

Total

476 127

456 625

(-4,1%)

423 886

(-7,2%)

^a The year 1989 excludes monthly paid staff, namely salaried employees.

^b Excludes 'independent' homelands.

In 1989 TEBA's regional offices paid out approximately R708m to employees. The chamber's 1989 review said that significant sums of money were reaching areas where there were limited employment opportunities, especially in the rural areas. It pointed out that earnings from foreign mineworkers formed a valuable source of foreign currency for

The amounts paid out to mineworkers by TEBA's 88 regional offices between January and December 1989 were as follows:¹⁸ [¹⁸ Ibid]

Amounts paid out by TEBA's regional offices: 1988 and 1989

1988

1989

Change

Rm

Rm

Bophuthatswana

17,2

13,2

-23,3

Botswana

20,2

19,6

-3,0

Cape

7,0

5,0

-28,6

Ciskei

2,9

2,9

0,0

Gazankulu

0,8

1,0

25,0

KaNgwane

0,4

0,4

0,0

KwaZulu and Natal

14,0

15,5

10,7

Lebowa

1,9

2,0

5,3

Lesotho

347,8

408,4

17,4

Malawi

54,8

17,0

-69,0

Mozambique

102,7

114,3

11,3

Orange Free State

4,7

1,2

-74,5

QwaQwa

2,7

2,7

0,0

Swaziland

15,2

16,1

5,9

Transkei

73,9

81,3

10,0

Transvaal

6,0

6,5

8,3

Venda

0,4

0,6

50,0

Tota

Accommodation

According to the Chamber of Mines of South Africa's 1989 review, its member mines continued to implement programmes to upgrade accommodation and amenities for all employees. It said that 'each

year more than 8 000 new homes are constructed and single-quarter accommodation for at least 40 000 employees is built'.¹⁹ [¹⁹ Ibid]

According to Mr Jonathan Crush, a geography lecturer at Queens University (Canada), the Anglo American Corporation of South Africa had increased its number of family housing units for black workers from 876 in 1975 to 2 653 to 1980. He said that by 1984 the entire gold mining industry offered only 4 902 family units, housing approximately 1,1% of the workforce. On some mines the percentage was higher, such as at Rietspruit (western Transvaal), which accommodated 45% of its workforce in family housing units. He pointed out that foreign labour, which constituted approximately 40% of the total labour force, was 'automatically disqualified' from settling on the mines.²⁰ [²⁰ Crush J, 'Accommodating Black Miners: Home Ownership on the Mines', *South African Review*, vol 5,1989]

Mr Crush said that although mines did have home-ownership schemes, most workers could not afford to buy a house because of high costs and therefore remained in compounds. He said that the mining houses were using three separate housing delivery systems for their workers, namely:

- township extensions where new housing was built in established black townships;
- township extensions where a completely new township was built around an existing mining village; and
- 'wage adjustments' allowing workers to make their own accommodation arrangements.

Foreign workers from overseas

In October 1989 the National Manpower Commission (NMC) published a list of occupations within South Africa for which there was a shortage of manpower and circulated it among South African missions abroad. The rendering of civic and migration services is dealt with by all South African missions abroad. The under-supplied occupations identified by the NMC were as follows:

- engineers: mining, chemical, metallurgical, electrical, mechanical, civil and related, electronic, industrial and transport;
- technicians: instrumentation, telecommunications, chemical, civil, computer, personnel-systems analysts, and systems designers;
- artisans: electricians, diesel mechanics, shaft timber men; and
- general: mining geologists, mining surveyors, metallurgists, analytical chemists, town and regional planners, quantity surveyors, microbiologists, doctors (general practitioners), mathematical and related,

chief executives, chartered accountants, nuclear physicists, physicists, nuclear chemists, and architects.²¹
[²¹ *Business Day* 30 October 1989]

The minister of home affairs, Mr Eugene Louw, said that applications for immigration had been received from East German refugees and from Chinese in Hong Kong.²² [²² *Ibid*]

In December 1989 the Department of Home Affairs issued a statement that the South African missions in Bonn and Munich (West Germany), Vienna (Austria), and Berne (Switzerland) had been informed that immigrants from East Germany would be considered if suitably qualified. An official of the United Democratic Front (UDF) criticised the government for the recruitment of skilled manpower from outside South Africa and stated that there were many skilled unemployed blacks in South Africa who could be trained to fill the gap.²³ [²³ *The Citizen* 29 December 1989]

In March 1990 a spokesman for the South African consulate in Hong Kong said that South Africa was trying to attract skilled Chinese people planning to leave the British colony before the 1997-handover to mainland China. According to a spokesman for the Hong Kong government, Mr Mike Rowse, 55 000 people were expected to emigrate from Hong Kong in 1990. The South African consulate spokesman said that South Africa was a developing country and it needed specific skills.²⁴ [²⁴ *The Natal Witness* 10 March 1990] New immigration rules for prospective immigrants were introduced in March 1990 which included the granting of a visa within a month to anyone with funds of approximately R215 000 or more or who had qualifications in professions identified by the NMC as forming part of the shortfall.²⁵ [²⁵ *The Star* 13 March 1990]

The mayor of Springs (east Rand), Mr Pieter de Jager, said in March 1990 that the council would reinvestigate the matter concerning its previous decision to reject the settling of 300 Chinese families in Springs.²⁶ [²⁶ *Ibid*] In the same month the Department of Home Affairs approved in principle the resettlement of the 300 Hong Kong families in South Africa.²⁷ [²⁷ *Ibid* 16 March 1990] It said that the families were 'of the entrepreneurial middle class who own their own businesses or other enterprises and who have at their disposal liquid cash resources of not less than R1m (each)'. It said that applicants were being looked at in the light of the industrial development and job creation which such a venture could generate.²⁸ [²⁸ *Ibid* 17 March 1990]

In March 1990 a strike by 188 artisans was staged at Dorbyl Marine in Durban in protest against the preferential treatment given to immigrants. The director of the Confederation of Metal and Building Unions, Mr Ben Nicholson, said that the strike was the second to occur in recent months on the issue, the first being in Vanderbijlpark (southern Transvaal) at a Dorbyl subsidiary. He said that approximately 700 foreign artisans, mostly from Poland, Turkey and Portugal, had arrived to work on the Mossgas Project in Mossel Bay (south Cape coast). He said that the foreign artisans had been brought to South Africa at high cost and were paid substantially more than their South African counterparts, even though many were incapable of doing the work. Mr Nicholson said that he accepted that the Mossgas Project

required immigrant workers with specialist skills which could not be supplied by South African workers, but said that the rest of the labour requirement could be adequately supplied by local labour. Local workers who had applied for the Moss gas Project had been subjected to strict tests while the foreign workers had not been, he added. He said that at the Vanderbijlpark subsidiary, the foreign workers were earning R20 an hour more than local workers.²⁹ [²⁹ *Business Day* 28 March 1990]

A Democratic Party (DP) spokesman on manpower, Mr Peter Gastrow, said that the work stoppage at Dorbyl Marine was justifiable and added that where qualified South Africans were available or could be readily trained, they clearly should be given preference over foreign workers. He said that a local artisan at Dorbyl earned R18 per hour while foreign artisans in the same category earned between R30 and R37.³⁰ [³⁰ *The Natal Witness* 30 March 1990]

In April 1990 it was reported that thousands of artisans and their families marched through the streets of Durban in protest against the employment of foreign workers by Dorbyl. An official of the African National Congress (ANC), Mr Patrick Lekota, said that the workers had to 'get rid of these foreign workers' because interests of foreign workers could not be placed before those of South African workers. The workers marched to the offices of the Department of Manpower and handed a memorandum to the department's regional representative, Mr Hennie Venter. The marchers requested that the permits of the foreign workers should not be renewed. Mr Venter replied that Dorbyl had told his department that they were training local workers but could not do so fast enough to meet the company's demands.³¹ [³¹ *The Weekly Mail* 20 April 1990]

Unemployment

Statistics

According to the Central Statistical Service (CSS), unemployment and underemployment at June 1988 and June 1989 for Africans, coloured people and Indians living in South Africa (excluding the 'independent' homelands) were as follows (percentage of economically active population (EAP) indicated in brackets):³² [³² CSS, *Current Population Survey: Development regions, provinces and self-governing territories*, Statistical News Releases as follows: for blacks, P0344, 26 February 1990; for coloured people, P0342, 12 February 1990; and for Indians, P0343, 6 February 1990 respectively]

Num

EAP (000)

Unemployed (000)

Underemployed (000)

African

1988

6 430

874 (14%)

35 (0,5%)

1989

6 735

755 (11%)

41 (0,6%)

Coloured

1988

1 179

123 (10%)

7 (0,6%)

1989

1 205

95 (8%)

4 (0,3%)

Indian

1988

312

29 (9%)

1 (0,3%)

1989

320

20 (6%)

1 (0,3%)

Unemployment varied in intensity from area to area in white-designated South Africa and the following table gives the breakdown in unemployment in terms of development regions:³³ [³³ CSS, Ibid: P0344, 11 October 1989; P0342, 3 October 1989; P0343, 29 August 1989]

Unemployment in terms of development regions:^a proportion of EAP for June 1989

Regions

African Proportion/EAP

Coloured proportion/EAP

Indian proportion/EAP

A

14,5

6,0

3,3

B

12,0

4,6

b

C

3,8

15,3

b

D

16,9

8,4

1,7

E

16,0

12,7

7,2

F

4,7

8,5

1,4

G

10,2

b

b

H

12,2

22,9

2,8

J

2,6

7,8

1,3

^a See Decentralisation for explanation of regions.

^b Data not given.

The annual report of the National Manpower Commission (NMC) for 1989 said that registered unemployment (seasonally adjusted) in South Africa (excluding the 'independent' homelands) decreased for all population groups, except for Africans, from August 1986 to September 1989. The number of unemployed coloured people, Indians and whites decreased by more than 39 813, as against the 27 723 increase experienced among Africans. The numbers of registered unemployed people at the end of September 1988 and 1989 were as follows (percentage change indicated in brackets):³⁴ [³⁴ NMC, Annual report, 1989]

Registered unemployed (seasonally adjusted) September 1988 and 1989

September 1988

September 1989

African

68 737

72 533
 (5,5%)
Coloured
 19 390
 18 417
 (-5,0%)
Indian
 9 541
 6 695
 (-29,8%)
White
 21 612
 19 462
 (-10,0%)
Total
 119 280
 117 107
 (-1,8%)

In October 1989 the chief economist for Sanlam, Mr Johan Louw, said that the black economically active population had grown by just under 3% per annum between 1980 and] 988, during which period employment in the formal sector had increased by an annual rate of only 1%. He said that with the

growing number of black women entering the labour market, more job opportunities would have to be created. He pointed out that areas where unrest-related incidents occurred were most often areas with the highest unemployment rates.³⁵ [³⁵ *Cape Times* 24 October 1989]

In November 1989 the acting chairman of the NMC, Dr Frans Barker, said that even at an economic growth rate of 3% per annum, unemployment might increase to no less than 44% of the overall labour force by the year 2000. Addressing a bi-annual conference of the executive council of the South African Federated Chamber of Industries, he said that in order to stay abreast of the demands of school leavers entering the labour market, approximately 350 000 jobs had to be created every year, representing a job growth rate which was eight times that of the average job growth rate experienced in the 1980s.³⁶ [³⁶ *Sunday Tribune* 5 November 1989] He said that although the official unemployment figures showed a decrease from 789 000 in 1986 to 513 000 in mid-1989, the total would increase to between 3m and 4m if those people who were making a meagre existence in the informal sector and subsistence farming were included. He said that long-term solutions were needed to alleviate unemployment and should be based on the following:³⁷ [³⁷ *Ibid*]

- more government and private expenditure on schemes directed at finding jobs for the unem
- the creation of increased direct links between wage increases and productivity, thereby forcing higher priority to be given to effective education and training;
- the development of the informal and small business sectors through more deregulation, sub-contracting with large companies, and more training schemes for the unemployed; and
- direct government intervention in projects ranging from the construction of dams and roads to the building of clinics and schools.

In November 1989 the executive director of the Herbert Quandt Foundation, Mr Horst Avernarius, said that South Africa had many socio-political and economic problems, among them a large population growth rate; large discrepancies between different population groups in the areas of formal education, employment skills, wealth and incomes; and unemployment.³⁸ [³⁸ *Business Day* 17 November 1989] He said that by the year 2000, if the economy developed along the lines experienced in 1989, 8m people would be unemployed. He pointed out that sanctions could lead to an unemployment figure of 10m or more in the year 2000. He said that this would result in the need to create at least 4m to 6m jobs in the years ahead in order to prevent further increases in the 1989 unemployment figures.³⁹ [³⁹ *The Natal Mercury* 17 November 1989]

According to a working paper published in January 1990 by the Centre for Community Organisation, Research and Development (CORD) at the University of Natal, the official unemployment estimates in South Africa were in the region of one million while unofficial estimates placed the unemployment level

between 5m and 6m, including the 'independent' homelands.⁴⁰ [40 *Sunday Star* 11 March 1990]

The president of the Council for Scientific and Industrial Research (CSIR), Dr Christoph Garbers, estimated in May 1990 that unemployment levels were 'hovering' around 38%.⁴¹ [41 *Eastern Province Herald* 12 May 1990] He said that the high rate of unemployment in South Africa emphasised the need for the government to create jobs, especially for young black people.

In reply to a parliamentary question in April 1990, the minister of home affairs, Mr Eugene Louw, said that according to the strict definition of unemployment, 719 000 blacks were unemployed as at November 1989 and 845 000 according to the expanded definition (both figures exclude the 'independent' homelands). The strict definition of unemployment, by which unemployment is officially measured, requires that an unemployed person should be looking for work, while the expanded definition of unemployment stipulates that such a person need have only the desire to work, he said.⁴² [42 *Hansard* (A) 12 q col 914 18 April 1990]

In March 1990 a researcher at the University of Durban/Westville, Mr Vishnu Padayachee, estimated that between 1985 and 1990 the unemployment rate in Durban ranged between 28% and 42%. He said that the unemployment rate in March 1990 was estimated to be 50%.⁴³ [43 *Sunday Star* 11 March 1990]

The minister of finance for KwaZulu, Dr Dennis Madide, said that by the year 2000, 70% of the economically active population in the Durban Functional Region (DFR) would be unemployed. He said that additional work opportunities had to be created in order to sustain the anticipated population growth.⁴⁴ [44 *The Natal Mercury* 10 May 1990]

The executive director of the Inkatha Institute, Mr Gavin Woods, said in May 1990 that no new jobs had been created in the Durban/Pietermaritzburg formal sector for the past nine years. He estimated that the unemployment level was 45% for adults and 75% for the youth in that region. He said that business confidence in Natal had decreased and that unrest had caused substantial losses in productivity. The president of the Pietermaritzburg Chamber of Commerce said that he was aware of a number of industries which had intended to establish themselves in Pietermaritzburg but had decided against it because of the unstable conditions there.⁴⁵ [45 *Business Day* 7 May 1990]

The minister of transport affairs, public works and land affairs, Mr George Bartlett, said that KwaZulu/Natal urgently needed economic development in order to create jobs and improve the standard of living for its increasing population. He said that at the present economic and population growth rates, 2m people would be unemployed in the DFR by the year 2000. He said that the rate of urbanisation in Durban alone was estimated to be between 70 000 and 100 000 people per annum, which placed increasing stress on its inhabitants.⁴⁶ [46 *Ibid* 2 May 1990]

Figures for Port Elizabeth (eastern Cape) published by the Department of Manpower in May 1990

showed that there was an increase of 31% in the number of registered unemployed from March 1989 to March 1990, representing an increase of approximately 3 000 people. There was an increase of 33% in the number of registered white unemployed men during the same period, the increase for registered white unemployed women being 55%. The number of registered black unemployed-men and women increased by 11% and 22% respectively.⁴⁷ [⁴⁷ *Eastern Province Herald* 9 May 1990]

Job creation

State projects

According to the annual report of the Department of Manpower for 1989, R656m was spent on special job creation programmes from April 1985 to 30 September 1989, during which period 111m man-days were worked by unemployed persons. Since the start of the special job creation programme in April 1985, approximately R400m had been spent on wages.

During the 1989/90 financial year, R60m was voted by the government for job creation and the funds were allocated as follows:⁴⁸ [⁴⁸ Department of Manpower, Annual report, 1989]

Allocation of job creation programme funds to departments or administrations for the financial year 1989/90

Departments/administration

Rm

Administration:

House of assembly

6

House of Delegates

1

House of Representatives

6

Sub-total

13

Manpower

9

Development Aid

9

Environmental affairs

1

Foreign affairs

7

Provincial administration:

Cape province

5

Natal

5

Orange Free State

5

Transvaal

6

During the period 1 April 1989 to 30 September 1989, R32m of the R60m was spent. Approximately 5m man-days were worked in the course of this period and during September 1989 an average of 55 000 people were employed on job-creation projects.

An amount of R9m was set aside by the Department of Manpower during the 1989/90 financial year for

job creation by the private sector. The funds were made available to private undertakings for the purpose of job creation for the unemployed. A job-creation committee considered applications for funds on the basis of the following priorities:⁴⁹ [49 Department of Manpower, Annual report, 1989]

- training should preferably be combined with job creation;
- infrastructure should be created through the project; and
- cultural and environmental conservation should be promoted.

With the available funds, 63 projects were financed and 47 individuals and organisations participated in the programme. The Department of Manpower said that a total of 1m man-days were worked by approximately 76 000 workers. Of the available funds, some R4,5m was spent on the creation of 250 low-cost houses; R2,5m was spent on communal facilities, such as community centres and training and sports facilities; and approximately R2m was spent on infrastructure and for environmental and cultural conservation.⁵⁰ [50 Ibid]

In April 1990 the director general of the Department of Manpower, Mr Joel Fourie, said that since 1985 between 400 000 and 500 000 people had been placed in jobs through the government's job creation programme. He pointed out that the actual number of people trained and employed through the programme was actually greater because most of the people were absorbed into the informal sector and therefore were not reflected in employment statistics.⁵¹ [51 *The Citizen* 26 April 1990]

In November 1989 it was reported that the Industrial Development Corporation of South Africa (IDC) would administer a R300 in low-interest rate scheme, which would create 11 600 jobs. The managing director of the IDC, Mr Koos van Rooy, said that the investment of R25 900 per job opportunity compared favourably with national average levels, as follows:⁵² [52 *Business Day* 22 November 1989]

Nation average level for jobs created as at November 1989

Scheme

Investment per job created

Decentralisation growth points

R18 000

Deconcentration points

R30 000

Metropolitan areas

R109 000

In May 1990 the IDC announced that it was to undertake a scheme which could result in the creation of job opportunities through an increase in productivity. The IDC intended to persuade manufacturers to work more than one shift a day in order to increase general productivity, provide more jobs and help companies increase their turnover and profits. The scheme would provide up to R100m a year for the next three years in low interest loans (9%) to manufacturers prepared to introduce shift work. The newly appointed managing director of the IDC, Mr W C van der Merwe, said that loans would be granted to industrialists for the purchase of equipment to remove production bottlenecks. Loans would be available to industrialists and to groups with total assets of up to R100m, and the minimum loan available would be R150 000

Private sector projects

In March 1989 the managing director of Toyota SA Manufacturing (Durban), Mr Ralph Broadley, said that approximately 30 000 new jobs could be created in vehicle assembly and component industries because of the new local content programme. He added that there was major concern about the availability of skilled manpower to support the programme.⁵⁴ [⁵⁴ *Business Day* 21 March 1989]

In April 1989 a new clothing operation, Zenzeleni was jointly created by the Amalgamated Clothing and Textile Workers' Union of South Africa (ACTWLJSA) and a textile company, Consolidated Cotton Corporation. This operation arose from a need to find alternative employment for 300 retrenched workers from the Frame Group. Consolidated Cotton Corporation, which was part of the Frame Group, agreed to provide R2,5m in initial capital and materials for Zenzeleni. ACTWUSA believed that workers had to start doing things themselves because 'there is little to suggest that business or government are seriously applying themselves to the problems of mass unemployment or job creation'.⁵⁵ [⁵⁵ *Sunday Tribune* 23 April 1989]

In June 1989 the managing director of Industrial Manpower Recruitment, Mr Manuel Marques, said that it was cheaper to 'import' labour than to train staff in-house. He said that the local skilled labour force was of very high quality but there was an insufficient supply of skilled artisans.⁵⁶ [⁵⁶ *Business Day* 24 June 1989]

The chairman of Captour, Mr Louis Kreiner, said in August 1989 that the additional 20% inflow of visitors to Cape Town during 1988/89 had created an additional 108 000 job opportunities. He said that this estimate was based on the tourist industry's calculation of the creation of one job for every 11

tourists.⁵⁷ [⁵⁷ *Cape Times* 23 September 1989]

In September 1989 the minister of economic affairs and technology, Mr George Bartlett, announced the government's approval of the erection of an ethanol plant in the Richards Bay area (Natal). He said that the new distillery would cost R120m and would create 20 000 new jobs, supporting an estimated 100 000 dependants. A week after the announcement, the vice chairman of the South African Sugar Association, Mr John Chance, said that the plant would result in the development of a further 35 000ha of sugar cane and nearly 10000 new small cane farms.⁵⁸ [⁵⁸ *The Natal Mercury* 1 September 1989]

By December 1989 Job Creation South Africa had created 500 jobs since its establishment in 1986. Its managing director, Mr Ian Hetherington, said that the first 43 permanent entrepreneurs had created approximately 500 jobs, which was their target. He said that once the other 42 entrepreneurs had been operating for two years, a further 700 jobs would be created.⁵⁹ [⁵⁹ *Business Day* 1 December 1989]

From January to May 1990 the Small Business Development Corporation (SBDC) had granted loans of R776m to approximately 25 000 entrepreneurs who in turn created some 200 000 job opportunities at an average cost of R3 000 per job.⁶⁰ [⁶⁰ *City Press* 15 July 1990]

Richards Bay Minerals formed a Small Business Advice Centre in order to promote small businesses and stimulate job creation in the Richards Bay/Empangeni area. The managing director of Richards Bay Minerals, Mr Roy MacPherson, said that his company had a policy of supporting small businesses and that their spending on purchases from small businesses had increased from R1,4m to R2,3m in 1990.⁶¹ [⁶¹ *African Business* March 1990]

In March 1990 the Bureau for Economic Research at the University of Stellenbosch indicated in a report that job creation in the South African manufacturing sector was declining. It said that a total of 15% of manufacturers had fewer employees than in 1989.⁶² [⁶² *Eastern Province Herald* 28 March 1990]

A new job-creation project was to be launched in November 1990 in which individuals could become self-employed and earn an estimated R2 500 per month per crew. A 'taxi-cleaning project', sponsored by Johnson Wax, Midas and the Get Ahead Foundation, would train individuals in the techniques of correct car cleaning and polishing. The project would initially operate in Pretoria (central Transvaal) and Johannesburg but was expected to spread countrywide.⁶³ [⁶³ *African Business*, vol 16 no 15, November, 1989]

In a survey of 2 673 job creation projects the Human Sciences Research Council (HSRC) said that special job creation programmes should be based on community needs and on community commitment and involvement and should provide long-term value and teach work related skills to workers. It concluded that a national body was needed to co-ordinate and formulate strategies for the training and funding of small businessmen. It also pointed out the need for public awareness programmes regarding the small business sector, in particular the informal sector.⁶⁴ [⁶⁴ Human Sciences Research Council (HSRC),

Prodder News Letter, vol 2, no 1]

In June 1990 the president of the Chamber of Mines of South Africa, Mr Kennedy Maxwell, said that coal contributed 19% of the total mineral sales revenue and was the country's second largest foreign exchange earner, bringing in R3,6bn through exports. He said that according to the chamber's projections, given positive economic growth and the removal of sanctions, the total output of coal could be 230m tons per annum by the year 2000. He said that this could lead to the creation of an estimated 47 000 job opportunities, 29 000 in the coal industry itself and 18 000 in other sectors of the economy.⁶⁵ [⁶⁵ *The Citizen* 20 June 1990]

Unemployment Insurance Fund

In May 1989 the acting minister of manpower, Mr Eli Louw, said that the total amount paid into the Unemployment Insurance Fund (UIF) in 1988 was R740m. The amount that was paid out to 406 106 applicants in 1988 was R440m.⁶⁶ [⁶⁶ *Hansard* (A) 16 q col 1005, 9 May 1989] As at 31 December 1988 a total of 150 622 employers were registered with the fund.

In May 1990 Mr Louw, who had since been appointed minister of manpower, said that the reserves of the fund totalled R863m at the end of 1989. A total of R563m was paid out to 472 091 applicants in 1989, showing an increase of 65 985 applicants and R123m in benefit payments. A total of 158 793 employers were registered with the fund at the end of 1989.⁶⁷ [⁶⁷ *Hansard* (A) 15 q col 1225, 8 May 1990]

Skills and Training

Skills shortages

General

In March 1989 the labour adviser for the South African Federated Chamber of Industries (FCI), Mr Gerrie Bezuidenhout, said that there was a dichotomy in the manpower situation in South Africa as the population explosion had created an oversupply of job seekers with a growing shortage of skilled labour. He said that as production in South Africa became more sophisticated, this dichotomy would become more pronounced.⁶⁸ [⁶⁸ *The Star* 30 March 1989] According to a survey conducted late in 1989 by the Cape Chamber of Commerce, South Africa's education system was 'out of touch' with the needs of the business community. The survey showed that the prescribed educational system, which did not encourage free thinking and initiative, produced students who were unable to think for themselves, who lacked common sense, who were immature and who were unable to cope under stress.⁶⁹ [⁶⁹ *Cape Times* 17 April 1990] The survey found that many of the subjects taught at school did not have much use in the

business environment. Other findings of the survey included that:

- most employers preferred to employ people who had experience rather than those who were straight out of school, technikons or university;
- spelling and grammar in both official languages was very bad; and
- a lack of practical experience and unrealistic wage expectations disadvantaged school leavers and graduates.⁷⁰ [⁷⁰ Ibid]

In January 1990 the education secretary of the Congress of South African Trade Unions (COSATU), Mr Khetsi Lehoko, said that the education system in South Africa did not provide the youth with necessary skills. He said that people without a matric would be virtually unemployable because of the technical skills needed in the modern workplace.⁷¹ [⁷¹ *Business Day* 9 January 1990]

An industrial relations consultant, Mr Andrew Levy, said that the lack of skills training was a legacy of the educational system. The chief economist of the Nedbank Group, Mr Edward Osborn, said that people who lacked skills would have a major problem in finding employment because employers in both the private and public sectors were often reluctant to provide training.⁷² [⁷² Ibid]

The chairman of the Volkskas Group and of Sasol, Mr Johannes Stegmann, said in March 1990 that South Africa's education and training system produced many people who were economically useless. He pointed out that too much emphasis was placed on academic learning when the country needed people with technical and commercial skills. He said that many black pupils were unprepared for the labour market and ended up joining the ranks of the unemployed.⁷³ [⁷³ *The Natal Mercury* 27 March 1990]

In May 1990 the minister of home affairs and of national education, Mr Eli Louw, said that South Africa was experiencing serious shortages of high-level manpower such as technicians, technologists, engineers and scientists. He pointed out that it seemed likely that these shortages would increase in the future. He said that unfortunately many parents and students considered technical training to be inferior to academic training. He said that in South Africa, 80% of high school pupils followed academically orientated courses, compared to West Germany where 70% of high school pupils followed career-orientated technical training. He pointed out that if this imbalance were not urgently rectified, it would be necessary to recruit more and more skilled and trained labour from other countries, at great expense.⁷⁴ [⁷⁴ *Eastern Province Herald* 14 May 1990]

The personnel manager of Toyota South Africa, Mr Eugene Zeeman, said in February 1990 that Toyota was making a conscious effort to recruit and accommodate women in view of the skills shortage. 'Why can't a woman be a welder? Or a truck driver? Our policy, in the face of a manpower shortage, is to use everyone to his or her maximum ability,' he said.⁷⁵ [⁷⁵ *The Citizen* 22 February 1990]

Specific shortages

Electronics/computer operators

In February 1989 the president of the South African Institute of Electrical Engineers, Professor Jan Reynders, said that a serious manpower shortage was causing the local electrical and electronics industry to decline to third world standards. He said that the supply of graduates for the electrical and electronics industry had been approximately half of the demand since the early 1970s. He pointed out that four times the present number of technicians and technologists needed to be trained in order to meet the demands of the industry.⁷⁶ [⁷⁶ *Eastern Province Herald* 24 February 1989]

Technicians and engineers

In April 1989 it was reported that the Moss gas Project would require approximately 16 000 skilled and semi-skilled workers over a period of four years. The on-site workforce for the construction of the refinery would peak at an estimated 8 000 workers, of whom only 30% would be recruited locally. The *Sunday Star* reported that historically South Africa relied on imported trained labour for its high-tech projects.⁷⁷ [⁷⁷ *Sunday Star* 16 April 1989] For further details concerning the training programme on the Moss gas Project, see *Training schemes* below.

In June 1989 the president of the South African Institute of Civil Engineers (SAICE), Mr Bob Pullen, said that universities should produce about 300 civil engineering graduates every year. He said that they were producing only 200 and pointed out that the number of graduates was declining.⁷⁸ [⁷⁸ *The Star* 28 June 1989]

In August 1989 the national director of the Programme for Technological Careers (PROTEC), Mr David Kramer, said that in the year 2000 whites' maximum contribution to the skilled manpower base would be only 30%. He said that this would mean that more than 14 000 qualified black people were needed to enter the technological workplace every year for the next 11 years in order to meet the projected need.⁷⁹ [⁷⁹ *The Natal Mercury* 9 August 1989] He pointed out that currently only 300 blacks entered the technological workplace each year.

The rector of the Natal Technikon, Professor Andre du Preez, said in August 1989 that technical and vocational subjects at school level were generally looked down upon. He said that 80% of South African whites preferred to go to university, 14% to technikons and 6% to colleges of education. He pointed out that only 3% of blacks chose a career path via the technikons. He said that registrations for general arts degrees exceeded those for sciences and engineering and that technikon students tended to pursue commercial rather than technical or professional programmes.⁸⁰ [⁸⁰ *Ibid* 30 August 1989]

At the annual congress of the SAICE in April 1990 the chairman of the engineering, education and training committee, Mr Clifford McMillan, stressed the need for a long-term national strategy to attract

more engineering students and also to improve the quality of their education. He said, 'South Africa is pitifully short of qualified engineers and managers. Compared even with Australia, we have about a quarter of the number of qualified engineers for a total population which is nearly double Australia's.' He said that Australia planned to produce 40 000 graduate engineers over the next decade, during which time South Africa would produce only 10 000.⁸¹ [⁸¹ *Cape Times* 17 April 1990]

Managers

Research undertaken by the Institute for Futures Research at the University of Stellenbosch showed in March 1989 that based on current trends the supply of top managers and entrepreneurs between 1980 and the year 2000 might increase by only approximately 94 000 while the demand would increase by 197 000, giving a shortfall of 103 000 managers and entrepreneurs.⁸² [⁸² *The Star* 30 March 1989]

According to the managing director of PFV Continental Insurance Brokers, Mr Mike Hofmeyr, by the year 2000 South Africa would need an additional 120 000 senior executives. He said in November 1989 that the ratio of managers to non-managers was 1 to 42, while it was 1 to 16 in the United States, 1 to 14 in Australia and 1 to 12 in Japan. In using data supplied by the Institute for Futures Research, Mr Hofmeyr said that by the year 2000 the ratio in South Africa would increase to 1 to 72.⁸³ [⁸³ *Sunday Times* 12 November 1989]

In January 1990 a management consultant, Mr Perfect Malimela, said that by the year 2000, 496 000 managers, the bulk of them black, would be needed.⁸⁴ [⁸⁴ *Sowetan* 11 January 1990]

An article written by the dean of the Graduate School of Business Administration, University of the Witwatersrand (Johannesburg), Professor Keith Yeomans, said that the shortage of skilled managers in South Africa created serious problems for the country's credibility and competitiveness in the international business community. He pointed out that in a post-apartheid and democratic South Africa there would be a need for efficient and effective black managers for the civil service, local government and parastatal organisations, 'all of which will place sudden stress on already-stretched management education resources. Preparations for this need to be implemented now.'⁸⁵ [⁸⁵ Yeomans K, 'Cramming for the Finals', *The Executive*, April 1990]

Accountants

A senior lecturer in the Department of Education at the University of the Witwatersrand, Mrs Jane Hofmeyer, said that there was a real need for qualified black chartered accountants in view of the decreasing number of whites in the economically active population. She said that the current white, male-dominated character of the profession was problematic. Of the 12 000 chartered accountants in South Africa in 1989, only 25 were black and 400 were women. By the year 2000 it was estimated that there would be a shortage of 7 000 accountants.⁸⁶ [⁸⁶ *The Star* 30 March 1989]

The vice chairman of the Institute of Directors, Mr Brian Hawksworth, said in March 1989 that more than 20 000 accountants would be needed by South African businesses before the year 2000.⁸⁷ [⁸⁷ *African Business* March 1989] The executive director of the Association of Black Chartered Accountants of South Africa, Mr Mashudu Ramano, said that certain aspects of the accounting profession needed to be changed for South Africa to meet the 20 000 goal. He said that if 2 000 chartered accountant bursaries were funded annually over ten years, only 120 students would graduate out of the 2 000 because of the high failure rate. This rate was because of the high standards set by the accounting profession at university level and at board examinations, he said. Only 1 399 candidates sat the Public Accounts and Auditors Board (PAAB) examination in 1989, of whom only 55% passed. Mr Ramano said that poor education was the root cause of the lack of black chartered accountants.⁸⁸ [⁸⁸ *Sunday Times* 4 March 1989]

Brain drain

The dean of the Faculty of Medicine at the University of the Witwatersrand. Professor Clive Rosendorff, said in April 1989 that a third of medical graduates planned to emigrate and another third were considering doing so. A researcher for the Centre for Policy Studies at the University of the Witwatersrand, Mr David Shandler, said the results of a survey of 300 final-year male students at the University of Cape Town showed that 66% of the students planned to emigrate or were considering the move. More than 50% said that they did not want to do military service. The survey showed the following three main reasons that students wanted to avoid compulsory military service by emigrating:⁸⁹ [⁸⁹ *The Weekly Mail* 21 April 1989]

- political objections to the South African Defence Force (81%);
- career disruption because of conscription (70%); and
- a reluctance to become conscientious objectors (65%).

Mr Shandler said in November 1989 that compulsory national service was one of the main reasons why 4 500 university graduates, representing a quarter of the total number of graduates, left South Africa each year. He said that the emigration of graduates and students was costly to the country in terms of lost potential taxes and productivity, and a shortage of managers. He pointed out that students who avoided service by obtaining study deferments added to the skills shortage and also gave rise to an influx of over-qualified men on the job market.⁹⁰ [⁹⁰ *Business Day* 1 November 1989]

In March 1990 the minister of home affairs, Mr Gene Louw, said that a total of 2 363 professionally qualified people emigrated from South Africa between January and November 1989. He said that 1 765 professional people immigrated to South Africa during the same period.⁹¹ [⁹¹ *The Citizen* 2 March 1990] Mr Loliw said that 64 doctors and specialists, 103 scientists, and 342 engineers and people in related

professions emigrated, while 37,54, and 213 respectively, entered South Africa.⁹² [⁹² *Eastern Province Herald* 2 March 1990]

From January 1990 there was a sharp increase in inquiries from South Africans about the immigration requirements of other countries at consulates in South Africa. An official of the visa section at the Australian Embassy, Mr Reg Penkethsman, said in March 1990 that the embassy had noticed a substantial increase in the number of requests for immigration from primarily 'white, skilled, educated, young South Africans'. A spokesman for the Canadian consulate said that it had received 900 immigration inquiries since January 1990, representing a 50% increase.⁹³ [⁹³ *Business Day* 20 March 1990]

In London, the junior foreign office minister, Mr Tim Sainsbury, said in March 1990 that between 500 000 and 1m white South Africans were entitled to a British passport through patrilineal descent.⁹⁴ [⁹⁴ *Business Day* 18 April 1990] Approximately 250 000 South Africans had British passports. It was reported in a London newspaper, the *Guardian*, that the British Embassy in Pretoria was issuing up to 2 000 passports out of every 13 000 applications a month.⁹⁵ [⁹⁵ *The Citizen* 18 April 1990]

A report published in May 1990 by the Centre for Policy Studies at the University of the Witwatersrand said that an average of 11 000 'formal' and 10 000 'informal' emigrations had taken place annually between 1980 and 1988 (informal emigrants do not inform the authorities of their intention to leave the country). The report pointed out that of the 100 000 people who had left South Africa between 1980 and 1985, 23 000 were white graduates. Mr Shandler, who directed the investigation, said that the rate of emigration for medical doctors appeared to be 50% higher than that for all other graduates. The loss to the domestic income by those who emigrated amounted to approximately 9% of the gross domestic product (GDP). He said that an additional R5bn was lost in taxes not paid and productivity not gained.⁹⁶ [⁹⁶ *The Star* 30 May 1990]

According to the Central Statistical Service (CSS), the following number of professional people left South Africa in 1988 and 1989:⁹⁷ [⁹⁷ CSS, *Tourism and migration, January 1990*, Statistical News Release, P0351, 27 March 1990]

Emigrants by occupation

Occupation

1988

1989

Professional, semi-professional and technical

1 396

1 043

Managerial, executive and administrative

360

217

Clerical and sales

693

498

Transport, delivery and communication

23

18

Service

76

53

Farming and related

14

18

Artisan, apprentice and related

415

288

Production foreman and supervisor, miner and quarry worker, operator, production and related

64
49 Unspecified and not economically specified
455
188
Total
3 496
2 372
Total non-economically active people
4 271
2 539
Grand total
7 7

Training

According to the 1989 annual report of the National Manpower Commission (NMC), South African education was characterised by ‘serious imbalances between the available supply of qualified workers on the one hand and demands of the labour market on the other’.⁹⁸ [⁹⁸ NMC, Annual report, 1989] Attention was drawn to the following issues:

- the inadequate addressing of the gap between education standards and job opportunities for the various population groups;
- the failure of school education to prepare students for careers;
- the lack of satisfactory progress in the training of scientists and technicians;

- that the relationship between universities and technikon students was not ‘conducive to optimum career development and utilisation’;
- that too many degrees were awarded to students in fields of study which did not have direct application in the labour market; and
- that career guidance was not in touch with the needs and realities of the labour market.

In August 1989 the national president for the Black Management Forum, Mr Don Mkhwanazi, said that the government should use the country’s financial resources to develop its black manpower base rather than importing skilled workers from overseas. He was responding to a television statement made by the minister of home affairs, Mr Stoffel Botha, that his department was spending money on encouraging skilled workers to immigrate to South Africa. Mr Mkhwanazi said that it was ‘criminal’ to import labour when ‘we have millions of our people who are untrained but trainable, millions unemployed but willing not only to work but to upgrade their skills’.⁹⁹ [⁹⁹ *Natal Echo* 3 August 1989] He urged the government to invest in indigenous human resources and not to depend on imported skills.

In October 1989 the chief executive and chairman of the management board of Eskom, Mr Ian McRae, said at a PE Corporate Services seminar in Johannesburg that South Africa would need not only a large pool of technical and managerial skills in the 1990s but also of small entrepreneurs. He set out a five-point strategy to address the situation, which aimed to:¹⁰⁰ [¹⁰⁰ *Sunday Times* 22 October 1989]

- obtain national commitment for the mobilisation of human resources:
- match formal education with the skills needed in the labour market;
- obtain support from the business sector;
- motivate the workforce to obtain and apply skills; and
- improve the productivity and quality of products and services.

In October 1989 a paper written by a management consultant, Professor Grant Schutte, pointed out that the greatest need in training was to move people from unskilled to semi-skilled positions. Professor Schutte said that the greatest skills shortage in South Africa related to competent lower and middle management. He said that the reason for this was that no organisation prepared its skilled specialists for a career in management, it merely appointed them. Professor Schutte stressed in his paper the need for ‘mid-career’ training programmes, which should be co-ordinated by the technical colleges together with the National Institute of Personnel Managers.¹⁰¹ [¹⁰¹ *The Natal Witness* 24 October 1989]

In December 1989 the University of Port Elizabeth launched a management development programme in order to reduce the shortage of skills in the eastern Cape. The chairman of the programme, Mr Charles Wait, said that the reason for the programme was the pressing need for managers on the one hand and a surplus of unskilled labour on the other. He said that the ratio of managers to employees in South Africa was one to 56, compared to the United States where it was one to ten. The developer of the programme, Mr Charles Bailie, said that the course intended to teach management skills to non-management and supervisory staff as well as to train people already in middle management.¹⁰² [¹⁰² *Sunday Times* 3 December 1989]

The divisional training manager in the graduate recruitment personnel section at the Anglo American Corporation of South Africa, Mr Ken Ashmole, said in March 1990 that every other company was looking for skilled people. He said that companies estimated that it would cost them between R120 000 and R1m to produce one graduate in the workplace. He said that it was not surprising that small and medium-sized companies often 'poached' staff at higher wages rather than sponsor bursaries.¹⁰³ [¹⁰³ *The Star* 22 March 1990]

In May 1990 Mr Stephen Dallamore, the executive chairman of Mast Holdings, a consultant group for education and training, said that the major crisis which faced black education was not only its poor quality but its lack of relevance in the preparation of school children for careers.¹⁰⁴ [¹⁰⁴ *Sowetan* 30 May 1990] He said that approximately 60% of black matriculants failed to find jobs every year because of the academic focus of their education. He said that there was a growing realisation that government schools were not providing the manpower needed in industry.¹⁰⁵ [¹⁰⁵ *Business Day* 22 May 1990] He said that he welcomed recent developments in black education but the initiatives would be irrelevant unless the focus of education and training was changed. He said that the government was 'digging its own grave' if it did not change its focus. While there was a shortage of technical skills in the country, there was an oversupply of people who were graduating in the arts and social sciences, he added.¹⁰⁶ [¹⁰⁶ *Sowetan* 30 May 1990]

Training schemes

In April 1989 the government announced its intention of introducing a bursary scheme for technicians. The minister of manpower, Mr Eli Louw, said that the scheme would support 200 pupils a year and that after the scheme had been in operation for three to four years, an estimated 600 to 700 bursary holders would be in training. He said that each pupil would be offered R5 000 annually, which would cost the government approximately R10m over four years. The scheme was to concentrate on the training of technicians needed for manufacturing processes in the mineral industry.¹⁰⁷ [¹⁰⁷ *The Natal Witness* 28 April 1989]

An amount of R76m was made available for the Department of Manpower's scheme for the training of the unemployed. According to the annual report of the Department of Manpower for 1989, training was

undertaken by 351 contractors at 469 training venues throughout South Africa from 1 November 1988 to 31 October 1989. In total, just under 200 000 unemployed persons were trained during that period, approximately 44 000 fewer than in 1988. The number of unemployed persons trained in terms of the department's scheme increased from 65 839 in 1985 to 417 570 in 1986 but decreased in 1987, 1988 and 1989 to 258 517, 242 893 and 198 915 respectively.¹⁰⁸ [¹⁰⁸ Department of Manpower, Annual report, 1989]

The training conducted under the scheme was broadly classified into the following categories (allocation of funds shown in brackets):¹⁰⁹ [¹⁰⁹ Ibid]

- training for entry into the formal sector (37%);
- training for entry into the informal sector (28%);
- training in building skills (29%);
- training the disabled (1%); and
- training for entry into computer programming (5%).

In June 1989 the chairman of Sanlam, Professor Tjaart van der Walt, announced that Sankorp and Sanlam would establish the South African Skills Foundation. The intention of the foundation would be to engage the private sector in exchanging knowledge and experiences in order to identify obstacles to skills development and eliminate them. Dr Van der Walt said that approximately 2% of the private sector's investment was placed in education and training each year, which resulted in a major shortage of skilled labour in South Africa.¹¹⁰ [¹¹⁰ *Sunday Times* 4 June 1989] In August 1989 Sankorp gave R250 000 towards the establishment of the South African Skills Foundation.¹¹¹ [¹¹¹ Ibid 20 August 1989]

In June 1989 the executive director of the South African Fabrication and Construction Training Trust Fund, Mr Rene Schmetz, said that by the year 2000 more than 30 000 people would have been trained through the fund. The fund had trained just over 2 000 workers by June 1989 in skills such as welding, draughting, boilermaking, and mechanical and electrical engineering. He said that it was expected that 8 000 trainees would have passed through the scheme by 1992 in order to meet the needs of the Mossgas Project. The fund would also supply trained workers for the Lesotho Highlands Water Project and for synthetic fuel (synfuel) plants that might be set up by Gencor and AECI.¹¹² [¹¹² Ibid 11 June .1989] In June 1990 the trust fund's training programme collapsed because of a lack of funds. Mr Schmetz said that its collapse followed the cancellation of some synfuel projects. A further reason was that some major companies had not supported the programme because they preferred to import foreign workers.¹¹³ [¹¹³ *The Citizen* 29 June 1990] He said that in the absence of the training project a further influx of 'imported' labour would be needed to complete the Mossgas Project. The director general of the Department of Manpower, Mr Joel Fourie, said that the government regretted not being able to supply the capital

necessary (R12m) for the continuation of the programme. The director of the East Cape Training Centre, Mr Leon de Villiers, said that since the programme's inception in 1988, some 7 800 people had been trained. He said that 4 200 had been trained in fields of mechanics and 3 600 in civil engineering. Of these 4 000 were working on the Mossgas Project.¹¹⁴ [¹¹⁴ *Business Day* 29 June 1990]

In July 1989 an information technology systems supplier, Unidata, invested more than R1,5m in a training programme in order to counter the skills shortage in the computer industry. The project manager, Mr Mike Jackson, said that the computer industry was the victim of a serious shortage of skills, which had been aggravated by the brain drain. He said that Unidata had moved away from the employment trend of recruiting people from overseas or poaching staff from competitors.¹¹⁵ [¹¹⁵ *Sunday Times* 16 July 1989] He said that its six-month training programme included courses in selling skills, and technical tuition in information technology and product training.

In July 1989 the founder of the Programme for Technological Careers (PROTEC), Mr Clifford McMillan, said that the most 'disastrous' long-term legacy of apartheid would be the human resources and skills shortage. He said that the disadvantages inherent in the black education system, such as poor teaching, poor language ability in the pupils, and disadvantaged home environments, could be overcome through private schools. PROTEC'S function was to develop the potential of students who were hampered by disadvantaged conditions. In 1988, 513 PROTEC students passed matric with an 87% pass rate.¹¹⁶ [¹¹⁶ *The Star* 20 July 1989] In May 1990 it was reported that of the 625 PROTEC matriculation candidates, 476 had passed, representing a 96% pass rate. An exemption rate of 47% was achieved at PROTEC, compared to the national rate of 10%. Of those students who gained matriculation exemption, 32% matriculated with mathematics and science, compared to the national average of 0,4%.¹¹⁷ [¹¹⁷ *Sunday Times* 6 May 1990]

In August 1989 a 207-page special report was given to the KwaZulu cabinet by the KwaZulu Training Trust. The report, headed by Dr Allan Pittendrigh, took 18 months to complete and outlined the broad need for training and education in the KwaZulu/Natal region. The managing director of the KwaZulu Training Trust, Mr Brian Stewart, said that in order to develop manpower and human resources, they would need between R3bn and R5bn at the turn of the century. He said that the success of the programme would be largely dependent on indirect overseas investment, in the form of social responsibility investment.¹¹⁸ [¹¹⁸ *Sunday Tribune* 6 August 1989]

The director general of the Department of Manpower, Mr Joel Fourie, said that the government and the private sector had agreed that in-service training was largely the responsibility of the private sector. He said that the department would receive R31m from the government in 1990/91 to be used as cash grants to stimulate in-service training, instead of R110m in tax concessions previously granted to employers for this purpose.¹¹⁹ [¹¹⁹ *Business Day* 22 March 1990]

In March 1990 an educational foundation was launched in Johannesburg by the South African Institute

of Chartered Secretaries and Administrators. The new foundation. Mentor, would provide business education to those who lacked the funds to get started.¹²⁰ [¹²⁰ *The Citizen* 28 March 1990] The chairman of the board of trustees, Mr Derek Cooper, said in April 1990 that many students with potential were forced to leave school before matric and thereafter 'become victims of a vicious circle. Without a good job they don't have the money to invest in education to better themselves'.¹²¹ [¹²¹ *Sunday Tribune* 15 April 1990]

In April 1990 it was announced that the National Union of Mineworkers (NUM) was to initiate a major educational scheme which would train approximately 100 black miners overseas in disciplines such as mining engineering, geology and metallurgy. The general secretary of the NUM, Mr Cyril Ramaphosa, said that selected students would be placed in a number of universities and mining colleges around the world. He said that the NUM would select people for the scheme from working and retrenched miners who had a matric. He said that the NUM believed that the creation of skilled workers was the key to prosperity in a post-apartheid South Africa.¹²² [¹²² *Business Day* 24 April 1990]

In May 1990 a technical school was being erected in the black township of Alexandra, 30km north of Johannesburg. The Alexandra Community Education Centre, estimated to cost R15m, would provide facilities for workshops, administration, classrooms and drawing rooms.¹²³ [¹²³ *The Star* 4 April 1990]

Apprentices

According to the annual report of the Department of Manpower for 1989, the number of apprentices indentured in 1989 increased by 25% over the 1988 figure, reversing the sharp decline in the numbers indentured since 1984. The number of apprenticeships which were registered, in operation, completed and rescinded in 1988 and 1989 were as follows:¹²⁴ [¹²⁴ Department of Manpower, Annual report, 1989]

Number of apprenticeship contracts which were registered and in operation in 1988 and 1989^a

Registered

In operation

Sector

1988

1989

1988

1989

Aerospace

299

297

571

651

Automobile manufacturing^b

123

169

303

367

Building

294

441

829

908

Coal mining

—

—

72

51

Diamond cutting

8

11

18

22

Electrical contracting industry

122

114

225

256

Electricity supply undertaking

156

177

402

364

Explosives and allied industries

117

161

305

370

Furniture

64

43

280

279

Government undertaking

152

234

541

559

Hairdressing

507

469

906

815

Jewellers and goldsmiths

26

37

62

79

Local authority undertakings^c

44

47

121

137

Metal engineering

2 655

4 030

8 522

10 971

Mining

1 343

1 262

4 349

4 923

Motor

1 355

1 448

3 659

3 880

Printing

438

469

785

946

South African Transport Services

138

397

1 200

1 099

Sugar manufacturing and refining

56

51

173

172

Tyre and rubber manufacturing

22

34

93

92

Total

7 919

9 891

23 416

26 941

^a 1 November 1988—31 October 1989.

^b Port Elizabeth and northern Transvaal.

Number of apprenticeship contracts which were completed and rescinded in 1988 and 1989^a

Completed

Rescinded

sector

1988

1989

1988

1989

Aerospace

164

191

15

26

Automobile manufacturing^b

118

97

6

8

Building

547

320

66

42

Coal mining

50

21

1

—

Diamond cutting

10

6

2

1

Electrical contracting industry

14

69

9

14

Electricity supply undertaking

261

205

17

10

Explosives and allied industries

90

92

19

4

Furniture

63

35

15

9

Government undertaking

285

200

40

16

Hairdressing

450

465

124

95

Jewellers and goldsmiths

14

18

7

2

Local authority undertakings^c

46

24

6

7

Metal engineering

2 571

1 042

621

539

Mining

1 342

561

255

127

Motor

1 231

996

295

231

Printing

383

252

46

56

South African Transport Services

883

467

64

31

Sugar manufacturing and refining

27

46

5

6

Tyre and rubber manufacturing

29

31

1

4

Total

8 578

5 138

1 614

1 228

^a 1 November 1988–1 October 1989.

^b Port Elizabeth and northern Transvaal.

c Northern Transvaal.

In March 1989 the Steel and Engineering Industries Federation of South Africa (SEIFSA) expressed concern over the critical slowdown in the flow of new entrants into apprenticeship programmes in recent years. The head of the education and training division at SEIFSA, Ms Janet Lopes, said that the large decline in the number of apprentices was not confined to metal industries but was also experienced in state training schemes and their operations, such as the South African Transport Services (SATS). She said that irrelevant or sophisticated barriers were being erected to eliminate the majority of candidates for apprenticeships. Commenting on the procedure for selecting candidates for apprenticeships, she said that 'there are many employers who view the results of aptitude tests with almost mystical respect and disregard their own experience and common sense'. She hoped that companies would review their selection programmes and use aptitude tests only as a tool, not as an 'infallible indicator of suitability f

In May 1989 the acting minister of manpower, Mr Eli Louw, said that he was concerned about the drop in apprenticeship figures and that concerted efforts would be made to attract more people to becoming artisans. He said that the forthcoming new Manpower Training Amendment Bill would hopefully attract more people to train as artisans. He pointed out that the training of an apprentice would no longer be for a specified number of years but would depend on the apprentice's ability to master the various training programmes in the course. He believed that this would make it possible for individuals to progress more quickly to the final trade-test stage.¹²⁶ [¹²⁶ *The Citizen* 19 May 1989]

Productivity

In March 1989 the economic affairs committee of the President's Council released a productivity report which set out a strategy and plan of action for improving productivity in South Africa. The report said that South Africa could not achieve a target economic growth rate of 5% per annum unless a productivity growth rate of 3% was reached.¹²⁷ [¹²⁷ *Business Day* 14 March 1989] Among other recommendations, the report said that a national awareness campaign should be carried out by the Economic Advisory Council and the National Productivity Institute (NPI). The report pointed out that in South Africa there was wasteful education, particularly in tertiary education where a large proportion of students were educated in skills not directly required by the economy. It said, 'This unproductive appropriation of funds could be influenced by further modifying the subsidy formula of universities to favour education in disciplines that are more focused at the needs and requirements of the economy.'¹²⁸ [¹²⁸ *The Citizen* 14 March 1989]

In April 1989 the NPI pointed out in its publication. *Productivity Focus*, that South Africa's average standard of living declined by 1,7% a year between 1981 and 1987, while most overseas countries, such as Japan, Switzerland and Taiwan, showed an increase. The publication said that salaries in the manufacturing sector in South Africa increased by more than 440% between 1975 and 1987 and that productivity increased by only 31%. In contrast, Japan's productivity increased on average by 95%

during the same period while its manufacturing salaries increased by only 91%. The NPI stressed that although labour productivity had increased by 26% since 1970, the actual productivity of capital had decreased by more than 32%. This meant that when productivity as a whole was measured, its overall level was no better than that of 20 years ago.¹²⁹ [¹²⁹ *The Star* 25 April 1989]

According to the annual report of the National Manpower Commission for 1989, labour productivity as measured against the real gross domestic product (GDP) increased by just under 3% in 1988 in the private non-agricultural sectors. Capital productivity in the private non-agricultural sectors also increased by just under 3%. Since 1970 the average annual rate of capital productivity had decreased by 2,5%. The multi-factor productivity rate, ie the combined labour and capital productivity growth rates, increased by 2,8% in 1988 in the private non-agricultural sectors, compared to an increase of 1,3% in 1987 and a decrease of 1% in 1986.¹³⁰ [¹³⁰ NMC, Annual report, 1989] However, the report also pointed out that productivity improvements had not kept pace with the increase in wages.

In January 1990 the executive director of the NPI, Dr Jan Visser, said that there were unlimited opportunities for all managers, workers and consumers to take action to improve productivity. He said, 'There is nothing to stop anybody from adopting a philosophy of doing the right thing right the first time. Some believe they do not have the knowledge and skills to start programmes to improve productivity, but this is a poor excuse.'¹³¹ [¹³¹ *The Citizen* 31 January 1990] He stressed that it would be a 'grave error' for the South African economic community to wait for government action to improve productivity and added that higher productivity was nothing but good management.¹³² [¹³² *Business Day* 31 January 1990]

In March 1990 the president of the Institute of Business Studies, Mr Charles McDulling, said that productivity was a concept which was misunderstood or undervalued by the majority of the workforce. He said that the workforce perceived it as a one-sided arrangement whereby workers worked harder and produced an increase from which only the employers profited. Lack of productivity had hampered the employee's search for advancement and had restricted the ability of business to grow and offer more job opportunities. He said that productivity was not a question of working 'harder' but one of working 'smarter'.¹³³ [¹³³ *African Business* March 1990]

In May 1990 a lecturer in the Department of Economics at the University of Natal, Mr Charles Meth, gave a paper at a conference on statistics held in Durban, in which he criticised the NPI's method of studying productivity, which was to 'relate prices and quantities of inputs to prices and quantities of outputs'.¹³⁴ [¹³⁴ Meth C, 'Productivity Statistics', paper presented at the Socio-Economic Statistics Symposium, Durban, 3-4 May 1990] He said that contributions of individual factors of production to total output could not be evaluated. He pointed out that poor levels of productivity might be just a symptom of deeper economic problems. He said that the NPI had to change its approach to the productivity debate.

Black Job Advancement

In November 1989 the managing director of Kellogs South Africa, Mr Peter Horekens, said that South Africa had to train more blacks for top jobs in order to avoid suffering the fate of poverty stricken third world countries. He said that only 12 black mining engineers and a few accountants graduated from universities each year. He encouraged the state and organisations such as the Black Management Forum to help blacks enter those fields.¹³⁵ [¹³⁵ *The Star* 5 November 1989]

The president of the Black Management Forum, Mr Don Mkhwanazi, said in November 1989 that black managers should stop going for 'soft options' and apply their 'entrepreneurial flair' in corporations. He said that he would like to see them moving into manufacturing and sectors of the market other than retail and management consulting. He said that if they did enter the retail sector, they should pool their resources and 'take on the giants such as Pick 'n Pay and Edgars'. Mr Mkhwanazi listed the major problems which hindered the development of black managers as being:¹³⁶ [¹³⁶ *The Weekly Mail* 10 November 1989]

- the underrating of black managers;
- the perceived failure of blacks to 'make it'; and
- hostility from underqualified or unqualified white line managers.

He said that the Black Management Forum had established a manpower committee after discussions with various community and black professional bodies. The forum wanted to initiate an advanced educational and training programme for black South Africans in conjunction with the Commonwealth Secretariat, he said. He pointed out that the idea was to send black South Africans to study and work abroad in areas such as mining engineering, finance, development economics and banking technology.¹³⁷ [¹³⁷ *Ibid*]

On 21 December 1989 a black candidate qualified as a mine manager for the first time in South Africa. Mr Haile Mphushu sat the government examination in October 1989, 15 months after the repeal of the 'scheduled person' section in the Mines and Works Amendment Act of 1987, which had barred blacks from supervisory positions on the mines, said a government spokesman. The spokesman also said that since the law had been changed there had been an increase in the number of blacks qualifying for blasting certificates.¹³⁸ [¹³⁸ *The Citizen* 21 December 1989]

The minister of mineral and energy affairs and public enterprises, Dr Dawie de Villiers, said in April 1990 that the following applications for certificates in the mining industry had been received and granted from 1 January to 31 December 1989:¹³⁹ [¹³⁹ *Hansard* (A) 12 q cols 848-849, 17 April 1990]

Applications received and granted by the Department of Mineral and Energy Affairs in 1989

Certificate

African

Coloured

Indian

White

Blasting

received

644

50

4

1 901

granted

402

46

4

1 451

Hoist driver

received

0

4

0

143

granted

0

3

0

122

Banksman and Onsetter

re

29

30

3

91

granted

156

14

2

733

Locomotive driver

re

0

0

0

2

granted

0

0

0

2

Mine captain

received

0

0

0

1 570

granted

0

0

0

733

Mine manager

received

1

0

0

710

granted

1

0

0

94

Total

received

944

84

7

5 245

granted

556

63

6

Dr De Villiers said that although every effort was made to ensure that the above figures were accurate, the application forms for examinations did not make provision for the race of the applicant to be disclosed and no formal record was kept of the race of the recipient of a certificate.¹⁴⁰ [¹⁴⁰ Ibid]

According to a newsletter of the Chamber of Mines of South Africa for March/May 1990, approximately 5 600 skilled jobs, representing 10% of all jobs which had formerly been restricted to whites, were now filled by blacks.

The newsletter listed the initiatives taken by the chamber in removing racial discrimination as follows:¹⁴¹ [¹⁴¹ *Chamber of Mines' Newsletter*, March/May 1990]

- in March 1989 the chamber successfully applied to the Industrial Court to rule against the refusal by the Council of Mining Unions to allow blacks to join the Mine Employees Pension Fund;
- in June 1989 the chamber proposed that the Cottesloe Hospital for white employees and the Rand Mutual Hospital for black employees be merged (the all-white Mine Workers' Union was opposed to this enforced integration);
- in July 1989 the chamber invited the National Union of Mineworkers (NUM) to join it in a project designed to identify racially discriminatory practices which the NUM alleged existed on the mines. The NUM refused; and
- in October 1989 the chamber persuaded the Mines Benefit Society to open itself to all races.

Since March 1984, when an agreement was reached between the chamber and the Mine Surface Officials' Association on the formal appointment of blacks as surface officials, the number of black officials and union men had steadily increased. According to the chamber, the definition of 'officials' included 'qualified staff employed in fields such as administration, engineering, metallurgical processing, surveying, environmental control, draughting, sampling, rock mechanics, hoist control and line management on mines. The term "union men" embraced artisans, general miners and supervisory personnel.' In 1984 there were 908 black officials and 105 union men, representing 3% of the total number of officials' and 0,4% of the union men's jobs. The number of black officials and union men increased to 2 629 (9,6%) and 389 (1,4%) respectively in 1986 and to 4 574 (14,8%) and 971 (3,7%) in August 1989.¹⁴² [¹⁴² Ibid]

In June 1990 the president of the Chamber of Mines of South Africa, Mr Kennedy Maxwell, said during the chamber's annual general meeting that the mining industry had a key role to play in the fight to remove job reservation and the remnants of the colour bar. He said that progress had been made and that

6 000 mine jobs, which in the past had been for whites only, were now filled by Africans, coloured people and Indians. He said that since the removal of restrictions in July 1988 (through the Mines and Works Amendment Act of 1987), some 580 black workers had obtained blasting certificates and approximately 400 black employees had moved into jobs at artisan levels that used to be reserved for whites. He pointed out that the demographics of South Africa meant that management talent had to be found in all sectors of the population. He said that the mining industry spent an estimated R300m annually on internal training programmes and millions of rands more on subsidising external educational institutions and programmes. Mr Maxwell said that the Industrial Court had ruled in favour of the chamber over the refusal of the Mine Workers' Union to allow members to assist in the training of coloured winding machinery drivers. If we can facilitate the process of change in this industry and if we can effectively manage the natural conflict of fears and expectations, we will make a vital contribution to the task of building the new South Africa,' he said.¹⁴³ [¹⁴³ *The Star* 20 June 1990]

In April 1990 the only black South African Police officer in the eastern Transvaal, Major Themba Mahlangu, was appointed as a member of the region's liaison team, which was formerly an 'all white' team.¹⁴⁴ [¹⁴⁴ *Ibid* 3 April 1990]

The Democratic Party MP for Wynberg, Mr Robin Carlisle, said that there should be black advancement programmes in government departments and that the private sector should be pressurised to ensure that advancement programmes were operating effectively. He said that the government and private sector had failed to develop black skills. He pointed out that almost the entire echelon of the public service consisted of Afrikaans-speaking people, to which he had no objection but, he said, those posts could not in the future be filled only by whites.¹⁴⁵ [¹⁴⁵ *The Citizen* 28 April 1990]

In May 1990 the director of the Black Lawyers' Association, Mr Justice Bakone Moloto, said that black people had to take a meaningful part in the administration and application of the law in South Africa. While addressing the thirteenth South African Law Conference in Durban, he said that the political and socio-economic situation in South Africa had to be radically changed in order to alter the negative perspective the black community had of legal practice. He said black lawyers had to play a part in the making of laws that governed them, bringing their own value systems and ethos into the system.¹⁴⁶ [¹⁴⁶ *Business Day* 23 May 1990]

Barriers to black job advancement

Formal

The minister of foreign affairs, Mr Pik Botha, said in April 1990 that apartheid and the Group Areas Act of 1966 prevented blacks from entering the diplomatic service. He said that the obstacles which faced blacks were as follows:¹⁴⁷ [¹⁴⁷ *The Star* 27 April 1990]

- recruits were lured into the private sector by higher benefits;
- no adequate housing could be found in Pretoria (central Transvaal) because of Group Areas Act restrictions: and
- the ‘psychological barrier’ in accepting a job which requires the ‘selling’ of the government’s policy of separate development.

Informal

According to the National Union of Mineworkers (NUM) barriers to black job advancement on the mines still existed, despite the opening up to blacks of jobs previously reserved for whites. The NUM said that the number of blacks qualifying for certificates of competency was likely to tail off because most blacks could not meet educational standards. The NUM was critical of the new educational requirements needed to gain such a certificate. The union argued that experience should outweigh educational qualifications in job advancement.¹⁴⁸ [¹⁴⁸ *Business Day* 21 December 1989] It said that the issue of black advancement was a sensitive one and had been met with resistance from white unions.¹⁴⁹ [¹⁴⁹ *The Citizen* 21 December 1989]

In February 1990 the industrial relations consultant for the Anglo American Corporation of South Africa, Mr Don Ncube, said that black managers found themselves torn between management and black workers in the workplace. He said that managers expected them to uphold company structures while black workers wanted them to identify with their struggle. He believed that many black managers refused senior positions because they were expected to be ‘yes men’ instead of being managers. Mr Ncube pointed out that corporate culture in an antiapartheid society had to be different. He said that the input from black managers into the future corporate culture would be invaluable. When black managers were accepted as managers, respect would flow from the black workforce to them, he added.¹⁵⁰ [¹⁵⁰ *Sowetan* 3 February 1990]

In April 1990 a business consultant, Ms Beverly Applebaum, said that Linless business reviewed its approach to black advancement, the economy in South Africa would not grow to its full potential. She said that ‘companies have tended to focus on their short-term manpower needs and bottom line objectives rather than on longer-term human resource planning’. She argued that the combined effects of statutory measures inhibiting the upward mobility of blacks and their education had stood in the way of blacks’ making managerial progress. She said that of the highly skilled positions, 90% were held by whites, 4% by coloured people, 4% by Africans and 2% by Indians.¹⁵¹ [¹⁵¹ *Sunday Times* 8 April 1990]

Income

Income levels

In November 1989 the housing director of the Transvaal Provincial Administration, Mr Jan Breytenbach, said that over 90% of the black population was paid less than R800 per month. He was quoting figures from a survey which had been accepted by cabinet ministers who were concerned with housing. He said that the survey also showed that approximately 84% of the black population earned less than R600 per month.¹⁵² [¹⁵² *Daily Dispatch* 30 November 1989]

The head of remuneration services for PE Corporate Services, Miss Naomi Brehm, said in January 1990 that average wages and salaries had lagged behind price increases. Between July 1979 and July 1989, the consumer price index (CPI) had increased by 295 % compared to average salaries and wages which had increased by 293%. A salary of R1 000 a month in 1980 needed to have increased to R3 950 in 1990 to counterbalance inflation. She said that the official rate of inflation was regarded by economists with great suspicion. The rate was believed to be between 25% and 30% and not between 14% and 15% as officially stated. She pointed out that if the rate of inflation was only 2% greater than the official figure, then the cost of living would have increased by 369% between 1979 and 1989.¹⁵³ [¹⁵³ *The Star* 2 January 1990]

In April 1990 the Johannesburg Chamber of Commerce and Industry published figures concerning the minimum living level (MLL) in order to supply businesses with guidelines concerning the 'hard realities' which faced low-income families.¹⁵⁴ [¹⁵⁴ *Ibid* 16 April 1990] The figures were based on an analysis made by the Bureau of Market Research at the University of South Africa which showed that the MLL for a black family of five living in Soweto or elsewhere in greater Johannesburg was R591,10 per month in 1989, compared to R151.03 in 1980.

According to a lecturer in economics at the University of Stellenbosch. Professor Servaas van der Berg, the informal sector could contribute as much as 50% to blacks' per capita income. He said that 'black compared to white per capita income increases from 8,5% to 12,7% when provision is made for unrecorded activity'. He said that as a result of informal activity annual black per capita income would increase by approximately R700 to R2 000.¹⁵⁵ [¹⁵⁵ *Daily Dispatch* 8 May 1990]

A survey was conducted by the South African Advertising Research Foundation (SAARF) during the period August 1988 to April 1989 in which 16 400 urban and rural households were interviewed. The survey, which was part of the All Media and Products Survey (AMPS), found that the average monthly household income of Africans, coloured people, Indians, and whites was R521, R1 059, R1 604, and R3 297 respectively. AMPS gave the following breakdown of the monthly household income according to income group and population group:¹⁵⁶ [¹⁵⁶ All Media and Products Survey, in *Business Day* 12 June 1990]

Monthly household income 1988/89^a

Income group R/month

African proportion

Coloured proportion

Indian proportion

White proportion

1—399

50,9%

24,4%

6,1%

2,6%

400—699

23,1%

18,4%

14,5%

5,3%

700—1 199

19,0%

25,1%

26,8%

10,1%

1 200—1 999

4,7%

19,5%

26,3%

16,1%

2 000—2 499

0,9%

5,1%

9,5%

11,1%

2 500—3 999

1,1%

5,3%

11,7%

24,9%

4 000—5 999

0,3%

1,5%

4,5%

18,9%

6 000 +

0,1%

0,6%

1,1%

10,9%

^a As figures have been rounded off, columns may not add up t

The uneven distribution of income and wealth in South Africa was addressed by Mr Iraj Abedian and Mr Barry Standish in a study which pointed to the following skewed distribution patterns:¹⁵⁷ [¹⁵⁷ Abedian I and Standish B, 'Policy and Economic Development', in Schrire R A (ed), *Critical Choices for South Africa: An Agenda for the 1990s* (Oxford University Press, 1990)]

- racial distribution of personal income;
- regional distribution of the gross domestic product (GDP); and
- rural/urban distribution of economic activity in South Africa.

They said although there had been an improvement in the racial distribution of personal income, whites still had the greatest share. Whites received approximately 54% of the total amount of personal income in 1988 and Africans only 36%, coloured people 7% and Indians 3%. The most disadvantaged regions were those with a very high population level and a low percentage share of the country's GDP, such as the eastern Cape. The KwaZulu/Natal region had a relatively high percentage of the country's GDP but the high population level eroded the GDP per capita level. The paper showed that in 1985 the metropolitan areas possessed approximately 62% of the country's GDP while the homelands had only 5%, which represented R6 662 per capita and R370 per capita respectively.¹⁵⁸ [¹⁵⁸ Ibid]

Income yardsticks

According to *The South African Township Annual* produced by the Industrial Relations Research Survey for the years 1988, 1989 and 1990, the average national cost of living for a family of five in 1988 and of 5,3 in 1989 and 1990 in South African townships was as follows:¹⁵⁹ [¹⁵⁹ Industrial Relations Research Survey, *The South African Township Annual*, 1988, 1989 and 1990 edns]

Average national cost of living for a black family living in South African townships in 1988, 1989 and 1990

1988

1989

1990

Expenditure

R

R

R

Cleaning materials

16,86

19,51

27,10

Clothing

102,38

124,08

123,64

Discretionary income

120,48

127,73

119,48^a

Fuel

13,21

18,50

27,85

Furniture, linen, appliances

85,00

90,00

120,00

Groceries

257,64

276,07

342,25

Medical expenses^b

25,00

30,00

45,00

Personal hygiene

16,53

19,05

21,99

School fees, rent, levies^b

110,00

110,00

145,00

Transport

62,62

55,63

60,95

Total

809,72

870,56

1 033,26

Total less discretionary income^c

689,24

742,83

913,78

^a According to Mr Steuart Pennington of the Industrial Relations Research Survey, the decrease in discretionary income was because of the high rate of inflation, which in turn contributed to people decreasing their spending on non-essentials.¹⁶⁰

^b Medical expenses and school fees, and rents and levies were fixed for purposes of the township survey.

^c Discretionary income included items such as alcohol, cinema, tobacco, magazines, and

Household subsistence levels (HSLs) for 1989 for an African family of six and a coloured family of five, as calculated by the Institute for Planning Research at the University of Port Elizabeth, are shown in the table below:¹⁶¹ [¹⁶¹ Bureau for Economic Research (University of Stellenbosch), *Trends*, vol 13 no 2, June 1990]

Hou

African HSL September 1989

Coloured HSL September 1989

Centre

R/month

Change

R/month

Change

Benoni

523,95

18,4%

—

Bloemfontein

471,50

10,6%

574,81

18,5%

Boksburg

551,61

13,0%

—

Brakpan

495,74

11,0%

—

Brits

484,25

14,6%

—

Cape Town

508,23

13,8%

580,51

15,3%

Durban

488,79

14,3%

614,54

16,5%

East London

485,33

10,5%

596,06

16,1%

George

505,82

18,9%

576,79

21,5%

Germiston

529,88

11,1%

—

Johannesburg

536,38

9,2%

674,38

13,7%

Kimberley

525,36

21,3%

643,45

13,8%

King William's town

457,70

12,2%

546,24

10,3%

Krugersdorp

515,11

13,9%

—

Mossel Bay

507,23

16,7%

567,76

18,5%

Peddie

396,19

12,0%

—

Pietermaritzburg

450,04

16,3%

—

Port Elizabeth

475,05

12,1%

651,97

13,2%

Pretoria

499,59

16,1%

726,74

15,7%

Queenstown

476,68

16,1%

600,57

16,5%

Springs

504,53

10,9%

—

Uitenhage

484,53

14,1%

600,47

18,2%

Umtata

475,42

14,9%

—

Vaal Triangle

502,91

10,6%

—

^a See 1987/88 *Survey* p289 for an explanation of the HSL.

Wages

A survey conducted by Andrew Levy, Johan Piron and Associates between October 1988 and February 1989 discovered that wage bargaining settlements continued to be moderate, increases averaging 16,7% in 1989 compared to 17.9% in 1988. This, it held, was a result of the significant upsurge in retrenchments during January and February 1989, and that ‘union and management negotiations will [therefore] have to judge the delicate balance between the preservation of earning power and the

preservation of jobs'.¹⁶² [¹⁶² *Financial Mail* 24 March 1989]

In April 1989 the chairman of Iscor and of the Industrial Development Corporation (IDC), Mr Marius de Waal, proposed that South Africa should introduce a radical price- and wage-cutting programme in order to reduce the increasing inflation rate. He said that the programme should be implemented in April 1990 and should continue for four years, during which time wage and salary accounts should be reduced by 2% per annum from the current level of 15%. He said that at the same time tariff and price increases had to be decreased by 2% a year from a base of 14%.¹⁶³ [¹⁶³ *The Citizen* 14 April 1989]

The executive director of the Institute for Industrial Relations, Mr Michael Miles, said that union demands were traditionally higher than the inflation rate, and were currently around the 25% mark.¹⁶⁴ [¹⁶⁴ *Sunday Star* 16 April 1989] According to a retired professor of applied mathematics. Professor Karl Possel, the rate of inflation was double the official rate and could be as high as 26%. He arrived at this figure on the basis that an average working class family spent 40% of its income on food and not 22,7% as used by the Central Statistical Service.¹⁶⁵ [¹⁶⁵ *Financial Mail* 24 March 1989]

In February 1990, speaking at an investment conference in Johannesburg, the minister of finance, Mr Barend du Plessis, said that wage restraint was needed in order to fight inflation. He said, 'We do not support a policy of freezing or limiting to a certain maximum percentage the rise in wages and salaries. Employers and organised labour should, however, take note of the adverse long-term effects which excessive wages and salaries exert on South Africa's rate of inflation.' The governor of the Reserve Bank of South Africa, Dr Chris Stals, said at the same conference that the 17,9% increase in the average level of wages per worker in the first three quarters of 1989 was 'disturbing'. He said that it could not be expected that wages and salaries would remain stable in an environment of inflation, but that the only justification for nominal wages above the current inflation rate was higher productivity. He said that 'the available information on labour productivity for 1989, however, does not justify any important increases in real wages'.¹⁶⁶ [¹⁶⁶ *Business Day* 21 February 1990]

According to Labour Research Services, the increase in the average minimum wage for workers from July 1987 to December 1989 was as follows: ¹⁶⁷ [¹⁶⁷ *Ibid* 7 February 1990]

Increase in average minimum wages for workers between July 1987 and December 1989

Time period

Wage increase

July—December 1987

20,6%

January—July 1988

22,9%

July—December 1988

20,6%

January—July 1989

22,5%

July—December 1989

19

As at December 1989 the car industry paid the highest average minimum wage of R203 a week, followed by the metal industry with R186 a week, paper with R180 a week, food with R159 a week and mining with R97 a week. The average minimum wage set by industrial councils was R130 a week. The average increase of 24% negotiated in the car industry was the highest, followed by the wood sector at 23%, the clothing industry at 23% and 16% in the transport sector, the lowest increase.¹⁶⁸ [¹⁶⁸ Ibid]

In April 1990 an economist for Southern Life, Mr Mike Daly, said that pressure on inflation was likely to come from a lower gold price, which would increase the cost of imported goods, and from higher salary and wage demands by public sector servants.¹⁶⁹ [¹⁶⁹ *The Star* 26 April 1990]

The director and Group economist of the Rand Merchant Bank, Mr Rudolf Gouws, said that since the beginning of 1989 there had been a decline in the economy and that the rate of increase in wages was only levelling out and had not yet begun to decline. ‘Since the economy is declining, this [levelling of the wage level] will happen at the cost of profitability, fixed investment and employment. Companies cannot afford to give the same increases now as they were able to do 18 months ago,’ he said.¹⁷⁰ [¹⁷⁰ *Business Day* 15 April 1990]

The Bureau for Economic Research at the University of Stellenbosch gave the following details on the average nominal and real earnings per worker in the manufacturing sector according to racial group between 1980 and 1988:¹⁷¹ [¹⁷¹ *Trends*, vol 13 no 2 June 1990]

Average annual salaries and wages per worker in the manufacturing sector from 1980 to 1988^a

African ^b R

Coloured *c R*

Indian *c R*

White *d R*

Total R

1980

Average

2 688

3 156

3 588

11 472

4 776

Real

5 053

6 128

6 967

20 934

9 202

1981

Average

3 252

3 804

4 308

13 596

5 688

Real

5 220

6 383

7 228

22 927

9 512

1982

Average

3 852

4 464

5 412

15 780

6 708

Real

5 441

6 565

7 959

23 070

9 778

1983

Average

4 428

5 028

6 252

17 748

7 656

Real

5 563

6 555

8 151

23 170

9 930

1984

Average

5 004

5 640

7 200

20 028

8 616

Real

5 699

6 573

8 392

23 370

10 019

1985

Average

5 628

6 372

7 980

22 188

9 696

Real

5 628

6 372

7 980

22 188

9 696

1986

Average

6 538

7 282

9 749

24 940

11 051

Real

5 517

6 124

8 199

21 029

9 318

1987

Average

7 824

8 414

11 153

28 380

12 697

Real

5 621

6 075

8 053

20 730

9 221

1988

Average

9 430

9 946

12 742

32 906

14 863

Real

6 010

6 372

8 163

21 285

9 564

^a Consumer price index (CPI) equal to 100 in 1985.

^b Lower-income group (CPI) used.

^c Middle-income group (CPI) used.

^d Hi

Wage gap

The labour economist and management consultant of Andrew Levy, Johan Piron and Associates, Mr Andrew Levy, said in July 1989 that his studies had shown that negotiated wage settlements by black unions had resulted in an average wage increase of 81,5% between 1985 and 1988. Mr Levy said that an increase in union membership and bargaining power in the less organised business sectors would lead in future to a further narrowing of the wage gap. He said that skilled workers might begin to fight back for higher wages, and this in turn would lead to an increase in the wage gap. PE Corporate Services indicated that wages for unskilled and semi-skilled black workers had increased by 73% between 1985 and 1988 while wages of white skilled workers had increased by only 56%.¹⁷² [¹⁷² *Business Day* 26 July 1989]

In April 1989 the managing executive of the remuneration information service division of a management consultancy group, FSA-Contact, Mr Vin McGrory, said that in 1981 blacks were paid 65% of their white counterparts' salaries. This figure was said to have increased to only 71% by 1988. He said that more and more companies were finding the existence of such pay gaps indefensible and were therefore committed to closing them.¹⁷³ [¹⁷³ *Sunday Times* 16 April 1989]

Earnings per sector

Private sector

The average monthly salaries and wages per racial group in the private sector in June 1989 and the actual and constant (1985 = 100) percentage change over June 1988 were as follows:¹⁷⁴ [¹⁷⁴ CSS, *Labour Statistics: Employment and Salaries and Wages*, Statistical News Releases as follows: manufacturing and construction, P0242.2, 19 October 1989; building societies, banking institutions and insurance companies, P0262, 18 September 1989; wholesale, retail and motor trade and hotels, P0244, 1 November 1989]

Average monthly salaries and wages for the private sector for June 1989

Construction

Finance

Manufacturing

Trade and catering

African

R/month

592

1 310

900

568

Change

10,2%

21,3%

18,1%

18,1%

Real change

-2,9%

7,6%

4,1%

4,8%

Coloured

R/month

983

1 551

969

742

Change

24,0%

21,9%

20,5%

9,3%

Real change

8,2%

7,0%

5,2%

-4,1%

Indian

R/month

1 636

2 064

1 267

1 174

Change

18,0%

24,3%

23,9%

16,8%

Real change

2,9%

9,2%

8,0%

2,5%

White

R/month

3 022

2 713

3 045

2 040

Change

14,8%

16,8%

15,7%

13,0%

Real change

-2,0%

0,5%

-1,3%

-2,9%

Total

R/month

946

2 369

1 399

1 132

Change

13,7%

17,3%

17,5%

14,5%

Real change

-1,

Public sector

The average monthly salaries and wages per racial group in the public sector for June 1989 and the actual and constant (1985 = 100) percentage changes over June 1988 were as follows:¹⁷⁵ [175 CSS,

Employment and Salaries and Wages: Public Sector-June 1989, Statistical News Release, P0251, 9 October 1989]

Ave

Central government

Provincial administration

Local authorities

African

R/month

848

851

673

Change

30,6%

19,7%

21,0%

Real change

16,0%

6,1%

7,5%

Coloured

R/month

1 460

1 058

916

Change

27,6%

17,6%

17,4%

Real change

12,0%

3,2%

3,2%

Indian

R/month

2 283

1 881

1 384

Change

27,5%

20,1%

18,7%

Real change

11,9%

5,5%

4,2%

White

R/month

2 519

1 996

2 764

Change

23,6%

15,8%

16,3%

Real change

6,3%

-0,4%

0,1%

Total

R/month

1 896

1 276

1 255

Change

24,7%

17,5%

18,4%

Real change

8,2%

2,5%^s

3,3%

Ave

Post and tele- communications

South African Transport services

Civil service of self-governing territories^a

African

R/month

808

995

1 020

Change

26,3%

17,0%

27,5%

Real change

11,8%

4,0%

13,2%

Coloured

—

R/month

980

995

—

Change

18,2%

13,1%

—

Real change

3,7%

-0,7%

—

Indian

—

R/month

1 736

995

—

Change

4,5%

-10,8%

—

Real change

-8,2%

-21,8%

—

White

—

R/month

1 998

2 605

—

Change

5,5%

-8,4%

—

Real change

-9,3%

-21,2%

—

Total

R/month

1 516

1 722

1 020

Change

8,9%

-1,5%

27,5%

Real change

-5,7%

-14,4%

13,2%

^a Coloured, Indian and white civil servants were paid by the South African government and therefore were not recorded under 'self-governing territories'.

Ave

Public corporation

Parastatal institutions

Agricultural marketing boards

Staff of universities & technikons

African

R/month

879

610

706

1 026

Change

7,6%

27,3%

1,4%

21,7%

Real change

-4,5%

12,9%

-10,0%

7,9%

Coloured

R/month

1 074

931

722

1 419

Change

3,8%

19,7%

15,3%

15,6%

Real change

-8,9%

4,9%

1,2%

1,5%

Indian

R/month

1 806

1 693

959

2 201

Change

14,2%

21,7%

-10,9%

12,7%

Real change

0,2%

6,7%

-21,9%

-1,1%

White

R/month

3 266

3 460

3 302

3 635

Change

18,1%

18,0%

11,6%

16,8%

Real change

1,5%

1,5%

-4,0%

0,5%

Total

R/month

1 966

2 007

2 384

2 656

Change

11,5%

19,0%

9,2%

17,3%

Real change

-3,4%

2,9%

-5,8%

1,4%

Poverty

In April 1990 the head of the Department of Economics at the University of Cape Town, Professor Francis Wilson, said that violence, which was spreading to rural areas in South Africa, stemmed from frustration caused by poverty and unemployment. He said that poverty could not be reduced to a statistic. The migrant labour system had had an effect on the impoverishment of the rural areas. He pointed out that there had not always been terrible poverty in these areas and mentioned two ‘dire’ consequences of the government’s ‘anti-black’ urbanisation policy:¹⁷⁶ [¹⁷⁶ *The Star* 4 April 1990]

- it had frozen the building of houses in the black urban areas; and
- black people who had lost their jobs on farms because of improved farming technology had not been allowed to settle in the cities and therefore had had to go to the homelands, which were already over-populated.

Professor Wilson said that there was a need for economic growth in South Africa but that the country did not have the political stability needed for foreign investment for that growth. Therefore, ‘growth through redistribution’ should be followed, he said.¹⁷⁷ [¹⁷⁷ *Ibid*]

The newly appointed deputy director of relief and development at Operation Hunger, Mr Mpho Mashinini, said that ‘apartheid can be scrapped tomorrow but that won’t erase hunger and poverty. If you are starving political change won’t feed you. Poverty in South Africa’s rural areas is becoming chronic. The crisis is here now’. He said that there were over 1m squatters in Johannesburg alone who needed adequate feeding. There was a 70% unemployment rate in some parts of the country and the youth would bear the consequences, he added. South Africans had to realise the extent of suffering, especially in the rural areas, he said.¹⁷⁸ [¹⁷⁸ *Ibid* 30 April 1990]

Unrest in the Natal/KwaZulu region led to an increase in the number of people experiencing poverty, according to an article published by *The Weekly Mail* in May 1990. A Democratic Party (DP) MP, Mr Roger Burrows, said that an estimated 44 000 people had been displaced from their homes in the first quarter of 1990. He said that approximately 22 000 were living in refugee camps while another 22 000 were living with relatives, friends and employers. The South African Council of Churches and the Pietermaritzburg Crisis Committee had set up ten refugee centres in order to house 12 000 homeless people. Clinics had been established at each centre by the Natal Medical and Dental Association and the Department of Community Medicine of Edendale Hospital. It was reported that doctors were seeing approximately 200 patients daily.¹⁷⁹ [¹⁷⁹ *The Weekly Mail* 12 April 1990]

In June 1990 the deputy minister of finance, Mr Org Marais, said that the government would undertake to compensate poor people who would pay more tax because of Value Added Tax (VAT) on foods. He said that the additional R420m, which was expected to be collected from people below or on the breadline if food were subjected to VAT, would be reinvested in social upliftment programmes. He said that the government was investigating the creation of programmes targeted specifically at the poor, such as higher social pensions, feeding schemes for children and pregnant women, mobile feeding units for the aged and new subsidies for services. The national president of the Housewives' League, Mrs Lynne Morris, said that the league had done a study on VAT early in 1989 and it showed that a tax of 12% would increase the average monthly food bill by R50.¹⁸⁰ [¹⁸⁰ *Business Day* 15 June 1990]

The minister of agriculture, Mr Jacob de Villiers, said in June 1990 that subsidies on brown and white bread were to end in 1991 when the new VAT system was introduced. He said that he expected no bread subsidy in the 1991/92 budget. Mr De Villiers said that he had received an interim report from the Committee for the Development of a Food Strategy for South Africa, headed by Professor Dirk Smith of the University of the Orange Free State. Mr De Villiers said that one of the issues which was covered in the report was that of the possibility of 'direct food intervention programmes' in order to help the poor in the place of subsidies, which in the past had benefited all.¹⁸¹ [¹⁸¹ *The Citizen* 19 June 1990]

Occupational Health

Statistics

The minister of national health and population development, Dr Rina Venter, gave the following figures in March 1990 for the number of people of all race groups who were certified for compensation for occupational diseases.¹⁸² [¹⁸² *Hansard* (A) 6 q cols 454-457, 13 March 1990] (During the certification process some people had died, hence the 'deceased' group.)

Number of living and deceased coloured people, Indian and white certified for compensation from 1985 to 1989

Period

1st Degree^a

2nd Degree^b

2nd Degree^c

anTB

1985/86

living

458

157

39

67

deceased

169

31

30

11

1986/87

living

583

124

52

73

deceased

191

25

32

7

1987/88

living

655

160

55

58

deceased

169

23

21

9

1988/89

living

543

132

59

74

deceased

159

21

33

13

Number of living and deceased Africans certified for compensation from 1985 to 1989

Period

Degree 1 and 2^d

Degree 2 and TB

TB only

1985/86

living

2 282^e

646

3 711

deceased

414

95

123

1986/87

living

2 414 ^e

599

3 846

deceased

451

130

118

1987/88

living

2 927 ^e

606

3 520

deceased

420

97

114

1988/89

living

2 211 ^e

674

3 814

deceased

455

85

159

^a Classification for persons suffering between 1% and 40% from an occupational disease.

^b Classification of persons suffering more than 40% from an occupational disease.

^c Classification of persons suffering more than 40% from an occupational disease with tuberculosis (TB).

^d Only collective figures were available for degree 1 and 2 for Africans.

^e As a result of a new policy allowing certified silicotics to return to risk work, the backlog of cases is n

According to the 1989 annual report of the Department of Manpower, a total of 9 337 persons was injured in the workplace in 1989, of whom 460 were fatalities. The report showed that in 1989 there was an increase in fatal accidents, which could probably be ascribed to the 'fact that employers are operating under difficult economic conditions and are inclined to cut costs by reducing expenditure on safety'.¹⁸³
[¹⁸³ Department of Manpower, Annual report, 1989]

The report pointed out that in 1989 the greatest number of incidents occurred in the iron and steel sector where 2 169 cases were reported, followed by building and construction, 1 041 cases; food, drink and tobacco, 1 025; local authorities, 984 and timber, 697 cases. The greatest number of fatalities occurred in the building and construction industry which had 112 deaths, followed by agriculture and forestry 100; local authorities, 87; iron and steel, 39; and glass, bricks and tiles, 25.

The highest occurrence of incidents happened in connection with the use of machinery and represented 2 153 reported cases. This was followed by hoists, elevators and conveyers which caused 654 accidents: motor vehicles, 479; hand tools, 473; and platforms, scaffolds and steps, 324. The greatest number of fatalities occurred through the use of motor vehicles; electrical apparatus; hoists, elevators and conveyers; machinery; and hot objects or matter.¹⁸⁴ [¹⁸⁴ Ibid]

Mining

In April 1990 Dr Venter gave the following figures concerning the amount paid out in benefits to people in terms of the Occupational Diseases in Mines and Works Act of 1973 after its commencement:¹⁸⁵ [¹⁸⁵ *Hansard* (A) 12 q col 811-812, 17 April 1990]

Benefits payable in terms of the Occupational Disease in Mines and Works Act

R

Africans

compensatable disease

3 079

compensatable disease plus TB

3 842

TB

1 746

Coloured and Indians

compensatable disease

degree 1

14 089

degree 2

25 328

TB

5 593

Whites

Compensatable disease

degree 1

23 775

degree 2

43 834

The annual report of the Department of Mineral and Energy Affairs gave the following figures for deaths and injuries on all gold and coal mines in 1989:¹⁸⁶ [186 Department of Mineral and Energy Affairs, Annual report, 1989]

Deaths and injuries on mines: 1989

Deaths

Death rate

Injuries

Injury rate

All^a

1988

674

0,9

11 357

15,4

1989

735

1,0

10 097

13,6

Coal

1988

53

0,5

435

4,1

1989

54

0,5

361

3,5

Gold

1988

510

1,0

9 576

18,1

1989

549

1,1

8 561

16,5

^a 'All' includes figures for coal, gold and all other mines.

According to the Chamber of Mines of South Africa, its member mines had had an uninterrupted downward trend in reportable injuries from 1975, but this was not so with mining fatalities. The number of 'at work' injuries which occurred per 1 000 per annum for all member mines decreased from 18,2 in 1987 to 17,4 in 1988 and 16,9 in 1989. On coal and gold mines these figures decreased from 6,5 and 21,1 in 1987 to 5,0 and 20,0 respectively in 1989. The number of 'at work' fatalities per 1 000 per annum for all member mines decreased from 1,14 in 1987 to 0,95 in 1988 but increased to 1,01 in 1989.¹⁸⁷ [¹⁸⁷ Chamber of Mines of South Africa, *1989 Review*]

According to an official of the National Occupational Safety Association, Mr Ron McKinnon, there had been a steady drop in the accident frequency at the mines. He said in April 1989 that the number of disabling injuries had decreased from 10,4 per million man hours in 1980 to 9,1 per million in 1988, representing 2% and 1,6% of the workforce respec

A research officer for the Department of Sociology at the University of the Witwatersrand, Mr Jean Leger, said in April 1989 that official figures for accident frequencies reflected only compensated accidents and excluded white and black employees above a certain wage limit and unregistered employees from the 'informal' sector. Mr Leger and a researcher from the Department of Sociology at the University of Cape Town, Mr Ian Macun, criticised official industrial accident figures. Firstly, they said that the main weakness in the Workmen's Compensation Commission figures rested with the Rand Mutual Assurance Company, a private assurance company, which covered many of the mines. The

company did not report injuries which involved three or fewer days off work, and/or medical aid expenses. Secondly, the 'disability injury frequency rate', which measures the number of disabling accidents per million work hours, did not give a true account because it covered only 53% of the workforce's accident expenses, representing the proportion of the economically active population who were covered by the Workmen's Compensation Commission Accident Fund. The rate also covered only 60% of workers in the building and construction industry and only 15% in the mining industry because of the use of private assurance companies rather than the Workmen's Compensation Commission Accident Fund. The two researchers said that if the accident rates in the construction and mining industries were fully taken account of, then the disability injury frequency rate would increase to approximately 30%.¹⁸⁹ [¹⁸⁹ Ibid]

The president of the chamber, Mr Colin Fenton, said in April 1989 that although gold mining had become more difficult over the past 25 years, it had nevertheless become safer. This was because of the research being done in safer mining practices and methods, the successful implementation of safety management, and the moves towards improving safety.¹⁹⁰ [¹⁹⁰ *The Star* 17 April 1989]

Stress

A conference was held in Johannesburg in March 1990 which focused on industrial stress. Two delegates at the conference, Mr Graeme Simpson and Mr Lloyd Vogelmann, said that dangerous working conditions, racism, sexual discrimination, high work targets and authoritarian control placed great stress upon workers. External stress factors included the high cost of living and the failure of wages to meet the increases in inflation.¹⁹¹ [¹⁹¹ *Sowetan* 16 March 1990]

Poisonous substances

It was reported in May 1990 that two employees at a toxic waste industry near Pietermaritzburg (Natal), Thor Chemicals, were suffering from mental disorders which were believed to have been induced by mercury poisoning. An environmental organisation, Earthlife Africa, conducted interviews with some of the employees at Thor Chemicals and found that they believed that their colleagues were 'going mad'. They had mentioned that over a period of two months they had started 'doing and saying strange things and were shaking a lot'. The managing director of Thor Chemicals, Mr Stephen van der Vyver, said that workers did get sick but denied that some workers had gone 'mad'. He said that weekly urine tests were done and if workers' urine showed more than 200mg of mercury per litre of urine, they were taken away from the plant. A professor at the National Centre of Occupational Health, Professor Tony Davies, said that his institute regarded 50mg of mercury per litre of urine as the level above which abnormalities would occur.¹⁹¹ [¹⁹¹ *The Weekly Mail* 30 March 1990]

For details of AIDS in the workplace, see chapter on *Health and Welfare*.

POLITICAL ORGANISATIONS

African National Congress (ANC)

During the period under review, the African National Congress (ANC) was confronted by a number of significant political developments in South Africa. These included the release from jail of some of its most senior leaders, the lifting of the ban on the organisation and the increasing focus on the issue of a negotiated political settlement.

In August 1989 the ANC issued a statement of support in favour of the defiance campaign in South Africa (see chapter on *Political Developments*.) It said that the government had no answer to the crisis facing South Africa and its repressive machinery was unable to stifle the voice of freedom.¹ [¹ *The Star* 24 August 1989] In September the ANC praised the national stayaway held in protest against the general election in the same month. An ANC spokesman said the stayaway demonstrated that the election was irrelevant to the oppressed majority.² [² *Ibid* 8 September 1989] Commenting in September on the outcome of the election, a member of the ANC's national executive committee (NEC), Mr James Stuart, said, 'The white people who voted clearly voted for the process of dismantling apartheid to begin immediately.' He said that the mandate given to the state president elect, Mr F W de Klerk, was whites' last chance to solve the problem of apartheid peacefully, and the process could no longer be postponed indefinitely.³ [³ *Ibid*]

Release of ANC leaders

In October 1989 seven senior ANC leaders were released from prison after serving sentences ranging from five to 26 years. They were Mr Walter Sisulu, Mr Ahmed Kathrada, Mr Andrew Mlangeni, Mr Elias Motsoaledi, Mr Wilton Mkwayi, Mr Oscar Mpetha and Mr Raymond Mhlaba. Also released was a Pan-Africanist Congress (PAC) member, Mr Japhta Masemola. The ANC said that it welcomed the releases but cautioned the international community against being 'hoodwinked' by the government's action, saying it was a ploy to ease international pressure on South Africa. 'As we welcome our leaders and comrades and rejoice at their release, let us intensify the mass defiance campaign and escalate our politico-military offensive.' The ANC seven pledged themselves to continue the organisation's struggle for freedom. They said that the ANC had no alternative but to continue with its present methods, including the armed struggle and the call for sanctions, as long as the government refused to meet its demands.⁴ [⁴ *Ibid* 16 October 1989]

In February 1990 a prominent leader of the ANC, Mr Nelson Mandela, was released after spending 27 years in prison. In his first public speech in Cape Town, Mr Mandela called on the ANC to continue the armed struggle and on the international community to continue to isolate the Pretoria government. He said, 'We express the hope that a climate conducive to a negotiated settlement will be created soon so

that there will no longer be a need for armed struggle.’ Mr Mandela added that while Mr De Klerk had gone further than any National Party (NP) president in taking real steps to normalise the situation, there were further steps, as outlined in the *Harare Declaration*, that would have to be met before negotiations could take place. He said negotiations would have to address the demands of the oppressed people. ‘There must be an end to the white monopoly on political power and a fundamental restructuring of our political and economic systems.’⁵ [⁵ *Sowetan* 13 February 1990] Mr Mandela addressed a crowd estimated by some reporters at more than 120 000 at the First National Bank ‘*Soccer City*’ Stadium (Johannesburg) in February 1990. The rally was organised to celebrate the release of the ANC leader. In his speech Mr Mandela said, ‘No man or woman who has abandoned apartheid will be excluded from our movement towards a nonracial, united and democratic South Africa based on one-person one-vote on a common voters’ roll.’⁶ [⁶ *The Citizen* 14 February 1990]

Lifting of the ban on the ANC

In February 1990 Mr De Klerk lifted the ban on the ANC and other political organisations. The ANC welcomed the decision and said it would go a long way towards creating a climate for negotiations. However, the ANC also said that it would not stop its military campaign and ruled out an early return of its headquarters from exile in Zambia.⁷ [⁷ *City Press* 4 February 1990]

Formation of structures

In February 1990 the ANC opened its first office in Stanger (Natal) with a former Robben Island detainee, Mr Justice Mpanza, as its head.⁸ [⁸ *The Star* 14 February 1990] It opened its internal political headquarters in Johannesburg in March 1990.⁹ [⁹ *Vrye Weekblad* 23 March 1990] In April 1990 the ANC announced the appointment of several conveners to head regional offices of the ANC in each major district in the country. ‘The task of these conveners is to recruit new membership and set up ANC regional offices.’¹⁰ [¹⁰ *The Natal Witness* 3 April 1990] Anybody over the age of 18 would be eligible for membership and fees would be R12 a year.¹¹ [¹¹ *New Nation* 11 May 1990] The ANC denied reports in May 1990 that it was losing support on the Reef to the PAC and other organisations, especially in areas such as Soweto and Johannesburg.¹² [¹² *The Citizen* 3 May 1990] The Natal region of the Congress of Traditional Leaders of South Africa (CONTRALESAs) said in May 1990 that it would help the ANC establish branches, especially in the rural areas.¹³ [¹³ *New Nation* 11 May 1990]

In September 1989 it was announced that the secretary general of the ANC, Mr Alfred Nzo, would act as the president of the organisation following a stroke suffered by the president, Mr Oliver Tambo.¹⁴ [¹⁴ *Business Day* 6 September] At a meeting of the ANC’s NEC in February 1990 Mr Mandela was elected as the deputy president of the ANC.¹⁵ [¹⁵ *Sunday Star* 4 March 1990]

Negotiations

In July 1989 Mr Mandela, while still a prisoner, held talks with the state president, Mr P W Botha. A statement from Mr Mandela said that the only way to bring about peace in South Africa was through dialogue with the Mass Democratic Movement and the ANC in particular.¹⁶ [¹⁶ *The Citizen* 13 July 1990] In December 1989 Mr Mandela and the state president, Mr F W de Klerk, held talks at Tuynhuys (Cape Town). The meeting was held at Mr Mandela's request.¹⁷ [¹⁷ *Business Day* 12 December 1990]

In its 1990 new year message, the ANC said its forces would not be 'terrorised' into negotiations with the South African government. It said that the Pretoria government had a long way to go before it could claim it had ended repression. Therefore, whether the potential for a political settlement is transformed into reality remains the urgent responsibility of the Pretoria regime. For our part, we are committed to seize any real opportunity that might emerge, genuinely to seek a political agreement for a speedy end of the apartheid system.'¹⁸ [¹⁸ *Ibid* 8 January 1990]

Following a meeting in January 1990 between ANC leaders in exile and those released in 1989, the ANC said that it was committed to negotiations and a 'mutual suspension of hostilities'. However, a spokesman for the ANC said that the organisation would not make concessions on its demands as stated in the *Harare Declaration* (see *1988/89 Survey* pp641–645). These are reasonable conditions and they would set the proper climate for negotiations if the government were to agree to them.'¹⁹ [¹⁹ *The Citizen* 23 January 1990]

Mr Sisulu said in February 1990 that the ANC had taken steps to ensure that certain elements in the townships would not jeopardise possible negotiations with the government.²⁰ [²⁰ *Cape Times* 6 February 1990] In February 1990 the ANC rejected suggestions that it had instigated a wave of violence in the country to upset the negotiation process.²¹ [²¹ *The Star* 9 March 1990] In the same month Mr Mandela said that a peaceful settlement was possible within five years, as long as black rights were assured.²² [²² *Business Day* 15 February 1990]

In February 1990 the ANC's NEC decided that it would send a delegation to South Africa to discuss obstacles to negotiations with Mr De Klerk.²³ [²³ *The Citizen* 21 February 1990] Mr Mandela said that the government had not met all the ANC's pre-conditions for negotiations, the main obstacles being the release of political prisoners and the lifting of the state of emergency. He added that the ANC had already made compromises in terms of its preconditions. While it had initially demanded the total dismantling of apartheid, the ANC was now prepared to talk while certain aspects of apartheid were still in place. 'The ANC has recognised that the dismantling of apartheid is going to be a long process, it can't happen overnight.'²⁴ [²⁴ *Ibid*]

In March 1990 in a meeting with the West German minister of foreign affairs, Dr Hans Dietrich Genscher, Mr Mandela said that representatives of the black community at the negotiation table should be elected.²⁵ [²⁵ Ibid 22 March 1990] The chief of staff of Umkonto we Sizwe, Mr Chris Hani, and the commander of Umkonto we Sizwe, Mr Joe Modise, said in March 1990 that they were opposed to being 'stampeded' into talks before receiving guarantees from the government that these would lead to majority rule.²⁶ [²⁶ *Business Day* 15 March 1990] However, Mr Hani insisted that there was no way that Umkonto we Sizwe would rebel against a decision by the organisation's political leadership. Speaking at a news conference in Lusaka in March 1990, Mr Mandela implicitly rejected a suggestion by the president of Zambia, Dr Kenneth Kaunda, that the ANC should help Mr De Klerk by suspending armed operations inside South Africa. He said it was too early to expect the ANC to make concessions to help Mr De Klerk fight off a right-wing backlash in the country.²⁷ [²⁷ Ibid 1 March 1990]

In March 1990 the ANC's representative at a meeting of the Association of West European Parliamentarians, Mr Yusuf Saloojee, said the ANC would not accept negotiations for South Africa based on power-sharing. He said that the ANC had opened up talks with the South African government not because it trusted it, but because it wanted to force an alternative way to a settlement.²⁸ [²⁸ *Daily Dispatch* 25 March 1990] In April 1990 the ANC's director of international affairs, Mr Thabo Mbeki, said that those who favoured a nonracial democracy would sit on one side of the negotiating table and those representing group-based thinking on the other.²⁹ [²⁹ *Sunday Star* 29 April 1990]

In April 1990 the ANC suspended proposed talks with the government intended to deal with obstacles to negotiations. The ANC said it had withdrawn from the talks in protest against police action in Sebokeng (southern Transvaal) in which more than 11 people were killed after police opened fire on a crowd demonstrating against rent and living conditions. Referring to the incident, the ANC condemned the 'killing of innocent demonstrators. The ANC once again reiterates that people of South Africa have a right to assemble and demonstrate in support of their just demands. We claim this as an inalienable right, not as a favour conceded by the regime at its discretion'.³⁰ [³⁰ *City Press* 1 April 1990] However, in the same month Mr Mandela met Mr De Klerk and it was agreed that talks between the ANC and the government should proceed as planned. Mr De Klerk gave Mr Mandela an assurance that the circumstances surrounding the Sebokeng shootings would be thoroughly investigated. The talks were scheduled for May.³¹ [³¹ *The Citizen* 7 April 1990]

Prior to talks with the government in May 1990, Mr Mandela said that black people demanded and expected fundamental change now, not tomorrow. He said that the ANC saw the proposed talks as a significant step towards the fundamental restructuring of South African society.³² [³² Ibid 3 May 1990] 'We go to the meeting with one aim, to remove all obstacles standing in the way of negotiations. We don't want this country reduced to ashes.'³³ [³³ Ibid 30 May 1990] A spokesman for the ANC said the organisation would not negotiate a deal without informing 'allied organisations like the PAC and the Azanian People's Organisation. We won't negotiate above their heads'.³⁴ [³⁴ *Sowetan* 2 May 1990]

In order for the talks to take place the government granted temporary immunity from prosecution to a number of senior exiled ANC leaders. These included the acting president, Mr Alfred Nzo; the general secretary of the South African Communist Party (SACP) and ANC national executive committee (NEC) member, Mr Joe Slovo; Mr Mbeki; Mr Modise; a member of the ANC's department of women's affairs, Mrs Ruth Mompoti; the assistant general secretary, Mr Henry Makgoti; and two other members of the NEC, Mr Steve Tshwete and Mr Reggie September.³⁵ [³⁵ *The Citizen* 28 April 1990]

In May 1990 an ANC delegation including Mr Mandela, Mr Sisulu, Mr Mbeki and Mr Slovo held talks with the government at Groote Schuur (Cape Town) to discuss obstacles to negotiations. While Mr Mandela did not say outright that the armed struggle would be suspended, the ANC and the government agreed on a common commitment towards the resolution of the existing climate of violence. A document, the *Groote Schuur Minute*, which was intended further to facilitate the process of negotiations, was jointly signed by the ANC and the government (see *National Party* below).³⁶ [³⁶ *The Star* 5 May 1990] Mr Mbeki said that the talks had taken place in a pleasant atmosphere and all parties present had acknowledged that discussions should have taken place a long time ago.³⁷ [³⁷ *The Citizen* 4 May 1990]

Addressing an ANC rally in May attended by about 60 000 people after the talks with the government, Mr Mandela said that his organisation would stop negotiations with the government unless political prisoners, including those on death row, were immediately released. Mr Mandela also demanded an end to political trials, the unconditional return of about 20 000 exiles, the immediate lifting of the state of emergency and the removal of troops from the townships. He also said that political organisations criticising the ANC for negotiating with government were 'harming the freedom struggle by rushing to the press to publicise our differences and strategies'.³⁸ [³⁸ *Sowetan* 28 May 1990]

Mr Mandela said in May 1990 that the ANC was prepared to consider a cessation of hostilities if the government took serious steps to dismantle apartheid. I am not aware of any significant step taken by Mr De Klerk which has the possibility of dismantling apartheid.³⁹ [³⁹ *The Citizen* 21 May 1990] Mr Modise said if the working group comprising ANC and government officials, established as a result of the Groote Schuur talks, reached agreement on removing obstacles to further negotiations, a ceasefire by the ANC might be initiated.⁴⁰ [⁴⁰ *Sowetan* 14 May 1990]

Subsequent to the talks with the government, the ANC welcomed the granting of indemnity from prosecution of 38 ANC exiles. Those granted indemnity included the ANC president, Mr Oliver Tambo, Mr Hani, Mr Mbeki, Mr Nzo, Mr Slovo, Mr Modise and the ANC's chief of intelligence, Mr Jacob Zuma. Mr Zuma said that the amnesty should be seen as the first step in the process which began with the *Groote Schuur Minute* (see *National Party* below).

Constitutional issues

Mr Mbeki said in February 1990 that after agreement had been reached on the basic principles upon which a new constitution would be based, representatives of the people should be determined by nonracial elections for the purpose of drawing up a new constitution.⁴¹ [⁴¹ *Leadership*, vol 9 no 2, 1990]

Mr Sisulu said in March 1990 that the ANC rejected the notion of group rights. He said that the NP talked of group rights 'so that some of their economic and social privileges can be left intact even after liberation has come'.⁴² [⁴² *The Citizen* 19 March 1990] Mr Mandela said in March 1990 that the ANC was prepared to address the issue of white guarantees against black domination. He said, 'We can only hope that in due course, we will find a formula which will satisfy not only the oppressed people in the country, but the whites as well.'⁴³ [⁴³ *The Star* 1 March 1990]

In May 1990 the ANC said that it wanted to see a constituent assembly elected to decide who should sit together to draw up a new constitution for South Africa. The constitution should then be referred to the people. Mr Mbeki denied that the ANC saw itself as the sole representative of South Africa's people. 'We recognise that there are other forces, and that they would have to be involved in the re-making of the country.' He said a constituent assembly, much like the one in Namibia, would stop all debates about who was bigger and who was genuinely represented. He added that 'at a certain stage before a new constitution is adopted, and before political structures change on the basis of it, there would need to be an interim government which enjoys the confidence of all political groups'.⁴⁴ [⁴⁴ *Ibid* 4 May 1990]

A member of the ANC's legal department, Mr Albie Sachs, said in May 1990 that the fundamental problem in drawing up a new constitution was how to cater for the country's enormous cultural, linguistic, and religious diversity while ensuring common unity and equal rights for all.⁴⁵ [⁴⁵ *Ibid* 9 May 1990] The ANC rejected the NP's 12-point minority rights plan in May 1990 saying that guarantees of freedom of religion, language and culture should suffice (see *National Party* below).⁴⁶ [⁴⁶ *The Citizen* 14 May 1990]

Armed struggle

In October 1989 South African intelligence sources predicted that pressure on the ANC to negotiate and abandon the armed struggle was likely to increase. They were commenting on reports that the Tanzanian and Ugandan governments had taken steps to disarm ANC cadres forced to relocate because of the implementation of the Angola/South West Africa peace accord (see *1988/89 Survey* p638).⁴⁷ [⁴⁷ *Ibid* 5 October 1989] In the same month Mr Sisulu said blacks could not renounce violence before negotiating. It is misleading to say violence must be abandoned. Violence is on both sides.'⁴⁸ [⁴⁸ *Ibid* 21 October 1989]

Explaining why there had been a lull in guerrilla attacks in 1989, Mr Hanu said in January 1990 that the closure of ANC bases in Angola and their move to Uganda and Tanzania had been responsible for this.⁴⁹

[⁴⁹ *The Star* 9 January 1990] At a meeting of the ANC's NEC in January 1990, Mr Nzo indicated that developments in South Africa indicated that the organisation might have to reconsider its strategy in general. However, he argued that the armed struggle should be continued. He said that it was important to build up the internal force of cadres, both to be able to fight should the need arise and to have a sizeable force at the moment a new South African army was formed.⁵⁰ [⁵⁰ *Ibid* 19 January 1990]

In February 1990 Mr Mandela said that government installations were legitimate targets for the ANC's armed struggle against apartheid. Asked if guerrillas would attack targets like shopping centres, Mr Mandela said, 'We are concerned with government installations.' Mr Mandela said that if whites wanted the armed struggle to end, they should support the government's efforts to negotiate a settlement with black leaders.⁵¹ [⁵¹ *The Citizen* 15 February 1990] Following the lifting of the ban on the ANC and other political organisations in February 1990, the ANC said that it would not halt its military campaign and ruled out an early return from its headquarters in Lusaka (Zambia). A spokesman for the ANC said, 'We have always said the notion of unilaterally abandoning the armed struggle is out of the question. Any cessation of hostilities will have to be negotiated and will arise out of a mutually binding ceasefire.'⁵² [⁵² *Sunday Star* 4 February 1990]

In March 1990 Mr Hani and Mr Modise said that they wanted to see their guerrilla cadres integrated into the South African Defence Force on the lines of the amalgamation exercises which had led to the merging of ZANLA and ZIPRA guerrillas into the Zimbabwean army in 1980.⁵³ [⁵³ *Business Day* 15 March 1990] In the same month the ANC rejected a call by the Anglican Archbishop of Cape Town, the Most Rev Desmond Tutu, for an end to the armed struggle against the government. The spokesman for the ANC in Lusaka, Mr Tom Sebina, said that the ANC would continue to fight until the grievances which had caused people to take up arms had been removed.⁵⁴ [⁵⁴ *Cape Times* 28 March 1990]

In May 1990 Mr Modise denied that the ANC had been forced to the negotiating table by the failure of the armed struggle. He said that the ANC had always felt that the problems of South Africa should be solved peacefully and that the armed struggle would be suspended only if the problems of apartheid were tackled seriously.⁵⁵ [⁵⁵ *The Star* 14 May 1990] Following talks between the ANC and former members of South African security forces in May 1990, the head of the department of information and publicity of the ANC, Mr Pallo Jordan, said that the ANC would not abandon the armed struggle against 'white domination' until a democratically elected government was in power.⁵⁶ [⁵⁶ *The Citizen* 26 May 1990]

Sanctions

In October 1989 the ANC called for tougher global sanctions against South Africa. It also criticised international banks for rescheduling part of South Africa's foreign debt. The ANC said the banks' decision confirmed views that international capital regarded profit as more important than human rights.⁵⁷ [⁵⁷ *Ibid* 20 October 1989]

In February 1990 Mr Mbeki criticised the support of the prime minister of England, Mrs Margaret Thatcher, for the lifting of sanctions against South Africa. Mr Mbeki said Mrs Thatcher had always been opposed to the struggle against apartheid. 'Therefore it is not surprising that she wants to remove even those few sanctions that the country has imposed against them.'⁵⁸ [⁵⁸ *Business Day* 13 February]

In April 1990 Mr Mandela told 72 000 people who attended a concert in London in his honour that Mrs Thatcher's 'rewards for reform approach' was a prop for apartheid. He also made a strong plea for sanctions.⁵⁹ [⁵⁹ *The Star* 17 April 1990]

In May 1990 Mr Mandela said any government advocating the immediate lifting of sanctions against South Africa, either supported apartheid or 'was totally ignorant'. He said that apartheid was still in place despite the reform initiatives of Mr De Klerk.⁶⁰ [⁶⁰ *The Citizen* 19 May 1990]

Economic policy

In May 1990 members of the ANC's department of economics and development, Mr Tito Mboweni and Mr Vella Pillay, said that the ANC had begun formulating a policy aimed at 'economic growth through redistribution' as a path out of South Africa's economic crisis.⁶¹ [⁶¹ *City Press* 12 May 1990] In the same month an ANC/Congress of South African Trade Unions (COSATU) workshop on economic options for a future South Africa agreed that a post-apartheid government would ensure that organised workers played a key role in the economy and in society. It was also agreed that the state would have a vital role as an economic agent and creator of the economic environment, although the private sector also had a part to play.⁶² [⁶² *The Star* 7 May 1990]

During the period under review, the ANC made a number of policy statements regarding nationalisation. However, no clear-cut perspective on the issue was given.

While still in jail, Mr Mandela said in January 1990 that he was still committed to the nationalisation of banks, mines and monopoly industries. 'Nationalisation is the policy of the ANC and a change or modification of our views in this regard is inconceivable.'⁶³ [⁶³ *Ibid* 26 January 1990]

Mr Mandela said in February 1990 that nationalisation was a logical step given the historical deprivation of blacks in South Africa.⁶⁴ [⁶⁴ *Ibid*] In February 1990 an ANC official said that a decision about whether to nationalise big firms or not would depend on the strength of the economy once the apartheid system was dismantled. The official said that the ANC realised that nationalisation was not the panacea for all the problems of the economy. However, he insisted that nationalisation was the only way to redistribute wealth, heavily concentrated in the hands of a few whites. 'Nationalisation would be selective and phased and the pace would be determined by the performance of the economy and the objectives to be

achieved,' he said.⁶⁵ [⁶⁵ *The Citizen* 7 February 1990] Mr Nzo said that the nationalisation of key elements of the economy was necessary for a democratic government to carry out its programmes. Mr Nzo confirmed that an ANC government would negotiate with big business about its economic plans, but said a democratic government could not allow its plans to be thwarted by a lack of resources.⁶⁶ [⁶⁶ *Cape Times* 5 February 1990]

In March 1990 Mr Sisulu said that the ANC's policy of nationalisation would allow for the planned redistribution of wealth to develop education, health, housing and social welfare services.⁶⁷ [⁶⁷ *Business Day* 19 March 1990] In the same month Mr Mbeki said that the ANC did not have a clear policy on nationalisation but merely guidelines. He said, 'These guidelines are not hard enough to be called policy.' He added, however, 'The present economic system has been distorted by monopolies and cartels, and the system has gross inequalities and imbalances that have produced great poverty within the black sector of the population. Any democratic government will have to alter the structures inside the economy in order to create a system that can redress these imbalances. Nationalisation remains an option of the ANC in restructuring the economy.'⁶⁸ [⁶⁸ *Sowetan* 5 March 1990]

In April 1990 Mr Mandela said that the ANC had not detailed how sectors of the economy would be nationalised, but had only declared its intention to do so, and would do so only if nationalisation strengthened the economy. 'Only the mines, banks and monopoly industries would be nationalised following thorough research by teams of experts, and if their findings do not encourage nationalisation, then the ANC would listen carefully to their advice.'⁶⁹ [⁶⁹ *Daily Dispatch* 26 April 1990]

Mr Sebina said in March 1990 that the ANC wanted a mixed economy, avoiding the extremes of wholesale privatisation and total nationalisation.⁷⁰ [⁷⁰ *The Natal Witness* 30 March 1990] A senior leader of the ANC, Mr Wilton Mkwayi, said that privatisation was a form of theft and aimed to undermine the economic power of a future ANC government.⁷¹ [⁷¹ *The Star* 30 March 1990] He added that privatisation would further concentrate economic power in the hands of a small group of private corporations, and would generate revenue for the state over which the people had no control. He warned that the ANC would re-nationalise state concerns sold to private interests.⁷² [⁷² *Ibid* 20 March 1990]

The ANC published a draft document on its approach to economic policy in June 1990, following a workshop attended by leaders of the ANC and COSATU in Harare (Zimbabwe) in May. The document said that a future democratic state should assume a leading role in the reconstruction of the economy. The ANC believed that the state should retain ownership of existing parastatal industries and, 'where necessary', new state corporations should be set up. Nationalisation of industry should be carried out 'through due legal and constitutional processes'. The document avoided recommending which parts of the private sector should be nationalised. However, it said that the state should consider making strategic investments in the mines, as well as giving attention to 'the extent of state ownership within the financial sector'.⁷³ [⁷³ *Business Day* 5 June 1990]

The document stressed that the fundamental goal of economic policy should be ‘to achieve economic growth through a process of increasing equality in the distribution of incomes, wealth and economic power’. It proposed a shift of the tax burden from individuals to businesses, ‘to make the system more equitable and effective’. Reconstruction of the economy should be carried out using mainly domestic savings, with foreign capital seen as supplementary rather than as a substitute for local investment. The ANC document recommended that the present system of exchange controls should be retained in order to retain domestic savings in the country and in order to prevent ‘destabilising speculative capital flows’. It proposed that conservative fiscal policies should be followed. The document also suggested the dismemberment of some conglomerates and the restructuring of industry and agriculture.⁷⁴ [⁷⁴ Ibid]

Trade unions

In February 1990 the ANC’s exiled labour wing, the South African Congress of Trade Unions (SACTU), announced that it would be phased out and integrated into the internal South African labour movement. The announcement was made following a meeting between SACTU and COSATU in Lusaka (Zambia).

Relations with the Pan-Africanist Congress

In October 1989 released ANC leaders, including Mr Walter Sisulu, said that they would work towards unity with the Pan-Africanist Congress (PAC).⁷⁵ [⁷⁵ *The Star* 16 October 1989]

In December 1989 the ANC’s chief representative in east Africa said, ‘There is simply no visible presence of the PAC inside our country and for us the cardinal point is unity in action, not mere sloganeering.’⁷⁶ [⁷⁶ *Sowetan* 13 December 1989]

Foreign relations

Diplomats representing 15 countries including Great Britain, West Germany and the Netherlands attended an ANC rally in October 1989 to welcome home released ANC leaders (see above).⁷⁷ [⁷⁷ *The Citizen* 30 October 1989] In the same month the United States (US) assistant secretary of state, Mr Herman Cohen, met Mr Mbeki in Washington (United States).⁷⁸ [⁷⁸ Ibid 4 October 1989] Eight West German MPs met Mr Sisulu at his Orlando West (Soweto) home in October 1989. The talks centred around the future of South Africa and West German support for the ANC.⁷⁹ [⁷⁹ *Business Day* 31 October 1989]

In November 1989 the ANC opened an office in Washington. A statement said that the aim of the office was to normalise ties with the US administration and to pressurise it into imposing additional economic

sanctions on South Africa.⁸⁰ [⁸⁰ *The Citizen* 10 November 1989] An ANC spokesman said that the opening of the Washington office brought the total number of ANC missions in exile to more than 40.⁸¹ [⁸¹ *The Star* 10 November 1989]

As a protest against British opposition to the imposition of economic sanctions against South Africa, a spokesman for the ANC said in January 1990 that an ANC delegation touring Europe and headed by Mr Sisulu would not accept an invitation to meet a senior minister in the British foreign office.⁸² [⁸² *Business Day* 31 January 1990]

In his first address outside South Africa in February 1990, Mr Mandela called on the international community to provide more resources to the ANC for the successful completion of the struggle against apartheid. Mr Mandela was speaking on his arrival in Lusaka where he met representatives from Angola, Botswana, Canada, Malaysia, Mozambique, Nigeria, Tanzania, Uganda, Zambia, and Zimbabwe.⁸³ [⁸³ *The Citizen* 28 February 1990] Mr Mandela also visited Tanzania, Ethiopia and Zimbabwe.⁸⁴ [⁸⁴ *Ibid* 9 March 1990]

In March 1990 Mr Mandela addressed the Swedish Parliament. He called on western nations to sharpen economic sanctions against South Africa and to break off diplomatic ties. However, representatives of the US and Sweden expressed the opinion that maintaining contact with South Africa would play a positive role in facilitating negotiations.⁸⁵ [⁸⁵ *Ibid* 14 March 1990] Mr Mandela held talks with the US secretary of state, Mr James Baker; the Soviet minister of foreign affairs, Mr Eduard Shevardnadze; and the West German minister of foreign affairs, Dr Hans-Dietrich Genscher, while in Windhoek for Namibia's independence celebrations in March 1990.⁸⁶ [⁸⁶ *Ibid* 22 March 1990]

In April 1990 Mr Mandela said he would like to accept an invitation by Mrs Thatcher for talks but that he would first have to overcome objections from colleagues in the ANC.⁸⁷ [⁸⁷ *Ibid* 2 April 1990]

In May 1990 an ANC delegation headed by Mr Mandela toured Africa. Countries visited by the delegation included Nigeria and Egypt.⁸⁸ [⁸⁸ *The Star* 21 May 1990]

In June and July Mr Mandela toured 14 countries. He was given a ticker-tape welcome in New York, and also met the president of the United States, Mr George Bush. While welcoming the ANC's intended cessation of hostilities once all the obstacles to negotiations had been removed, Mr Bush urged Mr Mandela to renounce violence. Responding to Mr Bush, Mr Mandela said that there would be no need for violence as long as the South African government remained committed to the dismantling of apartheid. On the question of sanctions, Mr Bush assured Mr Mandela that no moves would be made to lift existing measures until conditions set out in the 1986 US legislation had been met. Mr Mandela said that there had been agreement on a broad range of issues. He also said that he hoped that Mr Bush would respond favourably to his request for financial assistance so that the ANC could mobilise the entire country around the peace process.⁸⁹ [⁸⁹ *The Citizen* 5 July 1990]

In London Mr Mandela held talks with Mrs Thatcher. Commenting on the meeting, Mr Mandela said that it had been productive and encouraging but added that there had been disagreement on a number of issues, including sanctions, the use of violence as a method of political action and economic questions. Mrs Thatcher stressed the importance of flexibility in the economy, a strong private sector and the creation of wealth before even considering its distribution. She also emphasised the need to stimulate investment. Mrs Thatcher said that she was convinced that Mr Mandela wanted a peaceful and negotiated solution to South Africa's conflict.⁹⁰ [⁹⁰ *Business Day* 5 July 1990]

Commenting on the overall success of his trip, Mr Mandela said that his call for the maintenance of sanctions had been accepted beyond his expectations and that his appeal for resources had been equally as successful.⁹¹ [⁹¹ *Ibid*]

Violence

Mr Mandela said in March 1990 that the increased violence and unrest in the country since the unbanning of the ANC had led people to say that the ANC was unable to control its supporters. This is not true, but that remains to be demonstrated through our discipline. We must persuade people to join us by setting a good example. We have never supported coercion, nor will we tolerate it now, no matter who employs it.⁹² [⁹² *City Press* 25 March 1990]

Addressing the national congress of the South African Youth Congress in April 1990, Mr Mandela appealed for political tolerance to be shown to organisations that did not agree with the ANC. 'We call on you to refrain from using violence against other political organisations and youth who do not agree with us.'⁹³ [⁹³ *Ibid* 15 April 1990]

In May 1990 Mr Mandela said that the government could not talk of peace while its forces were 'massacring' residents. He was commenting on an incident in Thabong (Orange Free State) where a number of people were killed as a result of police action.⁹⁴ [⁹⁴ *The Citizen* 22 May 1990]

In May 1990 the ANC strongly condemned the increase in right-wing violence. The ANC called on the government to put a stop to the 'indiscriminate violence against innocent people'.⁹⁵ [⁹⁵ *Ibid* 11 May 1990]

Dissidents

In April 1990 Mr Mandela admitted that the ANC had tortured dissident members to extract information from them. He insisted that it was not the policy of the ANC to subject people to torture. In the same month a member of the ANC's national executive committee, Mr Steve Tshwete, justified the torture of former members of the organisation, saying that they had been South African agents or mutineers. 'We

cannot be expected to play ball with agents of the enemy whose avowed aim is to kill and eliminate leaders and members of the movement.' However, he added that it was not the ANC's policy to torture its prisoners. He said the ANC had a code of conduct which laid down the rules of how people detained should be treated.⁹⁶ [⁹⁶ *The Star* 17 April 1990]

In May 1990 an ANC dissident, Mr Rodney Twala, said that the ANC under the leadership of Mr Oliver Tambo had never practised democracy, had violated human rights and would be accountable for crimes of genocide it had committed. Speaking at a press conference, Mr Twala introduced himself and seven colleagues who had escaped from an ANC punishment camp, Dakawa, in Tanzania.⁹⁷ [⁹⁷ *The Citizen* 17 May 1990]

Press

A member of the ANC's NEC, Mr Aziz Pahad, said in May 1990 that the ANC wanted a free and critical press in a post-apartheid South Africa, but one which was responsible and criticised constructively rather than maliciously. 'We do not want blind adherence to the ANC's policy positions,' he said. 'We do not want direct state control, but need to look for ways to diversify the control of the Anglo American Corporation over the press.'⁹⁸ [⁹⁸ *Business Day* 11 May 1990]

Afrikaner Volkswag (AV)

The Afrikaner Volkswag (AV), an organisation which supports the idea of a 'volkstaat (people's state), has a membership of approximately 50 000 people.⁹⁹ [⁹⁹ *Sunday Star* 2 July 1989]

In July 1989 the leader of the AV and chairman of the Stigting Afrikanervryheid, Professor Carel Boshoff, condemned the meeting between the state president, Mr P W Botha, and a jailed African National Congress (ANC) leader, Mr Nelson Mandela, and said that the road to an open community and a unitary state in South Africa had been 'opened more and more. Without separate freedoms under own governments for different nations, domination of all nations by one power is unavoidable'. Professor Boshoff said that it was for this reason that the AV was opposed to the whole question of talks and behind-the-scenes preparations with the ANC and others for a new dispensation.¹⁰⁰ [¹⁰⁰ *The Citizen* 13 July 1989] In February 1990 Professor Boshoff said that the goal of the ANC and other black power movements was the handing over of power to a black government. He said that this was the logical consequence of the National Party's policy of indivisibility of country and common citizenship, the 1983 constitution, the process of 'so-called reform' and the manifesto of human rights. Professor Boshoff added that it could be concluded that there was a new dispensation in the making of which the free Afrikaner who wanted to maintain his identity and distinctiveness as a nation would not be a part.¹⁰¹ [¹⁰¹ *Ibid* 3 February] In March 1990 Professor Boshoff launched a development plan for an area of the north-western Cape along the Orange River. Called the Orandee Development Area, Professor Boshoff said

that it could eventually become the Afrikaner's fatherland.¹⁰² [¹⁰² Ibid 19 March 1990]

Afrikaner Weerstandsbeweging (AWB)

In June 1989 the leader of the Afrikaner Weerstandsbeweging (AWB), Mr Eugene TerreBlanche, announced that he would run for Parliament as an independent candidate in Rustenburg (western Transvaal), even if it meant a bitter clash with the Conservative Party (CP). Mr TerreBlanche's announcement, which was in direct contravention of an agreement with the CP that the AWB would stay out of parliamentary politics, was a consequence of a growing split between the AWB and the CP.¹⁰³ [¹⁰³ *Sunday Star* 11 June 1989] Following a call by Mr TerreBlanche in June 1989 for solidarity in right-wing politics, the AWB, together with the Herstigte Nasionale Party (HNP) and the Boerestaat Party (BP), pledged support for a unified people's front (volksfront) against the 'capitulation and surrendering of power to blacks' by the National Party (NP).¹⁰⁴ [¹⁰⁴ *Financial Mail* 7 July 1989] The leader of the CP, Dr Andries Treurnicht, rejected the call for unity, saying that right-wing unity already existed in the CP.¹⁰⁵ [¹⁰⁵ *The Star* 4 July 1989]

In September 1989 five men, including the Johannesburg leader of the AWB, Mr Leonard Veenendal, appeared in a Namibian court in connection with a machine-gun attack on United Nations offices in Outjo (Namibia) in August.¹⁰⁶ [¹⁰⁶ *Business Day* 29 September 1989] According to a journalist, Mr Johan Kuus, Mr Veenendal told him in an interview in September 1989 that a secret suicide squad existed within the AWB and had plans to undertake death missions. Mr Veenendal also said that Mr TerreBlanche was unaware of the underground movement within his organisation and that he was regarded by militants as merely a figurehead.¹⁰⁷ [¹⁰⁷ *Sunday Times* 1 (October 1989)]

Mr TerreBlanche met the state president, Mr F W de Klerk, in November 1989. Following the talks, Mr De Klerk said that the AWB's demand for a white homeland encompassing the Transvaal, Orange Free State and northern Natal was unacceptable. He said, 'South Africa is one country wherein all inhabitants, irrespective of colour, are first-class citizens.'¹⁰⁸ [¹⁰⁸ *Business Day* 10 November 1989]

In December 1989 Mr TerreBlanche said that the 'boerevolk' would declare war on the government if they were excluded from negotiations between the government and other groups. He said the 'boerevolk' would consider it an act of treason should the government not recognise them at the negotiation table.¹⁰⁹ [¹⁰⁹ *The Citizen* 4 December 1989]

In January 1990 Mr TerreBlanche announced that a national 'general' election would be held on 31 May 1990 (Republic Day) among all whites supporting a separate 'boerestaat'. The elections would be organised by the AWB and two other 'boere' separatist organisations, namely, the BP and the Transvaal Separatists. Mr TerreBlanche said voters would elect a volksraad, which would sit in Pretoria and which would enter into negotiations with the government and other nations inside South Africa on the question

of the creation of an Afrikaner state. He said, 'During the process of negotiations, we are prepared to negotiate with all groups, including the African National Congress (ANC), even if it is to tell them that they do not represent a "volk" and therefore cannot negotiate.' Mr TerreBlanche said that he believed that the election, which would take place on a constituency basis, would receive widespread support. The AWB's vision of a volkstaat included the Transvaal, the Orange Free State, northern Natal and Richard's Bay.¹¹⁰ [¹¹⁰ Ibid 11 January 1990] In the same month the AWB warned that neither the government nor the ANC had the right to negotiate about territories which historically and in international law were the sole property of the 'boerevolk', without the permission of the 'volk'.¹¹¹ [¹¹¹ Ibid, undated, January 1990]

Commenting on Mr De Klerk's opening speech to Parliament in February 1990, Mr TerreBlanche said the unbanning of the ANC, the Pan-Africanist Congress and the South African Communist Party had come as a surprise to him. I did not expect the National Party (NP) and the government to collapse with so little honour. The whole speech was, in every respect, a surrender to the wishes of the radical left wing.' Mr TerreBlanche added that while the government had capitulated, the AWB would restore law and order with force and create a state for the 'volk'.¹¹² [¹¹² Ibid 3 February 1990] The AWB, together with the HNP and other right-wing organisations, called on the CP in February 1990 to force by-elections on a large scale by allowing its town councillors and members of Parliament to resign, since such a step would prove that the government had no support among whites for its reform measures and could eventually force a general election (see *Conservative Party* below).¹¹³ [¹¹³ Ibid 8 February 1990] A protest march in Pretoria against the reform measures was organised by the AWB in February 1990. The march, which began at Church Square, ended at the Union Buildings, where Mr TerreBlanche attempted to hand over a small white casket containing 30 silver coins to the chief of security at the Union Buildings, Colonel Ben Groenewald. Mr TerreBlanche said, 'The 30 silver coins are Mr De Klerk's payment for selling out the boerevolk and the casket represents the children who have died for the country.' Col Groenewald refused to accept the casket and the coins.¹¹⁴ [¹¹⁴ Ibid 12 February 1990]

In March 1990 a joint meeting of the AWB, the HNP and the BP called on the government to leave the Civil Co-operation Bureau and its members alone and also to allow the police force to carry out its duties effectively (see chapter on *Political Developments*).¹¹⁵ [¹¹⁵ *The Star* 15 March 1990]

In the same month the AWB, HNP and BP expressed concern over right-wing unity in view of the fact that they had not been invited to the CP's national summit (see *Conservative Party* below). The organisations said that they would therefore go ahead with their own strategy to call meetings to discuss 'the NP's treacherous politics'.¹¹⁶ [¹¹⁶ *The Citizen* 16 March 1990] In March the AWB crossed the race barrier and declared its solidarity with the Rehoboth Baster people, a coloured community in Namibia, who were seeking independence from Namibia. Commenting on the AWB's support for the Basters, Mr TerreBlanche said that they were asking only what the Afrikaners wanted in South Africa-their own geographically independent homeland.¹¹⁷ [¹¹⁷ Ibid 24 March 1990]

Azanian People's Organisation (AZAPO)

During the period under review some statements and activities of the Azanian People's Organisation (AZAPO) were carried out under the banner of the Black Consciousness Movement (BCM), owing to restrictions having been imposed on the organisation (see *1987/88 Survey* p587).

Commenting in August 1989 on an invitation by the Mass Democratic Movement (MDM) to the BCM to join the defiance campaign, a BCM spokesman said the organisation welcomed the invitation and saw the defiance campaign as part of its programme of resistance. However, he added that the defiance had to be a challenge aimed at change towards a socialist Azania.¹¹⁸ [¹¹⁸ *Sowetan* 18 August 1989]

On 12 September 1989 the BCM called for a national day of protest to commemorate the death of a black consciousness leader, Mr Steve Biko, in 1977.¹¹⁹ [¹¹⁹ *The Star* 11 September 1989] At least two people were arrested after BCM members staged protest marches in Johannesburg to observe the day.¹²⁰ [¹²⁰ [bid 12 September 1989] Speaking at a Biko commemoration service in Soweto, the publicity secretary of the Azanian Students' Movement, Mr Siphosiso Maseko, said that Mr Biko, through the philosophy of black consciousness, had taught blacks to be democratic and tolerant of people they fundamentally disagreed with.¹²¹ [¹²¹ *Sowetan* 13 September 1989]

In November 1989 the BCM hailed the victory of the South West African People's Organisation in the Namibian election. The publicity secretary of AZAPO, Mr Muntu Myeza, said that Namibians had triumphed in their 'gallant struggle' to free themselves.¹²² [¹²² *Ibid* 15 November 1989]

In February 1990 the restrictions imposed on AZAPO and other organisations in terms of the state of emergency in February 1988 were lifted (see *1988/89 Survey* p560).

Commenting in February 1990 on the release of an African National Congress (ANC) leader, Mr Nelson Mandela, Mr Myeza said that Mr Mandela would do the struggle a great service if he was to rise above the confines of his own organisation and preside over the greater cause of the unity of the oppressed.¹²³ [¹²³ *Ibid* 12 February 1990]

In February 1990 a delegation from AZAPO met Mr Mandela. Among the issues discussed was a proposal by AZAPO that a consultative network of ideologically different organisations be set up. The newly elected publicity secretary of AZAPO, Mr Strini Moodley, said that the network would consult on issues such as negotiations. In March 1990 members of AZAPO once again met Mr Mandela. Mr Mandela reported that the ANC's national executive committee had responded favourably to the idea of a consultative network. At the time of writing no such network had been established. The meeting also discussed the recurrence of violent clashes between supporters of AZAPO and the United Democratic Front in the western Transvaal. The clashes, which led to the death of six AZAPO supporters, were strongly condemned by the central committee of AZAPO.¹²⁴ [¹²⁴ *City Press* 4 March, *The Weekly Mail* 30 March 1990]

Commenting in March 1990 on the developments in eastern Europe, the BCM said that it did not view the events as a collapse of socialism. 'We view these occurrences as a reshaping and restructuring of a social order.'¹²⁵ [¹²⁵ *City Press* 4 March 1990]

Negotiations

Commenting in August 1989 on the possibility of negotiations in South Africa, a representative of the BCM said the movement's stand could be summarised in the words of Mr Biko, that 'negotiations can only take place between equals'. He added that the state had nothing to lose at the negotiating table because it was in a position to dictate the terms and agenda of negotiations and enjoyed the power of veto. The representative said that AZAPO's alternative to negotiations was a constituent assembly, which would involve the ruling party's resigning and playing an identical role to that of all other political participants. The other actors on the political stage would then send credible representatives to discuss a new constitution and democratically determine who would take control. 'Credibility' would be determined by how representative organisations were in the community. The unbanning of organisations and persons was also a pre-requisite for the implementation of a constituent assembly.¹²⁶ [¹²⁶ *The Weekly Mail* 4 August 1989] In the same month the BCM said that it was concerned that South Africa's imperialist allies, particularly America and Great Britain, were persuading South Africans to enter into a negotiated settlement. The BCM argued that since apartheid had become indefensible. South Africa's allies had been putting pressure on the government to drop its institutionalised racism. However, they were seeking a solution to keep South Africa a capitalist country in which America and Britain maintained investment.¹²⁷ [¹²⁷ *Sowetan* 7 August 1989]

In October 1989 Mr Myeza said that the state president, Mr F W de Klerk, had negated his own call for negotiations by refusing to debate the fundamental issues of one-person one-vote in a unitary South Africa and the recognition of individual as opposed to group rights.¹²⁸ [¹²⁸ *The Star* 27 October 1989]

In March 1990 AZAPO called for a national convention of credible black political organisations before there could be negotiations with the government. It is imperative that credible organisations get together to form a common base before they engage in talks with the government.'¹²⁹ [¹²⁹ *City Press* 4 March 1990]

Addressing a press conference following his election as the president of AZAPO in March 1990, Dr Itumeleng Mosala said that the organisation rejected Mr De Klerk's notion of negotiations on the grounds that they said nothing about how black people were going to be economically and politically empowered. He called for an intensification of the armed struggle. Commenting on what AZAPO's stand would be should the government and the ANC reach an accord on negotiations, Dr Mosala said, 'Our commitment is to black people. We will continue to mobilise black people ... if the alliance between the government and the ANC falls short of the struggle for socialism.'¹³⁰ [¹³⁰ *The Citizen* 6 March 1990]

In April 1990 AZAPO welcomed the decision by the ANC to suspend talks with the government because of the shootings in Sebokeng (see *African National Congress* above). AZAPO said the ANC's decision was a vindication of its position that the white government had not changed sufficiently for blacks to hope to get freedom through such exercises as negotiations. AZAPO also called on the ANC to withdraw totally from talks with the government. 'We call on the ANC to seek unity with organisations of the oppressed instead of unity with enemies of the black people.'¹³¹ [¹³¹ *Sowetan* 3 April 1990]

Conference for a Democratic Future

Commenting on the Conference for a Democratic Future (CDF) held in December 1989, of which the BCM was a co-convenor, a senior member of AZAPO, Dr Itumeleng Mosala, said the CDF had failed in not establishing a programme of action, but rather had made resolutions the focal point of the conference. The BCM accused the MDM of violating an agreement that resolutions would be passed by consensus, not by voting (see *United Democratic Front* below).¹³² [¹³² *The Citizen* 12 December 1989] The BCM in particular distanced itself from a resolution, adopted by MDM delegates, which endorsed the *Harare Declaration* on how conflict in South Africa should be resolved. The BCM said that the *Harare Declaration* went against the grain of policies of the BCM but that the organisation would refer it to its members for further discussion. Dr Mosala said, 'We are not saying we reject the Harare Declaration. We are saying that there hasn't been enough debate on it inside the BCM and, I think, the MDM itself (see *1988/89 Survey* pp641–645).¹³³ [¹³³ *The Star* 12 December 1989]

Annual conference

AZAPO held its ninth annual conference in March 1990. The conference, whose theme was 'Reconstruct for a Socialist Azania', was attended by 200 delegates and about 7 000 observers. A new central committee was elected with Dr Itumeleng Mosala as the president of the organisation. In his keynote address, Dr Mosala stressed that it was urgent that an 'alternative conference of left and socialist formations and liberation organisations who are not comfortable with the status quo, be held in order to evolve a united programme of action for intensifying the struggle'. Referring to the issue of negotiations, Dr Mosala said that they should take place among resistance organisations of black people, not with the ruling class. The congress rejected any participation in negotiations and said that at present they would benefit a few elitist groups, revitalise the capitalist system, which was showing signs of collapse, and create confusion and conflict between different organisations. The congress also resolved to call for a broad front of socialist organisations to unite to 'fashion out a socialist agenda for liberation' and to call upon all organisations within the liberation movement to abandon the use of violence against each other and accept as a matter of principle, the plurality of ideas within society.¹³⁴ [¹³⁴ *The Star* 5 March 1990, *The Weekly Mail* 9 March]

Death of AZAPO official

In July 1990 Mr Muntu Myeza, who was elected as the projects co-ordinator of AZAPO at its conference in March 1990, was killed in a car accident near Bloemfontein (Orange Free State). However, officials of AZAPO indicated that the circumstances surrounding Mr Myeza's death were far from clear cut. The deputy president of AZAPO, Dr Nchaupe Mokoape, said that foul play could not be ruled out. 'We need to ask what has suddenly gone wrong with the cars in this country that they are killing all the activists.' The publicity secretary of AZAPO, Mr Strini Moodley, said that a team, consisting of AZAPO central committee members, who visited the scene of the accident, found no evidence of tyre or skid marks and that the car was not seriously damaged. A spokesman for AZAPO, Dr Gomolemo Mokoae, cited three incidents in which black consciousness activists were involved in accidents under mysterious circumstances.¹³⁵ [¹³⁵ *The Star, The Weekly Mail* 5 July 1990] In April 1990 a senior Pan-Africanist Congress leader, Mr Japhta Masemola, was also killed in a car accident (see *Pan-Africanist Congress* below).

Black Consciousness Movement of Azania (BCMA)

The Black Consciousness Movement of Azania (BCMA) is the exiled wing of the Black Consciousness Movement (BCM). While the organisations share a common ideology, they maintain their organisational independence. The BCM is therefore not obliged to carry out the programmes of the BCMA and vice versa.

In August 1989 the chairman of the BCMA, Mr Mosibudi Mangena, said that the BCMA would enter into negotiations only if the government accepted one-person one-vote and the redistribution of wealth. 'We do not think that there is any sense in talking about freedom and democracy without the redistribution of wealth.' Mr Mangena said the move to force blacks into 'premature' negotiations with the government was mainly a result of the change in Soviet foreign policy. He added that the issue of negotiations could lead to a split in the liberation movement. He said that black people should not be 'fooled' by talk that whites were about to hand over power to the majority. Instead, the oppressed majority should gear itself to struggle further.¹³⁶ [¹³⁶ *Sowetan* 10 August 1989]

In November 1989 Mr Mangena said that the road to negotiations had to be realised by weakening such state mechanisms as the South African army and police. He argued that the black working class should participate in the struggle for liberation because the road to socialism¹³⁷ was through national liberation.¹³⁷ [¹³⁷ *Ibid* 4 November 1989]

In his new year message in January 1990, Mr Mangena said that the leaders of the self-governing and 'independent' homelands should resign and publicly 'confess their past sins' before they could be politically-accepted by the people. Mr Mangena said that he was optimistic about the future of the country and praised the Mass Democratic Movement and the Conference for a Democratic Future for fighting the Labour Relations Amendment Act. Mr Mangena called for unity among people of different ideologies.¹³⁸ [¹³⁸ *Sowetan* 10 January 1990]

Commenting on the opening speech to Parliament of the state president. Mr F W de Klerk, in February 1990, the BCMA said that his announcements merely restored the position of the oppressed to that which had prevailed prior to the banning of political organisations in 1960. The BCMA cautioned black people against complacency and said that developments around Mr De Klerk's announcements had the potential of 'making our dispossession and impoverishment permanent'. The BCMA said that the agenda for negotiations had already been limited in order to protect white privilege under the term 'minority group rights'.¹³⁹ [¹³⁹ *The Star* 5 February 1990]

The BCMA's political programme

In February 1990 the *Sowetan* published a document outlining the BCMA's political programme. The document reads as follows: We, the people of Azania, engaged in the struggle for the reconquest of our land, under the guidance and leadership of the Black Consciousness Movement of Azania, basing ourselves on the spirit of 'Towards A Free Azania-Projection: Future State' adopted at the 1975 Congress of the Black People's Convention at King William's Town, hereby commit ourselves to:

1. Establish a democratic state in Azania

- (a) Destroy the racist settler-colonial state and build a democratic state where colour, race, religion, sex or tribe shall not be a point of reference.
- (b) Abolish the constitution of South Africa, the Bantustan system and all other racist institutions and draw up a constitution according universal adult suffrage for all Azanians in a unitary state.
- (c) Strive for the broadest unity of the Azanian people at all levels.
- (d) Guarantee to all citizens the right to speak, write and develop their language but firmly oppose and outlaw, if necessary, all parties, organisations and clubs promoting racism, tribalism or regionalism.
- (e) Guarantee freedom of association, movement and assembly and the concomitant right to free expression and to worship or not to, provided such right is not exercised to promote racism, fascism, sexism, tribalism, discrimination or any formation that is inimical to social justice, stability and progress of the Azanian people.

2. Introduce a just legal system

- (a) Guarantee equality before the law for all citizens regardless of colour, race, sex or social standing.

(b) Ensure fair trial and access to legal defence for all citizens by setting up legal advice bureaux with qualified lawyers to interpret all legal matters to every citizen requesting it and, if necessary, represent such citizen in legal proceedings.

(c) Release all political prisoners and rehabilitate all criminals.

(d) Repeal all discriminatory laws and dismiss all racist judges, magistrates and warders.

3. Build a strong, socialist, self-reliant economy

(a) Let the ownership of the land, sea and air space be vested in the state.

(b) Distribute the land to organised groups for farming, commercial, housing, sporting or any other purposes in accordance with a Central National Plan.

(c) Strive for the introduction of co-operative farms on existing farmland and assist these with farming equipment and methods.

(d) Organise villages into co-operative farming units and provide these with modern farming methods, machinery, agricultural advisers, veterinary services, dams, fertilizers, seeds, marketing services, etc, for purposes of improving living standards in the countryside and bridging the gap between the urban and rural areas.

(e) Establish agricultural produce factories in the farming areas.

(f) Nationalise all heavy industry, major commercial undertakings, multi-national monopolies and syndicates.

(g) Expand heavy industry in order to benefit all other sectors of the economy and to combat industrial dependence.

(h) Nationalise all banks and insurance companies in order to streamline and regulate economic activity, growth and development.

(i) Assert complete state control of foreign trade, diversify the economy and strike for self-reliance in economic development programmes.

(j) Improve land, sea and air communication throughout the country in order to advance the nation's trade.

(k) Control the prices of all domestic products and limit the import of luxury goods.

(l) Put under state control all mining and fishing industries.

(m) Trade with all friendly countries irrespective of their political systems.

(n) Put all energy-producing undertakings and related industries under the control of the state.

4. Ensure security and peace of the nation

(a) Wage a war of national liberation against the settler-colonial regime and create conditions of peace and security.

(b) Dismantle the racist and oppressive army and police forces and replace them with the politicised people's armed forces and police to protect the people's power, national independence and territorial integrity.

(c) Remove all foreign bases and installations on Azanian soil and abrogate all existing military treaties with foreign powers.

5. Safeguard social rights

(a) Rigorously combat unemployment and uphold the right and duty of all citizens to work.

(b) Institute a forty-hour working week and guarantee an uninterrupted rest period of at least thirty-six hours for every worker.

(c) Establish a national minimum wage, establish machinery to monitor and ensure an equitable wage structure and guarantee equal pay for equal work irrespective of race or sex.

(d) Guarantee paid annual leave, maternity leave and sick leave for all workers.

(e) Arrange suitable working hours for all working mothers with small children.

(f) Establish a state-controlled insurance scheme to cater for the unemployed, workers who are sick, retired or injured at work.

- (g) Guarantee the right of and encourage all workers to organise themselves into trade unions.
- (h) Ban child and migratory labour and ensure all workers the right to be decently housed with their families.
- (i) Guarantee the right of workers to participate in the management of enterprises.
- (j) Guarantee all workers, including civil servants, the right to participate in political activities.

6. Develop culture, education and technology

- (a) Abolish all institutions and practices which promote racist and settler-colonialist culture.
- (b) Open all educational, cultural or sporting institutions to all people irrespective of race.
- (c) Introduce free and compulsory universal education for all children up to and including secondary school and build adequate schools throughout the country.
- (d) Tailor educational curricula to serve the cultural, intellectual, social and industrial needs of the people.
- (e) Lay special emphasis on vocational, technical, scientific and technological education.
- (f) Implement scholarship and bursary schemes to assist students through college and university education.
- (g) Build adult educational centres throughout the country and eliminate illiteracy.
- (h) Build and expand creches and day-care centres throughout the country to alleviate the burden of working parents.

7. Adequately provide for the health and welfare of all

- (a) Put all hospitals, clinics, pharmaceutical enterprises and trade in drugs under state ownership.
- (b) Build health centres in all localities and improve health services, especially in the rural areas.

- (c) Put emphasis on preventive medicine and cultivation of healthy living habits.
- (d) Encourage research in traditional medicine and herbs and integrate these into the national health system.
- (e) All medical and para-medical personnel shall be state servants.
- (f) Provide all medical services free of charge.
- (g) Implement a comprehensive social service scheme to cater adequately for the aged, disabled, sick and others requiring care.
- (h) Let all employed people contribute to the national welfare scheme.
- (i) Rehabilitate all drug addicts and alcoholics.

8. Provide adequate housing

- (a) Open all residential areas to all without regard to race, language, colour or religion.
- (b) Build decent and adequate family houses for all in both rural and urban areas.
- (c) Charge reasonable rates and rents.
- (d) Improve roads to cater for all residential areas and rehabilitate the environment.

9. Follow a foreign policy that respects national independence and international friendship

- (a) Establish diplomatic relations with all friendly countries irrespective of their political systems on the basis of mutual respect and non-interference in the internal affairs of each other.
- (b) Recognise the equality of all nations, big or small.
- (c) Recognise the right of all nations to self-determination and in this respect, co-operate with all progressive countries, organisations and international agencies to advance the course of freedom and independence for all the oppressed of the world.
- (d) Strive for the unity and advancement of the African people throughout the continent,

(e) Co-operate with all countries and organisations fighting against racism, Zionism, colonialism, imperialism, super-power domination and interference.

We shall ceaselessly and resolutely struggle by all means necessary for the attainment of the objectives contained in this programme.¹⁴⁰ [¹⁴⁰ *Sowetan* 9 February 1990]

Blanke Bevydingsbeweging (BBB)

The Blanke Bevydingsbeweging (BBB) was restricted in 1988 and re-emerged as the Blanke Nasionale Beweging two months later (see *1988/89 Survey* p652). In February 1990 the government lifted the restrictions on the BBB. Subsequent to this, the BBB disbanded and in February 1990 became part of the Conservative Party (CP). The leader of the BBB, Professor Johan Schabort, serves as a scientific adviser to the CP.¹⁴¹ [¹⁴¹ *The Weekly Mail* 25 May 1990]

Conservative Party (CP)

In July 1990 the Conservative Party (CP) rejected a call by the Herstigte Nasionale Party (HNP), the Afrikaner Weerstandsbeweging, and the Boerestaat Party (BP) for right-wing unity. The leader of the CP, Dr Andries Treurnicht, said right-wing unity already existed inside the CP. 'During the 1987 election, the CP drew nine out of every ten rightwing votes, which proves that right-wing unity exists within the CP.'¹⁴² [¹⁴² *The Citizen* 4 July 1990]

The CP won 39 out of 166 seats, with a total of 680 131 votes, in the general election held in September 1989.¹⁴³ [¹⁴³ *Ibid* 7 October 1989] The CP gained a total of 17 seats. Commenting on the results, Dr Treurnicht said he was satisfied with the 39 seats but had hoped for more.¹⁴⁴ [¹⁴⁴ *Business Day* 8 September 1989]

In December 1989 the CP launched 'Action One Million', a campaign to boost CP support from 700 000 to 1m, thus enabling the party to win a parliamentary majority in the next election. Dr Treurnicht said that the CP's long-term programme would be to mobilise people in the various facets of national life and make them conscious of the needs of white people and their ideals to survive in freedom.¹⁴⁵ [¹⁴⁵ *The Citizen* 6 December 1989]

In May 1990 the CP said that it would not invite the former state president, Mr P W Botha, to join its ranks. The CP was reacting to speculation that it had already had talks with Mr Botha.¹⁴⁶ [¹⁴⁶ *The Star* 8 May 1990] Commenting on Mr Botha's resignation in August 1989, Dr Treurnicht had said at the time that it was obvious that Mr Botha had been forced to resign (see *National Party* below). In May 1990 the

ultra-right-wing group, the Blanke Bevrydingsbeweging , dissolved and joined the CP (see *Blanks Bevrydingsbeweging* above).

Response to government reform measures

The CP was highly critical of major reform measures introduced by the government in late 1989 and during 1990, including a greater tolerance of political protest, the release from jail of various black leaders, the unbanning of a number of political organisations, and government talks with the African National Congress (ANC).

In August 1989 Dr Treurnicht criticised the government for not acting against the Mass Democratic Movement, which was responsible for a defiance campaign (see chapter on *Political Developments*). ‘The lack of protective action on the part of the government is not only undermining law and order but also the rights of the white community,’ he said.¹⁴⁷ [¹⁴⁷ Ibid 4 August 1989]

Commenting on the government’s granting of permission for a protest march in Cape Town in September 1989, Dr Treurnicht said the National Party (NP) had capitulated to radicals (see chapter on *Political Developments*).¹⁴⁸ [¹⁴⁸ *The Citizen* 14 September 1989] Dr Treurnicht called for a ban on all anti-apartheid protest marches. He said, ‘Using peaceful protest as its weapon, the ANC is going to win the war if firm action is not taken.’¹⁴⁹ [¹⁴⁹ *Sowetan* 26 September 1989]

Commenting on the release of seven senior ANC leaders in October 1989, Dr Treurnicht said that the government was releasing people who had not undertaken to reject violence and who were linked to a banned organisation. He said it seemed as if the government was seeking reconciliation at any price.¹⁵⁰ [¹⁵⁰ *The Citizen* 11 October 1989]

Speaking at the Transvaal congress of the CP in October 1989, Dr Treurnicht said that the CP was not racist. He said, however, ‘If you ignore the differences between race and nation, you are totally outside reality.’ Also addressing the congress, the deputy leader of the CP, Dr Ferdi Hartzenberg, said that the ‘Afrikaner volk’ would ‘stand up and risk everything’ to prevent power-sharing in territories which historically belonged to them.¹⁵¹ [¹⁵¹ *The Star* 26 October 1989]

In November 1989 the CP announced that it would call a national summit early in 1990 to deal with what it saw as government moves to form a transitional government with the ANC.¹⁵² [¹⁵² Ibid 13 November 1990]

Commenting in November 1989 on the victory of the South West African People’s Organisation in Namibia’s first free general election, Dr Treurnicht said. This is no democracy. It is the domination of the peoples of South West Africa by the Ovambos.’¹⁵³ [¹⁵³ *The Citizen* 16 November 1989] Mr J J C Botha MP (CP) said in May 1990 that Namibian independence had stripped all whites there of their citizenship

rights, and that this would also happen in South Africa.¹⁵⁴ [¹⁵⁴ Ibid 4 May 1990]

In February 1990 the CP organised a march in Pretoria to protest against the release of an ANC leader, Mr Nelson Mandela, and the lifting of the ban on political organisations, including the ANC and the South African Communist Party (SACP).¹⁵⁵ [¹⁵⁵ Ibid 15 February 1990] The CP called on the state president, Mr F W de Klerk, to resign and to hold a general election. However, Dr Treurnicht rejected a call by the leader of the HNP, Mr Jaap Marais, that CP MPs resign their seats to force a mini-election to put Mr De Klerk's reforms to the test. He said that the proposal was not practical.¹⁵⁶ [¹⁵⁶ Ibid]

Negotiations and related issues

In August 1989 Dr Treurnicht said that the CP would stand by its policy of separate development and openly rejected power-sharing as political deception. He said that those who shared power lost power. Referring to the NP, Dr Treurnicht said, 'They speak of a new South Africa. We want to know whether that means a South Africa without a self-determining white group. We want nothing to do with the ANC.'¹⁵⁷ [¹⁵⁷ *The Star* 1 August 1989, *Business Day* 3 August 1989]

In August 1989 the chairman of the CP's committee for information and strategy, Mr Koos van der Merwe, said that the party should be supported because it was the only party that could guarantee white survival. He said that the CP believed that 'South Africa is not an undivided country consisting of some 30m individuals, but rather consists of various nations, or people, each of them entitled to an "own" geographic area. In their own states, each nation could enjoy proper self-determination under its own government.'¹⁵⁸ [¹⁵⁸ *The Citizen* 31 August 1989]

In September 1989 Dr Treurnicht said that he did not believe that Mr Mandela had any role to play in white politics.¹⁵⁹ [¹⁵⁹ *The Star* 8 September 1989] Reacting to a statement in September 1989 by the newly elected state president, Mr F W de Klerk, that he was prepared to negotiate with the ANC, Dr Treurnicht said the CP found it unacceptable that the ANC should be allowed an opportunity to decide on the rights and freedom of whites.¹⁶⁰ [¹⁶⁰ *The Citizen* 27 September 1989]

In December 1989 the CP strongly criticised a meeting between Mr De Klerk and Mr Mandela (see *National Party* below). 'The CP regards the talks as a de facto unbanning of the ANC and, as such, it is an act of serious disregard for the right of whites to their future free existence.'¹⁶¹ [¹⁶¹ Ibid 14 December 1989]

Commenting on Mr De Klerk's opening speech to Parliament in February 1990, Dr Treurnicht said, 'The challenge facing the "volk" is the question of an effective strategy in the struggle against NP capitulation.'¹⁶² [¹⁶² *The Weekly Mail* 9 February 1990]

Writing in December 1989 in *Die Patriot*, the official mouthpiece of the party, a CP spokesman referred to Mr De Klerk as 'South Africa's Kerensky'. He wrote: 'After five months of tolerating the revolutionary activities of the Bolsheviks, (Alexander) Kerensky finally woke up to the fact that they were not interested in constituent assemblies and democratic elections. They wanted absolute power and control. When Kerensky tried to take decisive measures against the Bolsheviks, it was too late...

'Like Kerensky, De Klerk apparently does not know that the peace which the revolutionaries are talking about means not the end of apartheid, but an end to resistance of communism.

'And just as Lenin languished in hiding in the months before the October 1917 Bolshevik seizure of power, so Mandela, from the luxury of his confined quarters near Paarl, awaits the moment which will thrust South Africa's Kerensky into oblivion and which will signal the beginning of the new RSA-the Republic of Soviet Azania.'

In March 1990 Mr Jurgens Prinsloo MP (CP) said. If the ANC's constitutional guidelines were laid on the negotiating table, backed by the organisation's strikes and marches, it would lead South Africa to a Leninist-Marxist government.¹⁶³ [¹⁶³ *The Citizen* 6 March 1990] He said that the CP rejected one-man one-vote in a unitary state and that harmony and good relations could be achieved only through the right of self-determination for individual nations.¹⁶⁴ [¹⁶⁴ *Ibid*] In the same month Dr Treurnicht said that Mr De Klerk had no mandate from whites in South Africa to 'negotiate the surrender of his people's political rights'.¹⁶⁵ [¹⁶⁵ *The Star* 9 March 1990] The CP said in March 1990 that it was totally opposed to the government's inviting 'terrorists' to the negotiating table in such a way that they would have a say over the future of all, including the CP.¹⁶⁶ [¹⁶⁶ *The Citizen* 30 March 1990]

In April 1990 Dr Treurnicht said the CP had never said that it was against negotiations, but that it had said that it was not prepared to forfeit the freedom and land of the 'volk'. He added that the CP was not prepared to negotiate with the ANC or the SACP.¹⁶⁷ [¹⁶⁷ *Ibid*]

In May 1990 CP MPs walked out of Parliament and marched to Tuynhuys (Cape Town) where they handed in a petition protesting against the talks between the government and the ANC. The petition accused Mr De Klerk of 'politically immoral' action because he had specifically excluded such negotiations when he had asked for a mandate in the 1989 general elections. The petition also called for the cessation of the talks and the holding of a general election among whites. Asked whether the CP would consider more militant action, Dr Treurnicht said that the CP was a political party which would try to get the support of the majority of the whites.¹⁶⁸ [¹⁶⁸ *The Star* 3 May 1990] Addressing a meeting in Welkom (Orange Free State) in May 1990, Dr Treurnicht said, 'If the NP continues to hand over power to the ANC, the third freedom struggle will begin.' He said that the wheel of Afrikaner nationalism had been set in motion and that it could not be stopped.

In May 1990 the CP said that it would give the government its strongest support in its quest for the protection of group rights. Dr Treurnicht said that he rejected the notion that a single nation could be

built from the variety of racial, religious, language and cultural groups in South Africa. The CP said in May 1990 that it would negotiate coloured and Indian homelands before claiming the rest of the country, excluding the existing black homelands, as a white national state. Mr Prinsloo said that the CP believed that the NP's view of a new South Africa was not democratic because democracy revolved around self-government by the different populations.¹⁶⁹ [¹⁶⁹ *Sowetan* 15 May 1990]

The CP said in May 1990 that the government had irrevocably sided with 'terrorists' against security forces and its own people by introducing the Indemnity Bill (see *National Party* below). Mr Fanie Jacobs MP (CP) said the bill had serious legal and political implications. 'Acceptance of the bill means that murder, if it was political murder committed by the ANC, will no longer be a crime and it means that high treason committed by the ANC will no longer be a crime.'¹⁷⁰ [¹⁷⁰ *The Star* 8 May 1990] Dr Treurnicht said that the CP totally rejected the government's indemnification of ANC members who had gone into exile after committing high treason.¹⁷¹ [¹⁷¹ *The Citizen* 7 May 1990]

National summit

In May 1990 the CP organised a 'volksvergadering' (national summit) at the Voortrekker Monument in Pretoria to reaffirm its resistance to political reform in the country. Estimates of attendance varied between 50 000 and 100 000. Addressing the gathering, Dr Hartzenberg said that the CP would resort to all possible democratic and constitutional ways to fight political changes. 'However, if all those channels are closed to us, we will regard ourselves as an oppressed volk. Then we will have no choice but to take the path of an oppressed nation to fight for our freedom.' Speaking against the backdrop of a huge banner proclaiming, 'The Third War of Freedom', Dr Treurnicht said, 'Don't force us on a road we refuse to travel. We will not allow the government to force integration down our throats.' Quoting a speech made by a former prime minister, Dr D F Malan, at the same venue 42 years previously, Dr Treurnicht said that it would be 'easier to stop the ocean with a broom than to halt our move towards freedom in our fatherland'. Dr Treurnicht said the right wing demanded that the government call a general election. He refused to accept Mr De Klerk's claims that political changes in South Africa were irreversible. It will have to be reversed if the Afrikaner is to have any hope of survival.'¹⁷² [¹⁷² *Sunday Times* 27 May 1990] Dr Treurnicht spelt out a plan of action for the CP to try and thwart the government's reform initiatives. The proposals included:

- the holding of an all-out campaign to win the Umlazi by election in Natal. This, Dr Treurnicht said, would be of more value than one million signatures of support for the CP;
- the continuation of 'Action One Million'. As long as there was a constitutional way to regain political control, the CP would continue on that way. Dr Treurnicht warned there was no boat in the harbour for the volk, and if necessary they would rise against the law. 'Do not force our people into something like that';
- the continuation of gathering signatures for the manifesto of the CP;

- the publishing of a newspaper supporting the CP. Dr Treurnicht said that the time was right for such a step and that the wheels of the paper would start rolling shortly;
- the holding of a national summit to answer the question on how the nation would survive in freedom;
- the introduction of negotiations with leaders inside and outside South Africa for a white homeland. Dr Treurnicht said that it was too early to draw borders around that homeland at this stage;
- the countering of sanctions and strikes by doing the job themselves;
- the forming of own financial institutions;
- the holding of a congress on security and the continuing of actions by the ‘volk’ to defend itself; and
- the holding of referendums in certain constituencies and the formulation of a new constitution.¹⁷³ [¹⁷³ Ibid]

Segregation

During the period under review the CP stood firmly by its policy of residential segregation and segregation of facilities. Explaining why in August 1989 he had asked for a Chinese family to be evicted from a house in Pretoria owned by him, the chief whip of the CP, Mr Frank le Roux, said people in the area, including NP supporters, had complained and also because it was against the CP’s policy of ‘group individuality’. Mr Le Roux said that he had not been aware that his house had been let to a Chinese family until it had been brought to his attention. However, following discussions between Mr Le Roux and the family, they were allowed to stay on.¹⁷⁴ [¹⁷⁴ *The Citizen* 22 August 1989]

The CP strongly criticised the decision by the University of Pretoria in October 1989 to open hostels to all races and called on the University to review its decision.¹⁷⁵ [¹⁷⁵ Ibid 18 October 1989]

Referring to the announcement by Mr De Klerk in November 1989 that the Reservation of Separate Amenities Act of 1953 would be repealed, Mr Van der Merwe said that it was the beginning of the end of a separate community life for whites. The announcement destroys guarantees which the government has given to whites and further exposes the political credibility of Mr De Klerk. He is placing South Africa on the road to a totally racially mixed South Africa, which will inevitably be governed by a black majority.’¹⁷⁶ [¹⁷⁶ Ibid 17 November 1989]

In the same month the CP strongly criticised the government’s decision to open the central business district of Boksburg (east Rand) to all races as a free trading area. Mr Van der Merwe said the NP did

not have a mandate to destroy white communities as it was trying to do in Boksburg and other areas.¹⁷⁷ [177 Ibid 24 November 1989]

In December 1989 the Transvaal municipal committee of the CP called on all city councils to refuse to open their public amenities to all races.¹⁷⁸ [178 *The Star* 7 December 1989]

In March 1990 a decision by the CP-controlled Boksburg Town Council to reserve Boksburg lake and tennis courts for whites only was set aside by the Transvaal Provincial Division of the Supreme Court in Pretoria (see chapter on *Social Segregation*).¹⁷⁹ [179 *The Citizen* 30 March 1990]

Security issues

Responding to an announcement by Mr De Klerk in December 1989 that national service would be reduced from two years to one, the CP's spokesman on defence, Mr J H van der Merwe, said, 'The CP does not accept that peace has come to such an extent that it is now possible to reduce national service by half (see chapter on *Security*).¹⁸⁰ [180 Ibid, undated, December 1989] The CP described the appointment of a commission to investigate the existence of alleged hit squads as a vote of no confidence in the minister of law and order, Mr Adriaan Vlok (see chapters on *Security* and *Political Developments*).¹⁸¹ [181 Ibid 2 February 1990]

In April 1990 the CP's chief spokesman on law and order, Mr Moolman Mentz, said that a CP government would restore police officers' democratic right to be members of a political party. He was reacting to an announcement by Mr Vlok that members of the police would be barred from belonging to any political party.¹⁸² [182 *The Natal Mercury* 26 April 1990]

In the same month the CP claimed that government intelligence sources had leaked a document to the CP outlining an ANC plot to assassinate right-wing leaders. Mr Mandela categorically denied the existence of such a plot and the government rejected the CP's claims as nonsense.¹⁸³ [183 *Sunday Star* 15 April 1990] In the same month Dr Treurnicht condemned reports of a possible right-wing coup. He said that the CP supported the right of people to arm themselves and to protect themselves. However, its method was to use the ballot box and win an election.¹⁸⁴ [184 *The Citizen* 26 April 1990]

Economic policy

Mr P J 'Arrie' Paulus MP (CP) said in August 1989 that if the CP came to power, it would not recognise black trade unions because they were 'the reason for the economic mess in the country'.¹⁸⁵ [185 *The Star* 8 August 1989]

Speaking at the Orange Free State congress of the CP in August 1989, the CP spokesman on finance, Mr Casper Uys, said a CP government would apply a conservative economic and financial policy to South Africa.¹⁸⁶ [¹⁸⁶ *The Citizen* 14 August 1989]

Umlazi byelection

In June 1990 a byelection was held in Umlazi (Natal). The seat became vacant in April 1990 following the appointment of Mr Con Botha MP (NP) as the administrator of Natal. The byelection was held at a time when the country was undergoing various reforms and political analysts viewed it as a referendum on these reforms. In the September general election in 1989, Mr Botha received 6 149 votes, the Democratic Party candidate, Mr Gus Silber, received 3 314 and the CP candidate, Mr Nic Fourie, received 2 429 votes. The byelection was won by the NP candidate, Mr P Matthee, who won 5 762 votes. The CP candidate, Mr F Hitchcock, received 5 215 votes, with the DP candidate, Mr T Coppen, receiving 982. The NP majority in the 1989 election of 2 385 votes was reduced to 547 in the byelection. The result was interpreted by political commentators as a rejection of the government's reform initiatives. According to a political scientist, Professor Willem Kleynhans, there was a 23,2% swing towards the CP. The director of the Centre for Policy Studies at the Graduate School of Business Administration of the University of the Witwatersrand, Professor Lawrence Schlernnier, said that not only did the result indicate that the CP would win a general election, but that it could come close to defeating the government in a referendum on a new constitution. Another political analyst and lecturer in the Mathematics Department at the University of Potchefstroom, Mr Dirk Laurie, pointed out that byelections often produced distorted results and that the governing party was usually at a disadvantage. Mr De Klerk argued that one could not claim on the basis of one byelection that the confirmed trend was a shift towards the CP.¹⁸⁷ [¹⁸⁷ *Ibid* 7 June 1990, *Nasionalis* July 1990]

Democratic Party (DP)

The Democratic Party (DP) won 33 seats out of a total of 166 in the House of Assembly in the September 1989 general election (see chapter on *Government and Constitution*).¹⁸⁸ [¹⁸⁸ *The Citizen* 7 October 1989]

Responding in July 1989 to criticism by the Mass Democratic Movement (MDM) of the DP's decision to participate in the House of Delegates' elections, a co-leader of the DP, Mr Wynand Malan, said that he realised that its decision would cause conflict within the MDM. However, he said the DP did not want confrontation with the MDM. 'What we share is that each party is pursuing a goal of a united democratic South Africa.' The DP resolved not to participate in the House of Representatives' election.¹⁸⁹ [¹⁸⁹ *The Weekly Mail* 26 July 1989]

In January 1990 the parliamentary caucus of the DP unanimously elected Dr Zach de Beer as the party's

parliamentary leader. The decision was in line with an earlier agreement by the party's three co-leaders to divide their responsibilities. In accordance with this agreement, Dr Denis Worrall became responsible for the development and expansion of the DP and Mr Malan for extra-parliamentary liaison.¹⁹⁰ [190 *Business Day* 30 January 1990]

Constitutional policy

Dr De Beer said in July 1989 that the DP's vision of a federation was a purely geographic one. He said that the DP's federal policy bore no resemblance to the various proposals for racial partition, or to 'race federation' once espoused by the United Party. 'Our federation would resemble those of the United States, Canada and Australia,' he said (see *1988/89 Survey* p664).¹⁹¹ [191 *The Star* 11 July 1989]

In August 1989 Dr De Beer said the concept of groups, no matter how it was defined, was the major stumbling block in the search for a new constitution. He said the acceptance of the National Party (NP) that a future constitution would have to be negotiated was a hopeful sign but added that the NP was still clinging to the unworkable concept of groups as the building blocks for a new constitution.¹⁹² [192 *Business Day* 22 August 1989]

Dr Worrall said in March 1990 that there should be no special 'niche' for whites in the new South African constitution as there was for whites in Zimbabwe. He said the DP was opposed to a sort of 'Zimbabwe solution' because it committed whites to being a political minority forever. It is not white numbers that must be represented in government, it is rather the values and interests which whites have claimed for themselves, and which must be built into the new system of government and reflected in government policy.' Dr Worrall added that the issues relating to negotiations were becoming clearer, that is, the nature of the future economy and the role of whites. 'The DP's position is clear. We believe in an essentially private enterprise economy, and we believe that the way to influence the economy is to be part of the political majority in South Africa.' He argued that whites would not be able to exercise such influence by claiming special political or constitutional privileges.¹⁹³ [193 *The Citizen* 13 March 1990]

In March 1990 Mr Ken Andrew MP (DP) said that the government should clarify its position on group rights and move away from race as a basis for a constitution. He called for a new constitution which would incorporate, among other features, the repeal of the Population Registration Act of 1950 and a vote for all South Africans on a common voters' roll at every level of government. He said that the DP recognised the reality of racial and other divisions within South African society but did not wish to perpetuate those divisions by using them as a basis for a new constitution.¹⁹⁴ [194 *The Star* 6 March 1990]

In April 1990 Dr De Beer said he was pleased that the state president, Mr F W de Klerk, supported the decentralisation of power. He said this was in keeping with the belief of the DP in a federal system.¹⁹⁵ [195 *The Citizen* 18 April 1990] In April 1990 Dr De Beer said, 'A broadly based coalition of political parties

will be needed to govern South Africa when it becomes a democracy.’¹⁹⁶ [¹⁹⁶ Ibid 26 April 1990]

Negotiations and related issues

In July 1989 the DP welcomed the meeting between a jailed African National Congress (ANC) leader, Mr Nelson Mandela, and the state president, Mr P W Botha. ‘Let us pray that these events are the beginning of a process of negotiations that will bring peace to our country.’¹⁹⁷ [¹⁹⁷ *The Star* 11 July 1989] Dr De Beer said continued dialogue with the ANC on its pro-socialist stance could well convince it of the merits of capitalism.¹⁹⁸ [¹⁹⁸ Ibid 14 July 1989]

Following the release of seven senior ANC leaders from prison in October 1989 Dr De Beer said that genuine negotiations between the government and popular black leaders could be on the cards (see *African National Congress* above).¹⁹⁹ [¹⁹⁹ *The Citizen* 18 October 1989] In the same month the DP spokesman on finance, Mr Harry Schwarz, said that it was essential that the DP obtained for itself a place at the negotiating table. ‘Many people are arguing that the only participants at the negotiating table will be the NP and the ANC. That will be a disaster. It should be a representative body in which broader opinion is represented.’²⁰⁰ [²⁰⁰ *The Star* 28 October 1989]

Commenting on a meeting between Mr De Klerk and Mr Mandela in December 1989, Dr Worrall said the fact that Mr Mandela had requested the meeting suggested that he understood the important role he had to play and ‘how deeply his initial approach will influence, in particular, white South African attitudes’.²⁰¹ [²⁰¹ *Business Day* 14 December 1989]

In February 1990 Dr De Beer said the release of Mr Mandela had moved South Africa from the reform phase to the pre-negotiation phase. ‘Up to now, the process has largely been in the hands of the government. From now on, it will depend on interaction between the government and black leadership.’²⁰² [²⁰² *The Citizen* 12 February 1990]

Dr De Beer said in February 1990 that it was in the interests of the NP and South Africa that the NP issue a declaration of intent on political rights. He said this declaration need not reveal every detail of the NP’s policy and certainly not its negotiating plan. However, mistrust existed and people in extra-parliamentary movements were seeking reassurance.²⁰³ [²⁰³ *The Star* 6 February 1990]

In March 1990 Mr Tony Leon MP (DP) said the question of the amnesty and pardon of ANC prisoners currently serving sentences in jail in South Africa was a sensitive but urgent issue that needed to be addressed. Mr Leon referred to Namibia as an example and said that a bi-partisan panel including an internationally recognised jurist could be used to distinguish between offences that were committed with political motives and those that amounted to indiscriminate violence against civilians or crimes of personal gain.²⁰⁴ [²⁰⁴ Ibid 22 March 1990] In May 1990 the DP’s spokesman on law and order, Mr Tiaan van

der Merwe, said that the granting of indemnity was a serious breach of normal legal procedures, and must therefore be done in a righteous and well-balanced way to ensure broad support.²⁰⁵ [²⁰⁵ *The Citizen* 8 May 1990]

Mr Schwarz said in March 1990 that the task of getting negotiations under way could not be that of the government alone. He said that there was a danger that the whole negotiations venture could be wrecked by those committed to a cult of violence and intimidation.²⁰⁶ [²⁰⁶ *Ibid*] Mr Mike Tarr MP (DP) said that the NP should open its membership to all races so that it would not have to enter future constitutional negotiations as a minority. If you don't want to be a minority, open up your party to all people so groups can be defined on common values not skin colour.²⁰⁷ [²⁰⁷ *Ibid* 6 March 1990]

In April 1990 Mr Schwarz said, I believe that the federal system needs to be put into [the] debate and become a major negotiating issue.²⁰⁸ [²⁰⁸ *Ibid* 5 April 1990]

Mr Malan said in May 1990 that the talks between the government and the ANC gave reason for optimism (see *National Party* below). He said the realisation that other parties had to be drawn into the negotiating process was encouraging. Mr Malan noted that violence was still a problem for both parties and that they had therefore restricted themselves to the rhetoric of a commitment to peaceful solutions.²⁰⁹ [²⁰⁹ *Ibid* 7 May 1990] Mr Malan said in May 1990 that there was no way the Pan-Africanist Congress (PAC) could be excluded from the process of negotiations and that it would be a mistake not to take all possible steps to draw them into the pre-talks stage.²¹⁰ [²¹⁰ *Ibid* 10 May 1990]

The chairman of the national council of the DP, Mr David Gant, said in May 1990 that the DP was eager to work with other parties towards the attainment of common aims while retaining its identity, independence and integrity throughout the negotiation process. He felt that the DP could make a significant contribution to the process of negotiations.²¹¹ [²¹¹ *The Star* 21 May 1990] In May 1990 the DP said that it believed that an independent facilitator should chair the constitutional negotiations, and that the ideal person for this would be the chief justice.²¹² [²¹² *The Citizen* 22 May 1990]

Economic policy

In August 1989 Mr Schwarz said, 'The DP entirely rejects the negative, destructive attitude of the Commonwealth foreign ministers toward South Africa's loan indebtedness.' He said the refusal to extend repayment by reasonable periods or to allow reasonable repayments as well as seeking to impose punitive interest rates would cause serious harm to the South African economy.²¹³ [²¹³ *Ibid* 9 August 1989]

In October 1989 Dr Worrall said the DP was not simply opposed to sanctions but welcomed international economic involvement in South Africa. It did so on the basis that the real dynamic for change in South Africa had been provided by the economy, A robust foreign and corporate presence in South Africa could help end apartheid by helping blacks become richer, stronger and more hopeful

rather than more desperate.²¹⁴ [²¹⁴ Ibid 25 October 1989]

Commenting in February 1990 on Mr De Klerk's opening address to Parliament in which he announced a number of reforms (see *National Party* below), Mr Schwarz said that it was of such a nature that South African politics would never be the same again. It is disappointing that there has not been a stronger and more positive reaction from abroad on the question of sanctions following Mr De Klerk's speech,' he said.²¹⁵ [²¹⁵ Ibid 8 February 1990]

In May 1990 the DP said its greatest challenge was to facilitate an economic policy which would ensure growth, socio-economic upliftment and redistribution regardless of the government in power²¹⁶ [²¹⁶ *The Star* 9 May 1990]

Talks with others

In July 1989 Dr Worrall met the prime minister of the United Kingdom (UK), Mrs Margaret Thatcher.²¹⁷ [²¹⁷ *Business Day* 6 July 1989] Dr Worrall also held talks in France, Portugal, Italy and West Germany.²¹⁸ [²¹⁸ *The Star* 30 June 1989, 5 July 1989]

In November 1989 Mr Tony Leon MP (DP) told government officials and opposition politicians in West Germany and the UK that Mr De Klerk should be given international encouragement to implement political change. Mr Leon visited the two countries at the invitation of their respective governments.²¹⁹ [²¹⁹ Ibid 14 November 1989]

Talks with South African groups

In December 1989 Mr Schwarz met Mr Mandela at the Victor Verster Prison (western Cape).²²⁰ [²²⁰ Ibid 24 November 1989] In the same month the DP held talks with Mr Oscar Mpetha, an ANC leader who was released from jail in October 1989.²²¹ [²²¹ *The Citizen* 11 November 1989]

In February 1990 Dr De Beer, Dr Worrall and Mr Malan met Mr Mandela following his release from prison.²²² [²²² *The Star* 23 February 1990] In the same month the DP held talks with the PAC in Soweto (Johannesburg). A spokesman for the DP said, 'There is a misconception that the PAC is racist. The contrary is true. The cornerstone of their policy is non-racialism.'²²³ [²²³ *Sowetan* 21 February 1990] The DP also held talks with Inkatha in February 1990.²²⁴ [²²⁴ *South African Update* 15 February 1990]

Violence and security

Speaking at the launch of the DP's election campaign in July 1989, Mr Malan said the DP rejected violence as a means of attaining political ends.²²⁵ [225 *The Citizen* 24 July 1989] He said the use of violence was counter productive as it would not encourage negotiations.²²⁶ [226 *Business Day* 31 July 1989] Referring to anti-election demonstrations in August 1989, Mr Malan said that police action against street and mob violence, particularly in the western Cape, had been justified.²²⁷ [227 *Ibid* 30 August 1989]

In April 1990 Dr Worrall said the Conservative Party (CP) and its leader, Dr Andries Treurnicht, had just as much of a responsibility to end violence by right-wing whites as did leaders such as Mr Mandela and the chief minister of KwaZulu and leader of Inkatha, Chief Mangosuthu Buthelezi, to end it in the black community.²²⁸ [228 *The Star* 24 April 1990]

Commenting on the meeting between the government and the Afrikaner Weerstandsbeweging (AWB) in May 1990, a spokesman for the DP said the government trod softly on security when it came to right-wing organisations such as the AWB. He accused the government of selective morality and of having a hidden agenda when it dealt with right-wing militancy (see *National Party* below).²²⁹ [229 *Sowetan* 16 May 1990]

The deputy defence spokesman of the DP, Mr Roger Hulley, welcomed the announcement in December 1989 by the minister of defence, Mr Magnus Malan, that there was no longer a need for the South African Defence Force to support anti-government groups in neighbouring states.²³⁰ [230 *The Star* 5 December 1989] Mr Hulley said that Mr Malan's statement seemed to amount to an announcement that the controversial policy of destabilisation had been scrapped.

The DP welcomed the decision by Mr De Klerk in February 1990 to appoint a judicial commission of inquiry into the existence of alleged 'hit squads'.²³¹ [231 *The Citizen* 2 February 1990] In February 1990 the DP spokesman on law and order, Mr Tiaan van der Merwe, said the very existence of the Civil Co-operation Bureau was a travesty of justice and that Mr Malan should be dismissed as a result (see chapters on *Security and Political Developments*).²³² [232 *The Star* 21 February 1990]

Commenting on the coup in the Ciskei in March 1990, Dr Worrall said in Parliament, The chief minister of Ciskei, Mr Lennox Sebe, had allowed corruption, an inefficient regime, and was an autocrat. There is no sympathy in this house for Mr Sebe' (see chapter on *The Homelands*).²³³ [233 *Ibid* 7 March 1990]

In November 1989 the DP welcomed the announcement by Mr De Klerk of the proposed repeal of the Reservation of Separate Amenities Act of 1953 and urged him to press forward with the repeal of all segregationist laws and the negotiation of a democratic constitution (see *National Party* below).²³⁴ [234 *Ibid* 17 November 1989]

Future of the DP

In September 1989 the DP said it would give Mr De Klerk critical support in moves to bring about a 'totally changed' South Africa.²³⁵ [²³⁵ *The Citizen* 26 September 1989] In the same month Dr Worrall said a major and inevitable political re-alignment would take place in white politics and that this would result in the DP's becoming part of the government of the future.²³⁶ [²³⁶ *Daily Dispatch* 19 September 1989]

Commenting in October 1989 on the future role of the DP, Dr Worrall denied that initiatives taken by Mr De Klerk, such as the release of political prisoners and the permitting of protest marches, were making the DP superfluous. Dr Worrall said the party had, in the long run, an essential place in the political arena in order to keep alive liberal values at the negotiating table. Mr Schwarz said that the DP's role would not only be to advocate distinct DP policy, but to act as a catalyst and bring people together.²³⁷ [²³⁷ *The Star* 28 October 1989]

In February 1990 there were reports of conflict over the future of the DP. It was reported that some MPs favoured a move closer to the ANC, while others preferred to continue their traditional role in parliamentary politics.²³⁸ [²³⁸ *Sunday Tribune* 18 February 1990]

In March 1990 the DP's strategy committee reported that the party was prepared to merge with a larger political force'. Dr Worrall refused to say whether the DP was more likely to move closer to an NP-led alliance or towards the ANC.²³⁹ [²³⁹ *The Star* 28 March 1990] In the same month Mr Malan said that the DP's future political allies could be the ANC and the United Democratic Front (UDF). He said the DP was closer to the ANC and the UDF than any other party.²⁴⁰ [²⁴⁰ *Ibid* 29 March 1990]

In May 1990 Mr Malan said the DP had turned down an ANC invitation to become part of a united patriotic front at the negotiating table. He said they had taken this decision because it would have hampered democratic debate by leading to a two-way confrontation with the government. 'We are not looking for confrontational debate but one which can really search for answers.'²⁴¹ [²⁴¹ *The Citizen* 12 May 1990]

In December 1989 Mr Malan said that the DP still supported the Conference for a Democratic Future even though the DP was only granted observer status at the conference (see *United Democratic Front* below).²⁴² [²⁴² *Business Day* 7 December 1989] In July 1990 Mr Malan announced his resignation from the co-leadership of the party and from Parliament. He said he was returning to private life.

Herstigte Nasionale Party (HNP)

In its election manifesto published in July 1989 the Herstigte Nasionale Party (HNP) said that it favoured the reintroduction of old-style apartheid. While the manifesto echoed the policy of the

Conservative Party (CP) of self-determination for each population group, it rejected the CP's proposal of a southern African confederation of states because 'the Republic would be reduced to a regional entity which poses a threat to the white volk' (see *Conservative Party* above). The manifesto also stated that a parliamentary democracy could not accommodate different races, religions and cultures and that power-sharing was nothing but the transfer of power in instalments.²⁴³ [²⁴³ *The Star* 31 July 1990] In the elections held in September 1989 the HNP failed to win any seats.²⁴⁴ [²⁴⁴ *The Citizen* 7 October 1989]

Speaking at the annual conference of the HNP in October 1989 the leader of the HNP, Mr Jaap Marais, said that whites were increasingly facing the possibility of being sold out by the government. He said that the government was giving in to the demands of the African National Congress (ANC) and its deputy president, Mr Nelson Mandela, and that this was intensifying the attack on the 'Afrikaner volk'. Mr Marais insisted that the Afrikaner would never be treated as a minority in his own land and that the HNP would never give up the fight for the survival of the Afrikaner.²⁴⁵ [²⁴⁵ *Afrikaner* 1 November 1989] The conference rejected any form of power-sharing with blacks, stressing that the HNP stood for a unitary form of government with one white Parliament for a white South Africa. It also rejected the concept of a 'white reservation', an island of whites in their own state surrounded by black-ruled South Africa.²⁴⁶ [²⁴⁶ *The Citizen* 21 October 1989]

In February 1990 Mr Marais said the government should recognise the Civil Co-operation Bureau as a legitimate defence mechanism (see chapters on *Security* and *Political Developments*).²⁴⁷ [²⁴⁷ *The Star* 21 February 1990]

Commenting on the national budget in March 1990, the HNP said that billions of rands of white money were being used to wipe out the backlog for blacks. The HNP stated categorically that white and black could never be made economically equal.²⁴⁸ [²⁴⁸ *The Citizen* 20 March 1990] In the same month Mr Marais said that the right-wing assault on the government's reform programme could follow one of two strategies, to resort to violence or to force a general election.²⁴⁹ [²⁴⁹ *The Star* 15 March 1990]

Negotiations

In August 1989 the HNP said it was opposed to any form of power-sharing and rejected negotiations with the ANC.²⁵⁰ [²⁵⁰ *South Africa Digest* 25 August 1989]

In January 1990 the HNP accused the ANC of not planning negotiations but rather of planning for the total surrender of whites. He said, The ANC is sticking to its policy of black majority government, it is sticking to its policy of violence, it is sticking to its policy of nationalisation and it is keeping its ties with the South African Communist Party.'²⁵¹ [²⁵¹ *The Citizen* 27 January 1990]

Inkatha Yenkululeko Yesizwe (Inkatha)

In his policy speech to the Kwazulu Legislative Assembly in March 1989, the chief minister of KwaZulu and the president of Inkatha, Chief Mangosuthu Buthelezi, said he would not agree under any circumstances to serve as a minister or a deputy minister in the tricameral parliamentary system. Referring to the draft Second Constitution Amendment Bill, which allows the state president to appoint Africans as ministers or deputy ministers. Chief Buthelezi said that it showed the government's blindness to the extent to which the present constitution was rejected by blacks (see chapter on *Political Developments*).²⁵² [²⁵² *Business Day* 23 March 1989] Addressing a press conference at Jan Smuts Airport (Johannesburg) in May 1989, Chief Buthelezi said that he had no problem with the concept of a federation. He said, however, that this federation would have to be worked out by South Africans to suit local conditions.²⁵³ [²⁵³ *The Natal Witness* 9 May 1989]

Commenting in August 1989 on the general election to be held in September, Chief Buthelezi said that a Conservative Party victory would spell doom for South Africa.²⁵⁴ [²⁵⁴ *The Star* 22 August 1989] He urged voters to think very seriously about whom they voted for as South Africa could not afford to return to Verwoerdian apartheid.²⁵⁵ [²⁵⁵ *The Citizen* 6 September 1989] In a message to a prayer meeting of the Southern Africa Black Taxi Association in August 1989, Chief Buthelezi said that socialism in Africa had not only failed to produce the Utopias promised by Marxism, it had created strife and made countries ungovernable. He added that there was now ample proof that socialism was not the answer for impoverished people in the kind of circumstances prevailing in most African countries. He said that the growth of the black taxi industry in South Africa was strong evidence of the power of free enterprise.²⁵⁶ [²⁵⁶ *Ibid* 28 August 1989]

Chief Buthelezi said in August 1989 that there were a number of factors which indicated that the time was ripe for a non-violent means of bringing about a new South Africa. These factors included the failure of the externally based armed struggle to bring about change despite massive international financial, diplomatic and military aid given to revolutionaries, and the acceptance by the Soviet Union, the United States, Cuba and Angola of the principle that southern African issues could not be settled through violence.²⁵⁷ [²⁵⁷ *Ibid* 3 August 1989]

Commenting on the outcome of the September general election, Chief Buthelezi said that despite shedding seats to both the left and the right, the National Party (NP) had emerged from the election stronger than it was before. He urged the NP to use its strong position to bring about change.²⁵⁸ [²⁵⁸ *Business Day* 8 September 1989] Chief Buthelezi added that the leader of the NP and acting state president, Mr F W de Klerk, needed cross-cultural and cross-ethnic support for his movement for reform.²⁵⁹ [²⁵⁹ *Ibid* 11 September 1989]

In October 1989 Chief Buthelezi said that pragmatism suggested that South Africa would never be liberated by armed struggle. He said that it had become clear to him that he had made the right choice in not developing violent opposition to apartheid as the African National Congress (ANC) had done.²⁶⁰ [²⁶⁰

Ibid 2 October 1989] Chief Buthelezi, who is also the KwaZulu minister of police, gave an assurance in October 1989 that allegations that KwaZulu Police recruits had been instructed to join Inkatha would be investigated. However, he stressed that he had always said that the KwaZulu Police should act impartially.²⁶¹ [²⁶¹ *The Weekly Mail* 6 October 1989]

In the same month, while addressing the annual general conference of the British Conservative Party, Chief Buthelezi called on the prime minister of Britain, Mrs Margaret Thatcher, to take on the role of 'honest broker' in leading the drive for change in South Africa.²⁶² [²⁶² *The Star* 11 October 1989]

Chief Buthelezi welcomed the release of eight long-term security prisoners, including ANC leaders Mr Walter Sisulu and Mr Ahmed Kathrada, in October 1989. He emphasised that it was a positive sign for the future and that it was clear that negotiations were going to be on tracks.²⁶³ [²⁶³ *The Citizen* 12 October 1989]

In November 1989 Inkatha warned the American government and the United Nations (UN) not to use unilateral ANC proposals as the only basis for expressing black political aspirations in South Africa. Inkatha's representative in London, Mr B M Skosana, suggested that other anti-apartheid black political organisations be invited to prepare and submit to the UN their own vision of a future South Africa and how they proposed to accomplish it.²⁶⁴ [²⁶⁴ Ibid 2 November 1989]

Chief Buthelezi remarked in November 1989 that the traditional authority structures of chiefs and indunas would continue to exist no matter which political dispensation unfolded in South Africa.²⁶⁵ [²⁶⁵ Ibid 3 November 1989] In a letter in November 1989 to the leader of the Transkei, Major General Bantu Holomisa, Chief Buthelezi called on the Transkei to rejoin South Africa. He said that in the future there would be only one South Africa and one Parliament.²⁶⁶ [²⁶⁶ *Sowetan* 6 November 1989]

Commenting in November 1989 on the prospect of the ANC's returning to join other contenders for power, Chief Buthelezi said, I will certainly not be the one that makes this unlikely state of affairs impossible. However, I will also not be the one who lays himself down before the ANC's war machine to be left mangled and trampled upon in the ANC's march forward to supremacy over all.'²⁶⁷ [²⁶⁷ *The Citizen* 7 November 1989]

In December 1989 Chief Buthelezi strongly criticised a senior Zulu prince. Prince Israel Mwayizeni, for joining the pro-ANC Congress of Traditional Leaders of South Africa (CONTRALESA). Chief Buthelezi claimed that CONTRALESA was an organisation aimed at sowing discord between KwaZulu and Inkatha officials and traditional leaders.²⁶⁸ [²⁶⁸ Ibid 11 December 1989]

Responding to Mr De Klerk's speech opening Parliament in February 1990, Chief Buthelezi said that if there were any who doubted Mr De Klerk's sincerity 'they can now be assured that they were wrong'. He said that Mr De Klerk had now created a situation from which there could be no going back (see

chapter on *Political Developments*, and *National Party* below)²⁶⁹ [²⁶⁹ Ibid 3 February 1989]

Chief Buthelezi expressed his concern in February 1990 about ‘racist and inflammatory’ anti-Indian sentiments that were expressed in an anonymous pamphlet distributed in Natal and KwaZulu. He said that he totally condemned any racist behavior or utterances against the Indian community, which had always been in the forefront of the liberation struggle, along with others.²⁷⁰ [²⁷⁰ Ibid 14 February]

At a meeting of the central committee of Inkatha in February 1990 Chief Buthelezi urged the organisation to open its membership to all races. He said that he had always believed that as long as the Population Registration Act of 1950 remained on the statute book, Inkatha would remain a black organisation. However, recent moves by Mr De Klerk were such that Inkatha should think about adapting to the new circumstances.²⁷¹ [²⁷¹ *The Natal Witness* 19 February 1990]

In a verbal attack on the Congress of South African Trade Unions (COSATU) in April 1990, Chief Buthelezi accused the organisation of aiming to become a government. He said COSATU was building power bases which went far beyond what a trade union movement should require of its trade unions. ‘Trade unions have a job to do. Black political parties have a job to do and God help us if we do not keep these two separate.’²⁷² [²⁷² *The Citizen* 18 April 1990]

Negotiations

At its annual general conference in Ulundi (KwaZulu) in July 1989, Inkatha outlined its position regarding preconditions for negotiations. Regarding the release of political prisoners as a precondition for negotiations, Inkatha proposed that those who had served 15 or more years of their sentences should be released immediately and unconditionally, while the rest should be eligible for parole (see *1988/89 Survey* pp672–675). In July 1989 Chief Buthelezi said, ‘Negotiations will have to bridge the vast differences which exist between parties and between race groups and quite clearly, the leap will not be achieved miraculously overnight. Negotiations will have to be about fundamental constitutional issues.’ He added, ‘My cherished ideal still remains a one-man one-vote system of government in a unitary state.’²⁷³ [²⁷³ Ibid 1 July 1989] In his presidential address to Inkatha’s central committee in July 1989, Chief Buthelezi said that it would be tragic if, just when the NP showed it was ready to negotiate, black leaders hardened their hearts so much that negotiations became impossible.²⁷⁴ [²⁷⁴ *The Star* 3 July 1989]

At its annual general conference in August 1989 the Inkatha Youth Brigade resolved to convey to the acting state president, Mr F W de Klerk, that it would support any meaningful steps towards negotiations between blacks and whites. The Youth Brigade also resolved that the politics of negotiation should be regarded as the primary means of bringing about the final destruction of apartheid.²⁷⁵ [²⁷⁵ *The Citizen* 21 August 1989]

In October 1989 Chief Buthelezi said that the Mass Democratic Movement had been set up to ensure that the ANC had the sole right to determine the direction of negotiations in South Africa. He argued

that the ANC had always regarded itself as the sole representative of the oppressed in South Africa. He said that as far as he was concerned, any body with a mandate from the people and who was capable of canvassing support should have a place at the negotiating tablet.²⁷⁶ [²⁷⁶ Ibid 20 October 1989]

Inkatha's central committee resolved at a meeting in November 1989 that 'Inkatha is prepared to declare its conviction that a one-man one-vote system of government in a unitary South Africa is ideal, but for expediency is prepared to negotiate a federal, canton or other system of government which expresses the basic principles of democracy'.²⁷⁷ [²⁷⁷ *Echo* 16 November 1989]

In January 1990 Chief Buthelezi said that the issue of the protection of minorities would have to be put on the negotiating table. He maintained that while he was in favour of a one-man one-vote system in a unitary state, he realised that cultural groups needed protection.²⁷⁸ [²⁷⁸ *The Star* 17 January 1990] He further argued that 'adamant attitudes on a universal franchise will destroy the poignancy of today's historic moment. Both blacks and whites will have to make compromises'. In the same month Chief Buthelezi pledged to continue campaigning for all-inclusive negotiations at which all shades of political opinion would be represented.²⁷⁹ [²⁷⁹ *The Citizen* 27 January 1990]

In February 1990 Chief Buthelezi said that he was ready to start serious negotiations with the government immediately and added that if the ANC was not ready, that was its problem. If the ANC is not ready, that is their problem. They chose the armed struggle path and criticised people like me who stayed in the country and organised.²⁸⁰ [²⁸⁰ *The Natal Mercury* 9 February 1990] Chief Buthelezi said he was ready to negotiate because Mr De Klerk 'has reached the point of no return in his move away from apartheid'.²⁸¹ [²⁸¹ *The Star* 4 April 1990]

In March Chief Buthelezi unveiled a document outlining Inkatha's 'starting position' with a view to entering negotiations. The document, entitled *The 1990 Inkatha Declaration*, was viewed by Inkatha as an alternative to the *ANC's Harare Declaration* (see 1988/89 Survey pp641-644). Commenting on the document Chief Buthelezi said, 'The ANC has stated its opening position (regarding negotiations) clearly in the *Harare Declaration* and we from our side need to state quite clearly what our starting position is going to be.'²⁸² [²⁸² Ibid 27 March 1990]

The text of the document reads as follows:

PREAMBLE

Quite clearly South Africa is in the process of transition from an old apartheid society moving towards a true, multi-party democracy and in this historic ripeness of time, it is imperative that all patriots put the good of South Africa first and now demand of all political parties that they do so too.

The transition from an old order to a new order must be a people's transition and the negotiating process must incorporate all political parties.

There will be one South Africa with one people moving to but a single destiny and negotiations should strive to develop a constitutional model and aim at establishing not only political orders but also social and economic orders acceptable to the majority of people in all the country's race groups.

A DEMOCRATIC POLITICAL SYSTEM TO MEET THE REQUIREMENTS OF SOUTH AFRICA

Whatever democratic system is finally adopted in the politics of negotiation, it is imperative that:

1. All the people shall be free in this their land of birth or land of adoption.
2. All the people shall have freedom of worship and all the churches and temples of the land shall be regarded as sacrosanct.
3. All the people shall participate in the governing of the country on the basis of total equality before the constitution and on the basis of universal adult franchise through freely chosen representatives.
4. The rights of individuals shall be protected under the law regardless of race, colour, creed or sex.
5. There shall be an independent judiciary and the rule of law shall be protected by constitutional guarantees.
6. There shall be freedom of speech within the bounds of reason supported by practice and law in the civilised world and there shall be the right for all of freedom of opinion and expression and the right to propagate ideas through any media.
7. There shall be freedom of movement and residence within the borders of South Africa.
8. There shall be the right to freedom of peaceful assembly and association and there shall be no enforced membership of any association.
9. There shall be the right for all to work and the right of all to fair and just conditions of employment.
10. There shall be the right to form and join trade unions.
11. There shall be the right to equality of treatment by the state in all that it does in the fields of law

enforcement, social welfare and in education.

12. There shall be the right of parents to choose the kind of education they wish for their children and to seek private tuition when the education of the state does not meet with their approval.

13. There shall be the right to exercise rights and freedoms in such a way that everyone is subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the right and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

14. There shall be the right for all to own fixed and movable property.

15. There shall be the right of protection from arbitrary arrest and the right of being arrested only for public hearing and all shall be regarded as innocent until proved guilty.

A DEMOCRATIC SOCIAL SYSTEM TO MEET THE REQUIREMENTS OF SOUTH AFRICANS

16. There shall be the right of all to be treated with the respect properly befitting the status belonging to a unique creature of God and be treated with a human dignity which shall be respected at all times.

17. There shall be the right of equal constitutional and legal status for all and all shall have the right of appeal to the courts of the land to uphold social equality.

18. There shall be the right of any members of any cultural group to preserve his or her culture or to put his or her culture into practice in ways limited only by the desire to do so and by the legal restraints commensurate with the rule of law and the need to take reasonable steps to uphold the social order.

A FREE AND EQUITABLE ECONOMIC SYSTEM

19. There shall be the right for all people to be free to pursue their entrepreneurial skills within the bounds of law.

20. There shall be the right of all to own property either as individuals or as members of a group.

21. There shall be the right to work for gain, within the philosophy of equal work for equal pay, and to establish businesses for gain, provided always that in so doing public order is not disturbed and the rights of others are not infringed.

22. There shall be consultative mechanisms set up in which organised agriculture, mining, commerce, banking and industry participate to advise the government on the best ways to avoid the dangers of free marketing and exploitation on the one hand and the dangers of state control that curbs productivity on the other.

23. There shall be the right of all to protection by the state against unfair economic exploitation and it shall be the duty of the state to maximise the most possible equitable distribution of wealth in the country.

THE PROTECTION OF MINORITIES

24. There shall be protection of minorities in ways and means which do not violate the spirit of the statement and principles above and which do not violate the principles of democratic government in any way.

25. There shall be no domination of one group by any other group.

THE POLITICS OF NEGOTIATION

26. We now therefore declare that the above principles and statements can best be introduced to South Africa if a negotiated settlement is reached in non-violent debate and action and we declare our willingness to commence negotiations with the South African government provided that negotiations initially deal only with meeting demands that:

26.1 All political prisoners are released from jail and that a judicial body is established to act as an ombudsman to which political parties can appeal for the review of any particular case.

26.2 Legislation is enacted giving political parties the right to appeal to the courts to end a declared state of emergency when there are reasonable grounds to believe that in doing so normal law enforcement agencies can sufficiently protect life and property and keep good public order or appeal to the courts to prohibit any unnecessary use of troops in situations which would normally be a matter for the South African Police to deal with.

26.3 A mutually agreed procedure for the conduct of negotiations be devised by all negotiating parties.

26.4 After the successful conclusion of the negotiations a free and fair election for a new democratic government for South Africa shall be held.

NEGOTIATIONS AS A PROCESS

27. In order to maximise the bridging of chasms that apartheid has created in South African society, due recognition must be given to the need to compromise. Black South Africans should reciprocate the boldness of the State President, Mr F W de Klerk, in politically stepping past lines of no return by abandoning all-or-nothing politics.

28. Negotiation should strive to establish agreement on how best to achieve the salvation of the best that there is in South Africa while we jettison apartheid in part and in whole.

29. Nothing will be risked if all those negotiating with the government for the eradication of apartheid and the establishment of the kind of democracy spelt out above, the government undertakes to enact legislation to give effect to decisions taken in the politics of negotiation as and when they are taken [sic]. The failure of the government to do so would put opponents of apartheid nationally and internationally in a commanding political position.

Let there be trust in the government's integrity until it is proven that trust must be withdrawn and let the South African government have to trust that the opponents of apartheid will not destroy the politics of negotiation by combining forces to destroy the government's image.²⁸³ [²⁸³ *The Natal Witness* 12 March]

Sanctions

Chief Buthelezi said in August 1989 that the West should stop dabbling with the fate of apartheid's victims. He called for sanctions on South Africa to be lifted and described the outside world's promotion of sanctions as often being 'political parlour games in the West, around Western interests'. Chief Buthelezi added that millions of South Africans were living on the brink of fatal disaster and that millions more would face starvation and malnutrition as a result of sanctions.²⁸⁴ [²⁸⁴ *The Citizen* 15 August 1989]

In September 1989 Chief Buthelezi said that whites were increasingly realising that their survival depended on change. He therefore argued that countries like the United States should move away from the assumption that Pretoria had to be battered into a negotiating position through economic pressure and punitive sanctions.²⁸⁵ [²⁸⁵ *Ibid* 1 September 1989]

Chief Buthelezi warned in October 1989 that sanctions against South Africa could lead to a right-wing takeover and a government that adopted a scorched earth policy. He said that sanctions against South Africa made sense only if the government adopted recalcitrant stances and remained intransigent, relying on white domination through the abuse of state power.²⁸⁶ [²⁸⁶ *Ibid* 24 October]

Speaking in Blackpool (England) in October 1989, Chief Buthelezi told members of Britain's ruling Conservative Party that he supported the British government's stand against tough economic sanctions to end apartheid. He praised the policy of the British prime minister, Mrs Thatcher, of only mild sanctions, and said that tough sanctions would not end apartheid.²⁸⁷ [²⁸⁷ Ibid 11 October 1989]

Following a meeting with the president of the United States, Mr George Bush, in March 1990, Chief Buthelezi urged Mr Bush to lift sanctions against Pretoria as soon as possible. Chief Buthelezi said that his 'gut feeling' was that Mr Bush would lift sanctions as soon as he legally could, though he did not express it in so many words.²⁸⁸ [²⁸⁸ Ibid 1 March 1990]

Economic policy

In March 1989 Chief Buthelezi said there was an urgent need to redistribute wealth in South Africa but talk of large-scale nationalisation was 'fatal'. If we talk of nationalisation, not one foreign company is likely to bring any new investment into South Africa'.²⁸⁹ [²⁸⁹ *Sowetan* 29 March 1989]

In an address to the Inkatha Business Forum in July 1990 Chief Buthelezi said that Inkatha would not follow policies which had failed in the Soviet Union but would proceed from the basic assumption of an 'enterprise-driven' economy. Inkatha's economic policy flowed from its belief that political forces supporting a western-type industrial democracy would succeed in ousting 'adventurist politics'. Rather than speculating about an entirely new economic order for a future South Africa, Inkatha was examining what currently existed before deciding what it ought to be. He said that Inkatha sought to formulate a policy that would maximise existing growth potential, the distribution of wealth and the elimination of endemic poverty. Chief Buthelezi said that the real barriers to economic growth which had to be overcome were:

- unequal distribution of ownership of physical resources',
- unequal distribution of marketable skills;
- unequal access to land and capital markets: and
- unequal access to markets for skills and products in the whole field of income-generating opportunities.

He said that Inkatha would not avoid the redistribution of wealth generally and land in particular. However, it did not favour taking from the wealthy and giving to the poor, as this was a redistribution of poverty. He argued instead that the redistribution of economic opportunity should be the basis for redistributing wealth. This would be achieved through the deregulation of the economy and the

provision of educational and training skills. Another method of redistributing wealth was to maximise the development of underdeveloped areas where poor people were concentrated. Referring to the redistribution of land, Chief Buthelezi said that it could not be tackled in the same way as disposable wealth. He said that Inkatha was guided on this issue by the need to protect private ownership, to retain freehold title as an ideal to be striven towards, and to keep land as productive as possible by making ownership of non-residential land a privilege for those who could use it productively. He argued that the limited land available to Africans should be protected against being purchased by land hungry' and 'greedy' capitalists and that communal land should be converted in stages to freehold title in order to protect the rights of communities who presently owned this land. He said further that a land commission should be established to investigate the preservation of the individual benefits of the communal land tenure system and to devise ways of allowing Africans to buy land.

Chief Buthelezi said that Inkatha would support a mixed economy and that it would not avoid the need to nationalise monopoly capital and strategic industries. He argued that the government's role should be to support free enterprise and its intervention should not override market forces.²⁹⁰ [290 Address by Chief Mangosuthu Buthelezi to the Inkatha Business Forum, 10 July 1990]

Political alliances

In April 1990 Chief Buthelezi said that while apartheid remained in South Africa, the chances of an alliance between Inkatha and the NP were remote. He added, 'I can't see why any party, not just Inkatha, should not talk in terms of alliances after apartheid.' Chief Buthelezi argued that whites and blacks were inextricably linked economically and that this could easily be converted into political dependence.²⁹¹ [291 *The Citizen* 26 April 1990]

Relations with the ANC

During the period under review, relations between the ANC and Inkatha remained strained. Addressing a convention in December 1989 called by himself and attended by 70 000 people, the Zulu monarch, King Goodwill Zwelithini, said that the Zulu people had been 'spurned' because released ANC leaders, including Mr Sisulu, had not contacted King Zwelithini since their release, despite the fact that no one had done more to secure their release than Chief Buthelezi. However, he went on to invite the ANC leaders to talks on negotiations and reconciliation with himself and Chief Buthelezi. Responding to King Zwelithini, Mr Sisulu said that no snub had been intended.²⁹² [292 *The Weekly Mail* 24 November 1989]

Commenting on the release from jail of an ANC leader, Mr Nelson Mandela, in February 1990, Chief Buthelezi said that he recognised that Mr Mandela had a crucial role to play in negotiations and as a facilitator between black and white, as well as between different black groups. He added that he hoped that Mr Mandela would have a significant impact on the violence in Natal. He cautioned, however, that Mr Mandela had no 'magic wand' and that the situation in Natal was far more than simply a clash

between supporters of different organisations. Chief Buthelezi also expressed the hope that Mr Mandela would be able to improve relations between Inkatha and the ANC.²⁹³ [²⁹³ Ibid 12 February 1989]

Chief Buthelezi said that Mr Mandela could thank Inkatha for his release. Shortly after his release, Mr Mandela said at a rally in Durban:

‘Although there are fundamental differences between us, we commend Inkatha for their demand over the years for the unbanning of the ANC and the release of political prisoners, as well as for their stand of refusing to participate in a negotiated settlement without the creation of the necessary climate. This stand of Inkatha has contributed in no small measure to making it difficult for the regime to implement successive schemes designed to perpetuate minority rule.’²⁹⁴ [²⁹⁴ *Sowetan* 26 March 1989]

In March 1990 Chief Buthelezi said that the *Harare Declaration* did not address the comprehensive needs of all South Africans but was an ideological document drawn up by an ANC elite (see *1988/89 Survey* pp641–644).²⁹⁵ [²⁹⁵ *Cape Times* 12 March 1989] In a paper read by the national chairman of Inkatha, Dr Frank Mdlalose, on behalf of Chief Buthelezi at a conference in March 1990 in Johannesburg, entitled ‘Eastern Europe: Implications for Southern Africa’, Chief Buthelezi said that the single most important spin-off of developments in eastern Europe had been that international economic support for the ANC and other ‘radical’ black organisations would be drastically cut. He further dismissed the ANC and its military wing, Umkonto we Sizwe, as a ‘myth’ which had now been exploded. He said the ANC’s insistence on winner-takes-all politics and its refusal to guarantee white minority protection meant the beginning and the end of the organisation.²⁹⁶ [²⁹⁶ *The Star* 27 March 1989]

Commenting on the attendance at an Inkatha rally at the King’s Park Stadium (Durban) in March 1990, Chief Buthelezi said widespread intimidation had kept thousands away. He said that a campaign to disrupt the Inkatha rally had been planned by youths belonging to the ANC and the United Democratic Front (UDF). He disputed the attendance figures of between 5 000 and 8 000 quoted by most media reports. The Inkatha-owned newspaper *Ilanga* quoted a figure of 100 000.²⁹⁷ [²⁹⁷ *The Natal Mercury* 27 March 1990]

1989 Annual conference

The theme of Inkatha’s annual general conference held in Ulundi in July 1989 was ‘A year of action and organisation for peace, and preparation for the future’. At the conference, Inkatha resolved to call on all black groups in South Africa to ‘think and plan actively’ for black unity and urged the ANC to involve itself in peace talks. The central committee also resolved to:

- recommit Inkatha to be allies with any group which committed itself to struggle for an open, race-free democracy in South Africa which would have one sovereign Parliament resting on a universal adult franchise system;

- reiterate Inkatha's willingness to negotiate for the protection of individual and group rights within a race-free democracy; and
- call on all other black groups to offer white South Africans safe custody through the transition period which lay ahead.²⁹⁸ [²⁹⁸ *The Star* 31 July 1989]

In his presidential address to the conference. Chief Buthelezi said, It is now safe for black South Africans to start thinking about bringing radical change through the politics of negotiation. It is now safe because the state does not have the power to replace one version of apartheid with another version and to call the same thing by a different name.' Chief Buthelezi added that it was 'altogether untrue' that only military intervention or a successful revolution could remove apartheid. There were social, economic and political forces building up in the country that were going to 'thrash' apartheid without relying solely on those who were committed to war and revolution.²⁹⁹ [²⁹⁹ *Clarion Call*, volume 2, 1989]

Natal conflict

Commenting in July 1989 on the violence between blacks in Natal and KwaZulu, Chief Buthelezi said that it had been 'absolutely disastrous' and that apartheid would never be vanquished if it continued. He said that Inkatha had not been formed to fight any other organisation, it had been formed to fight apartheid.³⁰⁰ [³⁰⁰ *The Citizen* 22 July 1989] In the same month Inkatha's central committee applauded the UDF and COSATU for their participation in peace talks aimed at defusing the strife in Pietermaritzburg (see chapter on *Political Developments*).³⁰¹ [³⁰¹ *Ibid* 4 July 1989]

In February 1990 Chief Buthelezi said that he feared that the violence in Natal could get worse now that young ANC insurgents would be 'dribbling back' from exile, bringing their AK-47s with them. He denied responsibility for the violence, claiming that much of it was committed by criminal elements and was beyond the control of either Inkatha or the UDF. While repeating his assertion that he was ready for immediate talks with the ANC, Chief Buthelezi accused the organisation of manipulating international opinion and getting 'the foreign press to swallow their version of events'.³⁰² [³⁰² *The Star* 5 February 1990]

Chief Buthelezi said in March 1990 that he was 'absolutely astonished' by the decision of the interim leadership core of the ANC to cancel the Natal peace rally planned for the same month to be addressed jointly by himself and Mr Mandela. He argued that while the ANC had claimed that it had cancelled the rally because the situation was too tense and that fighting was continuing, this did not make sense because the joint rally had been mooted precisely because people were fighting. He added that people were dying because black leaders were not getting together to do something about the fighting.³⁰³ [³⁰³ *The Citizen* 31 March 1990]

In April 1990 Chief Buthelezi alleged that UDF members had given township youths money and guns to toyi-toyi and attack innocent residents. 'Some who claim to be UDF send a kombi to an area which is quiet and peaceful and give out-of-work youths R50 to join the UDF.' The UDF denied these allegations.³⁰⁴ [304 Ibid 3 April 1990]

1990 Annual conference

At its 1990 annual conference Inkatha redefined its role as follows:

The New Inkatha dedicates itself to Four Great Tasks.

TASK 1: To establish an open, free, nonracial equal opportunity, reconciled society with democratic safeguards for all people.

TASK 2: To harness the great resources of the country to fight the real enemies of the people, namely: poverty, hunger, unemployment, disease, ignorance, insecurity, homelessness, and moral decay.

TASK 3: To establish political and economic structures that encourage enterprise and create more wealth, and make it possible to redistribute the wealth of the country to the benefit of all people.

TASK 4: To ensure the maintenance of a stable, peaceful society in which all people can pursue their happiness, and realise their potential, without fear or favour.'

A press briefing released by Inkatha on the conference read as follows:

1. This conference marks a turning point in Inkatha's political life, and could be one of the most important developments in shaping the political character of the new South Africa, now that apartheid is doomed.
2. There can be no democracy without choice: that's why Inkatha has taken the decision to transform itself from South Africa's largest black liberation movement into a national political party that can offer a newly enfranchised electorate a positive, moderate, progressive, nonracial choice—the new Inkatha.
3. The new Inkatha is determined to ensure that South Africa has a multi-party system that reflects the variety of the nation. The new Inkatha is determined to ensure that there is, through its opening up of membership to all people in South Africa, a party for voters to support that will work for reconciliation, change and sound economic growth to deal with the country's many problems.
4. The new Inkatha is determined to ensure that the new democracy in a new South Africa is firmly

rooted in the rule of law, that people's individual rights are enshrined in law, and that freedom and democracy are unassailable for the future.

5. The new Inkatha will now seek alliance and partnerships with individuals, organisations and parties that have common ground with its principles and beliefs.

6. The new Inkatha will use its existing base strength—its 1,8m membership which has been drawn from many other language groups as well as Zulu—to build an even larger, multi-racial political force in the new South Africa to ensure peaceful, non-violent, constructive change.

7. There is a choice in South Africa—and so there is a chance for democracy. The new Inkatha is making that choice possible, so that all the resources of the country can be harnessed in an enterprise-led economy, to fight the real enemies of the people: poverty, hunger, unemployment, disease, ignorance, insecurity, homelessness and moral decay.³⁰⁵ [³⁰⁵ Inkatha, press briefing at annual general conference, 'The New Inkatha', 13-15 July 1990, Ulundi]

Labour Party (LP)

In May 1989 the deputy leader of the Labour Party (LP), Mr Miley Richards, said that a solution for South Africa would not be found without consultation with the African National Congress (ANC). He added that the sooner it was realised that the ANC had a constituency in South Africa, the sooner the problems of the country would be addressed. Mr Richards also said that local government in South Africa was an 'absolute farce' and duplication of local government authorities for different races was a waste of effort.³⁰⁶ [³⁰⁶ *Sowetan* 9 May 1990]

The chairman of the ministers' council in the House of Representatives and the leader of the LP, the Reverend Allan Hendrickse, commenting in July 1989 on the 'five-year plan of action' of the National Party (NP), said that he was prepared to give the NP its five years as five years was 'not a long time for a country'. Mr Hendrickse said, 'The time will come when all South Africans must take their place around the negotiating table' (see *1988/89 Survey* pp690–695).³⁰⁷ [³⁰⁷ *The Citizen* 1 July 1989]

Asked to comment in July 1989 on what the LP's participation in the tricameral Parliament had achieved, Mr Hendrickse said that he did not want to place emphasis on achievements as he did not want to create the impression that the House of Representatives was the answer. He added that the LP's participation was aimed at eliminating disparities and uplifting a community that had been left behind. He admitted that the future did not hold a place for the House of Representatives. However, he insisted that whether people liked it or not, the LP had to be part of the process of constitutional talks as it represented a specific community.³⁰⁸ [³⁰⁸ *The Indicator* 26 July 1989]

Prior to the general election in September 1989, the LP outlined its policy regarding the constitution, the

economy and group rights. These were as follows:

- the constitution, even if only in the transitional period, would have to take cognisance of white fears. But black aspirations could not be ignored. The LP believed in a nonracial geographical federation of states within South Africa. South Africa could be divided into 20 states and each state would have upward representation on the national legislature (congress) on an equal basis irrespective of size or population. One-person one-vote (universal suffrage) would apply in each state;
- an economic future lay in a free enterprise system which could be incorporated into a South Africanism based on the acceptance that the mineral wealth of the country had to be exploited to the advantage of all South African states; and
- protection of rights in terms of what was called minority rights became unimportant in the light of protection of individual rights.³⁰⁹ [³⁰⁹ *The Star* 4 September 1989]

The LP dominated the September general election for the House of Representatives, winning 69 out of 80 seats. Commenting on the low percentage poll, Mr Hendrickse said, 'Violence and intimidation has prevented people from going to the polls.' However, he said that he had received a mandate. An LP spokesman, Mr Peter Hendrickse, said the government had received the nod from the electorate to go ahead with reform.³¹⁰ [³¹⁰ *The Indicator* 8 September 1989] The acting state president, Mr F W de Klerk, announced in September that Mr Hendrickse would again be appointed chairman of the ministers' council in the House of Representatives.³¹¹ [³¹¹ *The Citizen* 20 September 1989]

In October 1989 Mr Hendrickse welcomed the release of eight political prisoners, seven of whom were ANC leaders and one a leader of the Pan-Africanist Congress (see chapter on *Political Developments*).³¹² [³¹² *The Star* 17 October 1989]

Speaking in the debate on Mr De Klerk's address to Parliament in February 1990, Mr Hendrickse said that the period of hope dawning in South Africa had vindicated the LP's decision to take part in the tricameral parliamentary system (see *National Party* below). He added that Mr De Klerk should be congratulated for taking important steps towards normalising South African society.³¹³ [³¹³ *Ibid* 6 February 1990] Mr Hendrickse also called for the abolition of the three houses of Parliament as separate entities.³¹⁴ [³¹⁴ *The Citizen* 9 February 1990] Referring in February 1990 to the issue of sanctions, Mr Hendrickse said, 'Political transformation cannot take place under poverty and those who advocate sanctions should take stock of the situation.'³¹⁵ [³¹⁵ *The Star* 6 February 1990]

Mr Luwellyn Landers MP (LP) said in February 1990 that as long as the NP clung to the group concept, suspicion about its sincerity would remain.³¹⁶ [³¹⁶ *Ibid* 2 February 1990] In a letter to Mr Hendrickse in February, an ANC leader, Mr Walter Sisulu, urged the LP to become part of a broad front against

apartheid. Responding to the letter, Mr Hendrickse welcomed the conciliatory approach of Mr Sisulu and said, 'The LP remains committed, along with Mr Sisulu, the ANC and others both inside and outside Parliament, to the total eradication of apartheid in all its forms and the creation of a nonracial, democratic South Africa.'³¹⁷ [³¹⁷ *Business Day* 6 February 1990]

Commenting on the release of a prominent ANC leader, Mr Nelson Mandela, in February 1990, Mr Hendrickse said that it was the reality of a dream cherished by many people for many years. 'We look forward to the contribution which, I believe, Mr Mandela is going to make around the negotiating table to the finding of a peaceful solution to the problems of South Africa.'³¹⁸ [³¹⁸ *The Citizen* 12 February 1990]

In March 1990 the LP indicated that it would be prepared to form an alliance with the NP once apartheid was scrapped.³¹⁹ [³¹⁹ *The Star* 23 November 1989]

Commenting on talks between the government and the ANC in May 1990, Mr Peter Harris MP (LP) said, 'This is an historical occasion and a great step for lasting peace which all South Africans long for.'³²⁰ [³²⁰ *The Citizen* 3 May 1990]

Mr L Abrahams MP (LP) said in February 1990 that black workers would never consider apartheid to be a thing of the past until they owned a substantial part of the economy. 'You cannot be liberated until you own a part of your environment.'³²¹ [³²¹ *Ibid* 13 February 1990]

In March 1990 the LP announced that it was standing firm on its boycott of all agricultural and manpower-related legislation until farmworkers' rights were entrenched.³²² [³²² *The Star* 23 March 1990]

Mass Democratic Movement (MDM)

The Mass Democratic Movement (MDM) is an alliance of antiapartheid organisations, with the United Democratic Front (UDF) and the Congress of South African Trade Unions (COSATU) as the core (see *United Democratic Front* below).³²³ [³²³ *Business Day* 1 August 1989] The MDM emerged when the UDF and its allies were restricted in February 1988 (see 1987/1988 *Survey* p681). The acting publicity secretary of the UDF, Mr Murphy Morobe, said that the MDM, which did not have a constitution or a list of members, enabled anti-apartheid organisations to operate without fear of restriction or banning. The idea of the MDM originated at COSATU's annual congress in 1987. The UDF and COSATU, it was decided, would co-operate more closely, and UDF affiliates, mainly regional, would be converted into broader, more powerful national organisations, representing youth, civic and women's organisations.

Commenting on the functioning of the MDM, the acting general secretary of the UDF, Mr Mohammed Valli Moosa, said that the UDF and COSATU had taken a leadership role and had encouraged other organisations to join them in their campaigns (see chapter on *Political Developments*.) He said that the MDM had no way of enforcing its decisions, so it had to operate in a manner to ensure consensus. Mr Moosa added that the MDM saw the African National Congress (ANC) as playing a leading role in the

struggle for liberation. The education secretary of the UDF, Mr Titus Mafolo, said that the MDM organised around a programme of securing the transfer of political and economic power to the majority. The unifying force was the desire for a united, nonracial and democratic South African.³²⁴ [³²⁴ Ibid 30 August 1989]

In February 1990 an MDM-organised march in Cape Town to protest against the tricameral parliamentary system changed into a victory celebration when the state president, Mr F W de Klerk, announced the lifting of the ban on the ANC and other organisations (see chapter on *Political Developments*).³²⁵ [³²⁵ *The Citizen* 3 February 1990]

In April 1990 the MDM said that it supported the holding of referendums on the dismantling of the homelands (see chapter on *The Homelands*).³²⁶ [³²⁶ *Sowetan* 2 April 1990]

In October 1989 the MDM said, 'Negotiations must be seen as part of our overall perspective on the national democratic struggle. But we cannot treat negotiations as a goal in themselves. They are part of a process which might either advance or set back our struggle.'³²⁷ [³²⁷ *New Nation* 20 October 1989] In the same month the MDM rejected the government's plan to hold a special election to choose a black team for negotiations. Mr Morobe said, 'We are not interested in 'black' elections but democratic elections.' Another MDM spokesman said, 'We are not interested in anything else but pure nonracial, one-man one-vote elections.'³²⁸ [³²⁸ *The Star* 30 October 1989]

Natal Indian Congress (NIC)

In September 1989 more than 800 people attended an anti-election meeting hosted by the Natal Indian Congress (NIC) despite various attempts to prevent the meeting from proceeding. Bogus pamphlets claiming that the meeting was cancelled were distributed, the doors to the venue of the meeting were chained shut and glue was poured over the locks. The publicity secretary of the NIC, Mr Yunus Carrim, said that the people were not affected by the harassment.³²⁹ [³²⁹ *The Natal Witness* 4 September 1989] Mr Carrim said the NIC was not simply calling on people to boycott the election (to be held on 6 September), it was calling on them to join the Mass Democratic Movement (MDM), which the NIC supported (see *Mass Democratic Movement* above). 'More than ever before, the MDM is offering people concrete alternatives to participating in the House of Delegates and House of Representatives. People are being given the opportunity actively to participate in shaping the content of a post-apartheid society.'³³⁰ [³³⁰ *Sunday Tribune* 3 September 1989] Explaining the NIC's position of non-participation in the tricameral Parliament, the secretary of the NIC, Dr Farouk Meer, said, 'There is no point in taking part in a system which is dominated by whites, emphasises group rights by way of own affairs and white control over general affairs, and entrenches apartheid while creating the illusion of power-sharing. Under these conditions even the very best participant would be attempting to drive a vehicle without an engine.'³³¹ [³³¹ *South* 31 August 1989]

Dr Meer announced in November that a campaign would be launched to raise money to assist African National Congress (ANC) leaders, including Mr Walter Sisulu and Mr Ahmed Kathrada, who had been released from jail in October 1989.³³² [³³² *Natal Post* 1 November 1989] In the same month, the home of the vice president of the NIC, Professor Jerry Coovadia, was bombed. Prior to the bombing, he had received threatening letters purporting to be from the 'Wit Wolwe' (White Wolves).³³³ [³³³ *The Citizen* 3 November 1989]

In February 1990 an article appearing in *Ilanga*, a newspaper owned by Inkatha, alleged that a 'cabal' within the NIC controlled the MDM and the United Democratic Front. Responding to the allegations, the president of the NIC, Mr George Sewpershad, said, 'There is no foundation to the allegation that the NIC or a cabal controls the MDM. This is a gross travesty of truth.'³³⁴ [³³⁴ *South African Update* 15 February 1990] Following the lifting of the ban on the ANC in February 1990, there were a number of calls from within the NIC for it to disband and join the ANC. An executive member of the NIC, Mr Paul David, said that the organisation had embarked on a process of consultation and would be guided by the views of the community and the ANC.³³⁵ [³³⁵ *The Leader* 9 February 1990]

National Party (NP)

In August 1989 Mr P W Botha resigned as state president. His resignation brought to an end the conflict over the leadership of the country, which had begun in February 1989 (see *1988/89 Survey* pp688–689), when Mr Botha resigned the National Party (NP) leadership. In his farewell address to the nation Mr Botha accused cabinet ministers of a breach of trust, of trying to get him to lie to the country by saying his resignation was owing to ill health, of ignoring the presidency and of playing into the hands of the African National Congress (ANC). His successor as leader of the NP, Mr F W de Klerk, said that he regretted the manner of Mr Botha's resignation. He denied that the NP was playing into the hands of the ANC.³³⁶ [³³⁶ *The Citizen* 15 August 1989, *The Guardian* (London) 20 August 1990] In the same month Mr De Klerk was appointed acting state president. In September 1989 he became state president after the general election.³³⁷ [³³⁷ *The Star* 16 August 1989]

In May 1990 Mr P W Botha resigned from the NP, in protest, he said, against Mr De Klerk's reform programme. He said that he had deep differences with the present party leadership and that the final straw had been the inclusion of the general secretary of the South African Communist Party (SACP), Mr Joe Slovo, in the ANC delegation that had held talks with the government that month (see below). Reacting to Mr Botha's criticisms, Mr De Klerk said that the NP was merely following the path initiated under Mr Botha's leadership. He said that the NP was still anti-communist but that changed circumstances called for different methods.³³⁸ [³³⁸ *Business Day* 7 May 1990]

The NP won a total of 93 seats out of 166 in the general election in September 1989. For the first time since 1963, the NP polled fewer votes than the combined opposition (see chapter on *Government and*

Constitution).³³⁹ [³³⁹ *The Citizen* 7 October 1989] Mr De Klerk said that far-reaching changes were on the government's agenda now that it had won a mandate for its 'five-year plan' (see *1988/89 Survey* pp690–695).³⁴⁰ [³⁴⁰ *Business Day* 24 October 1989] In his inaugural speech as state president, Mr De Klerk said, 'I would like to convert election promises into definite government commitments.' He said that the government was committed to peace and that negotiations between everyone who sought peace was the key to the future.³⁴¹ [³⁴¹ *Sowetan* 21 September 1989]

Alliances

In February 1990 the chief information officer of the NP, Mr Renier Schoeman, said while the NP was debating whether to throw open its membership, the party was more likely to go for alliances with other groups on specific issues on which they agreed.³⁴² [³⁴² Mackay S, *Quarterly Countdown 15*, South African Institute of Race Relations (SAIRR), 10 June 1990] The minister of justice, Mr Kobie Coetsee, disclosed in March 1990 that the NP was considering the idea of forming alliances with those who shared the NP's values irrespective of race.³⁴³ [³⁴³ *The Star* 21 March 1990] In April 1990 Mr De Klerk announced that the NP would be seeking alliances with like-minded political forces.³⁴⁴ [³⁴⁴ *Sunday Star* 22 April 1990] In May 1990 the NP held talks with the Labour Party.³⁴⁵ [³⁴⁵ *Rapport* 13 May 1990]

Reform initiatives

During the period under review, the government introduced a number of reform initiatives geared towards creating a climate for negotiation.

Defending his decision in September 1989 to allow peaceful protest, Mr De Klerk appealed to those who felt threatened not to allow fear to override the need for initiatives towards peace in the country (see chapter on *Political Developments*).³⁴⁶ [³⁴⁶ *The Star* 3 November 1989]

In October 1989 the government released eight long-term prisoners, including senior leaders of the ANC, Mr Walter Sisulu and Mr Ahmed Kathrada, and a senior Pan-Africanist Congress (PAC) leader, Mr Japhta Masemola.³⁴⁷ [³⁴⁷ *SA Foundation Review* November 1989]

In his opening address to Parliament on 2 February 1990, Mr De Klerk made a number of significant announcements, including the unbanning of the ANC, PAC and SACP, the lifting of restrictions on 33 organisations in terms of the state of emergency, the selective release of political prisoners, and the suspension of executions until Parliament had taken a final decision on various proposals about capital punishment (see chapters on *Political Developments* and *Security*).³⁴⁸ [³⁴⁸ *Sunday Times* 4 February 1990] In the same month the NP denied allegations by the Conservative Party (CP) that it had not received a

mandate from the electorate to pursue the course it was following. The NP said that while it had not spelt out specific steps it would take, it was following the programme of reform for which it had received a mandate. Mr De Klerk said that whoever claimed that the NP was ‘flirting with communism’ and had become soft on the policies of violence was telling a gross untruth.³⁴⁹ [³⁴⁹ *The Citizen* 12 February 1990] Mr De Klerk said that 40 years of failure to establish a white fatherland had driven the NP to change direction and accept reality.³⁵⁰ [³⁵⁰ *Ibid*]

On 11 February 1990 the government released a prominent jailed ANC leader, Mr Nelson Mandela, who had served 27 years in prison. Commenting on Mr Mandela’s release, Mr De Klerk said there could no longer be any doubt about the government’s sincere intention to create a just dispensation based on negotiations.³⁵¹ [³⁵¹ *Ibid*]

Reacting to Mr Mandela’s first public speech, in which he called for the continuation of the armed struggle and economic sanctions against South Africa, government sources said that it was predictable and that Mr Mandela clearly needed to position himself within the ANC. However, they pointed out that there were also positive aspects about the speech, namely, that Mr Mandela had referred to Mr De Klerk as a man of ‘integrity’ and that he had addressed the issue of white fears.³⁵² [³⁵² *The Star* 12 February 1990] The minister of constitutional development, Dr Gerrit Viljoen, said in February 1990 that it was clear that the ANC leadership was in favour of peaceful solutions.³⁵³ [³⁵³ *Business Day* 14 February 1990]

Negotiations and related issues

The release of prominent ANC prisoners and the unbanning of the ANC and SACP set the stage for talks on future negotiations between these organisations and the government.

Mr De Klerk welcomed the decision of the national executive committee of the ANC in February 1990 to send a delegation to discuss obstacles to negotiations with him. The decision was taken in response to Mr De Klerk’s unbanning of the ANC.³⁵⁴ [³⁵⁴ *The Citizen* 8 March 1990] Speaking on American television in February 1990, the minister of foreign affairs, Mr Pik Botha, said that the government should have talked to the ANC years ago when the organisation had asked it to.³⁵⁵ [³⁵⁵ *The Star* 9 February 1990] In the same month Dr Viljoen predicted that in ten years time South Africa would have ‘some kind of coalition of parties’ with the NP no longer in sole control.³⁵⁶ [³⁵⁶ *Ibid* 6 February 1990]

Describing in March 1990 the process negotiations would follow, Dr Viljoen said, ‘The first phase will be to clear away perceived obstacles to negotiations.’ The next phase would deal with how the negotiation process should be structured and who should be there. The phase after that would involve the actual negotiation of a new constitution.³⁵⁷ [³⁵⁷ *Ibid* March 1990] In April Dr Viljoen said that constitutional negotiations proper could begin by the end of 1990. He said that the entire negotiating process should be completed in about two years.³⁵⁸ [³⁵⁸ *Ibid* 18 April 1990] In May Dr Viljoen said that a general referendum

would have to be held for the whole country to give legitimacy to any new constitutional proposals.³⁵⁹ [359 *The Star* 11 May 1990]

Participants in negotiations

In February 1990 Mr Schoeman said that the positions at the negotiating table of elected leaders in Parliament as well as of leaders of the non-independent homelands would be guaranteed.³⁶⁰ [³⁶⁰ Mackay, *Quarterly Countdown* 15] In March Mr De Klerk said that no leaders with a proven constituency would be left out of negotiations.³⁶¹ [³⁶¹ *Cape Times* 31 March 1990] In May Dr Viljoen said, It is our wish to ensure that negotiations are as inclusive and comprehensive as possible, including all South African political organisations with a proven substantial support base, provided they unambiguously commit themselves on the road to peaceful negotiations.³⁶² [³⁶² *The Citizen* 29 May 1990]

Pre-conditions for negotiations

Both the NP and the ANC set certain conditions which had to be met before negotiations could take place.

The main condition set by the government was that the ANC renounce violence and commit itself to a peaceful resolution of the South African conflict. Addressing the Cape congress of the NP in July 1989, Mr De Klerk said that the government would not negotiate with the ANC while it persisted with violence and intimidation.³⁶³ [³⁶³ *Business Day* 25 July 1990] Mr De Klerk said in April 1990 that the ANC's commitment to the armed struggle, even if merely rhetoric, was an obstacle to negotiations and that the government insisted on a commitment to peaceful solutions.³⁶⁴ [³⁶⁴ *The Citizen* 18 April 1990]

While the ANC said it was committed to peace it said that it would consider abandoning the armed struggle only if the problems of apartheid were addressed seriously.³⁶⁵ [³⁶⁵ *The Star* 14 May 1990] In February 1990 Mr Mandela said that the government had not met all the ANC's preconditions to negotiations. He said the main ANC demands prior to negotiations were the immediate release of all political prisoners, the unconditional return of all exiles and the lifting of the state of emergency.³⁶⁶ [³⁶⁶ *The Citizen* 21 February 1990]

Mr De Klerk said in March 1990 that the NP intended to lift the state of emergency, but that this would be dictated by the situation on the ground.³⁶⁷ [³⁶⁷ *Beeld* 17 March 1990] In June he announced the lifting of the state of emergency throughout South Africa, except in strife-torn Natal and KwaZulu. The move was widely welcomed both locally and abroad. Mr De Klerk said, 'We regret that the violence in Natal prevented the lifting of the state of emergency there at this stage.'³⁶⁸ [³⁶⁸ *The Star* 8 June 1990]

In February 1990 Mr Coetsee said that the question of amnesty and the release of people who had committed political offences was open to further negotiation.³⁶⁹ [³⁶⁹ *The Citizen* 8 February 1990] In April Mr De Klerk announced measures to indemnify from prosecution people who had committed ordinary crimes in pursuit of political aims.. He said also that legislation would be presented which would grant temporary indemnity from prosecution to people coming into the country to participate in discussions with the government. The move was seen as a step towards a general amnesty and towards meeting one of the ANC's main conditions for negotiations, namely, the unconditional release of all political prisoners and the return of exiles.³⁷⁰ [³⁷⁰ *The Star* 3 April 1990] Subsequent to talks between the government and the ANC to discuss obstacles to negotiations in May 1990 (see below), Parliament passed an Indemnity Act. This act provided for indemnity against prosecution to be extended to people 'who in the process of conflict and in the pursuance of a cause, may have committed some or other offence'. This indemnity could be extended to people in jail, those currently awaiting trial and exiles wanting to return to the country.³⁷¹ [³⁷¹ *Ibid* 8 May 1990] Indemnity or immunity depended on the creation of a satisfactory definition of the concept 'political offender'.³⁷² [³⁷² *The Citizen* 8 May 1990]

Talks between the government and non-ANC leaders

In April 1990 the government held talks with certain black leaders within South Africa, including the president of Inkatha and chief minister of KwaZulu, Chief Mangosuthu Buthelezi; the chief minister of QwaQwa, Dr T K Mopeli; the chairman of the ministers' council of the House of Representatives, the Reverend Allan Hendrickse; and the chairman of the ministers' council of the House of Delegates, Dr J N Reddy.³⁷³ [³⁷³ *Ibid* 6 April 1990]

Referring to the decision by certain homeland leaders, including the chief minister of KaNgwane, Mr Enos Mabuza, to boycott the talks, Mr De Klerk blamed the boycott on intimidation by the ANC and said that the organisation should not dictate the circumstances in which political parties should talk to one another (see chapter on *The Homelands*.) Mr Hendrickse disclosed that Mr Mandela had telephoned him and had asked him not to participate. The leaders who boycotted the talks denied that they had been intimidated by the ANC.³⁷⁴ [³⁷⁴ *The Star* 6 April 1990]

Talks between the government and the ANC

In July 1989 the state president, Mr P W Botha, held talks with Mr Mandela in Tuynhuys (Cape Town).³⁷⁵ [³⁷⁵ *Cape Times* 10 July 1990] Both Mr Mandela and Mr Botha confirmed their support for peaceful development in South Africa.³⁷⁶ [³⁷⁶ *The Star* 10 July 1989] In December Mr De Klerk met Mr Mandela to discuss ways of addressing obstacles to the process of negotiations (see *African National Congress* above).³⁷⁷ [³⁷⁷ *The Weekly Mail* 15 December 1989]

In May 1990 the government held talks with a delegation from the ANC to discuss obstacles to negotiations. As a result of the meeting a document was drafted aimed at facilitating negotiation. The document, known as the *Groote Schuur Minute*, was signed by the government and the ANC. Its contents were as follows:

The government and the ANC agree on a common commitment towards the resolution of the existing climate of violence and intimidation from whatever quarter, as well as a commitment to stability and to a peaceful process of negotiations. Flowing from this commitment, the following was agreed upon:

1. The establishment of a working group to make recommendations on a definition of political offences in the South African situation, to discuss in this regard, time scales, and to advise on norms and mechanisms for dealing with the release of political prisoners and the granting of immunity, in respect of political offences, to those inside and outside South Africa.

All persons who may be affected will be considered.

The working group will bear in mind experiences in Namibia and elsewhere. The working group will aim to complete its work before 21 May 1990. It is understood that the South African government in its discretion may consult other political parties and movements and other relevant bodies. The proceedings of the working group will be confidential.

In the meantime the following offences will receive attention immediately: (a) The leaving of the country without a valid travel document and (b) any offences related merely to organisations which were previously prohibited.

2. In addition to the arrangements mentioned in paragraph 1, temporary immunity from prosecution for political offences committed before today, will be considered on an urgent basis for members of the National Executive Committee and selected other members of the ANC from outside the country to enable them to return and help with the establishment and management of political negotiations.

3. The government undertakes to review existing security legislation to bring it into line with the new dynamic situation developing in South Africa in order to ensure normal and free political activities.

4. The government reiterates its commitment to work towards the lifting of the State of Emergency. In this context, the ANC will exert itself to fulfil the objectives contained in the preamble.

5. Efficient channels of communication between the government and the ANC will be established in order to curb violence and intimidation from whatever quarter effectively.

The government and the ANC agree that the objectives contained in the minute should be achieved as early as possible.

Commenting on the document, Mr De Klerk said, I regard what is contained in this document as an important breakthrough in the peaceful process we want to take place in South Africa.’³⁷⁸ [³⁷⁸ *The Citizen* 4 May 1990]

Interim government

In November 1989 Mr De Klerk rejected the idea that a multiracial interim government would share power during the constitutional drafting process for a new order and said that the government intended to remain firmly in control of future negotiations.³⁷⁹ [³⁷⁹ *South African Update* 15 November 1989] In May 1990 the director of international affairs of the ANC, Mr Thabo Mbeki, said that at a certain stage before a new constitution was adopted, there would need to be an interim government which enjoyed the confidence of all political groups.³⁸⁰ [³⁸⁰ *The Star* 4 May]

Constitutional issues

In October 1989 Mr De Klerk said that the government would eventually arrive at a new constitution which would be acceptable to ‘the reasonable majority of the total population’.³⁸¹ [³⁸¹ *Business Day* 24 October 1990]

In February 1990 Dr Viljoen said the new South Africa which Mr De Klerk was creating would give full political and citizenship rights to all in an undivided multi-party democracy. He said that one of the most important shifts in the NP’s thinking had been the acceptance of the idea of one nation in an undivided South Africa. ‘The new constitution would broaden nationhood to comprise all South Africans. This establishes an entirely new perspective and basis on which the demand for a group or minority protection must be considered’ (see below).³⁸² [³⁸² *The Star* 6 February 1990] In the same month Mr De Klerk said, ‘Any constitution which disregards the reality of South Africa’s heterogeneous population will be inappropriate and even harmful.’ Mr De Klerk said there should be balanced protection of all South Africa’s citizens, as well as collective units, associations, minorities and nations. Mr De Klerk announced that the South African Law Commission had been asked to look into ways of protecting group rights in a future constitution.³⁸³ [³⁸³ *The Citizen* 2 February 1990]

Dr Viljoen said in March 1990 that the government would not be going to the negotiating table without a definite constitutional plan of its own. Commenting on the KwaZulu/Natal Indaba constitutional model, Dr Viljoen said that it sought to protect only cultural and not political rights and also that it assured membership of minority groups but no meaningful participation in decision-making processes. He said an acceptable model would meet both these criticisms.³⁸⁴ [³⁸⁴ *Sowetan* 30 March 1990] Regarding a future constitutional model, Mr De Klerk said in March 1990 that his government was not striving for the model adopted in Namibia.³⁸⁵ [³⁸⁵ *Cape Times* 31 March 1990]

Mr De Klerk told Parliament in April 1990 that he accepted the idea of a common voters' roll for all races as part of a new constitution, subject to the building into the system of protective measures for minorities. He said that the government envisaged more than one voters' roll, but that this did not exclude a common voters' roll as well. Political observers said that Mr De Klerk was referring to a bicameral legislature with voting on a common roll for one house and voting on separate rolls for a second house where minorities were represented. Mr De Klerk, however, made it clear that any new constitution emerging from negotiations would be put to the test of the white electorate specifically, either in a referendum or an election. He also mentioned government plans to repeal or amend the Group Areas Act of 1966, the Development Trust and Land Act of 1936, the Population Registration Act of 1950 and the Reservation of Separate Amenities Act of 1953. Dr Viljoen said in April 1990 that one of the constitutional models the government was considering was a two chambered parliament with the lower house being elected on the basis of one-man one-vote. The second chamber would possibly be based on the concept of equal representation for each geographic unit in South Africa plus elected representatives of each race group.³⁸⁶ [³⁸⁶ Mackay, *Quarterly Countdown* 15]

Later in the month he said the NP was opposed to simple majority rule.³⁸⁷ [³⁸⁷ *The Citizen* 20 April 1990]

Dr Viljoen said in May 1990 that the protection of minority rights could be used as a temporary nation-building measure rather than being permanently enshrined in the constitution.³⁸⁸ [³⁸⁸ *Business Day* 10 May 1990] The deputy minister of constitutional development and planning, Mr Roelf Meyer, said in May 1990, 'A system of simplistic majority government in which there is no system of checks and balances to prevent improper use of power would not be democratic.'³⁸⁹ [³⁸⁹ *The Star* 11 May 1990]

Dr Viljoen argued in May 1990 that while democracy meant 'the majority must rule', it also required that minorities too should be represented in the corridors of power.³⁹⁰ [³⁹⁰ *The Citizen* 10 May 1990] Referring to the issue of minority rights, Dr Viljoen said that minority rights in a new constitution should not result in special privileges for protected minorities. What the government meant by political rights for minorities was 'an assurance for minority groups that they will have a particular say in the new constitutional system, by way of representation and decision-making, in spite of the fact that they are not part of the majority'. He said the NP would definitely go to the negotiating table to negotiate the protection of minority rights.³⁹¹ [³⁹¹ *Ibid* 12 May 1990] Dr Viljoen said, 'Minorities requiring protection will have to be defined on the basis of freedom of association and in terms of language, culture and ethnicity. The unacceptable group definitions in racial terms and with statutory prescriptiveness will have to be abandoned.' He added that there were enough historical and contemporary examples of undemocratic and even tyrannical situations created by majority rule to show that majority rule did not in itself guarantee democracy. 'Minority protection is not a cancellation of majority rule, but a qualification of it.'³⁹² [³⁹² *The Star* 10 May 1990]

In May 1990 the government spelt out its policy regarding minority rights by proposing a minority rights plan. The plan proposed that:

- regular elections be held;
- steps be taken to prevent the development of a one-party dictatorship by the imposition of an unsophisticated majority vote;
- a bill of rights should not be scrapped or amended;
- a free market system should be maintained;
- steps be taken to avoid a communist dictatorship being forced upon the nation;
- those who wanted to live in a particular community environment should be allowed to do so (without legislation which forced people to do so);
- ‘own’ schools should be run with equal state funding;
- the rights of property ownership should be honoured and no expropriation of land should take place without appropriate compensation;
- the security forces should be managed and staffed efficiently so that a secure environment could be maintained for all in which to live and work;
- an independent judiciary should administer the law between individuals and the state;
- private ownership and a free economic system should not be ruined by an unfair tax system; and
- leaders who upheld appropriate values should represent their own minority grouping in the government.³⁹³ [³⁹³ *The Citizen* 12 May 1990]

Local government

In February 1990 the minister of planning and provincial affairs, Mr HERNUS KRIEL, said that the government was investigating the possibility of integrated single local authorities (see chapter on *Government and Constitution*).³⁹⁴ [³⁹⁴ *The Star* 28 February 1990]

In May 1990 Mr De Klerk said that local government in South Africa would have to move away from a system based only on colour and towards power-sharing without domination. ‘There is an inescapable need for a new system or systems of local government.’ In the same month Dr Viljoen appealed to black communities to support their local councils to ensure sound local government during the transition to a new dispensation.³⁹⁶ [³⁹⁶ *Sowetan* 23 May 1990]

Nationalisation

In February 1990 Dr Viljoen said that comments by Mr Mandela on nationalising mines and other key sectors of the economy were naive and irresponsible (see *African National Congress* above). ‘Much of the ANC’s policy dates from a few decades ago and stands in need of urgent revision in the light of recent developments in South Africa.’³⁹⁷ [³⁹⁷ *Business Day* 14 February 1990] The deputy minister of finance, Dr Org Marais, said in February 1990 that drastic redistribution of income would have as negative an effect on capitalism as the apartheid laws.³⁹⁸ [³⁹⁸ *The Citizen* 14 February 1990] In the same month the minister of finance, Mr Barend du Plessis, referred to nationalisation as a policy of ‘theft’. He said that the ANC would have to change its economic policies if it wanted to contribute to a growing economy.³⁹⁹ [³⁹⁹ *Ibid* 12 February 1990]

In March 1990 Mr Pik Botha said that the ANC’s policy of nationalisation, at a time when socialism was crumbling in eastern Europe, was a fatal mistake. He said that it was a mistake to think that nationalisation would redress historical economic imbalances and that eastern Europe had proved this.⁴⁰⁰ [⁴⁰⁰ *The Star* 27 March 1990]

Talks with South African groups

In September 1989 Mr De Klerk met the president of Bophuthatswana, Chief Lucas Mangope, in Mmabatho (Bophuthatswana).⁴⁰¹ [⁴⁰¹ *The Citizen* 29 September 1989] In October 1989 Mr De Klerk held talks with a delegation of South African church leaders, including the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu, and the general secretary of the South African Council of Churches, the Rev Frank Chikane.⁴⁰² [⁴⁰² *The Star* 12 October 1989]

In November 1989 Mr De Klerk met a delegation from right-wing organisations led by the leader of the Afrikaner Weerstandsbeweging, Mr Eugene TerreBlanche. Commenting on the meeting, Mr De Klerk said he found the demand of the delegation for a ‘boere volkstaat’ impractical and unrealistic.⁴⁰³ [⁴⁰³ *The Citizen* 10 November 1989]

In December 1989 Mr De Klerk met the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, to discuss obstacles to negotiations.⁴⁰⁴ [⁴⁰⁴ *Business Day* 1 December 1989] In January 1990 Mr De Klerk and Dr Viljoen held talks with the chairman of the ministers’ council in the House of Delegates and the leader of Solidarity, Mr J N Reddy.⁴⁰⁵ [⁴⁰⁵ *The Citizen* 26 January 1990] In March 1990 Mr De Klerk met the chief minister of Gazankulu, Mr Hudson Ntsanwisi, to discuss the security situation in Gazankulu and the role of self-governing territories in the negotiation process.⁴⁰⁶ [⁴⁰⁶ *The Star* 9 March 1990]

Foreign relations

In August 1989 Mr De Klerk and Mr Pik Botha held talks with a number of African heads of state, including the president of Zambia, Dr Kenneth Kaunda, while on a tour of southern Africa (see chapter on *Political Developments*.) In October 1989 Mr Botha held talks in Paris with the president of Zaire, Mr Mobutu Sese Seko. The talks centred around the conflict in Angola.⁴⁰⁷ [⁴⁰⁷ Ibid 16 October 1989] Mr De Klerk held talks with the president of the Ivory Coast, Mr Felix Holiphouet-Boigny, in November 1989. Mr De Klerk described the talks as an ‘overwhelming success’, which would contribute to better relations throughout Africa.⁴⁰⁸ [⁴⁰⁸ *The Citizen* 4 November 1989]

In January 1990 Mr Botha held talks with the Hungarian minister of foreign affairs, Mr Gyula Horn, in Hungary. Addressing a press conference on his return, Mr Botha said that he was very encouraged by the talks and that contact with Hungary was now on a firm footing (see chapter on *Political Developments*).⁴⁰⁹ [⁴⁰⁹ Ibid 6 January 1990] In a week of diplomatic activity that coincided with the Namibian independence celebrations in March 1990, Mr De Klerk held talks with heads of state and government from various parts of the world (see chapter on *Political Developments*.) The meetings were seen by the NP as a major diplomatic breakthrough for South Africa.⁴¹⁰ [⁴¹⁰ *Sunday Times* 25 March 1990]

In April 1990 Mr Botha met the Namibian minister of foreign affairs, Mr Ben-Gurirab, in South Africa. Mr Ben-Gurirab said that he was pleased with developments in South Africa.⁴¹¹ [⁴¹¹ *The Star* 17 April 1990]

In May 1990 Mr De Klerk toured Europe. It was the biggest international tour by a South African head of state since the NP came to power in 1948.⁴¹² [⁴¹² Ibid 4 May 1990] While on tour, Mr De Klerk held talks with the president of France, Mr Francois Mitterrand and the French prime minister, Mr Michel Rocard; the prime minister of Greece, Mr Constantine Mitsotakis; the president of Portugal, Mr Mario Soares; the Portuguese prime minister, Mr Anibal Cavaco Silva; the president of the European Commission, Mr Jaques Delors; the chairman of the ministers’ council of the European Community and the Irish minister of foreign affairs, Mr Gerard Collins; the West German chancellor, Mr Helmut Kohl; the prime minister of Belgium, Mr Wilfried Martens; the prime minister of Spain, Mr Felipe Gonzalez; the prime minister of Italy, Mr Francesco Cossiga; and the prime minister of Great Britain, Mrs Margaret Thatcher.⁴¹³ [⁴¹³ *Business Day* 8, 17 May 1990, *The Star* 12, 14, 17 May 1990] He also met the King of Spain and the King of the Belgians.

Sanctions

The minister of foreign affairs, Mr Pik Botha, said South Africa rejected the decision by the Commonwealth in October 1989 to give it six months to put its house in order before further sanctions were imposed. He insisted that any effort to prescribe a time schedule or agenda for change would be rejected by the government. ‘South Africans themselves will decide on the country’s future.’ Mr Botha

added that further sanctions could only delay the negotiation process in South Africa.⁴¹⁴ [⁴¹⁴ *The Citizen* 23 October 1989]

In February 1990, the minister of finance, Mr Barend du Plessis, said that sanctions had not brought South Africa to its knees and that it was a misconception to think that the state president had been forced in any way by sanctions to make concessions.⁴¹⁵ [⁴¹⁵ *Ibid* 15 February 1990] In the same month Dr Viljoen called on the ANC to review its position on sanctions. He said there was a need for the ANC to match with meaningful steps the large strides taken by the government.⁴¹⁶ [⁴¹⁶ *Business Day* 12 February 1990] Mr Botha said in February 1990 that the outside world would harm South Africa and its neighbouring states only if it continued with sanctions. He argued that if South Africa was to succeed in its goals for job creation, training and provision of more housing for lower income groups, it would certainly need economic growth and funds.⁴¹⁷ [⁴¹⁷ *The Star* 1 February 1990]

Namibia

On 21 March 1990 Mr De Klerk extended a hand of friendship to Namibia as he transferred Africa's last colony to its new government under the leadership of Mr Sam Nujoma. Mr De Klerk said. Together we should seek to build a constructive and mutually rewarding relationship between our two countries. The independence of Namibia marks the end of a chapter and a beginning of a new era for the whole of the southern African region. It is the culmination of protracted negotiations in which we Africans found a solution to an African problem.⁴¹⁸ [⁴¹⁸ *Ibid* 2] March 1990] Coinciding with the Namibian independence celebrations, Mr De Klerk made a number of significant diplomatic breakthroughs (see chapter on *Political Developments*).

Angola

In May 1990 Mr De Klerk denied allegations that South Africa was supplying arms to Uniao Nacional para a Independencia Total de Angola (UNITA) rebels.⁴¹⁹ [⁴¹⁹ *The Citizen* 16 May 1990]

The homelands

Commenting on the widespread unrest in homelands in March 1990, the minister of foreign affairs, Mr Pik Botha, said it was the result of political differences among black people and was not connected to the call for reincorporation of the homelands into South Africa (see chapter on *The Homelands*.)⁴²⁰ [⁴²⁰ *The Star* 14 March 1990] Mr Botha said that the initiative for any incorporation of the non-independent homelands and the 'independent' homelands into South Africa lay with those territories, and it was for them to start negotiating on the issue.⁴²¹ [⁴²¹ *The Citizen* 14 March 1990] Mr Johan Lemmer MP (NP) said the reason the CP had not drawn the boundaries of its envisaged white homeland was because it would not

be able to achieve consensus among its parliamentary caucus and supporters.⁴²² [⁴²² Ibid 30 March 1990]

The minister of finance, Mr Barend du Plessis, said in April 1990 that unless millions of deprived people experienced the benefits of a free enterprise system, their choice of an alternative system would be logical.⁴²³ [⁴²³ Ibid 26 April 1990] In the same month the government acknowledged that independence was no longer considered an option for the remaining six non-independent homelands.⁴²⁴ [⁴²⁴ *Business Day* 16 May 1990]

Desegregation

Group areas and race classification

In December 1989 Dr Viljoen said that the government believed that the Group Areas Act of 1966 and the Population Registration Act of 1950 would have to be replaced as soon as possible with negotiated alternatives that protected group rights without discrimination.⁴²⁵ [⁴²⁵ *The Star* 8 December 1989]

In February 1990 the minister of planning and provincial affairs, Mr Hernus Kriel, indicated that the government was sympathetic to proclaiming entire cities as free settlement areas (see chapter on *Housing*).⁴²⁶ [⁴²⁶ Ibid 28 February 1990]

In May 1990 the minister of home affairs, Mr Gene Louw, said that South Africa's race classification law was undoubtedly discriminatory and the government wanted to get rid of it as soon as possible. However, he said that it could not be scrapped immediately as it formed part of the continuing constitutional debate.⁴²⁷ [⁴²⁷ *The Citizen* 15 May 1990]

Amenities

In November 1989 Mr De Klerk announced that South Africa's beaches were to be opened to all with immediate effect and that the Reservation of Separate Amenities Act of 1953 would be repealed as soon as possible (see chapter on *Social Segregation*).⁴²⁸ [⁴²⁸ *SA Foundation Review* January 1990] The act was repealed in June 1990.

In May 1990 the minister of health and population development, Dr Rina Venter, announced that all hospitals and ambulance services were officially open to all races.⁴²⁹ [⁴²⁹ *The Citizen* 17 May 1990]

The chairman of the ministers' council in the House of Assembly, Mr Kobie Coetsee, announced that the government had decided to remove all discrimination from own affairs legislation. He said that the concept of own affairs did not mean that a facility or service should not be shared.⁴³⁰ [⁴³⁰ *The Star* 29 May

1990]

National People's Party (NPP)

The leader of the National People's Party (NPP), Mr Amichand Rajbansi, retained his seat in Arena Park (Durban) in the September 1989 general election.⁴³¹ [⁴³¹ *The Leader* 8 September 1989] Overall, the NPP retained five seats, gained three and lost 15.⁴³² [⁴³² *indicator SA*, vol 6 no 4, 1989]

In October 1989 Mr Rajbansi, appearing in the Durban and Coast Local Division of the Supreme Court (Durban), pleaded not guilty to charges of fraud, defamation, and contravening the Commissions Act of 1947 and the Criminal Procedures Act of 1977.⁴³³ [⁴³³ *The Citizen* 12 October 1989]

In January 1990 Mr Rajbansi appealed to the state president, Mr F W de Klerk, to agree to the demands of the *Harare Declaration* (see *1988/89 Survey* pp641–644). Speaking at the NPP's national congress in January, Mr Rajbansi said that Mr De Klerk should be given the chance to continue his courageous efforts of creating the climate for negotiations, and that the NPP would firmly support him. He added that the official parties, including the NPP, the Democratic Party, the Conservative Party and Solidarity, were not the only contenders for positions of power in a post-apartheid South Africa. He said that the leaders of black states and leaders in the structures of black local government were just as powerful, if not more so. 'We must ask ourselves whether the tricameral parliamentary system is outdated and irrelevant. If so, then our national goal will be to demand of the state president as an interim measure to begin the process of dismantling the tricameral Parliament.' Speakers at the congress placed emphasis on the importance of Indians' identifying themselves as South Africans first, and then as Indians. The congress adopted a number of resolutions, including a call to the state president to lift the state of emergency, release all political prisoners, unban illegal organisations, and repeal the Group Areas Act of 1966.⁴³⁴ [⁴³⁴ *The Natal Mercury* 22 January 1990]

Pan-Africanist Congress (PAC)

In July 1989 the president of the Pan-Africanist Congress (PAC), Mr Zephania Mothopeng, said that the liberation struggle of South Africa was part of the struggle to liberate Africa from colonialism. Speaking on the situation in South Africa, Mr Mothopeng said. The situation is such as to render conflict between the dispossessed, oppressed and exploited masses and the settler colonialists, inevitable.⁴³⁵ [⁴³⁵ *Sowetan* 10 July 1989]

Referring in October 1989 to the wave of protest marches that had taken place in response to police action in Cape Town on the night of the general election held in September 1989, Mr Mothopeng said, 'The question arises whether mere marches from one point to the other, with permission to do so, contributes to the achievement of liberation' (see chapter on *Political Developments*.) He argued that the

fact that the state president, Mr F W de Klerk, had granted permission for the marches to take place had led to his being portrayed as a great 'reformer' and that Mr De Klerk was using this as a weapon to ward off calls for further sanctions.⁴³⁶ [⁴³⁶ *Business Day* 6 October, *City Press* 8 October 1989]

In January 1990 the PAC declared the 1990s 'the decade of liberation' and vowed to step up its struggle at all levels to end apartheid.⁴³⁷ [⁴³⁷ *Sowetan* 24 January 1990]

The 12th anniversary of the death of the PAC leader Mr Robert Sobukwe was commemorated in March 1990 with a service in Soweto attended by hundreds of people.⁴³⁸ [⁴³⁸ *Ibid* 5 March 1990]

In response to a pre-condition by the United States Congress that organisations renounce violence before they received a part of about R26m offered to liberation organisations, the secretary general of the PAC, Mr Benny Alexander, said that the PAC was not dependent on the United States to implement its programme and therefore the precondition was 'irrelevant'.⁴³⁹ [⁴³⁹ *Ibid* 30 March 1990]

In April 1990 a spokesman for the external mission of the PAC welcomed the collapse of the Venda government and said it significantly strengthened the movement towards genuine democracy (see chapter on *The Homelands*.) He said the re-incorporation of the homelands into a united democratic South Africa was a central demand of the movement.⁴⁴⁰ [⁴⁴⁰ *Ibid* 9 April 1990]

Release of prisoners

In October 1989 the government released prominent political prisoners from jail. Among them was Mr Japhta Masemola, who had served a sentence of 26 years. Commenting on his release and that of seven other political prisoners, all African National Congress (ANC) members, Mr Masemola said the releases were intended primarily for the South African government to regain world acceptance. He said the main issue in Azania (South Africa) was the repossession of land by the masses.⁴⁴¹ [⁴⁴¹ *The Star* 16 October 1989]

Mr Masemola was killed in a car crash in April 1990.

In February 1990 the PAC welcomed the release from jail of an ANC leader, Mr Nelson Mandela, but said it had no praise for Mr De Klerk. The PAC's administrative secretary, Mr Joe Mkwanazi, said that by releasing Mr Mandela and other political prisoners, Mr De Klerk was not doing the dispossessed majority any favour, because those people had been illegally imprisoned.⁴⁴² [⁴⁴² *Ibid* 12 February 1990]

Lifting of the ban on the PAC

Mr Alexander claimed in March 1990 that the PAC was experiencing a phenomenal surge in membership since the lifting of the ban on the organisation in February 1990. He said that 49 branches

had already been established, while 100 more new offices were currently functioning as interim offices.⁴⁴³ [⁴⁴³ *The Star* 21 March 1990] Following its consultative conference in Harare (Zimbabwe) in March 1990, the PAC announced that it would set up its headquarters in South Africa.⁴⁴⁴ [⁴⁴⁴ *Sowetan* 5 March 1990] In the same month South African intelligence sources claimed that the PAC was gaining support at the expense of the ANC.⁴⁴⁵ [⁴⁴⁵ *The Citizen* 30 April 1990]

Commenting on the lifting of the ban on the PAC and other organisations in February 1990, a spokesman for the PAC, Mr Cutter Seleka, said the ‘unbanning’ meant nothing to them and called for the struggle to be intensified on all fronts. He said the PAC had never recognised the legitimacy of the South African government. ‘We have not, for the past 30 years, recognised the banning of our organisations and therefore the government’s announcements mean nothing to us.’⁴⁴⁶ [⁴⁴⁶ *The Star* 5 February 1990]

Negotiations

In April 1989 the PAC warned against negotiations with the South African government and strongly criticised elements in the liberation movement who were prepared to initiate talks on the advice of superpowers.⁴⁴⁷ [⁴⁴⁷ *City Press* 23 April 1989] In August Mr Mothopeng ruled out the possibility of talks with the government until the balance of forces was in favour of the African people. Addressing an ad-hoc committee meeting of the Organisation of African Unity (OAU) in Zimbabwe, he said it would be foolhardy to talk of negotiations when Pretoria still had the upper hand.⁴⁴⁸ [⁴⁴⁸ *Sowetan* 29 August 1989]

In September 1989 the PAC distanced itself from the *Harare Declaration*, the ANC’s blueprint on negotiations, adopted by the OAU as a position paper on resolving conflict in South Africa (see *1988/89 Survey* pp641–645). A senior member of the PAC, Mr Clarence Makwethu, said in November that the PAC was not against whites but against white domination. Mr Makwethu said it was impossible to win at the negotiating table if you did not win on the battlefield.⁴⁴⁹ [⁴⁴⁹ *The Star* 6 November 1989] Addressing a PAC workshop on the organisation’s stance on negotiations, Mr Mothopeng said that under existing conditions, negotiations held nothing for the African worker. He said negotiations would create an elite which would effectively exclude the African worker.⁴⁵⁰ [⁴⁵⁰ *Sowetan* 20 November 1989]

In a briefing to leaders of neighbouring states in January 1990, the PAC said that Mr De Klerk was not interested in a negotiated solution to South Africa’s problems but merely wanted to reform apartheid. The PAC called on the states to demand that Mr De Klerk remove the five pillars of apartheid, viz the Population Registration Act of 1950, the Black Land Act of 1913 and the Development Trust and Land Act of 1936 on which the Group Areas Act of 1966 was said to be based, the tricameral parliamentary system, the Bantu Education Act of 1953; and the bantustans. Once these were removed ‘all that can be negotiated is the setting up of a mechanism to hold one-person one-vote elections to elect a single-chamber, nonracial, national constituent assembly that will have the mandate to draw up a genuine

nonracial democratic constitution for a new Azania'.⁴⁵¹ [⁴⁵¹ *City Press* 28 January 1990]

Addressing a rally on 21 March 1990 to commemorate the Sharpeville (southern Transvaal) killings in 1960, Mr Alexander criticised the ANC for its willingness to negotiate a new dispensation with the government.⁴⁵² [⁴⁵² *The Star* 22 March 1990] He added that the PAC would remain opposed to negotiations with the government until the return of land to the indigenous people had been included on the agenda.⁴⁵³ [⁴⁵³ *Daily Dispatch* 26 March 1990] Also addressing a rally, Mr Masemola said the struggle was for majority rule and rejected negotiations with the government, which had caused the deaths of people in Sharpeville.⁴⁵⁴ [⁴⁵⁴ *Sowetan* 22 March 1990]

Following an interview on British television in April 1990 in which Mr De Klerk dismissed majority rule as a simplistic model, the PAC called on the ANC to withdraw from talks with the government scheduled for May 1990. Mr Alexander said Mr De Klerk's statement vindicated the PAC's position that he was not ready for meaningful talks and anybody who negotiated with the government now was a 'sellout'.⁴⁵⁵ [⁴⁵⁵ *Ibid* 24 April 1990]

Commenting on the talks between the ANC and the government in May, the PAC said that they could lead to unacceptable compromises.⁴⁵⁶ [⁴⁵⁶ *Ibid* 4 May 1990]

Relations with the African National Congress

During the period under review relations between the PAC and the ANC remained strained. Commenting in October 1989 on reports that the PAC and the ANC were poles apart, Mr Mothopeng said it was a misconception that the two parties could unite. Each party had its own policy, philosophy and programmes. However, Mr Mothopeng said that the PAC had always stood for unity in action.⁴⁵⁷ [⁴⁵⁷ *City Press* 8 October 1989] In November 1989 Mr Masemola said. It is better that the ANC and PAC fight apartheid side by side. Only after elections can people decide which group should lead. There is no possibility of unity talks to form one political group'.⁴⁵⁸ [⁴⁵⁸ *Sunday Times* 5 November 1989] In February 1990 the director for information of the PAC, Mr Walter Toboti, called the ANC 'traitors. Some of the leaders of the ANC are tired of the armed struggle. They have become traitors selling out the revolution'.⁴⁵⁹ [⁴⁵⁹ *Cape Times* 5 February 1990] In March 1990 Mr Mothopeng denounced Mr Mandela's call for reconciliation with whites.⁴⁶⁰ [⁴⁶⁰ *Business Day* 6 March 1990]

In April 1990 the PAC ruled out the possibility of forming an alliance with the ANC to face the government. Mr Alexander said the positions of the PAC and the ANC were diametrically opposed and there was no possibility of their coming together on a programme of liberation.⁴⁶¹ [⁴⁶¹ *Sowetan* 10 April 1990]

Sanctions

Commenting in July 1989 on the issue of sanctions, Mr Mothopeng dismissed the notion that Africans would suffer most through disinvestment as ‘nonsense’ by pointing out that most multinationals employed primarily skill-intensive white labour.⁴⁶² [⁴⁶² Ibid 10 July 1989]

In October 1989 the PAC decided to call for the intensification of the sanctions campaign despite the government’s decision to release eight long-term political prisoners, including Mr Masemola. The PAC said the release of the prisoners could not be a source of jubilation because it was not an indication of Pretoria’s change of heart but simply a change of strategy to ward off economic sanctions.⁴⁶³ [⁴⁶³ *The Star* 12 October 1989]

In the same month the secretary for foreign affairs of the PAC, Mr Gora Ebrahim, called for a ban on the purchase of South African gold and gold products and the imposition of an oil embargo.⁴⁶⁴ [⁴⁶⁴ Ibid 20 October 1989]

In March 1990 Mr Mothopeng said the pressure of sanctions and the need to come out of political isolation were the motivating factors behind Mr De Klerk’s new reform tactics.⁴⁶⁵ [⁴⁶⁵ *The Citizen* 1 March 1990]

Youth organisations

Azanian National Youth Unity (AZANYU), a youth organisation aligned with the PAC, said in August 1989 that the return of land to its rightful owners should be at the top of the agenda should negotiations take place.⁴⁶⁶ [⁴⁶⁶ *Sowetan* 10 August 1989]

In October 1989 a new national students’ movement, the Pan-Africanist Students’ Organisation (PASO), was launched. In its message of support the PAC’s mission-in-exile said the launch of the organisation was timely and significant.⁴⁶⁷ [⁴⁶⁷ Ibid 16 October 1989]

Economic policy

In March 1990 Mr Alexander announced that the newly formed Pan Africanist Movement (PAM) (see below) was contemplating nationalisation on a grand scale, which would affect all big businesses in the country. ‘Big industries which go to the heart of the economy will have to be subject to a planned economy so that everybody will benefit.’⁴⁶⁸ [⁴⁶⁸ *South* 8 March 1990]

Pan-Africanist Movement

The impending launch in December 1989 of the Pan-Africanist Movement (PAM) as the PAC's internal wing was welcomed by the PAC as 'a positive step in advancing the cause of liberation and galvanizing the oppressed into a redoubt that will resist efforts to co-opt them into the present and unequal exploitative system'. A representative of the PAM said that Africanists had decided to launch the organisation in order to 'intervene in attempts by the superpowers to create a neo-colonial client state through negotiations'. Mr Alexander said that the PAM would assume a quasi-federal structure with affiliate organisations and individuals adhering to the basic tenets of African nationalism, continental unity and scientific socialism. Affiliate organisations included AZANYU, PASO, the African Women's Organisation (formed in 1986), and the African Labour Consultative Committee (an organisation aimed at drawing workers into political struggle).⁴⁶⁹ [⁴⁶⁹ *The Weekly Mail* 17 November 1989]

The PAM was launched in Soweto in December 1989. The launch was attended by more than 600 delegates from throughout the country. A 16-man national executive was elected, with Mr Clarence Makwetu as president. Addressing a press conference, Mr Makwetu gave notice that the PAM would fight for the 'return of the land to its rightful owners'. There would never be peace in South Africa until the land question was addressed fully.⁴⁷⁰ [⁴⁷⁰ *The Citizen* 5 December, *The Star* 13 December 1989] Mr Makwetu said that the PAM had no desire to drive whites into the sea. 'The PAM does not think in terms of white or black but in terms of Africanists, irrespective of colour.'⁴⁷¹ [⁴⁷¹ *City Press* 10 December 1989, *The Citizen* 13 December 1989] At the launch, the organisation issued a declaration to the South African/Azanian people, which outlined its vision of a free society. The declaration called for:

- a constitution that enshrined both individual and collective rights, with individual rights a priority;
- state control of major sectors of the economy for the well-being of its citizens. Transport, electricity supply, mining and water supply would be under state control;
- constitutionally guaranteed religious freedom, which would not infringe any of the human rights enshrined in the constitution;
- universal franchise for every citizen over 21;
- punishment by law of sexual discrimination in social, economic and political spheres;
- state provision of free education for all children under the age of 16;
- free provision of health and medical services by the state;
- the protection of the interests of the working class by independent trade unions; and

- state provision of housing.⁴⁷² [⁴⁷² *City Press* 10 December 1989]

The congress, which concentrated on the issue of negotiations, resolved to reject a negotiated settlement in South Africa and also rejected the ANC's position on the issue (see above). A member of the national executive committee of the PAM, Mr Cunningham Ngcukana, said, 'Our stand is clear on negotiations. We will not enter into them until a system of one-person one-vote is instituted in a nonracial community and resources are redistributed.'⁴⁷³ [⁴⁷³ *The Star, Sowetan* 4 December 1989]

Mr Ngcukana said it was difficult to estimate the membership of the PAM. However, he claimed that it had 100 000 'key' people active in every corner of the country, including the homelands.⁴⁷⁴ [⁴⁷⁴ *City Press* 10 December 1989]

The PAM announced in December 1989 that it would not participate in the Conference for a Democratic Future to be held in the same month (see *United Democratic Movement* below). Addressing a press conference, Mr Ngcukana said that the PAM had decided not to participate because it had not been invited to be part of the planning process. He said another reason was that certain homeland leaders would attend the conference and that this contradicted the principle of non-collaboration.⁴⁷⁵ [⁴⁷⁵ *The Citizen* 4 December 1989]

In March 1990, following the lifting of the ban on the PAC, the PAM announced that it would dissolve to form part of the PAC (see chapter on *Political Developments*.) A statement said that the PAM would be renamed PAC-Internal. The PAC's external wing would continue to work outside the country and 'engage the racist settlers in struggle, including armed struggle'. Mr Mothopeng would retain his position as president, while Mr Makwetu would become vice president.⁴⁷⁶ [⁴⁷⁶ *Cape Times* 12 March 1990]

Talks with others

In September 1989 the PAC met the general secretary of the South African Council of Churches (SACC), the Rev Frank Chikane, and the presiding bishop of the Methodist Church of Southern Africa, Bishop Stanley Mogoba. The relationship between the PAC and the SACC and that between the PAC and ANC were discussed.⁴⁷⁷ [⁴⁷⁷ *The Citizen* 29 September 1989]

In November a delegation of the PAC had talks in the People's Republic of China following an invitation from the central committee of the Chinese Communist Party.⁴⁷⁸ [⁴⁷⁸ *Sowetan* 6 November 1989] In the same month Mr Masemola met a jailed leader of the ANC, Mr Nelson Mandela, at the Victor Verster Prison. There was wide-spread speculation that the question of unity between the organisations was discussed.⁴⁷⁹ [⁴⁷⁹ *Business Day* 10 November 1989]

In February 1990 the PAC met the Democratic Party (DP) in Soweto. A spokesman for the DP said that the first contact with the PAC had been informative and constructive.⁴⁸⁰ [⁴⁸⁰ *Sowetan* 21 February 1990]

Following a meeting with representatives of the Transkei's military government in Tanzania in February 1990, the PAC said that it welcomed the decision of the Transkei authorities to hold a referendum to canvass views on re-incorporation into South Africa. Commenting on the meeting, a spokesman for the PAC said that it did not constitute a shift in the PAC's policy of non-collaboration. 'The PAC met the government of Transkei because it is no longer prepared to be a puppet of Pretoria. That can hardly be called collaboration.'⁴⁸¹ [⁴⁸¹ *The Star* 28 February 1990]

Addressing a consultative conference of the PAC in Harare (Zimbabwe) in March 1990, the Zimbabwe minister of political affairs, Mr Edson Zvobgo, said that agreeing to talk to Mr De Klerk under present conditions could be 'national suicide'. Mr Zvobgo told cheering delegates that no victory gained by armed struggle should be traded off in negotiations, however slight. He added that Zimbabwe would give whatever support it could to the PAC.⁴⁸² [⁴⁸² *The Natal Mercury* 3 March 1990] In the same month the PAC held talks with the National African Federated Chamber of Commerce and Industry. Details of the discussions were not made public.⁴⁸³ [⁴⁸³ *Sowetan* 30 March 1990]

Speaking to a European Community delegation visiting South Africa to evaluate the steps towards a political settlement and the current political climate in the country, Mr Alexander said, 'There can be no question of a communal solution for blacks and a unique solution for whites in South Africa. The PAC is committed to forging one African nation. Anything short of that will not get our support.'⁴⁸⁴ [⁴⁸⁴ *City Press* 15 April 1990]

Solidarity

In July 1989 Solidarity challenged the Natal Indian Congress to participate in the September 1989 elections and said that if it did, it would be beaten by Solidarity.⁴⁸⁵ [⁴⁸⁵ *Post Natal* 26 July 1989] Commenting on the issue of participation in the tricameral Parliament, the national chairman of Solidarity, Mr Ismail Omar, said that through participation, the party aimed to direct politics towards national negotiations and to achieve reconciliation both in the process and as an end product of transition to a new South Africa.⁴⁸⁶ [⁴⁸⁶ *Ibid* 30 August 1989]

In September 1989 Solidarity outlined its policy regarding the constitution, minority rights and economic policy. It favoured:

- a multi-party federal constitution in a single South African Parliament with representation for minorities at all levels of government; and

- the free enterprise system and state participation in economic activity only when the private sector was unable or unwilling to participate. However, South Africa would need a mixed economy for many years to come to redress racially inspired economic imbalances.⁴⁸⁷ [⁴⁸⁷ *The Star* 4 September 1989]

In September 1989 the leader of Solidarity, Dr J N Reddy, was appointed chairman of the ministers' council in the House of Delegates.⁴⁸⁸ [⁴⁸⁸ *Business Day* 29 September 1989]

In January 1990 Dr Reddy said that the tricameral Parliament with all its supportive structures had to be scrapped. He said that in its place, an interim constitution and government based on power-sharing and participation by all South Africans should be brought into being after negotiations and agreements between all parties, both parliamentary and extra-parliamentary.⁴⁸⁹ [⁴⁸⁹ *The Star* 30 January 1990]

Commenting on the release of an African National Congress leader, Mr Nelson Mandela, in February 1990, Dr Reddy said that it was an historic occasion that would give satisfaction to most South Africans. It imposes a heavy responsibility on the shoulders of Mr Mandela to carry forward South Africans in a spirit of reconciliation to resolve the impasse in South Africa.' Mr Reddy added that recent events in the country, including the release of Mr Mandela, had vindicated his party's decision to participate in Parliament.⁴⁹⁰ [⁴⁹⁰ *The Citizen* 12 February 1990]

Negotiations

In August 1989 Solidarity gave an undertaking to block all legislation in the House of Delegates if the government refused to start real negotiations, which included all political groups.⁴⁹¹ [⁴⁹¹ *The Star* 2 August 1989]

In April 1990 Mr Omar said that his party's conditions for negotiations, which included the unbanning of political organisations and the release of Mr Mandela, had been met and that Solidarity was ready to negotiate immediately. He said that the talks should be as inclusive as possible and should include leaders of significant groups both inside and outside Parliament. Addressing the issue of alliances, Mr Omar said that these would be issue related. According to Mr Omar, on certain issues, such as the protection of minority rights, the party foresaw that it would possibly be closer to the National Party than to some extra-parliamentary groupings.⁴⁹² [⁴⁹² Mackay, *Quarterly Countdown* 15]

South African Communist Party (SACP)

Membership

According to the South African Communist Party (SACP), the racial breakdown of its membership in 1989 was 70% African, 13% white, 10% Indian and 4% coloured people.⁴⁹³ [⁴⁹³ *The Weekly Mail* 25 August 1989]

In February 1990 the state president, Mr F W de Klerk, in his opening address to Parliament, announced that the 40-year-old ban on the SACP was to be lifted. Commenting on the announcement the general secretary of the SACP, Mr Joe Slovo, said, 'South Africa after 2 February will never be the same again, not because Mr De Klerk has transformed it, but because, objectively, it has been transformed.' Progress, according to Mr Slovo, would depend not so much on what Mr De Klerk did but on 'the pressure which is maintained on the ground by people inside and by the international community'.⁴⁹⁴ [⁴⁹⁴ *Ibid* 16 February 1990] A senior member of the African National Congress (ANC) and the SACP, Mr Govan Mbeki, said that he expected the SACP to continue to operate as a vanguard party, but with a far larger membership, particularly among workers. The SACP has never been a mass party, and I am sure it will still be selective in choosing members. But at the same time, it is going to be less conservative in its recruitment than was the case when it was in conditions of illegality.' He said, The SACP already has tremendous prestige among workers and the oppressed generally, and I am certain this will grow in the more favourable climate which now exists.'⁴⁹⁵ [⁴⁹⁵ *Ibid* 9 February 1990]

In an edited version of his paper 'Has Socialism Failed?', published in *Business Day* in February 1990, Mr Slovo argued that an institutionalised one-party state had a strong propensity for authoritarianism and that the SACP was therefore committed to a multi-party postapartheid democracy.⁴⁹⁶ [⁴⁹⁶ *Business Day* 8 February 1990]

Responding to a question in an interview in March 1990 about whether the crisis in eastern Europe had proved that Marxism as a science was flawed, Mr Slovo said, The serious errors that emerged in the practice of existing socialism are not rooted in the basic tenets of Marxist revolutionary science. They are the result of distortions and misapplications.' Mr Slovo added that the lack of political democracy in existing socialism did not flow naturally from key aspects of socialist doctrine.⁴⁹⁷ [⁴⁹⁷ *New Nation* 22 March 1990] He said that socialism could undoubtedly be made to work without the negative practices which had led to its downfall in eastern Europe. Referring to capitalism, Mr Slovo said, 'Capitalism is not just the wealth of America, western Europe and Japan. It is the mass starvation, the crippling debt burden and the catastrophic levels of unemployment in the third world.'⁴⁹⁸ [⁴⁹⁸ *The Star* 28 March 1990]

In an interview in May 1990 Mr Slovo raised some issues relating to the SACP's operating as a legal structure. He said, 'We are in the process of setting up a national leadership and establishing an above-board legal organisation. However, in our case, the process is slightly more complex than that of the ANC. We have got to think about a way of doing it more carefully as I should imagine we will become the prime targets of the right wing. For the moment, the SACP will maintain its underground structures. We are not certain and cannot be certain of the outcome of the process of negotiation. We cannot be certain that there won't be a backlash. It would be foolish of us to be too euphoric.' However, Mr Slovo said that in the course of 1990 the SACP would gain a public face. Regarding recruitment, he said that it

would be directed at all levels of society. However, as a party which emphasised the role of the working class, the SACP would obviously focus on this class. Referring to the alliance between the SACP and the ANC, Mr Slovo said that ‘there is no conflict of interest between the ANC and the SACP’, but added that he was not saying there would never be conflict.⁴⁹⁹ [⁴⁹⁹ *The Weekly Mail* 4 May 1990]

Addressing an ANC rally in Cape Town a few days after returning to South Africa in April 1990, Mr Slovo said that the SACP and the ANC wanted the government to know that they knew only one kind of democracy, a democracy in which every adult had an equal vote and an equal say in the running of South Africa.⁵⁰⁰ [⁵⁰⁰ *The Citizen* 30 April 1990]

In May 1990 Mr Slovo said that neither the ANC nor the SACP believed that socialism was immediately on the agenda. I think it must be accepted that the day after transformation, the situation is exactly the same as the day before.’⁵⁰¹ [⁵⁰¹ *The Weekly Mail* 4 May 1990]

At a meeting of the SACP and the Congress of South African Trade Unions in Harare (Zimbabwe) in April 1990, the organisations decided to maintain their independence, but to work together on agreed programmes to dismantle apartheid.⁵⁰² [⁵⁰² *The Star* 3 April 1990]

SACP congress

At the SACP’s congress in 1989, the date of which was not disclosed, Mr Slovo was re-elected as general secretary, while Mr Dan Tloome was elected chairman.⁵⁰³ [⁵⁰³ *Leader* 1 September 1989] A number of important policy decisions were taken, the most significant being the adoption of a new political programme. The programme called ‘Paths to Power’ replaced ‘The Road to South African Freedom’ adopted in 1962 as the SACP’s official programme. The SACP said that before the congress, only the SACP’s seventh since the party’s banning 40 years previously, drafts of the programme had been circulated within South Africa and 1 250 amendments, suggestions and additions had come from SACP units within the country.

Negotiations

The SACP’s new programme stated that there was no conflict between the possibility of a negotiated transfer of power in South Africa and an ‘insurrectionary perspective’, but cautioned that negotiations should not ‘frustrate the basic objectives of the struggling masses. Armed struggle cannot be counterposed with dialogue, negotiation and justifiable compromise, as if they were mutually exclusive categories’. The programme argued that every struggle in Africa had had its climax at the negotiating table, ‘occasionally involving compromises judged to be in the interests of revolutionary advance’. However, it warned against allowing ‘imperialist’ agendas to ‘infect the purpose and content of our present strategic approaches’.⁵⁰⁴ [⁵⁰⁴ *The Weekly Mail* 25 August 1989]

In February 1990 Mr Slovo said that unless what was put on the negotiating table amounted to an exchange on the process of moving, at speed, towards a united democratic South Africa, then I don't think negotiations will lead to any result at the end of the day'. For Mr Slovo the main issue in negotiations was an economic one. He said that he regarded the government's insistence on group rights as little more than a euphemism for virtually all the wealth of the country remaining in white hands. 'From our point of view, there can be no liberation without economic liberation.'⁵⁰⁵ [⁵⁰⁵ Ibid 16 February 1990]

Addressing an ANC/SACP rally in May 1990 at the First National Bank stadium near Soweto, Mr Slovo said that the ultimate goal of negotiations with the government was majority rule. Commenting on the preliminary talks between the government and representatives of the ANC, SACP and Mass Democratic Movement in May 1990, Mr Slovo said, 'The talks are the beginning of the road to peace, a straight line towards a united, nonracial democracy. We must not play with words. A nonracial democracy means majority rule which involves every square metre of the country. The only hope for real peace is that of accepting majority rule.'⁵⁰⁶ [⁵⁰⁶ *Sowetan* 7 May 1990] He rejected any provision for a white veto under a future South African constitution. 'We say to our white compatriots we have no secret agenda. We believe in certain rights that no majority should be able to take away. These rights include those of language, religion and culture.'⁵⁰⁷ [⁵⁰⁷ *The Citizen* 7 May 1990]

Armed struggle

The SACP's revised programme reaffirmed support for the armed struggle but mentioned several difficulties which Umkonto we Sizwe guerrillas faced. These included 'the absence of a black peasantry, the lack of areas of classical guerrilla terrain and friendly borders, the mobility and firepower of the South African Defence Force, and imperialist support of the South African government. A classical guerrilla war based on the winning, over time, of more and more liberated territory is therefore not possible. Nor are there immediate prospects of inflicting an all-round military defeat on the enemy.' The programme argued that the armed struggle should be guided by political struggle not vice versa.

Soviet Union

The SACP's programme fully supported 'glasnost' (openness) and 'perestroika' (restructuring). It noted that for several decades in the Soviet Union, democratic procedures had been neglected in favour of bureaucratic control.

Black working class

The programme emphasised the dominant role of the black working class in the struggle but argued that 'it is vital that black workers ally to themselves all classes and strata among the oppressed and all other

forces which have a real interest in the creation of a united, democratic and nonracial South Africa'.⁵⁰⁸
[⁵⁰⁸ *The Weekly Mail* 25 August 1989]

Workers' charter

A workers' charter, drafted by the SACP, which it intended to have incorporated into a post-apartheid constitution, was published in *Work in Progress* in December 1989.⁵⁰⁹ [⁵⁰⁹ *Work in Progress* 62/63 November/December 1989] The document reads as follows:

We, the working people of South Africa, the main producers of our country's wealth, declare:

- That, as workers, we are daily robbed of a rightful share of the fruits of our labour.
- That, as black workers, we are subjected to even more intense exploitation by a system of capitalism which uses national domination to keep wages low and profits high.
- That, as part of the black oppressed whose forebears were conquered by force of arms, we continue to suffer all the social, political, economic and cultural deprivations of a colonised people.
- That the most urgent task facing us as workers, as black workers, and as part of the black oppressed, is to use our organised strength both at the point of production and among our communities, to put an end to racial tyranny and to help bring about a united, non-racial, non-sexist democratic South Africa based on one person, one vote, as broadly defined in the Freedom Charter.
- That we see the winning of such a non-racial democracy as part of a continuous process of creating conditions for the building of a socialist society which will be in the interests of all our people; a society free of exploitation of person by person, which alone can complete the liberation objectives in all spheres of life.
- That we are the most vital social constituent of the broad liberation movement in which we play a part both as individuals and through our trade unions and political organisations. We stand ready to work together with all other classes and groups genuinely committed to non-racial democracy, at the same time safeguarding our class independence and our right to propagate and mobilise for a socialist future.
- That we extend a hand of friendship to our white class brothers and sisters whose long-term interests lie in the unity of all labour-black and white.

In order to ensure:

- That victory in the national liberation movement is not hijacked by a new exploiting class of whatever colour.
- That the immediate interests of the working people are fully safeguarded in the post-apartheid state.
- That we are not prevented from asserting our democratic right to win the majority of the people for a socialist future.

We the working people, adopt this charter (as an elaboration of the Freedom Charter) and pledge ourselves to strive together, using our organised strength, to guarantee its implementation.

OWNERSHIP AND CONTROL OF THE COUNTRY

The commanding heights of the economy shall be placed under the ownership and overall control of the state acting on behalf of the people. Such control shall not be exercised in an over-centralised or commandist way and must ensure active participation in the planning and running of the enterprises by workers at the point of production and through their trade unions.

Economic policy shall aim to generate the resources needed to correct the economic imbalances imposed by race domination, and bring about wealth redistribution for the benefit of the people as a whole. More particularly, steps shall be taken to do away with the white monopoly of ownership and managerial control.

Participation in the state sector by domestic or foreign private capital, where judged necessary, shall not give such capital a controlling share, and all enterprises, whether state-owned or private, shall be compelled to safeguard the interests of workers and the nation as a whole. The continued operation of market forces in the functioning of the economy shall not prevent state intervention in areas relating to the people's basic needs. In the period after the defeat of race tyranny, the fundamental perspective of working-class political and trade union organisations shall be to work for the creation of economic and social conditions making possible a steady advance towards a democratic socialist society.

THE RIGHT AND DUTY TO WORK AND TO A LIVING WAGE

Every adult person has a right and duty to work and to receive remuneration according to his or her contribution. The new state shall, as a matter of priority, work to create economic conditions in which jobs are available to all. Until this is achieved the state shall ensure that social support is provided for the unemployed and members of their families.

All managerial and administrative posts and other jobs shall be open to every qualified citizen irrespective of race, colour, sex or religion. The equal right of access to jobs, managerial and administrative posts shall be subject to positive measures necessary to correct the imbalances inherited from the era of race discrimination. Public and private institutions shall have a duty to provide facilities for training and opportunities to apply the acquired skills.

The state, in consultation with the trade unions, shall adopt and enforce a national minimum wage.

Child labour and all forms of forced and semi-forced labour shall be prohibited. Special attention shall be paid to redressing the oppressive situation involved in farm work, domestic service and those trapped in the so-called homelands.

THE RIGHT TO ORGANISATION AND STRUGGLE

There shall be no restrictions on the right of workers to organise themselves into political parties or trade unions. Trade union organisation shall be based on the principles of “one industry-one union” and “one country-one federation”.

Trade unions and their federation shall be completely independent and answerable only to the decisions of their members or affiliates, democratically arrived at. No political party, state organ or enterprise, whether public, private or mixed, shall directly or indirectly interfere with such independence.

The state shall ensure that the trade unions, as the key mass social organisations of the organised working class, are given the opportunity to participate at all levels of economic planning and implementation.

All workers, in every sector of the economy, shall have the right, through their trade unions, to engage freely in collective bargaining and to use the strike weapon.

All legislation dealing with procedures for collective bargaining, including any limitations on the right to strike in exceptional cases, shall require the consent of a majority in the trade union movement. In the case of all other labour legislation there shall be prior consultation with the trade union movement whose views on such proposed legislation should be timeously tabled in Parliament.

THE RIGHT TO MEDIA ACCESS

Steps shall be taken to break the existing media monopoly by big business and the state and to ensure effective workers' access to all sections of the media.

THE RIGHT TO FAMILY LIKE AND SOCIAL FACILITIES

All legislation and labour practices which prevent or interfere with the right of families to live together shall be outlawed. Migrant labour shall be phased out or, in cases where it is unavoidable, provision shall be made for family accommodation during any period of service exceeding three months.

The state shall aim to make adequate accommodation and children's schools available to all workers and their families close to their places of work. All enterprises shall help to create local or regional recreational facilities for the work force as well as creches and primary health care facilities. No parent, male or female, shall be disadvantaged or disabled from any form of employment by virtue of his or her duty to help rear children and, where necessary, this shall be ensured by the creation of special facilities, including provision for paid maternity and paternity leave.

THE RIGHT TO HEALTH AND SAFETY

Conditions of work shall not threaten the health, safety and wellbeing of the workforce or of the community at large, or create serious ecological risks.

All workers shall have the right to paid annual leave and paid sick leave.

Those injured at work shall receive proper compensation for themselves and their families. Provision shall be made for the rehabilitation of all disabled workers including, where necessary, the provision of alternative employment.

THE RIGHT TO SECURITY IN OLD AGE

All workers shall be entitled to an adequate pension or retirement, provided either by the state or the relevant enterprise.

THE RIGHTS OF WOMEN WORKERS

The state shall aim to integrate all women workers as full and equal participants in the economy. Any form of discrimination against women workers in regard to job allocation, wages, working conditions, training, benefits, etc shall be prohibited.

Positive steps shall be taken to help correct the discrimination suffered by women both in the workplace and the home. Opportunities shall be created to enable women to acquire skills for employment outside the home.

It shall be the duty of the state, trade unions, workers, political parties and all other mass and social organisations to ensure effective women's participation at leadership, management and other levels to take measures, including educational campaigns, to combat all forms of male chauvinism both in the home and outside.

We declare that the above immediate and long-term objectives are in the best interests of all the working people and of society as a whole, as individuals and as part of the organised working class, we pledge to struggle, side by side, for their full implementation.

Transvaal Indian Congress (TIC)

In July 1989 the Transvaal Indian Congress (TIC) organised a consultative conference in Lenasia (west Rand) entitled 'Tomorrow is Built Today: Towards a United and Democratic South Africa'. Among a number of resolutions passed, the conference resolved that a climate conducive to meaningful negotiations had to be created and that the objective of negotiations should be the dismantling of apartheid and the establishment of a united, democratic and nonracial South Africa.⁵¹⁰ [⁵¹⁰ *New Nation* 11 August 1989]

In September 1989 the TIC accused the police of brutality and of desecrating a mosque following a clash between anti-election demonstrators and the police in Laudium (west Rand) on the night of 6 September. A TIC spokesman said the police had attacked without provocation a crowd which had gathered at a mosque to protest against the arrest of 15 youths earlier in the day. The TIC also called on all members of the South African Defence Force and of the South African Police (SAP) to follow the example of a member of the SAP, Lieutenant Gregory Rockman, in exposing atrocities allegedly committed by the police (see chapters on *Political Developments* and *Security*).⁵¹¹ [⁵¹¹ *Indicator* 11, 26 September 1989]

Commenting on the results of the election, the president of the TIC, Mr Cassim Saloojee, said the percentage polls in the House of Delegates and the House of Representatives once again showed that the overwhelming majority of eligible voters rejected the tricamera parliamentary system.⁵¹² [⁵¹² *The Star* 7 September 1989] The TIC called on the Democratic Party (DP) to admit that it had made a mistake in participating in the elections for the House of Delegates and to resign its three seats in the House.⁵¹³ [⁵¹³ *Business Day* 11 September 1989] The TIC said that the DP's decision to participate in the election for the House of Delegates was a gross insult to the Indian community, which rejected the tricameral parliamentary system.⁵¹⁴ [⁵¹⁴ *The Star* 28 August 1989]

The secretary of the TIC, Mr Ismail Momoniat, said in September 1989 that the decision by the SAP to ban the use of quirts during riot control was farcical because people were not dying from quirt injuries. He said that if they were sincere, they should ban the use of shot guns too.⁵¹⁵ [⁵¹⁵ *Ibid* 13 September 1989]

In October 1989 a bomb exploded at the home of the vice chairman of the east Rand branch of the TIC,

Dr Rashid Bulbulia. Dr Bulbulia said that he had received threatening phone calls prior to the explosion. The TIC condemned the attack and said that it was the work of agents of apartheid.⁵¹⁶ [⁵¹⁶ Ibid 17 October 1989]

In the same month the TIC welcomed the release of senior African National Congress (ANC) leaders ‘as a victory for the struggling masses of our country’.⁵¹⁷ [⁵¹⁷ Ibid 11 October 1989]

Commenting in November 1989 on the announcement by the state president, Mr F W de Klerk, of the proposed repeal of the Reservation of Separate Amenities Act of 1953, Mr Saloojee said. ‘Every aspect of life in South Africa should be deracialised and conditions created within which all can participate in the political process.’⁵¹⁸ [⁵¹⁸ Ibid 17 November 1989]

In January 1990 the TIC challenged the headmasters of Indian schools to accept children of other race groups without seeking ministerial consent. ‘We believe that at a time when our country is on the brink of a nonracial future, it is vital that we begin the process of open schools today.’⁵¹⁹ [⁵¹⁹ Ibid 29 January 1990]

Following the lifting of the ban on the ANC in February 1990, Mr Saloojee said that the TIC’S priority would be to popularise the ANC in the community. However, he ruled out the question of disbandment. He said, ‘We will first hold discussions with sister organisations such as the Natal Indian Congress (NIC), the ANC and other organisations and finally consult our constituency.’ The ANC had suggested that existing structures should not be disbanded for the time being.⁵²⁰ [⁵²⁰ *Indicator SA* 14 February 1990]

United Democratic Front (UDF)

In August 1989 the United Democratic Front (UDF) announced that its sixth birthday would be marked by the organisation’s ‘unrestricting’ itself (see chapter on *Political Developments*).⁵²¹ [⁵²¹ *The Star* 16 August 1989]

Commenting in August 1989 on the resignation of the state president, Mr P W Botha, the acting general secretary of the UDF, Mr Mohammed Valli Moosa, said it had little relevance as it was merely the man who was going and not the policy of apartheid. He said that no oppressed South African mourned the resignation as it was under Mr Botha’s rule that the suffering of people had greatly increased. ‘He introduced the state of emergency, which resulted in the detention of thousands of innocent people, the restriction of organisations and the occupation of our townships by soldiers.’⁵²² [⁵²² *The Citizen* 15 August 1989]

In January 1990 the treasurer of the UDF, Mr Azhar Cachalia, said community-based organisations affiliated to the UDF would not disappear when the ban on the African National Congress (ANC) was lifted. On the contrary, with a legal ANC, there would be a close relationship between political and community organisations.⁵²³ [⁵²³ *The Star* 24 January 1990] In February 1990 the UDF held a thanksgiving

service to mark the lifting of the ban on the ANC and other organisations. Addressing the service, the southern Transvaal vice president of the UDF, Professor Ismail Mohamed, said, 'This celebration of the unbanning of the ANC can be seen as one of the first steps towards liberation in South Africa.'⁵²⁴ [⁵²⁴ *The Citizen* 12 February 1990] In the same month the restrictions imposed on the UDF in terms of the state of emergency in February 1988 were also lifted (see *1988/89 Survey* p560).

In March 1990, the UDF came out in support of the chief minister of KaNgwane, Mr Enos Mabuza. The publicity secretary of the UDF, Mr Patrick 'Terror' Lekota, said that 'the liberation movement has always been opposed to the homeland system, a main pillar of apartheid. But its disappearance must be timed correctly, not haphazardly. When a homeland government is sympathetic to the liberation movement, such as that of KaNgwane, which subscribes to the Freedom Charter, there should be no hurry to pressure government officials to abandon their positions.'⁵²⁵ [⁵²⁵ *Sowetan* 14 March 1990]

Referring to Inkatha's plan to release a document as an alternative to the ANC's *Harare Declaration*, Mr Lekota said in March 1990 that Inkatha's initiative was divisive and would merely delay the process of negotiations (see *Inkatha* above). Responding to remarks by the chief minister of KwaZulu and president of Inkatha, Chief Mangosuthu Buthelezi, that the *Harare Declaration* was a document drawn up by an ANC elite, Mr Lekota said that the document had been drawn up after wide consultations with internal democratic organisations.⁵²⁶ [⁵²⁶ *The Star* 15 March 1990]

Responding to the decision to withdraw casspirs from Soweto in January 1990, Mr Cachalia said that it showed recognition that the casspirs were unpopular. He said the presence of the military and paramilitary in townships had been the main cause of tension there.⁵²⁷ [⁵²⁷ *Ibid* 5 January 1990]

In March 1990 the UDF denied that it was responsible for the wave of unrest that had swept the country since the lifting of the ban on political organisations in February. Mr Lekota said that while the UDF expressed sympathy towards the 'gushing of political emotion which had been suppressed for such a long time', it could not condone or encourage the violence.⁵²⁸ [⁵²⁸ *The Star* 9 March 1990]

Commenting in March on the violent conflict between affiliates of the UDF and the Azanian People's Organisation (AZAPO) in Bekkersdal (west Rand), Mr Lekota said, 'We totally condemn the resolution of differences between organisations by force. It is a right of every organisation to canvass its ideas freely among people and a democratic right for people to support any organisation.' He called on UDF affiliates to 'cease any form of violent action'.⁵²⁹ [⁵²⁹ *Sowetan* 20 March 1990]

Referring in March 1990 to a protest march in Sebokeng (southern Transvaal) in which 12 people were killed because of police action, the acting publicity secretary, Mr Murphy Morobe, said it appeared that there were some elements in the police force who were 'trigger happy' and were bent on engineering clashes and confrontations with people taking part in protest marches. He said that violent police action was totally unnecessary.⁵³⁰ [⁵³⁰ *Ibid* 28 March 1990]

Negotiations

In August 1989 the South African Youth Congress, an affiliate of the UDF, met the ANC in Lusaka (Zambia) to discuss the issue of negotiations. It was agreed by both delegations that:

- the people of South Africa had never been opposed to negotiations;
- the objective of negotiations was to transfer political power from the Pretoria government to the majority of South Africans;
- negotiations should not be counterposed to armed struggle or insurrection as both were tactics and not objectives;
- if negotiations took place, they would be between the National Party (NP) and forces for nonracialism and democracy led by the ANC; and
- negotiations would be about the mechanisms of the transfer of power.⁵³¹ [⁵³¹ *New Nation* 15 September 1989]

In the same month the UDF praised the Organisation of African Unity for adopting the *Harare Declaration*, the ANC's plan for achieving peace in South Africa.⁵³² [⁵³² *City Press* 27 August 1989]

At the launch of the Ratanda Youth Congress (east Rand), an affiliate of the UDF, in January 1990, student leaders said that talks about negotiation did not indicate a change of heart within the NP but were the result of 'wars waged against the regime'.⁵³³ [⁵³³ *Sowetan* 22 January 1990] In the same month Mr Morobe said that since the politics of negotiation and conciliation had come to supplant those of confrontation, the task of the ANC and its allies was one of educating rather than mobilising.⁵³⁴ [⁵³⁴ *The Weekly Mail* 26 January 1990]

Addressing a meeting in Washington (United States) in February 1990, Mr Lekota said that the UDF was aware that it had a responsibility to keep the current rulers of South Africa in place because they were potential partners in solving the problems of the country. He said that many of the current rulers had a sensitivity that made it possible for the democratic movement to exert pressure on them and get a response. Mr Lekota said, 'South Africa belongs to all of us, black and white, so some kind of constitutional settlement will be found which will accommodate all of us.'⁵³⁵ [⁵³⁵ *The Star* 15 February 1990]

Sanctions

In February 1990 Mr Lekota said that the UDF was prepared to see sanctions lifted before a democratic constitution was implemented in South Africa. Mr Lekota said the question of lifting sanctions had to be weighed against whether the process of negotiations was irreversible or not.⁵³⁶ [⁵³⁶ *Eastern Province Herald* 23 February 1990]

Nationalisation

Addressing a rally in Clermont (Natal) in January 1990, Mr Lekota said that the UDF would support the ANC's policy of nationalisation after the collapse of white rule. He said that the ANC would have to nationalise the mines and banks. 'We do not see how a government could provide urgently needed facilities like housing and proper education if it is not able to gain access to at least some of the wealth of the country.'⁵³⁷ [⁵³⁷ *The Star* 29 January 1990]

In March 1990 the eastern Cape branch of the UDF resolved that nationalisation should be the bottom line of the socio-economic policy of a post-apartheid South Africa.⁵³⁸ [⁵³⁸ *New Nation* 2 March 1990]

Relations with the ANC

In March 1990 the general secretary of the UDF, Mr Popo Molefe, said that the UDF was not about to amalgamate with the ANC within the next few months. He said the UDF needed to maintain its structures in order to continue exerting pressure for negotiations. Mr Molefe added that both the UDF and the Mass Democratic Movement (MDM) recognised the leadership of the ANC and said there was no conflict between the movements.⁵³⁹ [⁵³⁹ *Echo* 1 March 1990]

In April 1990 it was formally decided at a national UDF workshop that the UDF would continue to exist but that the ANC would assume leadership at the level of policy making.⁵⁴⁰ [⁵⁴⁰ *Business Day* 10 April 1990]

Unrest and conflict

During the period under review, the conflict between Inkatha and the UDF/Congress of South African Trade Unions alliance continued. The first three months in 1990 saw the highest fatality rates, with 695 deaths (see chapter on *Political Developments*.) In April 1990 the co-president of the UDF, Mr Archie Gumede, said that the situation in Natal could be brought under control only once the deputy president of the ANC, Mr Nelson Mandela, met Chief Buthelezi.⁵⁴¹ [⁵⁴¹ *Sunday Tribune* 1 April 1990]

Talks with others

In June 1989 the co-president of the UDF, Mrs Albertina Sisulu, addressed a meeting in London of anti-apartheid campaigners protesting against the visit to Europe of the leader of the NP, Mr F W de Klerk. Mrs Sisulu said that Mr De Klerk should be sent home to end the state of emergency, free political prisoners, unban the ANC and other organisations, allow exiles to return and suspend the elections to be held in September.⁵⁴² [⁵⁴² *Sowetan* 22 June 1989]

In July 1989 a delegation of the UDF, including Mrs Sisulu, toured Europe and the United States (US). In Europe the delegation held talks with the Swedish prime minister, Mr Ingvar Carrisson; the Swedish minister of foreign affairs, Mr Sten Anderson; the president of France, Mr Francois Mitterrand; and the prime minister of Great Britain, Mrs Margaret Thatcher. In the US the delegation met the president, Mr George Bush; the secretary of state, Mr James Baker; and an assistant secretary for African affairs, Mr Herman Cohen. In all its meetings the delegation consistently called for comprehensive sanctions against South Africa as a peaceful weapon for political change.⁵⁴³ [⁵⁴³ *Business Day* July 1989, *The Citizen* 13 July 1989]

Conference for a Democratic Future (CDF)

The Conference for a Democratic Future (CDF) held in December 1989 was convened by the Black Consciousness Movement (BCM) and the MDM. The conference was attended by 4 462 delegates representing 2 138 organisations ranging from Hindu, Christian, Jewish and sports bodies to UDF and BCM affiliates.⁵⁴⁴ [⁵⁴⁴ *New Nation* 15 December 1989]

Organisations attending the conference were expected to adhere to the CDF's unifying perspective, which called for:

- one-person one-vote in a democratic country;
- the lifting of the state of emergency;
- the unconditional release of all political prisoners;
- the unbanning of all political organisations;
- freedom of association and expression;
- press freedom; and
- a living wage for all.⁵⁴⁵ [⁵⁴⁵ *CD F Booklet* December 1989]

In addition to this it was stated that all organisations attending the CDF had to:

- be associated both in principle and deed with the ‘oppressed and exploited’, and be committed to the destruction of all apartheid structures;
- be committed to the unification of the country; and
- commit themselves, their organisational structures and the people of South Africa to mass action for the total eradication of oppression and exploitation.⁵⁴⁶ [⁵⁴⁶ Ibid]

The convening committee said that it was not its intention to exclude any organisation or person but added that ‘organisations and people may exclude themselves by virtue of their track records in supporting the government and its apartheid structures and their continued hostility to the liberation movement and its traditions’. A member of the convening committee, Mr Haroon Patel, defended the decision to allow ‘homeland parties’ to participate in the CDF even though the decision contravened the BCM’s principle of non-collaboration with people operating in government-approved or apartheid structures. He said, ‘We want to narrow the social base of the NP and expand the base of the liberation movement.’⁵⁴⁷ [⁵⁴⁷ *The Star* 1 December 1989]

A number of organisations did not attend the CDF, In December the Pan-Africanist Movement (PAM) and the National Council of Trade Unions (NACTU) announced that they would not attend the conference. The assistant general secretary of NACTU, Mr Cunningham Ngcukana, said, ‘As a result of the participation of homeland leaders, NACTU’s principle of non-collaboration is being compromised, and therefore we will not participate.’⁵⁴⁸ [⁵⁴⁸ *The Citizen* 8 December 1989] However, eight black consciousness-orientated affiliates of NACTU ignored the decision and attended the conference. The decision by NACTU not to attend also led to the resignation of its general secretary, Mr Phiroshaw Camay, who then attended the conference in his personal capacity (see also chapter on *Labour Relations*).⁵⁴⁹ [⁵⁴⁹ *New Nation* 15 December 1989] The PAM said it was not participating because it had been excluded from the planning process of the conference. The PAM added that it was also opposed to the participation of homeland parties and leaders (see *Pan-Africanist Congress* above).⁵⁵⁰ [⁵⁵⁰ *The Citizen* 8 December 1989] Also absent from the CDF was Inkatha. Mr Morobe said that Inkatha had not applied to attend.⁵⁵¹ [⁵⁵¹ *The Star* 7 December 1989]

Keynote addresses at the conference were delivered by a recently released ANC leader, Mr Walter Sisulu, and a leader of AZAPO, Dr Itumeleng Mosala. In his address, Mr Sisulu focused on the issue of unity. ‘Our unity today is more important than our differences. To bicker now, or to relax in our efforts to obtain unity, will be to throw away the hard-won gains of resistance of the past decades.’ Referring to negotiations, Mr Sisulu said that the ultimate aim of the government was a ‘great indaba’, a negotiating forum of representatives from the tricameral Parliament, the bantustans and other groups such as ‘urban blacks’ chosen by separate election. All these groups would have the power of veto and the white group would therefore be able to block fundamental change. Mr Sisulu appealed to the state president, Mr F W

de Klerk, to abandon the 'great indaba' and to submit to a democratically elected constituent assembly.⁵⁵² [⁵⁵² *The Star* 11 December 1989, *New Nation* 15 December 1989] In his address, Dr Mosala said that Mr De Klerk was not interested in creating a climate conducive to negotiations. He said, 'Yes, we need a climate for negotiations, but we must create the climate for negotiations ourselves. We must seize the initiative and relocate it in the struggles of the oppressed and exploited classes of our country. What we need is a programme of action that can bind together the forces of liberation in the country.'⁵⁵³ [⁵⁵³ *Sowetan* 11 December 1989]

The CDF resolved inter alia:

- to adopt the *Harare Declaration* on how conflict in South Africa could be resolved and to seek solidarity with and the support of the Organisation of African Unity and the frontline states in particular;
- to call for a constituent assembly established on a nonracial basis representing all the people of South Africa, and which would draw up a new constitution;
- to call on people and organisations to mobilise their forces, to organise and intensify the struggle for the creation of a single nonracial democratic South Africa with a single parliament and a single universal suffrage;
- to call on the international community to intensify the isolation of the South African government and to impose comprehensive and mandatory sanctions on South Africa;
- that real democracy be given to the freely elected delegates of the people, united in the constituent assembly on the basis of one-person one-vote in a unitary South Africa; and
- that only the constituent assembly had the right and duty to define a new constitution as well as the form and social content of a new and just society.⁵⁵⁴ [⁵⁵⁴ *CDF Booklet* December 1989]

However, there was controversy surrounding the adoption of the resolution relating to the *Harare Declaration*. The BCM claimed that it had not adopted the declaration and distanced itself from the resolution. The BCM said that it did not have a mandate from its constituents to adopt a document that they had not debated (see *Azanian People's Organisation* above).⁵⁵⁵ [⁵⁵⁵ *The Star* 12 December 1989]

EDUCATION

Overall Policy

Education in South Africa in 1989 continued to be administered by 15 different major education departments.

African education was administered by the following 11 departments:

- the Department of Education and Training (DET), which administered the education of Africans in the white-designated areas, and the African matriculation examinations in these areas and in all homelands excluding the Transkei. The DET was directly responsible to the minister of education and development aid;
- the education departments of the four 'independent' homelands:
 - the Department of Education, Republic of Bophuthatswana;
 - the Department of Education, Republic of Ciskei;
 - the Department of Education, Republic of Transkei;
 - the Department of Education, Republic of Venda; and
- the education departments of the six non-independent homelands:
 - the Department of Education in Gazankulu;
 - the Department of Education and Culture in KaNgwane;
 - the Department of Education and Culture in KwaNdebele;
 - the Department of Education and Culture in KwaZulu;
 - the Department of Education in Lebowa; and
 - the Department of Education in QwaQwa.

Coloured education was administered by the Department of Education and Culture (coloured own affairs) of the House of Representatives.

Indian education was administered by the Department of Education and Culture (Indian own affairs) of

the House of Delegates.

White education was administered by the Department of Education and Culture (white own affairs) of the House of Assembly, which controlled four provincial departments (Cape, Natal, Orange Free State and Transvaal).

The Department of National Education was responsible for the following aspects of education **for all race groups** in South Africa (excluding the 'independent' homelands):

- the professional registration of teachers;
- the salaries and conditions of employment of staff;
- the norms and standards regarding syllabuses, examinations and certification of qualifications; and
- the norms and standards regarding the financing of the capital and running costs of education for all population groups.

The minister of national education was therefore able to determine general policy only in respect of certain matters provided for by the National Policy for General Affairs Act of 1984 (see 1984 *Survey* pp651–653).

While all teachers with equivalent qualifications and levels of experience received the same salary irrespective of race in 1989, pupils of different race groups wrote different matriculation examinations (see *Examination results* below) and the norms for the financing of education varied according to race group (see *Finance* below).

According to South Africa's constitution, education is defined as an 'own affair'. However, the government is enforcing separation only in pre-primary, primary and secondary institutions (schools, teachers' training colleges and technical colleges) administered by the Department of Education and Culture (white own affairs) and by the DET. The situation with regard to white schools may change in 1991 (see below).

Tertiary institutions are free to decide which students to admit. Schools administered by the House of Delegates and the House of Representatives admit pupils of other races under certain conditions. For information relating to criteria used by the House of Delegates concerning the enrolment of pupils of other races, see 1987/88 *Survey* p152. The House of Representatives does not apply the same number or types of exclusionary criteria. Once preference has been given to pupils living in the residential areas served by the coloured administration's schools, principals are free to enrol pupils of other races. According to research by the South African Institute of Race Relations, it is becoming increasingly common for coloured schools to admit African pupils from neighbouring townships where space is available.¹ [1 Mackay S, *Quarterly Countdown* 12, South African Institute of Race Relations (SAIRR), 30 May 1989] The

House of Delegates has been repeatedly criticised for allegedly limiting African enrolment. Research by the Institute showed that while non-Indian pupil enrolment had risen by over 4 000 between 1988 and 1989, less than 12% of non-Indian pupils admitted in 1989 were Africans.² [2 Ibid]

Private schools are allowed to admit pupils of all races and a substantial number of these receive a subsidy from the Department of Education and Culture (white own affairs), on condition that their enrolment consists of 50% plus one white pupils. Whether this proviso is in fact adhered to by all schools receiving subsidies is not certain.

In June 1989 the minister of education and development aid, Dr Gerrit Viljoen, told an interviewer that 'strongly subsidised' private schools would probably become the preferred model for schooling in free settlement areas.³ [3 *Business Day* 13 June 1989] Later in the month, the minister of information, Dr Stoffel van der Merwe, told the federal congress of the National Party (NP) that the government wanted to extend the system of state-subsidised private schools to meet the need for mixed schooling in these areas.⁴ [4 *Beeld* 29 June 1989] Following these announcements, there was confusion concerning the question of who would be responsible for the funding and running of these nonracial private schools, since private schools also fall under the jurisdiction of racially separate state education departments.

According to research by the Institute, the government envisages creating an additional education department to deal with schooling in free settlement areas. Whereas the size of the envisaged subsidy is still unclear, it will be substantially greater than the subsidies currently received by private schools (see *Multiracial education* below). Some NP MPs suggested that white schools which are underutilised (see *Shortages* below), and which are situated in free settlement areas, will be closed and reopened as nonracial private schools.⁵ [5 Mackay S, *Quarterly Countdown 13* (SAIRR), 25 August 1989]

Speaking at a press briefing shortly after the state president's opening address to Parliament in February 1990 (see chapter on *Political Developments*), the new minister of education and development aid, Dr Stoffel van der Merwe, maintained that opening the entire education system to all races would lead to 'tremendous chaos' and would have a negative effect on political stability and on the economic system. Dr Van der Merwe said that education needed to be organised 'on separate lines' because cultural needs differed. A single education department in South Africa would not improve the provision of education, he insisted.⁶ [6 *Business Day* 6 February 1990] In January 1990 Dr Van der Merwe had said that the government was looking at the possibility of opening white schools to African pupils after normal school hours to alleviate the problem of overcrowding in African schools. He had added, however, that white schools were not within his jurisdiction and that opening them might not be economically viable, owing to the distances between these schools and African residential areas. He had not discussed areas which were informally desegregated, such as Berea (Johannesburg).⁷ [7 *The Star* 27 January 1990]

On 23 March 1990 the minister of education and culture (white own affairs), Mr Piet Clase, announced two possible additional models for the provision of education by his department. According to a media statement by Mr Clase, these additional models would make it possible 'for parents to exercise their

choice with regard to the determination of an admission policy for a specific school'. According to the first model, state schools would be able to apply to become private schools and decide which pupils to admit, subject to the provisions of the constitution and the applicable education legislation. The government would finance such schools 'on a more substantial basis than that which currently applies to private schools' and would make existing school facilities available 'on reasonable conditions'. The second model would 'give the school community the right to authorise the admission of pupils from other groups to a particular state school'. Such pupils would have to be 'in a position to benefit from the education at the school'. If this second model were approved, 'admission of this nature would have to take place without the nature and character of the school being disrupted'. Pupils from the community directly served by the school would be given preference regarding admission. Mr Clase said that in the case of both models, the approval of a high percentage of the parents of all enrolled white pupils would be required. The figure he provided was '90% for example'.⁸ [8 Media statement by Mr P J Clase, minister of education and culture (Administration: House of Assembly), 23 March 1990] It was doubtful whether such a high percentage of parents had ever voted in favour of opening a white school to all races (see *Multiracial education* below).

According to the announcement, provision would be made for pupils and staff who did not agree with the majority decision in favour of either model. The minister also said that the department would continue to maintain 'the underlying principles of Christian, culture-orientated, mother-tongue education'.

The two models, together with the necessary technical details, were being referred to the provincial educational councils, the Teachers' Federal Council and the Federation of Parents' Associations of South Africa, for comment and advice before 15 June 1990. Following this, consideration would be given to the approval of one or both possible models with a view to implementation on 1 January 1991, Mr Clase said.⁹ [9 Ibid]

In May 1989 the chief minister of KaNgwane, Mr Enos Mabuza, speaking on the occasion of the opening of the homeland's Legislative Assembly, criticised the South African education system and called it 'oppressive and paternalistic'. He said that although Dr Viljoen had distanced his department's policy from Verwoerdian policy, no fundamental changes had been made to the system of African education. The government was merely modifying the Bantu Education Act of 1953, he added. Speaking after Mr Mabuza's speech on the same occasion, the deputy minister of education, Mr Sam de Beer, said that the DET realised that the satisfaction of the political aspirations of Africans could not be fulfilled without the normalisation of African education. He also said that although the department had limited funds, it had 'a pace of improvement to which we adhere' and added that the department's current priority was to remedy the marked shortage of secondary schools in rural areas.¹⁰ [10 *Sowetan* 5 May 1989]

A new national council for African education, the National Council for Education and Training, was inaugurated by Dr Viljoen in May 1989. According to the minister, the 24-member council would henceforth be the highest consultative body advising the government regarding the education of Africans in South Africa. As an interim body, it would influence DET policy until African communities obtained

full participation in political structures and were able to decide on education policy and practice. (Dr Viljoen had committed himself to the African control of African education in accordance with the government's five-year reform plan of 1989.)¹¹ [¹¹ Mackay S, *Quarterly Countdown* 13] Whereas members of the old council had by and large been appointed by the minister in charge of African education, Dr Viljoen said, it now consisted of [indirectly] elected parent and community representatives from the eight regions falling under the DET, as well as of 11 representatives appointed by African teachers' and inspectors' associations and by colleges of education, technikons and universities. Five education experts were to be appointed by the minister.¹² [¹² Various newspaper reports; Mackay S, *Quarterly Countdown* 13] At the beginning of 1989, school committees in DET schools had been replaced by school management councils. These councils were elected by parents and were designed to increase community participation in and control of African education (see *1988/89 Survey* p236). The chairmen of the school councils would belong to area committees, and chairmen of area committees would be seconded to a regional council, which would in turn elect a chairman from among its members. This chairman would be seconded to the council. According to Dr Viljoen, the council would be entitled to be briefed on all aspects of educational planning, policy and funding and would advise the DET on any relevant matter. It would have direct access to the DET's director general and to the minister of education and development aid. However, it would not have the power to enforce its decisions or to veto DET decisions.¹³ [¹³ *Ibid* L4]

Shortly before the council's first meeting in May 1989, 13 chairmen of area committees representing 330 schools in the DET's Johannesburg region (comprising Alexandra and Soweto) refused to elect a member to serve on the new body. During a meeting with Mr De Beer, they said that the government had not canvassed parents' views on the structure of the council; that they objected to the five nominated expert members, who were drawn from current and former DET employees, mostly school inspectors; and that they feared operating within the structure in its present form because, although their role was merely advisory, they would be blamed by their communities for unpopular government policies on education.¹⁴ [¹⁴ *Sowetan* 16 May 1989] A parent who had attended the meeting said that 'we see no reason why these experts cannot be elected by parents... We will not serve with them. We've chosen to operate from the region's management councils and area committees and all problems of the region will be dealt with at that level'.¹⁵ [¹⁵ *Ibid* 15 May 1989] In October 1989 the area committees of chairmen and women of school management councils in the Orlando East and Orlando West areas of Soweto announced their decision to withdraw from the above structures altogether. The 17 schools they represented would cut links with the DET owing to the following: the unilateral decision by the DET to continue with the policy of screening pupils before admitting them; the continuing detention of pupils and parents involved in a search for an acceptable education policy; the re-introduction of 'veld schools', which were nothing more than 'brainwashing camps'; and the failure of management councils to take the initiative when there were crises in schools.¹⁶ [¹⁶ *New Nation* 27 October 1989]

One of the major issues to be raised by the alternative education movement (including the banned National Education Crisis Committee (NECC)) and by various educationists throughout 1989 concerned the devolution of the control of African education from the department to parents and communities. The DET was continually accused of failing to keep communication channels open and of addressing urgent

issues too slowly or not at all. The DET denied the allegations.¹⁷ [¹⁷ Numerous newspaper reports]

In December 1989 the National Education Co-ordinating Committee, an offshoot of the NECC, launched a back-to-school campaign at a three-day education crisis conference in Cape Town (western Cape). The campaign was in defiance of the DET's exclusion policies (see *Shortages* and *Examination results* below). The NECC called on all parents to register pupils at schools of their choice. The newly elected general secretary of the organisation, Mr Ihron Rensburg, said, 'The crisis in education is created by the corruption within the departments of education, expulsion of students from schools, exclusion of large numbers of students from admission, the retrenchment of teachers in all departments and the destruction of student representative councils and of parent-teacher-student associations.'¹⁸ [¹⁸ *Sowetan* 18 December 1989] According to the conference, these councils and associations had been the most representative organisations within the education sector.¹⁹ [¹⁹ *Cape Times* 18 December 1989] The NECC also resolved to:

- take forward the pupils' struggle in a disciplined manner;
- restructure itself so as to become a co-ordinating, rather than merely a crisis, committee. This would make the NECC more effective;
- become fully involved in the teacher unity talks (see *1988/89 Survey* pp252–253);
- commit itself to the establishment of a single nonracial student organisation at tertiary level;
- align itself with the National Sports Congress (NSC) (see chapter on *Social Segregation*) on the subject of the organisation of school sport and work towards the establishment of the National Schools Sports Congress under the NSC;
- approach the All Schools for All People (ASAP) campaign (see *Multiracial education* below) with a view to establishing a working relationship with those involved in ASAP and to strengthening the campaign; and
- set up regional and national co-ordinating bodies, in conjunction with literacy groups and with the Congress of South African Trade Unions, in order to develop and establish policy on literacy and numeracy.²⁰ [²⁰ *Cape Times, Sowetan* 18 December 1989]

A director of the KwaZulu Natal Indaba, Dr Johan van Zijl, said in February 1989 that the indaba favoured the devolution of power to parents and communities in education.²¹ [²¹ *Business Day* 27 February 1989] No details were available on this policy. In March 1989 Dr Van Zijl announced the launch of an education advisory board under the auspices of the indaba. The advisory board would include representatives of the DET and the three own affairs education departments in Natal, and of the

KwaZulu Department of Education and Culture. According to Dr Van Zijl, the board was being launched owing to widespread concern that the fragmented education system failed to address the 'realities of a rapidly changing multicultural society'. He said, 'An economically embattled Natal cannot afford the current wasteful duplication and triplication of under-utilised [white] educational facilities. The advisory board could provide a vehicle for rationalising the use of facilities and resources. We feel that this body can serve as the forerunner to a provincial education council for a unified education department in the KwaZulu/Natal region.'²² [²² *The Citizen* 2 March 1989]

Speaking on the occasion of the launch of the new National Council for Education and Training (see above), Dr Viljoen argued that educational processes had been damaged and retarded by the politicisation of schools. He said, 'We all know that irreparable damage was caused by misguided people and pupils who boycotted and tried to reduce education to a state of ungovernability in the cause of the false and misleading slogan of "freedom before education". Fortunately black leaders, students and communities have come to realise that there can be no meaningful and lasting freedom, political emancipation, democracy or even good administration unless it is built upon a firm basis of sound education.' He added that the slogan should state: 'Education is a pre-requisite for real freedom'.²³ [²³ *The Star* 17 May 1989]

In October 1989 Mr Ahmed Kathrada, an African National Congress (ANC) leader who had recently been released after spending 26 years in jail, said, while addressing a rally organised by the Lenasia Students' Congress at Nirvana High School (Lenasia, Johannesburg), that before his imprisonment he had believed in 'liberation before education'. After giving the matter much thought, however, he now realised that the slogan was wrong and that liberation and education went hand in hand.²⁴ [²⁴ *The Citizen* 21 October 1989]

In February 1990 Mr Nelson Mandela, a prominent ANC leader who had just been released after spending 27 years in jail, addressed a very large rally at Soccer City (Johannesburg) and, among other things, called on all children to go back to school in order to show responsibility as future leaders and as 'the best way of welcoming me'. He said that while the quality of black education was inferior, pupils should study in spite of the difficulties they encountered.²⁵ [²⁵ *The Star* 14 February 1990]

Speaking at a rally in March 1990 in Harare (Zimbabwe), Mr Mandela provided an indication of ANC education policy when he said, 'We declare for common government schools which will be nonracial, but those who prefer to run their own schools to maintain their own cultural background will be entitled to do so.'²⁶ [²⁶ *Business Day* 5 March 1990]

It was reported in the 1988/89 *Survey* that Mr Clase had said in Parliament in March 1988 that while the councils of white technikons were at liberty, in consultation with himself, to formulate their own policy regarding the admission of students of other races, no students other than white students would be allowed to reside in hostels at these technikons. He had said, furthermore, that no consultation on the issue had been necessary because existing policy was one of 'retaining the status quo'. However,

according to a statement released by Mr Clase in June 1989, the ministers' council of the House of Assembly decided that the 'provision and control of accommodation on the campuses of universities and technikons will in future be the full responsibility of the respective councils'. This decision, the statement said, was the result of representations submitted over the years by institutions requesting further recognition of their autonomy in respect of their management of accommodation. Mr Clase said that this development did not imply a departure from the provisions of the state constitution: education at all levels remained an 'own affair' but services might be 'rendered to other groups where a need exists'. Universities and technikons were expected to apply to the relevant minister for exemption from the applicable provisions of the Group Areas Act of 1966. Mr Clase added that he accepted that the institutions concerned would take into account students' freedom of choice concerning accommodation requirements and arrangements.²⁷ [27 Statement released by the Directorate of information, Department of Education and Culture (House of Assembly), 29 June 1989] (For details concerning the response of technikons and universities to Mr Clase's announcement, see *Tertiary Education* below. For further issues relating to policy, see also the following: *Legislation, Finance, Salaries, Multiracial education, Pre-primary education, Curricula, Examination results, Pupils' organisations, Teachers' strikes and Tertiary Education.*)

Legislation

Regulations governing the minimum age of admission for pupils at schools under the Department of Education and Training (DET) were brought into line with those of other education departments as from January 1989. In terms of Government Notice R2 287 of 11 November 1988, five-and-a-half-year olds could be admitted to schools if they turned six on or before 30 June.²⁸ [28 *Sowetan* 17 January 1989] In view of the general absence of pre-school education for Africans (see *Pre-Primary education* below), the lowering of the entrance age was seen as a small attempt to give younger children a chance to adjust to schooling. The first year could be regarded as a preparatory year and children would not have lost valuable time if they did not manage to proceed to the next standard.²⁹ [29 Cosser E, *Social and Economic Update* 7, November 1988–March 1989 (SAIRR)]

It was reported in the *1988/89 Survey (pp240–241)* that new regulations concerning the admission and the control of pupils at government schools and state-aided schools under the control of the DET had been gazetted in November 1988 and had been widely criticised. The **Education and Training Amendment Bill** of 1989 proposed to amend section 34 of the Education and Training Act of 1979, by the addition of a proviso which stated that the director general of the DET could refuse admission to any person who applied for admission as a pupil to a government school if he/she was of the opinion that such a person's presence at the school would be prejudicial to the interests of the school or the provision of education.³⁰ [30 Education and Training Amendment Bill, B8–89] However, the parliamentary joint committee on education, which debated the bill in mid-February 1989, altered the proviso to read: 'Provided that if a council, committee, board or other body, established for a public school ... recommends to the director general that the presence at the school of any person who applies for admission as a pupil to the school will be prejudicial to the interests of the school or the provision of education, the director-general may, after an inquiry at which the person concerned, and if he is a minor, also his parent, shall be heard ...

refuse that person admission to that school.’³¹ [³¹ Joint Committee Amendment and Rejected Amendment to Education and Training Bill, B8A–89] Nevertheless, the committee rejected proposed amendments motivated by the Progressive Federal Party (PFP), which would have required school bodies to grant the pupil and parent concerned a hearing in the absence of any departmental official, including the head of a school, before making recommendations to the director general.³² [³² Ibid]

Introducing the debate preceding the second reading of the bill in Parliament in February 1989, the deputy minister of education, Mr Sam de Beer, argued that the proposed measure concerning the exclusion of pupils was ‘solely intended to protect the vast majority of pupils who do want to study against the small minority of intimidators and perpetrators of violence whose sinister motives have nothing whatsoever to do with the promotion of education. It is the intention to state without doubt that the department possesses the power to refuse undesirable persons admission to public schools’. He maintained that ‘the communities affected by these persons have now had more than enough of lawlessness, violence and intimidation’ and referred to press reports in support of his argument. (See also *School boycotts and other disturbances* below.)³³ [³³ *Hansard* (A) 4 cols 1556–1559, 27 February 1989]

In the course of the ensuing debate, Mr D S Pienaar MP (Conservative Party) stated that the CP supported the bill, although it objected to the amendments of the committee (where it had been represented).³⁴ [³⁴ Ibid] Mr JG van Zyl MP (National Party) said that the changes had been necessary because ‘if one wants effective education, one must have the co-operation of the pupil, but also that of the parent and the community’. Disciplinary measures had a greater effect if they were not enforced upon pupils ‘from the top by the department’, he added.³⁵ [³⁵ Ibid, cols 1559–1561] Mr Ken Andrew MP (PFP) said that, while he agreed with these sentiments and with the need for a procedure to exclude from schools ‘those pupils who, continually and deliberately, seriously disrupt effective education’, the PFP opposed the bill because it did not provide adequate safeguards and because it still embodied an attitude of ‘from the top by the department’. To refuse a child easy access to education, he said, was a very serious matter, and required stringent safeguards, especially since the great majority of African children were not subject to compulsory education (see *Compulsory education* below). Mr Andrew made the following points concerning the background against which the bill would operate if it were enacted:³⁶ [³⁶ Ibid, cols 1561–1565]

- African school education (and high school education in particular) took place in a highly politicised environment
- the relationship between parents, teachers and pupils in African education differed markedly from that which prevailed in white education. African pupils were generally older than white pupils. Teachers were often young, not well qualified, and struggled with large classes. Many parents were not well educated and were, in some cases, illiterate
- African townships were marked by a history of interference by the security forces and pupils were harassed and victimised. ‘The moment there is a problem, student representative council leaders get

picked up, irrespective of whether they were directly involved or involved at all, and this causes a great deal of anger,' Mr Andrew said and

- the serious lack of communication between the DET and the communities it was serving, and between schools and parents, continued to cause serious problems at many schools. Mr Andrew argued that 'the proposed new structures which are in the process of being introduced have not been designed together with parents after wide consultation. The committees and councils that are coming into being will often be viewed with great suspicion (see *Policy* above). Against this background refusal to admit children could cause very serious problems'.³⁷ [³⁷ Ibid]

Further amendments proposed by the Education and Training Amendment Bill were not the subject of debate. A definition of 'subsidy' was proposed, in order to provide that assistance to a state-aided school need not be only in the form of money, but might include school furniture, equipment, stores, stationery, and other assistance in kind. The bill also brought the principal act into line with the transfer of responsibility for the rendering of school health services from the Department of National Health and Population Development to the provincial administrations.

The National People's Party, the People's Independent Party, the People's Party of South Africa and the PFP voted against the bill, owing to the clause relating to the exclusion of pupils.³⁸ [³⁸ Information provided by the Democratic Party Office, February 1990] Nevertheless, the bill was passed and became the **Education and Training Amendment Act** (No 35 of 1989) when it was assented to by the state president in March 1990.

The **Education and Training Second Amendment Bill** of 1989 proposed to amend the Education and Training Act, so as to provide for the entering into of certain agreements between the government of 'South Africa' and the governments of the 'independent' and non-independent homelands, and for incidental matters. The bill stated that the minister of education and development aid, or an officer or teacher in the employ of the DET, might, in terms of an agreement between the government of 'South Africa' and the government of a homeland, perform certain functions in that homeland. The bill also provided for the opposite situation.³⁹ [³⁹ Education and Training Second Amendment Bill, B55-89 (GA)]

The **National Policy for General Education Affairs Amendment Bill** of 1989 proposed to amend the National Policy for General Education Affairs Act of 1984 so as to do away with a committee and a research committee which had been established to advise the minister of national education on matters relating to the salaries and conditions of employment of education personnel. The bill provided for the replacement of the committees by a bargaining council which would negotiate salaries and conditions of employment.⁴⁰ [⁴⁰ National Policy for General Education Affairs Amendment Bill, B96-89 (GA)] (For response to the bill, see *Salaries* below.)

The **Cultural Institutions Bill (House of Assembly)** of 1989⁴¹ [⁴¹ Cultural Institutions Bill, B90-89 (HA)] provided for the declaration of certain institutions as cultural institutions under the control of councils,

for the payment of subsidies to such institutions, for the establishment of advisory committees and of a committee of heads of declared institutions, and for matters connected therewith. According to the memorandum on the objects of the bill, certain institutions which had been identified as own affairs of the white population group in terms of The Republic of South Africa Constitution Act of 1983 were still being administered in terms of the provisions of the Cultural Institutions Act of 1969, which is applicable to a number of general affairs institutions. The bill proposed to do away with problems experienced in the application and administration of one act on both own and general affairs.⁴² [42 Ibid]

The **Cultural Affairs Bill (House of Assembly)** of 1989⁴³ [43 Cultural Affairs Bill, B75b-89(HA)] provided for the preservation, fostering and extension of culture in South Africa through the provision of certain services and facilities for the establishment of regional councils for cultural affairs for the determining of the objects, functions and powers of such councils for the confirming of certain powers upon the minister in order to achieve those objects and for matters connected therewith. Again, the principles of the bill were in the main similar to those of an earlier act and were adapted only to meet the own affairs requirements of the minister of education and culture in the House of Assembly.⁴⁴ [44 Ibid]

The **Cultural Institutions Act** and the **Cultural Affairs Act** were passed in June 1989.

The **Disclosure of Foreign Funding Bill** of 1989 proposed the creation of measures aimed at ensuring that particulars in respect of funds received from abroad by certain organisations and persons were disclosed. The bill made provision for the appointment of a registrar who would have the power to declare any organisation or person a 'reporting' organisation or person, after which certain obligations arose in respect of the disclosure of the receipt of foreign funds. The bill also stipulated that foreign funds must, except with the written consent of the registrar, be used exclusively for the purposes for which they were provided by the supplier.⁴⁵ [45 Disclosure of Foreign Funding Bill, B3b-89(GA)]

The **Disclosure of Foreign Funding Act** (no 26 of 1989) was passed in March 1989.

The Kagiso Trust, an organisation which funded numerous projects, including educational projects, for the victims of apartheid, said early in 1989 that it would defy the new measures. At the end of 1989 the trust announced that it would be providing R28m in scholarships to benefit over 5 000 pupils and students. It would not administer the grants itself but would make them available through a number of established bursary organisations. The director of the trust, Mr Achmat Dangor, said that while the various bursary organisations would make independent decisions regarding scholarship awards, the basic aim of the trust's funding was to direct resources towards 'traditionally disadvantaged' people, including those from rural areas and women. He also said that the trust would favour technical and agricultural education. Its funding should not be viewed as a substitute for government funding, Mr Dangor added.⁴⁶ [46 *The Star* 12 December 1989]

After receiving a warning from the registrar in August 1989 that it would be declared a 'reporting' organisation, the trust stated that the act was politically motivated, since there were already laws which

could be used to prevent misappropriation of funds, and expressed the fear that the state might use information to act against funding organisations under other laws. It asked the registrar for concrete reasons for the action and resolved not to obey those sections of the law which were blatantly of an intelligence-gathering nature. The trust also said that it would call on its biggest donor, the European Community, and its member states, to voice their opposition to the act, and that it would call for 'strong punitive measures' should the government threaten to disrupt those who engaged in peaceful opposition to apartheid.⁴⁷ [⁴⁷ *The Weekly Mail* 1 September 1989]

Although a 'head-on collision'⁴⁸ [⁴⁸ *Ibid*] between the trust and the state was expected soon after these developments, no prosecution had been undertaken at the time of writing. Trustees of the trust included well known community and church leaders, such as one of the commissioners of the Human Rights Commission, Dr Max Coleman; the general secretary of the South African Council of Churches, the Rev Frank Chikane; his predecessor, Dr Beyers Naud ; and the Anglican archbishop of Cape Town, the Most Rev Desmond Tutu.⁴⁹ [⁴⁹ *Ibid*]

The **Educational Institutions Emergency Regulations** proclaimed on 9 June 1989 in terms of the Public Safety Act of 1953 were lifted following the state president's opening address to Parliament in February 1990.⁵⁰ [⁵⁰ *Government Gazette*, no 11949 of 9 June 1989; Proclamation R20, *Government Gazette*, no 12287 of 3 February 1990]

For further information relating to legislation, see also the following, below: *Pupils' organisations, Technical Education and Industrial Training at Secondary and Post-secondary Level, Universities and Student Organisations*.

Administration

It was reported in the *1988/89 Survey (pp235–236)* that a commission of inquiry under the chairmanship of Miss Justice Leonora van den Heever had been established in June 1988 to investigate various alleged financial irregularities within the Department of Education and Training (DET). In mid-February 1989 the minister of education and development aid, Dr Gerrit Viljoen, stated in Parliament that steps to eliminate irregularities relating to procedures for obtaining services and supplies had been introduced at the DET.⁵¹ [⁵¹ *The Star* 17 February 1989]

The commission's first report, which dealt with the acquisition of a R5m interactive video system by the DET, was handed over to Dr Viljoen at the end of February 1989.

In this first report, the commission found that the purchase of the video system, from a company in which the son of Dr Braam Fourie, director general of the DET, had an interest, had been irregular. It came to the conclusion that the son, Mr Willem Fourie, had benefited from inside information and that no other person or body had been afforded an opportunity to compete. The commission said that

permission for the purchase had been acquired through representations which 'were not the whole truth'. It also condemned the manner in which payment had been made.⁵² [⁵² Ibid 8 March 1989; *Financial Mail* 10 March 1989] According to Judge Van den Heever, Dr Fourie had withheld his son's involvement from Dr Viljoen and his conduct had been 'irregular and autocratic throughout'. The judge also found that the conduct of the acting director general of the DET, Dr Dirk Meiring, had been identical to that of Dr Fourie. Although there was no evidence to suggest that Dr Meiring had been aware of Mr Willem Fourie's involvement, he had definitely been aware of irregularities in the relationship between the DET and the company and had nevertheless been eager to push the deal through as 'urgent'. She said, furthermore, that 'certain aspects of Dr Meiring's testimony were not consistent with his evidence before the advocate general; with regard to the appropriation account he made statements before the Joint Parliamentary Committee which were not true'.⁵³ [⁵³ Ibid]

Immediately following the report, Dr Viljoen announced that Dr Fourie's actions had been referred to the attorney general for possible prosecution and that Dr Meiring would be transferred to a 'suitably graded post elsewhere in the public service'.⁵⁴ [⁵⁴ *Financial Mail* 10 March 1989, *The Star* 12 April 1989] In April, however, Dr Viljoen told Parliament that Dr Meiring had been formally charged in terms of the Public Service Act of 1984 and that his transfer was being delayed until the case had been finalised.⁵⁵ [⁵⁵ *Star* 12 April 1989] In July 1989 Dr Meiring was found not guilty of misconduct by a magistrate in the Johannesburg Regional Court.⁵⁶ [⁵⁶ *Business Day, Sowetan* 19 July 1989]

Dr Viljoen denied allegations in Parliament in March 1989 that he had dragged his heels over conducting a proper investigation into irregularities in the DET and resisted calls by the Conservative Party and the Progressive Federal Party for his resignation.⁵⁷ [⁵⁷ *The Citizen, The Star* 15 March 1989]

A new director general, Dr Bernhard Louw, was appointed in March 1989.⁵⁸ [⁵⁸ *Sowetan* 8 March 1989] He said at the time that he wished to stress his commitment to the best possible standards and facilities in African education and his willingness to maintain open and honest communication with the public. He also expressed the opinion that 'just because there is an investigation going on does not mean the whole department is rotten and it should not disrupt the running of the DET'.⁵⁹ [⁵⁹ *The Star* 20 March 1989]

The Van den Heever commission's second report, published in early December 1989, investigated publishing contracts worth R2,5m awarded by the DET to Mr Tinus Strydom, son of the former deputy director general of the DET, Mr Jaap Strydom. Mr Jaap Strydom was allowed to retire owing to ill health when the commission found that although he had been aware of his son's involvement in business arrangements with the DET, 'there was no proof beyond doubt that he had been aware that this was taking place through irregular favouring and misrepresentation'.⁶⁰ [⁶⁰ *The Star* 6 December 1989, *Business Day* 7 December 1989] The commission also cleared Dr Viljoen of any attempts at covering up irregularities in his department.⁶¹ [⁶¹ *Sowetan* 7 December 1989] However, the commission called for a probe into fraud, forgery and uttering, following allegations submitted to it that the DET had been defrauded of millions of rands

by DET officials belonging to a secret section, Gemeenskapskommunikasie (Gemkom), formed in 1985.⁶² [⁶² *The Star* 7 December 1989] According to the report, Mr Tinus Strydom had been appointed to the DET when officials of that department and of the Department of Co-operation and Development agreed in 1985 that a journalist was needed to publish a newspaper in Cradock (Cape) to forestall further pupil unrest in the area. He had later become a consultant to various publications financed by Gemkom in order to influence African thinking and education in various areas. He had been awarded printing contracts without competitive quotations being formally obtained and had used a variety of names to obtain the contracts, the commission said.⁶³ [⁶³ *Business Day* 7 December 1989] According to testimony before the commission, large and secret amounts of money were being asked for without explanation by Gemkom.⁶⁴ [⁶⁴ *The Citizen* 7 December 1989] The commission was unable to say who had falsified official documents, or how much money had finally been involved. One of the 58 witnesses called said that the value of contracts obtained by Gemkom might be as much as R10m.⁶⁵ [⁶⁵ *The Star* 7 December 1989] The government accepted the recommendations of the commission that the report be referred to the attorneys general of the Transvaal and Natal for consideration for prosecution, and that the report also be referred to the commercial branch of the South African Police in the light of specific examples pointing to fraud.⁶⁶ [⁶⁶ *The Citizen* 7 December 1989] The commission stated that it had not had the time to go into bank accounts and other deposits in search of proof of dishonesty or bribery concerning unsatisfactory witnesses.⁶⁷ [⁶⁷ *Business Day* 7 December 1989]

One senior DET official was suspended and another transferred to another region of the DET during the commission's second inquiry, following their testimony.⁶⁸ [⁶⁸ *Business Day* 22 March 1989, *Financial Mail* 7 April 1989]

After both reports, the DET affirmed that it had tightened up its financial administrative controls. Gemkom had been disbanded, it said.⁶⁹ [⁶⁹ Various newspaper reports]

The second report, which was published at the end of 1989 (a year marked by a number of inquiries into various state departments) made the following recommendations with a view to preventing irregularities within government departments in general and education departments in particular:

- the state tender board should no longer have the power to grant secret requests;
- a government minister should be the only person able to grant permission for the classification of any action as 'highly confidential' or as 'secret';
- measures should be introduced to prevent tenderers from using a variety of identities to conceal the fact that contracts were entered into by the state with the same individual;
- the treasury should give urgent attention to departmental attempts to spend the unused part of budgets just prior to the end of a financial year;

- functions not connected with education should be performed by individuals whose background and training were more appropriate than a background in education; and
- the appointment of an ombudsman should be considered. The person in this position would investigate matters independently and might also examine the possible extension of the functions and role of the advocate general. The commission itself requested that it be allowed to comment on aspects of the Advocate-General Amendment Bill of 1988.⁷⁰ [⁷⁰ *The Star* 6 December 1989, *Business Day* 7 December 1989]

The commission continued with its work in 1990. Two more reports were to be issued following investigations into the purchase of books and into the acquisition of sites for youth camps by the DET.⁷¹ [⁷¹ Various newspaper reports] In February 1990 the auditor general, Mr P Wronsley, ordered a probe into the auditing of DET finances following the findings of the commission. He said that he was perturbed by the fact that, given the duration and extent of the irregularities, they had not been picked up by accountants checking the books during the annual audit. However, the 1988/89 audit did show that the DET was not fully in control of its finances and that the payment of some teachers' salaries was being 'seriously' delayed.⁷² [⁷² *Sowetan*, *The Star* 9 February 1990]

The former rector of the Natal College of Education, Dr George Harrison, resigned from the Natal Education Council in February 1989. He said that the council had no authority to influence white education in Natal in any meaningful way and that none of the advice it had offered to date had been accepted by the education authorities. He took the view that the council was badly flawed owing to inadequate devolution of power. Other educationists concurred with Dr Harrison's statements. One of them, Professor Colin Webb, vice principal of the University of Natal, expressed the opinion that the council, which had no accountability to any constituency and no decision-making powers, was a 'constitutionally meaningless' body.⁷³ [⁷³ *The Citizen* 25 February 1989] During an interpellation debate in Parliament in March 1989, regarding the limited role of the four provincial education councils, Mr Mike Ellis MP (PFP) said that the councils were little more than a cover for the government's centralisation policy (see *Legislation in 1988/89 Survey*, pp236–239) and added that any hope that the provinces might have had of being able to retain some authority had been 'whittled away completely'. Mr Ken Andrew MP (PFP) alleged that communication between the authorities and the councils gave some indication of the latter's status. He said that the Cape Education Council, for example, did not know what decisions the minister of education and culture, Mr Piet Clase, had taken, until a bill was tabled in Parliament or until a regulation was gazetted.⁷⁴ [⁷⁴ *Hansard* (A) 7 q cols 468–473, 21 March 1989] Mr Clase replied that the majority of individuals on the various councils accepted the advisory nature of the councils and stated, 'In all four provincial education councils there is a great appreciation for the right and the opportunity which they have been given to make specific contributions.' He also said that it was physically impossible to go back to the councils and to provide them with an explanation every time a recommendation was rejected.⁷⁵ [⁷⁵ *Ibid*]

It was reported in the *1988/89 Survey* (p278) that, according to testimony given before the commission of inquiry into allegations concerning the involvement of any member of the ministers' council of the House of Delegates or any member of the House of Delegates in any irregularities (the James commission), the chief director of the Department of Education and Culture (Indian own affairs), Dr G Nair, had been implicated in irregularities concerning, among other things, the appointment of recently qualified teachers. In March 1989 Dr Nair was suspended by the minister of the budget in the House of Delegates, Mr Ismail Kathrada (whose post included responsibility for the appointment of personnel), as a result of the findings of the commission. The James commission also found that the minister of education and culture in the House of Delegates, Mr Kassie Ramduth, had engaged in an 'irregularity of a minor kind', on a matter relating to his son's promotion. The former chairman of the ministers' council in the House of Delegates, Mr Amichand Rajbansi, who had been dismissed from his post by the state president, Mr PW Botha, in December 1988, as a result of the findings of the commission, and who was subsequently placed on trial for a number of irregular acts (see chapter on *Political Developments*), called on Mr Ramduth to resign because, he said, an 'irregularity is an irregularity'. He also claimed that if Mr Ramduth chose not to resign, he would be 'bludgeoned' by Mr Botha.⁷⁶ [⁷⁶ *The Leader* 17 March 1989] Mr Ramduth was acting chairman of the ministers' council when Mr Rajbansi made his statements. He refused to resign.

The newspaper *The Leader* criticised the newly appointed minister of education and culture, Dr Kisten Rajoo, in October 1989, for not having formulated a clear policy on how to resolve the many problems facing Indian education. Dr Rajoo said that he had formed a 'think tank' or advisory committee to deal with issues. However, the Teachers' Association of South Africa, which represented almost 80% of Indian teachers, had not been asked to form part of his advisory committee.⁷⁷ [⁷⁷ *Ibid* 27 October 1989]

A report tabled by a sessional committee of the National Assembly of Venda in March 1989 (see chapter on *The Homelands*) revealed irregularities and thefts in several state departments. Among these was the acquisition of a R150 000 house in Louis Trichardt (northern Transvaal) for the use of the rector of the University of Venda, Professor PW du Plessis. The committee recommended the immediate sale of the house and the provision of a rector's residence within the boundaries of Venda. Also investigated was the purchase of a farm near Louis Trichardt by Professor Du Plessis and by a state minister, Mr George Ramabulana. The committee said that the two men should be made to repay the sum of R400 000 which had been taken from local council funds in order to purchase the farm. Although the local council had bought the farm, it was owned by Professor Du Plessis and Mr Ramabulana.

The committee also reported that staff members at the University of Venda were being overpaid in comparison with staff at other universities, owing to the fact that they were granted various allowances. It called on the Department of Education and the Department of Finance to conduct a survey of staff salaries at the university. If it could be shown that the salary structure was better than that of similar universities, any further salary increases should be withheld until such time as salary scales fell in line, the committee recommended.⁷⁸ [⁷⁸ *The Citizen* 23 March 1989, *Financial Mail* 7 April 1989]

In December 1989 student leaders at the university said that lecturers' salaries had been frozen for three

years and that 20 lecturers had resigned. Students criticised the decision to freeze salaries. The university administration, however, denied that salaries had been frozen.⁷⁹ [⁷⁹ *Sowetan* 1 December 1989]

The commission of inquiry into the appropriation of the Lebowa Revenue Fund and alleged mismanagement in Lebowa, which had been appointed in May 1989 with Mr Oelof de Meyer as chairman and sole member, heard in November 1989 that two senior officials in the Department of Education had supplied Lebowa schools with books to the value of more than R11m, through bookshops which they owned. The deputy minister of commerce, industries and manpower and former secretary for education, Mr D Kobe, said before the commission that his bookshop, which operated as part of Ramokgopa General Dealers, had been granted a government order of over R5m while he had been secretary for education. Although he had issued a circular to all bookshop owners in Lebowa stating that they should submit trading licences when pursuing contracts, his own bookshop's licence had not been sent in because 'no one had requested it', Mr Kobe said. The current secretary for education, Mr DM Mphahlele, confirmed that his bookshop had received orders of over R6m for school books. He conceded that he had obtained his licence at a time when he had been chairman of a licensing board and refused to answer a question about whether he had used his position to influence the granting of the licence. He also told the commission that he had been unaware that his department had exceeded its budget by over R7m during 1988. He said that when he had been asked to explain the deficit by a sessional committee on finance earlier in 1989, he had discovered that lack of proper control in the ordering of books was the main cause of over-expenditure.⁸⁰ [⁸⁰ *Ibid* 21 November 1989]

In December 1989 banks in Pietersburg (northern Transvaal) dishonoured salary cheques for teachers and other civil servants in Lebowa. Several allegations concerning a financial crisis in Lebowa were dismissed by the head of media relations in Lebowa, Mr S Maja.⁸¹ [⁸¹ *The Star* 5 December 1989]

Speaking in Parliament in May 1989, the chairman of the ministers' council in the House of Representatives and the minister of education and culture (coloured own affairs), the Rev Allan Hendrickse, said that owing to the shortage of teachers in rural areas the department might in future attach specific conditions to bursaries for student teachers. He also said that his department would allocate funds to pre-primary education even though the Department of National Education's funding formula did not allow for this.⁸² [⁸² *Hansard* (R) 17 cols 8457-8459, 11 May 1989] (Each education department must allocate funds for pre-school education from its total budget.)⁸³ [⁸³ Cosser, *Social and Economic Update* 7]

There were several reports of physical punishment exceeding or ignoring the prescribed rules laid down by education authorities in African, Indian and white schools, in 1989.⁸⁴ [⁸⁴ Various newspaper reports]

Dr J B Garbers was appointed director general of national education in July 1989. At the time of his appointment, he was president of the Human Sciences Research Council.⁸⁵ [⁸⁵ *The Citizen* 4 July 1989]

Also in July 1989 the deputy director of the DET's Cape region, Mr Leon Nel, was transferred to a post of equivalent grade as a result of 'streamlining'. According to press reports, repeated demands for his

resignation had been made by teachers and parents owing to alleged mismanagement.⁸⁶ [⁸⁶ *Business Day* 12 July 1989]

As at the end of April 1989, four of the deputy directors in the DET's eight regional offices were Africans. The first African deputy director at the DET's head office in Pretoria, Mr C Tlale, was appointed in December 1988.⁸⁷ [⁸⁷ Cosser E, *Social and Economic Update* 7] In February 1990 Mr E Ndaba, the chief education specialist of education development services at the DET's Natal regional office, was promoted to the post of chief director of the Natal region. This made him the highest ranking African civil servant in South Africa.⁸⁸ [⁸⁸ *Business Day* 23 February 1990]

Finance

The following additional amounts were allocated to the following education departments for the financial year ending 31 March 1989: the Department of Education and Culture (coloured own affairs) received an additional R123m; the Department of Education and Culture (Indian own affairs), R4,4m; and the Department of Education and Culture (white own affairs), R28,6m.⁸⁹ [⁸⁹ Additional Appropriation Bills of the respective chambers of Parliament, as follows: House of Representatives, B51–89; House of Delegates, B52–89; House of Assembly, B50–89] At the time of writing, it was not possible to say how much had been allocated in additional funds to education in the homelands as figures for the Department of Development Aid and the Department of Foreign Affairs did not provide detailed breakdowns.⁹⁰ [⁹⁰ Republic of South Africa, *Estimate of the Additional Expenditure to be Defrayed from the State Revenue Account during the Financial Year Ending 31 March 1989*, RP2–1988]

The amount budgeted for 1989/90 for **African education** in the white-designated areas, which is controlled by the Department of Education and Training, was just under R2bn—an increase of R311m (19%) over the previous year's actual expenditure of R1,6bn. The sum was allocated as follows:⁹¹ [⁹¹ Republic of South Africa, *Estimate of the Expenditure to be Defrayed from the State Revenue Account During the Financial Year Ending 31 March 1990*, RP2–1989]

Expenditure on African education in white-designated areas: 1989/90

R

Administration

81517 000

Pre-primary education

944 0s00

Primary education

877 474 000

Secondary education

535 683 000

Technikon training

12 293 000

University education

188 234 000

Vocational education

43 404 000

Education for handicapped children

47 150 000

Teacher training

98 942 000

Out of school education and training ^a

46 116 000

Auxiliary and associated services

20 527 000

Total

1 952 284 000

a

Includes adult education and youth activities.

The Department of Public Works and Land Affairs budgeted an additional R10 000 (as opposed to R20 000 the year before) for the provision of facilities for the technical and vocational education o

The **homelands** are responsible for their own education budgets, for which they receive grants from the central exchequer (see chapter on *The Homelands*). The non-independent homelands receive grants through the budget vote of the Department of Development Aid and the 'independent' homelands through the vote of the Department of Foreign Affairs. The budgets for education in the homelands in 1988/89 and 1989/90 were as follows:⁹³ [⁹³ Information obtained from the estimates of expenditure of the various homelands]

Education expenditure in the homelands

198198Increase

Bophuthatswana

323 984 848

417 944 000

29,0%

Ciskei

137 159 000

216 822 000

58,0%

Gazankulu

187 977 000

237 073 200

26,1%

KaNgwane

84 218 710

106 729 926

26,7%

KwaNdebele

75 555 000

80 091 000

6,0%

KwaZulu

651 958 297

774 639 694

18,8%

Lebowa

453 340 000

568 337 000

25,4%

QwaQwa

72 066 750

119 715 000

66,1%

Transkei

433 045 000

551 656 000

27,4%

Venda

137 825 000

184 973 200

34,2%

Total

2 557 129 605

3 257 981 020

27,4%

The sum budgeted for **coloured education** amounted to R1,4bn, an increase of R262m (24%) over the previous year's actual expenditure of just over R1,1bn, while that for **Indian education** was R589m, an increase of R128m (28%) over the previous year's actual expenditure of R461m. The amounts were allocated as follows:⁹⁴ [94 Estimates of revenue and of expenditure for administration of the respective chambers of Parliament, for the Financial year ending 31 March 1990, as follows: House of Representatives, RP9–1989; House of Delegates, RP12–1989]

Expenditure on coloured and Indian education: 1989/90

ColIndAdministration^a

57 444 000

21 124 000

Administration of school education

—

3 548 000^c

Pre-primary education

11 663 000

1 364 000

Primary education

574 825 000

206 766 000

Secondary education

375 440 000

226 167 000

Private education

—

359 000

Technikon education

37 566 000

21 570 000

University education

52 993 000

63 424 000

Administration of technikon and university education

—

144 000^c

Technical education

20 055 000

6 798 000

Education of handicapped children

44 266 000

17 004 000

Education of children in need of care

17 783 000

3 243 000

Schools for specified purposes

2 874 000

—

Teacher training

100 398 000

9 623 000

Extra-mural education^b

3 356 000

295 000

Advancement of culture

6 152 000

780 000

Auxiliary services

61 290 000

10 381 000

Loans for extensions to and erection of buildings

4 340 000

—

Total

1 370 445 000

592 590 000

Less internal charges

—

3 306 000

Final total

1 370 445 000

589 284 000

a

See note (c) below.

b

Adult education.

c

Whereas these two categories are listed separately from general administration costs in the House of Delegates' Estimate of Expenditure, they are included under Administration (a) in the House of Representatives' Estimate of Expenditure

The sum budgeted in 1989/90 for **white education** was R4,4bn, an increase of R642m (17%) over the previous year's actual figure of R3,8bn, allocated as follows:⁹⁵ [95 House of Assembly, *Estimate of Revenue and Estimate of Expenditure for the Financial Year Ending 31 March 1990*, RP6-1989]

Expenditure on white education: 1989/90

R

Administration

11 538 000

Pre-primary, primary and secondary education

2 415 999 000

Private school education

76 012 000

Teacher training

132 506 000

Technikon and university education

1 338 055 000

Post-school education (technical colleges)

113 536 000

Education of handicapped children

135 946 000

Children in need of care

37 890 000

Schools for specified purposes

71 312 000

Associated and auxiliary services

32 159 000

Cultural affairs and recreation

27 728 000

Total

4 3

The Department of National Education, which deals with **general policy matters for all population groups**, budgeted R10,5m for administration, national education policy and educational improvements (including bursaries and loans for technikon and university students) for 1989/90, an increase of just under R3m (39%) over the previous year's actual expenditure of R7,6m. A further R138m was allocated to various cultural and recreational services.⁹⁶ [⁹⁶ Republic of South Africa, RP2-1989]

On the basis of the figures above, the total budgeted expenditure (excluding the budget for the Department of National Education) for **all population groups** in the whole country for 1989/90 amounted to R11,6bn, an increase of 23% over the previous year's initial expenditure of R9,4bn. The amounts were allocated as follows:

Total education expenditure: 1989/90

R

African education in the white-designated areas

1 952 284 000

Education in the non-independent homelands

1 886 585 820

Education in the 'independent' homelands

1 371 395 200

Sub-total (African education)

5 210 265 020

Coloured education

1 370 445 000

Indian education

589 284 000

White education

4 392 681 000

Total

11 562 675 020

In May 1989 the chairman of the ministers' council in the House of Representatives and the minister of education and culture (coloured own affairs), the Rev Allan Hendrickse, stated in Parliament that the amount allocated to coloured education was about R250m less than was needed. He said that he and members of his department had 'exhausted' themselves in trying to convince the authorities that the

budget was inadequate. Mr Hendrickse said that if the government was insensitive to the needs of coloured people, it was his duty to inform the coloured community of the implications of government attitudes and government measures. He added that he objected to the attitude of the National Party (NP) in dealing with the obvious inadequacies of the education system for the coloured community. He accused the Department of Education and Culture (white own affairs) of having handed over a disused teachers' training college complex to the army instead of having allowed his department to use it for education purposes.

Mr Hendrickse said that after allocations to technikons and universities, remuneration of personnel and contractual obligations, only R144m remained. The additional R201m which had been made available to the Department of Local Government, Housing and Agriculture (coloured own affairs) for education buildings and grounds was far too small to meet the need for new schools and for the replacement and extension of education facilities. He said that the only way to beat the budget would be to reduce the number of personnel, but that the community served by the department would not accept

Introducing the budget vote for national education (to the extended public committee on education, which includes members from all three Houses of Parliament) on 18 April 1989, the minister of national education, Mr FW de Klerk, said that the government would not be able to implement the ten-year plan announced by himself in 1986 (see *1987/88 Survey* p150). He summarised the purpose of the plan as 'the upgrading of the provision for education in South Africa with a view to making dramatic progress towards the long-term objective of equal educational opportunities for all'. He also said that the ten-year plan had been 'aimed at reconciling the long-term financing for education with the country's financial capacity'.⁹⁸ [⁹⁸ *Hansard* (PCE) 11 cols 5553-60, 18 April 1989]

Explaining the government's inability to implement the plan, he said that following the 1986 announcement, 'sanctions and disinvestment, among other things, became a reality. This, together with other economic factors, led to economic forecasts on which the ten-year plan was based not being realised. The economy did not even nearly show the growth that had been expected. This complicated the negotiations regarding the ten-year plan on the basis of significant real growth and later made them almost impossible'.⁹⁹ [⁹⁹ *Ibid*] The minister then argued that certain realities had to be taken into account in the planning of future funding of education. Firstly, the education system was growing rapidly: the average annual growth in pupil and student numbers over several years had been just above 4% and could be expected to remain at this level. Secondly, he said, the R11,8bn which was to be spent on education in South Africa in the 1989/90 financial year, amounted to 22% of the total functional budget (the total budget minus the expenditure in respect of the servicing of state debt). (The revised state estimate, which excludes salary increases for teachers, was given as R12,2bn in March 1990.¹⁰⁰ [¹⁰⁰ *Business Day* 15 March 1990]) If the contributions of parents and other clients of the various education systems were also taken into account, an estimated R13,6bn would be spent on education during the financial year. This amount, representing about 6,1% of the gross domestic product (GDP), proved that South Africa allocated as much of its resources to education as did developed countries all over the world. Taking into account other priorities such as health, housing and security services, it was unlikely that the proportion of 6,1 could be increased significantly, Mr De Klerk said. Thirdly, the minister said,

the average annual growth in the economy had only been about 1,3% since 1980. The successful implementation of the ten-year plan would have required a growth rate of 4,1% a year. Together with this, one had to take into account the government's decision to decrease the state's share in the economy and to curb state expenditure. 'If the economy does not improve, we can therefore expect Parliament's appropriation for education over the next few years to grow by only about 1% per annum in real terms,' Mr De Klerk predicted. Fourthly, one had to remember that the unequal allocation of resources for the different 'population groups' was the result of historical factors. Mr De Klerk asserted that 'these disparities do not exist because the government wants them to exist. They are related, inter alia, to the fact that the pupil/teacher ratios for education departments differ. Apart from that, the qualification levels of teachers attached to the various education departments also differ, and thus also their remuneration. Furthermore, the percentages of pupils reaching the relatively expensive senior secondary school phase in the various education departments are not the same either'.

Mr De Klerk insisted that backlogs in educational opportunities and standards had to be eliminated without jeopardising existing standards. He said, however, that the current state of the economy made it difficult to find affordable strategies for the clearing of backlogs. Mr De Klerk added, 'We shall have to provide better education with fewer resources per client by means of a more efficient and leaner system of education.' He said that his department, together with the Committee of University Principals, was looking at the desirability of more stringent requirements for admission to universities (see *Policy and finance* under *Universities* below). He mentioned the recommendation of the South African Council for Education that standards 4 and 7 be defined as exit points in the schooling system. Mr De Klerk said, furthermore, that fundamental changes in curricula could help to reduce the costs of education. He did not, however, enter into any details concerning the additional funding of technical education which would of necessity be required if these two standards did become exit points.¹⁰¹ [¹⁰¹ Ibid]

The minister's statements and the education budget were debated at length in Parliament. Mr Roger Burrows MP (Democratic Party) asked why Mr De Klerk was not willing to release details of the funding formula which was to have been used to implement the ten-year plan.¹⁰² [¹⁰² *Hansard* (PCE) 11 cols 5576-78, 18 April 1989] Several calls were made by various members of the three houses for a single department of education for all race groups, on moral and economic grounds. The need to fund far more technical education at all levels, and to provide pupils and students with the sort of education which would answer South Africa's manpower needs and prevent further widespread unemployment, was stressed as part of the debate concerning the large allocation of funds to, and the great numbers of students at, universities.¹⁰³ [¹⁰³ *Hansard* (PCE) 1111 cols 5553-5612 and 5737-5798, 18 and 19 April 1989]

In February 1990 the National Education Co-ordinating Committee said that the government would have to triple the annual education budget to at least R30bn to equalise resources and pupil/teacher ratios in African and white schools.¹⁰⁴ [¹⁰⁴ *Business Day* 23 February 1990]

Also in February 1990, the minister of education and development aid, Dr Stoffel van der Merwe, said at a media briefing in Cape Town (western Cape) that the opening of educational resources to all races

would have a detrimental effect on the economy. While Dr Van der Merwe agreed that inequalities in the per capita expenditure for pupils of the various race groups was unacceptable 'in the long- or medium-term' (see *Per capita expenditure* below), he took the view that the additional funds which were likely to become available as a result of the possible relaxation of sanctions owing to government reform initiatives would directly benefit African education. He added that once South Africa's different educational systems had reached a point approaching equality, the separation of the various departments could be re-examined.¹⁰⁵ [¹⁰⁵ Ibid 6 February 1990]

According to Dr Van der Merwe, the financial benefits to social spending, including that on African education, which would result from the state's decision to cut the military budget (see chapter on *Security*), would take some time to filter through.¹⁰⁶ [¹⁰⁶ *The Star* 6 February 1990]

Analysis of the national budget of 14 March 1990 revealed that the increase in spending on African education in the white-designated areas would be more than 26%.

The budget for coloured education for the 1990/91 financial year increased by 25%, while that for Indian education went up by 37%. The allocation for white education was up by approximately 21%.

A further 39% was allocated to the Department of National Education.¹⁰⁷ [¹⁰⁷ Republic of South Africa Appropriation Bill, B70-90 (General affairs); Appropriation Bill (House of Representatives), B72-90 (HR); Appropriation Bill (House of Delegates), B73-90 (HD); Appropriation Bill (House of Assembly, B71-90 (HA)]

Education was the largest single item in the budget and amounted to just under 19% of total spending. This figure did not include the money allocated to improve teachers' salaries, or a sum of R150m for capital expenditure on African education in the white-designated areas to alleviate problems in places where 'backlogs were most severe'. It did include R50m to fund a once-off adjustment to the salaries of tertiary staff.¹⁰⁸ [¹⁰⁸ *The Weekly Mail* 16 March 1990]

On 16 March 1990 the government announced that it would be adding R1bn from the proceeds of privatisation to the fund of R2bn for tackling backlogs in black socio-economic development which had been announced on 14 March. The state president, Mr FW de Klerk, said that R1bn would be used by the government to eliminate backlogs in black education and to acquire land for black urbanisation. The remaining R2bn would be used to start a private trust to be managed by the honorary chairman of the Urban Foundation (UF), Mr Jan Steyn. Mr Steyn would decide how the trust money should be used, after consultation with community leaders and the private sector. According to a statement by Mr Steyn, members of the African National Congress and the United Democratic Front would be asked to serve as trustees.¹⁰⁹ [¹⁰⁹ *Saturday Star* 17 March 1990] (See also chapter on *Welfare*.)

In a detailed study commissioned by the UF in 1986, entitled 'The Social Costs of South African Education', Professor George Trotter of the Economic Research Unit at the University of Natal attempted to identify the aggregate costs of all formal, and of specified types of non-formal, education in

South Africa (including the 'independent' and non-independent homelands), from 1975 to 1985.¹¹⁰ [¹¹⁰ Trotter G J, assisted by Shave A J, *The Social Costs of South African Education* (University of Natal (Durban), Economic Research Unit, 1988)] According to Professor Trotter, in an article summarising the aims and major findings of the research,¹¹¹ [¹¹¹ Trotter G J, 'Estimating the Costs of Education', *Indicator SA*, summer/autumn 1989] formal and non-formal education were defined by the Human Sciences Research Council report on education (the De Lange Committee) of 1981 in the following manner: Formal education takes place in a planned way at institutions such as schools, technikons and universities, recognised by the various educational authorities. Non-formal education takes place in a planned but highly adaptable manner in organisations and situations outside the sphere of formal education.

Firstly, the study examined expenditure by the public sector and, where data was available, included amounts spent on education by departments other than education departments. Secondly, it investigated privately funded institutions. Official statistics for expenditure on vocational schools and correspondence colleges were used, together with information provided by various church organisations and by the Association of Private Schools.¹¹² [¹¹² The Association of Private Schools changed its name to the Independent Schools Council (ISO) in 1989] Thirdly, the project tried to reach some estimate of private sector spending on education. Questionnaires sent to business firms and educational trusts and foundations also provided information on the total expenditure on non-formal education. Lastly, the study aimed to arrive at an estimate of private direct costs (fees, school fund contributions, uniforms, books, etc) and opportunity costs (the amount of income foregone by pupils and students as a result of their not being in the labour force).¹¹³ [¹¹³ Trotter, 'Estimating the Costs of Education']

Professor Trotter warned that some overlap of amounts had been inevitable, owing to the manner in which certain statistics and information used by the study had been compiled beforehand. Moreover, there were areas in the study (such as the cost of parental contributions to school funds) which demanded extrapolation of the few data available. He stated, nevertheless, that these figures represented closer approximations to the true social costs of education in South Africa than had hitherto been available.¹¹⁴ [¹¹⁴ Trotter and Shave, *The Social Costs*]

In the section of the report dealing with overall state expenditure, Professor Trotter noted that global comparisons could be misleading, especially where budgeted amounts were used: 'For example, Dr Gerrit Viljoen, the minister of education and development aid, stated that the budget for the Department of Education and Training for 1983 was R370m, while an amount almost four times as large (R1,5bn) was budgeted for 1987. The actual expenditure for that department in 1983 was R571m. This means that the amount budgeted for 1987, while it may have been almost four times as large as the figure given by the minister as the 1983 budget, was actually only 2,6 times as large as the actual expenditure.'¹¹⁵ [¹¹⁵ Ibid]

Using the latest available figures (for 1985), Professor Trotter concluded that 'the analysis of the aggregate cost figures ... indicates just how heavily South Africa's educational system relies on expenditure by the state (R6,6bn), and, conversely, how relatively small is the role played by the

business sector (R0,9bn)' (see below for an explanation of this latter figure). Of the 1 360 business firms which were sent questionnaires, only 16% responded. They reported a total contribution to education of R66m. If this figure is taken as a 'lower bound', the absolute maximum 'upper bound' value of private sector expenditure in 1985 would have been R400m, or six times R66m. For various reasons, Professor Trotter expressed the opinion that 'a far more likely figure would perhaps be in the region of R264m or four times the reported total'. Taking into account figures issued by the Bureau for Market Research at the University of South Africa, which indicated that the total expenditure on training schemes and in-service training by some 99 000 firms and organisations surveyed was just over R504m in 1985, and using the lower and upper bounds mentioned above, an estimated R570m to R904m was spent on education and training by the business sector in 1985.

Contributions to non-formal education by the businesses which responded to the questionnaire came to about R16m. Again, the realistic upper bound value was estimated by Professor Trotter as being in the region of four times this amount. He said that whereas there had been a swing towards the support of non-formal education (from 8% of total contributions in 1983 to 25% in 1985), it was apparent that there were still very few businesses contributing to non-formal education. While 53% of respondents had said that they contributed nothing to this sector, 64% had contributed more than 90% to formal education. Furthermore, an analysis of the questionnaires revealed that, as far as formal education was concerned, a relatively small percentage of private sector funding was allocated to primary schooling, that just under 10% of firms contributed 50% or more to secondary schooling, and that 44% of respondents allocated over 90% of their contributions to tertiary education.¹¹⁶ [¹¹⁶ Ibid]

The cost of private schools other than church schools amounted to R74m in 1985. This figure excluded contributions by the private sector and by other sources outside the public sector, but included fees, and state subsidies of approximately R8m.¹¹⁷ [¹¹⁷ Information supplied telephonically by Professor G Trotter, 16 January 1990] The cost of schooling in Roman Catholic schools (which provided more school education than any other denomination and were the only church schools for which any significant expenditure figures could be obtained) came to approximately R25m. This figure covered the cost of schooling in 16 African schools which received no financial assistance from the state and in 67 schools which catered predominantly, although not exclusively, for white pupils.¹¹⁸ [¹¹⁸ Trotter and Shave, *The Social Costs*]

The total cost of private correspondence colleges was about R18m in 1985.¹¹⁹ [¹¹⁹ Ibid]

Contributions to education for Africans by various agencies of the government of the United States (US) came to R17m in 1985. Of this figure, R12m was provided by the American State Department, but no details could be obtained regarding the allocation of funds to either formal or non-formal education. Another R4m was spent by the Internal Bursaries Project of the Agency for International Development, with the funds being administered by the South African Council of Churches and the South African Institute of Race Relations. A further source of US educational aid was supplied by the Human Rights Programme and amounted to an approximate R854 000 in 1985. It was practically impossible to obtain exact figures concerning the relative amounts expended by the programme on formal and non-formal educational projects (as these were skimpily described and as they were frequently linked to projects

seeking to promote skills towards employment or self-employment, among other things).¹²⁰ [¹²⁰ Information supplied telephonically by Professor G Trotter, 16 January 1990] However, it could be ascertained that about R306 000 was spent on formal education and R548 000 on non-formal education.¹²¹ [¹²¹ Trotter and Shave, *The Social Costs*]

The study also established that the balance of school costs (the contribution by business firms, trusts and foundations to formal schooling, but excluding bursaries) could be situated at a 'lower bound' value of R13m, while the balance of tertiary costs (the excess of tertiary expenditure over state subsidies) came to R351m (see also *Policy and finance* under *Universities* below).¹²² [¹²² Trotter, 'Estimating the Costs of Education']

In the final section of the report, Professor Trotter provided an estimate of the total social costs of education (based on all the above-mentioned categories) in 1985. An attempt was made to allocate the total costs among the four race groups. The costs of running private schools were excluded as it was not possible to ascertain the amounts spent in respect of the different groups at these schools. According to Professor Trotter, 'Bearing in mind that the data is incomplete, it is nevertheless interesting to note that the percentage of total costs referring to coloureds (sic) (10,4%) does not differ significantly from their proportion of the population (10,5%) or their percentage composition of the total enrolments of the state educational institutions (9,8%). The percentage of total costs attributable to Indians (5%) is slightly higher than their percentages either in the population (3,2%) or in total enrolments (3,1%). Glaring disparities occur for Africans and whites. With 68,1% of the population and 73,3% of enrolments, Africans incur only 35,2% of the social costs. However, 49,4% of the costs are incurred on behalf of whites, who only constitute 18,2% of the population and 13,9% of enrolments.'¹²³ [¹²³ Trotter and Shave, *The Social Costs*]

In an article in the December 1989/January 1990 issue of the magazine *Leadership*, in which a number of education specialists offered their views concerning, among other things, the future financing of education in South Africa,¹²⁴ [¹²⁴ Schwartz P, 'Fundamentals', *Leadership South Africa*, December/January 1989/90] the principal of the multiracial Sacred Heart College (Johannesburg), Brother Neil McGurk, emphasised that future planning and funding of education would have to take into account demographic factors such as population growth, increasing urbanisation and limited human and financial resources. According to Brother McGurk, it would be unrealistic to expect the state to fund 12 years of schooling for everyone in the future. He said, 'At present 6,5% of GNP is spent on formal education, which already makes it the number one expense. If you wanted to get parity in education at the present level of white education, you would have to use 20% of GNP, which is out of the question even in the best of all possible worlds. In addition, there would have to be a 3% growth rate in the economy.' He added, 'What is not going to work is government simply providing money to keep the formal system going.' Brother McGurk expressed the opinion that the state might be able to provide equal education to the end of primary school. He also said that secondary and tertiary education should be 'limited' and better geared to the needs of the country. He argued that the state would have to allow regional options to develop and that it was necessary for the public and private sectors to develop co-operative strategies in the provision of solutions. One area in which such co-operation could be fruitful, he said, would be the area of mass

learning technologies.¹²⁵ [125 Ibid]

A co-ordinator of the Education Policy Unit at the University of the Witwatersrand, Mr J Muller, argued that the state had, since 1986, shown a change in attitude concerning private sector involvement. Examples he provided were the provision of pre-primary education and state subsidies to private schools. (The state appears to be gradually withdrawing its support from pre-primary education (see *Pre-primary education* below), although it has not made any major policy statements in this regard, and there has been a substantial rise in the number of private (often non-racial) pre-primary schools in the last few years. Government subsidies of 15% or 45% have in the past few years been available to private schools and have more often than not been taken up (see *1988/89 Survey p247*). Mr Muller said that much of the business sector's funding in areas such as teacher training, the upgrading of science teaching facilities, and tuition aid schemes, could be described as 'privatisation from below'. Although he described this as merely a 'tinkering solution' to the country's educational problems, he proposed that the private sector's involvement in education did make it possible for it to put pressure on the government to commit itself to a well-defined long-term strategy. Referring to the thousands of educational projects which had been and were being implemented by a great many different actors outside the public sector, Mr Muller said that 'everything is very fluid, which is both a strength and a weakness. It's proving difficult to co-ordinate but the state isn't controlling it any longer either'. He said that the challenge for the movement for an alternative system, and for the National Education Crisis Committee (see *Policy* above and *Curricula* below), lay in 'how cautiously to encourage the private sphere, but under conditions in which it has some accountability'.

According to a researcher, Ms Monica Bot, private sector involvement had begun in earnest in 1976 and at the moment, 'more often than not, education is the largest item on a company's social responsibility budget'.¹²⁶ [126 Bot M, 'Black education and the role of the private sector', *South Africa Foundation Review*, May 1989]

Following the crisis in African education in 1976, companies had widened their role in the provision of education, gradually moving away from a narrow focus on manpower needs, and from the mere provision of physical facilities and bursaries, towards an attempt to affect the quality of the entire educational infrastructure, she said.

The Association of Chambers of Commerce and Industry of South Africa (ASSOCOM) announced in May 1989 that it was launching a joint operation with the South African Federated Chamber of Industries, to investigate the crisis facing the entire system of education. Commerce and industry had to ensure a better flow of skilled talent from all races into the national manpower pool, it stated. According to ASSOCOM's executive council, 'Continued fragmentation of the system of education and the wasteful duplication of facilities and administrative authorities can no longer be afforded.' The president of ASSOCOM, Mr Sidney Matus, said that empty white facilities should be filled by pupils and students of other race groups and that the Group Areas Act of 1966 and the Reservation of Separate Amenities Act of 1953 would have to be tackled.¹²⁷ [127 *The Star* 25 May 1989]

The Zulu Schools Trust, launched in August 1989, was formed to address the schooling needs of KwaZulu. The trust's co-ordinator, Ms Mary Rose, said that it would raise funds from the private sector.

She said that the situation was desperate as there were at least half-a-million children without access to schools. According to Ms Rose, 'One can't compare need against need, but the sheer weight of numbers without access to education in KwaZulu is greater than anywhere else in the country. If we are to get on line, 1 934 classrooms need to be built each year between now and 1997, while 14 000 classrooms are required immediately to make up the backlog.' The trust intended to incorporate water and sanitation facilities and a small clinic into each new school, as most rural schools had no such facilities and as there was a lack of clinics throughout the region. The schools would be used as centres for adult education in the evenings, she said. The project would lead to job creation as it was hoped that brick blocks could be produced on site. Building would be carried out by the communities themselves. Something also needed to be done about teacher training, Ms Rose stressed. Teacher training colleges handled fewer than 3 000 trainee teachers per annum. In 1987 there had been 18 000 applicants to these institutions. Ms Rose emphasised that the trust was completely apolitical and had no links whatsoever with Inkatha. The trustees were a group of businessmen from Johannesburg.¹²⁸ [¹²⁸ Ibid 31 July 1989]

Per capita expenditure

Per capita expenditure by the state during 1988/89 on pupils of the different race groups was as follows (with the percentage increase/decrease over 1987/88 given in brackets):

Per capita expenditure: 1988/89

Including capital expenditure

Excluding capital expenditure

R

R

Africans (in the white-designated areas only)¹²⁹

76

65 Coloured¹³⁰

1 359,78(-10%)

1 221,47(-5%)

Indian¹³¹

2 227,01(11%)

2 066,85(11%)

White¹³²

3 082,00(13%)

2 882,00(14%)

129 [¹²⁹ *Hansard* (A) 2 q col 28, 13 February 1990] 130 [¹³⁰ Information supplied by the Department of Education and Culture (coloured own affairs), 18 May 1990]

131 [¹³¹ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990]

132 [¹³² *Hansard* (A) 2 q cols 38–39, 13 February 1990]

Per capita expenditure on pupils in Gazankulu for 1988/89 was R669 (including capital expenditure) and R594 (excluding capital expenditure). In KaNgwane, per capita expenditure for the same financial year amounted to R520 (including capital expenditure) and R488 (excluding capital expenditure).¹³³ [¹³³ Information supplied by the KaNgwane Department of Education and Culture, 5 December 1989; and by the Gazankulu Department of Education, 29 November 1989] Information on the other eight homelands was not obtainable. (See below for a comparison of per capita expenditure in the white-designated areas and the six non-independent homelands in 1986.)

According to a study published by the Institute for Futures Research (IFR) at the University of Stellenbosch in 1989, ‘the per capita gap is a source of discontent and is often politically exploited and is usually attributed to purely political factors’.¹³⁴ [¹³⁴ Dostal E, *The Long-term Future of Education in South African*, University of Stellenbosch, Institute for Futures Research, 1989] However, the study said, other factors (which had been pointed out in the 1986 annual report of the Department of Education and Training (DET)) needed to be taken into account:¹³⁵ [¹³⁵ *Ibid*; Department of Education and Training (DET), Annual report 1986, RP42/1987]

- while approximately 80% of the various education departments’ budgets were allocated to salaries, about three quarters of teachers in African schools had lower qualifications than their counterparts in other departments and therefore received lower pay;
- the lower salaries of under-qualified teachers influenced the contributions of education departments towards pension funds, medical aid schemes and housing subsidies. The number of African teachers making use of the housing subsidy was relatively small and the real housing costs of the majority of African teachers were carried by other state departments and by local authorities;

- the various education departments did not always use identical criteria to calculate per capita expenditure figures. For example, school health services at African schools under the control of the DET were provided by the Department of National Health and Population Development (see *Legislation* above for recent changes); and
- there were relatively fewer African pupils at secondary than at primary schools (see *Enrolment* below). The DET claimed that primary education was ‘substantially’ less expensive than secondary education owing to less expensive equipment and textbooks and ‘less sophisticated and less expensive facilities’. The per capita figure could be expected to rise in proportion to the increase in enrolment at secondary level, it suggested.

The DET report also said that more favourable pupil/teacher and pupil/classroom ratios (a DET priority) would have a major influence on the per capita expenditure in African schools.

According to the report, the ‘considerable’ contributions by the private and the agricultural sectors towards the construction of physical facilities for African education needed to be taken into account in a comparison of the per capita figures for the different race groups. The agricultural sector, for instance, had built more than 5 000 farm schools which had been only partially subsidised by the department. The DET did not provide any figures regarding contributions by the private sector in its 1986 annual report. Nor did it explain why private sector contributions to African education should be a factor in an assessment of the disparities in the per capita expenditure for the different race groups, when this type of contribution is not taken into account in per capita figures issued by departments of education for the other race groups.¹³⁶ [¹³⁶ DET, RP42/1987]

The DET also pointed out that the gap between per capita figures for African and white pupils became narrower at high school level.¹³⁷ [¹³⁷ Ibid]

According to the IFR, the discrepancies between per capita expenditure on African and white pupils were reversed at the tertiary level. In the 1983/84 financial year, the amounts allocated to students at universities were R5 270 for Africans, R6210 for coloured students, R4 335 for Indians and R3339 for white students.¹³⁸ [¹³⁸ Dostal, *The Long-term Future*]

According to the head of the Department of Philosophy at the University of Natal (Pietermaritzburg), Professor James Moulder, enormous disparities existed in the per capita spending on African children in the white-designated areas under the control of the DET and those in the six non-independent homelands. Using audited figures for 1986 published by the Department of National Education, Professor Moulder showed that while per capita spending on white pupils in 1986 had been four times as great as that on DET pupils, it had been nine times as great as that on pupils in the homeland of KwaZulu. If salaries were excluded from the per capita expenditure figures on the grounds that they distorted them because African teachers generally had lower qualifications than white teachers and were

therefore paid less (see above), the discrepancies were even wider (see table below). Professor Moulder said that if per capita spending on pupils in all education departments (excluding those of the 'independent' homelands) had been raised to the level of spending on white pupils, total education expenditure (including salaries) would almost have had to be trebled in 1986.¹³⁹ [139 Department of National Education statistics compiled and analysed by Professor J Moulder, Department of Philosophy, University of Natal, 1990]

Professor Moulder provided the following statistics on per capita expenditure by the various education departments in 1986:

Per capita education spending: 1986

De

ExExpAll

871

195

Assembly

2 365

514

Delegates

1 936

417

Representatives

1 163

206

Education and Training

572

182

Gazankulu

427

72

KaNgwane

307

48

KwaNdebele

384

31

KwaZulu

262

33

Lebowa

365

82

QwaQwa^a

859

324

a

The expenditure for QwaQwa includes approximately R20m for buildings and land.

Professor Moulder also pointed out that, excluding salaries, per capita spending on students at the predominantly African universities in 1986 had been 40% less than per capita spending at the predominantly white universities.¹⁴⁰ [¹⁴⁰ Ibid]

Salaries

In the white-designated areas of South Africa teachers of all race groups receive the same salary according to post and qualifications. Each home-land determines its own salary structure. Detailed information on the homelands was not obtainable. In the white-designated areas in 1989 disparities existed between the salaries of male and female teachers at post level 1 (excluding categories E, F and G) (see also below).

Teachers received a 7% salary increase in December 1988 and a further 15% in January 1989 (see *1988/89 Survey* pp245–246). In May 1989 the government announced that it would establish a bargaining council for education. The chairman of the (white) Teachers' Federal Council (TFC), Mr Dudley Schroeder, welcomed this development and said that the council would provide the structure for negotiations and for the settlement of disputes which the teaching profession had striven for over many years. He also expressed the hope that the proposed council would 'in future eliminate the necessity of public campaigns in the interest of fair salaries and conditions of service' for teachers.¹⁴¹ [¹⁴¹ *The Citizen* 10 May 1989]

During 1989 press reports highlighted the fact that the December and January increases had done little to reduce the numbers of white teachers leaving the profession (see *1988/89 Survey* pp278–279). In July 1989 the executive of the TFC met the minister of national education, Mr FW de Klerk, to discuss the salaries of college and school educators.¹⁴² [¹⁴² Ibid 29 July 1989] According to a statement by the minister, it was impossible to raise teachers' salaries at that time.¹⁴³ [¹⁴³ Ibid 3 August 1989] He also said that all public servants would have to wait until 1990 for a pay rise.¹⁴⁴ [¹⁴⁴ Ibid] In reply, the new chairman of the TFC, Professor Hennie Maree, said, after a meeting of the TFC's executive in Pretoria in August 1989, that it was unacceptable that educators should continually be asked to make sacrifices while some other sectors in the public service were experiencing 'relative prosperity'. However, Professor Maree said, the TFC appreciated the fact that Mr De Klerk had 'openly and honestly acknowledged that educators' salaries repeatedly reflected backlogs'. The minister's assurance that the matter was receiving priority was 'among the more important news the teaching profession has had in years'.¹⁴⁵ [¹⁴⁵ Ibid, *Business Day* 4 August 1989] Nevertheless, according to Professor Maree, the findings of a TFC investigation undertaken in 1988 showed that it would take a 'double digit' percentage increase to wipe out the current salary backlog. The amount voted for occupational specific increases in 1989 would have to be supplemented 'significantly'.¹⁴⁶ [¹⁴⁶ *The Star* 4 August 1989] As it stood, it was barely sufficient to bring about even an average increase of 0,5% in the salaries of school and college educators.¹⁴⁷ [¹⁴⁷ *Business Day* 4 August 1989]

In October 1989 the president of the (white) Transvaal Teachers' Association, Mr Mike Myburg, said that the steady drain of experienced teachers from the profession and the shrinking number of matriculants prepared to embark on a teaching career were causing serious concern. He also claimed that teachers' salaries were running 11% behind those of central government workers.¹⁴⁸ [¹⁴⁸ Ibid 17 October 1989]

In November 1989 it was announced that teachers' and lecturers' salaries were to be brought in line with those of other public sector employees as from March 1990.¹⁴⁹ [¹⁴⁹ *The Star* 13 November 1989, *The Citizen* 14 November 1989] The minister of constitutional development and national education, Dr Gerrit Viljoen, said that the extent of the salary adjustments would be announced as soon as the precise disparity in educators' salaries was known.¹⁵⁰ [¹⁵⁰ *Business Day* 13 November 1989] As far as the teaching staff at universities and technikons were concerned, Dr Viljoen said, the councils of tertiary institutions would make adjustments at their discretion once funds had been made available.¹⁵¹ [¹⁵¹ *The Citizen* 13 November 1989] In December 1989 Dr Viljoen announced a 12% pay increase for teachers and lecturers from 1 March 1990, above and beyond the general public service increase of 1 April 1990.¹⁵² [¹⁵² *The Star* 11 December 1989]

In May 1989 the minister of education and culture (white own affairs), Mr Piet Clase, said in Parliament that it would cost his department R500m to eliminate the disparities in salary between male and female teachers at post level 1, categories A to D (inclusive). His department did not have the necessary funds, he said. Mr Clase stated that the minister of national education had 'already addressed a request to his advisory bodies to submit to him an affordable strategy for the phasing out of further disparity', presumably to be applied to all the education departments. In his reply to the above and to Mr Clase's assertion that much progress had been made since 1981 in eliminating salary differentiation, Mr Roger Burrows MP (Democratic Party) pointed out that 91% of posts at level 1 in Mr Clase's department were held by women, and that the majority of these posts fell within categories C and D. On the same occasion, Mr Ken Andrew MP (DP), said that the government should decide whether teachers, including women teachers, were a scarce and valuable resource, or not. He also said, 'We have no money for this inequality in education but we have enough money to spend more than R1m per year on a multiplicity of ministers of education... We need R500m ... but we leave R1,5bn lying on the table in empty classroom spaces so that we can have segregation.'¹⁵³ [¹⁵³ *Hansard* (A) 18 q cols 1110–1117, 16 May 1989]

In April 1990 the government made certain concessions regarding underqualified female teachers' pay (see *Teachers' strikes* below).

Bursaries and scholarships

The Department of Education and Training budgeted about R15,5m for bursaries, scholarships and study-aid schemes during the 1989/90 financial year. Of this amount, over R13,8m (R17,5m in the 1988/89 financial year) was allocated to students in teacher training, including those doing further

training R35 000 (as in the previous year) to students at universities and technikons; and over R1,2m to secondary school pupils (the same as in the 1988/89 financial year).¹⁵⁴ [¹⁵⁴ Republic of South Africa, RP2–1989]

In 1989 the Gazankulu Department of Education set aside R5 000 for 12 bursaries for technical students at secondary level, R51 000 for 16 bursaries for technical students at tertiary level, R876 000 for 219 bursaries for university students, and over R1,7m for 1 784 bursaries for student teachers. In KaNgwane, nine students in tertiary technical education and 129 university students each received bursaries of R4 000 in 1989. According to the annual report for 1988 issued by the Department of Education and Culture in KwaNdebele, 51 bursaries costing R188 000 were allocated to university students in that year, while 129 student teachers at the Ndebele College of Education received bursaries to the value of R65 000. The department also provided a total of R6 000 to sponsor ten teachers undergoing in-service training. The Department of Education in KwaZulu allocated seven bursaries of R450 to technical students at secondary level in 1989, 87 bursaries of R4 000 to students at universities, and 490 bursaries of R450 to student teachers. No bursaries were allocated to technical students at tertiary level in 1989.

It was not possible to ascertain whether the bursaries allocated by these four homelands were refundable. Information concerning amounts set aside for bursaries by the two non-independent homelands of Lebowa and QwaQwa in 1988 or 1989 was not obtainable at the time of writing.¹⁵⁵ [¹⁵⁵ Information supplied by the education departments of the various homelands or extracted from the annual reports of the education departments of the various homelands]

The Department of Education in Bophuthatswana funded some 1 700 secondary pupils to the value of R271 000 in 1988. It also provided 514 bursaries valued at R244 000 for student teachers at teacher training colleges and 265 bursaries worth a total of R464 000 to students at universities. Again, it could not be ascertained whether any of the bursaries were refundable. In Venda the Department of Education awarded bursaries to the value of R25 000 to 177 student teachers at teacher training college in 1988. University students received 210 bursaries and cost the department R263 000. There were 10 000 applications for the 387 bursaries. According to the department's report for 1988, bursaries which were to be allocated at the end of 1988 and in the course of 1989 would amount to R150 000 for student teachers at teacher training college and R173 000 for students at university. All bursars who had completed their studies had been asked to refund the department, the report stated.¹⁵⁶ [¹⁵⁶ Ibid] Information concerning bursaries in the Ciskei and the Transkei was not obtainable at the time of writing.

The Department of Education and Culture (coloured own affairs) allocated R34,6m for study bursaries and financial aid during the 1988/89 financial year. This amount was divided into the following approximate amounts: R13,9m for full-time study at the University of the Western Cape, R3,4m for full-time study at other universities, R258 000 for part-time study at the University of the Western Cape, R150 000 for part-time study at other universities, R16,9m for teacher training at institutions under the control of the department and of the Peninsula Technikon, R12 000 for merit bursaries, and R26 000 for financial assistance for cultural and teaching purposes.¹⁵⁷ [¹⁵⁷ Administration: House of Representatives, Annual report 1988, RP47–1989]

In 1989 the Department of Education and Culture (Indian own affairs) said that it had allocated R830 000 in bursaries to students at the Springfield College of Education and the Transvaal College of Education, R500 000 to students at the University of Durban-Westville, and R54 000 to students at the Natal Technikon in 1988. The amounts for loans allocated to students at these institutions in 1988 were R746 000, R384 000 and R28 000 respectively (see *1988/89 Survey* p246). However, according to figures provided by the department in 1990, it appeared that these amounts had not, by and large, been used in full. In 1988 a spokesman for the department had said that it was 'reaching saturation point' regarding the number of Indian teachers (see *1988/89 Survey* pp227–228). The new figures for 1988 were: R589 000 in bursaries to the two colleges of education, R468 000 to student teachers at the university, and R57 600 to student teachers at technikons. The new mounts for loans for student teachers at these institutions were R605 000, R202 282, and R22 338 respectively.¹⁵⁸ [¹⁵⁸ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990] According to information provided by the department, no new bursaries would be awarded in 1989. Instead, more students would receive study loans. Continuing students were granted the following amounts in bursaries: R14 000 to students at the two colleges of education, R194 000 to students at the University of Durban-Westville, and R11 000 to students at the Natal Technikon. The respective amounts allocated to loans for study at these institutions were R887 000, R465 000, and R24 000 in 1989.¹⁵⁹ [¹⁵⁹ Information supplied by the Department of Education and Culture (Indian own affairs), 25 April 1989]

The Department of Education and Culture (white own affairs) budgeted R109 000 for bursaries, scholarships and loans for the 1989/90 financial year.¹⁶⁰ [¹⁶⁰ House of Assembly, RP6–1989] Further information on bursaries for white students was not obtainable. In March 1990 the minister of education and culture (white own affairs), Mr Piet Clase, said in Parliament that statistics were not available on the number of student teachers who had received financial assistance from the state in the past ten years.¹⁶¹ [¹⁶¹ *Hansard* (A) 6 q cols 397–398, 12 March 1990]

The South African Institute of Race Relations administers a large number of bursaries on behalf of private companies and trusts, foreign governments, churches and development agencies. In 1989 about R5,7m was spent on bursaries administered by the Institute. A total of 1 277 bursaries was awarded to black pupils and students throughout the country. Approximately 12 000 application forms were completed and returned to the Institute in anticipation of a bursary that year.¹⁶² [¹⁶² SAIRR, *59th Annual report*, 1989]

The Institute's policy is to fund increasing numbers of bursaries for students at technikons. In 1989, 56 continuing awards and 90 new awards were allocated to technikon students.¹⁶³ [¹⁶³ *Ibid*]

Other bursary funds recorded enormous numbers of applicants for the relatively few bursaries they were able to offer. For example, the Educational Opportunities Council received close on 39 000 applications for 213 scholarships in 1989.¹⁶⁴ [¹⁶⁴ Information provided by the Education Opportunities Council, 8 August 1990]

School Education

Multiracial school education

Government schools

On 11 January 1990 the minister of education and development aid, Dr Stoffel van der Merwe, speaking at a press conference in Johannesburg, declared that the schooling system would never be forcibly desegregated under the present government. He said that ‘havoc’ would ensue from the sudden desegregation of schools. According to Dr Van der Merwe, a ‘survey’ had shown that integration would solve less than 20% of the shortage of space in African schools. In reply to a question as to whether schools would be desegregated if the Group Areas Act of 1966 were scrapped, Dr Van der Merwe asserted that desegregation would be unnecessary as ‘people would still want to go to their own schools’. He expressed the opinion that ‘the worldwide tendency was not towards centralisation of education’, citing the examples of Switzerland, with 26 education departments, and of the United States, with its more than 3 000 school boards.¹⁶⁵ [¹⁶⁵ *The Citizen* 12 January 1990] From the report of a *Sowetan* interview with Dr Van der Merwe later in January 1990, it was confirmed that the ‘survey’ referred to by the minister was the 1988/89 *Race Relations Survey* (see *Overview* in that *Survey*). The executive director of the South African Institute of Race Relations (SAIRR), Mr John Kane-Berman, clarified the position of the SAIRR in respect of the minister’s statement. He said that while Dr Van der Merwe had not misquoted the Institute, ‘the fact that opening the white vacancies to blacks will not solve the whole problem is no reason not to do it and solve part of it at least. This would eliminate waste in a country which cannot afford waste’.¹⁶⁶ [¹⁶⁶ *Sowetan* 1 February 1990]

According to the Department of Education and Culture (coloured own affairs), 8106 pupils not classified as coloured attended departmental schools in 1989.¹⁶⁷ [¹⁶⁷ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1989] In 1988, 7 240 such pupils had been admitted.

Schools falling under the Department of Education and Culture (Indian own affairs) admitted 654 African, 3818 coloured and nine white pupils in 1989.¹⁶⁸ [¹⁶⁸ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990] In 1988, the department had admitted 1 455 children not classified as Indian (see also *Overall Policy* above).

Speaking in Parliament in March 1989, the Progressive Federal Party’s education spokesman, Mr Roger Burrows MP, contended that the department of the minister of education and culture (white own affairs), Mr Piet Clase, was out of step with the new mood of change in the country. He said that parents’ bodies at over 20 white state schools had voted in favour of integration and that Mr Clase should consider opening state schools where the majority of parents were in favour of this. Mr Burrows also argued that the new leader of the National Party, Mr FW de Klerk, and the acting state president, Mr Chris Heunis, had both indicated that the government would be taking a new look at the rights of people who wanted to associate with others outside the ‘group context’ and that Mr Clase’s department was the only one ‘digging in its heels’ against this.¹⁶⁹ [¹⁶⁹ *Hansard* (A) 5 (interpellation debate) cols 259–265, 7 March 1989]

In April 1989, 21 schools, including some of the ‘oldest and best known white schools in the country’, formed the Open Schools Association with the purpose of pursuing, through legal means, the right of schools to admit pupils on merit, without reference to race, colour or creed. The chairman of the association, Mr Rodney Mazinter, said that the association felt it was self-evident that an ever-growing number of parents across language, racial and cultural lines considered their children’s future in South Africa to be inextricably bound up in the happiness and contentment of all the country’s people. The association also said that it would pursue with equal determination the right of all schools to engage staff on merit alone.¹⁷⁰ [¹⁷⁰ *Sowetan* 24 May 1989]

In July 1989 a number of organisations, educationists, and pupils and their parents at the white Johannesburg High School for Girls, which was to be closed at the end of the year owing to a large drop in pupil numbers, called on the government to open the school to thousands of children of other race groups who lived in the area but had to travel up to 60km a day to attend ‘own affairs’ schools. Mr Clase replied that the school would be closed, in accordance with an earlier request by the school’s management council. However, the chairman of the council, Mr J Foster, asserted that the request to close the school had come only after recommendations had been made to Mr Clase to open the school to all races.¹⁷¹ [¹⁷¹ *Business Day* 23 June, 7 and 11 July 1989; *The Citizen* 4 July 1989; *The Star* 6, 19 July, 25 September 1989]

In a press release, the minister said that while he was aware of the controversy surrounding the future of the school, ‘controversial discussion relating to the matter will serve no constructive purpose’.¹⁷² [¹⁷² Minister of education and culture (white own affairs) Mr P J Clase, media statement 5 July 1989] The school was closed at the end of 1989 and re-opened as a private multiracial school early in 1990. In a media statement in September 1989, Mr Clase had said that the grounds and buildings could be made available to a private school at a ‘reasonable price’.¹⁷³ [¹⁷³ Mr P J Clase, media statement 28 September 1989]

In August 1989 a number of individuals and anti-apartheid organisations launched the All Schools for All People campaign in Johannesburg.¹⁷⁴ [¹⁷⁴ *Business Day* 22 August 1989] In the same month thousands of black pupils were prevented from marching to white schools in the Cape province to protest against segregated education (see *Boycotts and other disturbances* below).¹⁷⁵ [¹⁷⁵ Various newspaper reports]

On 23 March 1990 Mr Clase announced that his department was considering two possible additional models for the provision of education. State schools might apply to become private schools, financed on a ‘more substantial’ basis than that which currently applied to private schools or they might remain state schools but apply for the right to admit pupils of other race groups. In both cases, the approval of a very high percentage of parents—‘for example 90%’—would be required, Mr Clase said. The two models were being referred to the minister’s statutory advisory bodies and their comment would be submitted before 15 June 1990. Either or both of the models would probably be implemented on 1 January 1991, Mr Clase said.¹⁷⁶ [¹⁷⁶ Mr P J Clase, media statement 23 March 1990] (For further details concerning the proposed changes, see *Overall Policy* above.)

The national director of the Independent Schools Council, Mr M Henning, said, shortly after Mr Clase’s

announcement, ‘The government’s proposals for community-controlled and privatised schools are not only a pragmatic step in finding a transitional solution for transitional times but a move in line with the spirit of the age. They will, of course, be strongly contested... Privatisation is an emotive and controversial subject... An important point needs to be made—that the proposed “privatisation” of state schools, which is the second option in the government’s model, is more in the nature of community control with state funding... Ownership will remain with the state. For this reason these models should not be seen as that sort of privatisation which involves the selling off of state assets... The next step will surely be the extension of community control either through other education departments or in a single ministry... Community control is widely seen as the only solution to the crisis in African education.’¹⁷⁷ [177 *Sunday Tribune* 1 April 1990]

According to a statement by Mr Mazinter in March 1990, none of the schools which had voted in favour of becoming nonracial had recorded a vote of 90% of parents in favour of the decision. However, in many cases the ‘yes’ vote had been 80% or more, he said.¹⁷⁸ [178 *The Citizen* 26 March 1990]

It was reported in the *1988/89 Survey (p248)* that 70% of teachers and of parents at Pretoria Boys High School had voted in favour of opening the school to all races. In May 1989 Pretoria Girls High School decided in principle that the school should become multiracial, following a poll in which 571 parents and 27 teachers voted in favour of their school being opened (opposed to 275 parents and 16 teachers against such a move).¹⁷⁹ [179 *Ibid* 22 May 1989; *The Star* 21 May 1989]

Also in May 1989 an Afrikaans technical secondary school, Tuine Tegnies (Pretoria), cancelled a rugby match with Pretoria Boys High School because the latter’s team included a black pupil (the son of a diplomat). The headmaster of Tuine Tegnies was not available for comment. The headmaster of Pretoria Boys High School, Mr Malcolm Armstrong, said that the incident had occurred because he had forgotten an ‘unwritten agreement’ to telephone other white schools ahead of time if a team included a child who was not white.¹⁸⁰ [180 *The Citizen* 22 May 1989]

Until February 1990 the only black children attending white state schools were children of consular and diplomatic staff. However, three black American children were admitted to a white school that month, after the children’s father had taken the matter to the press when the children were originally refused admission. Mr Clase said, ‘This is the first time an exception has been made and I used my discretion on the merits of the application. I did so in the interests of education and of the children.’¹⁸¹ [181 *The Star* 14 February 1990]

Private schools

In 1988 state subsidies of 15% were paid to 58 private schools while state subsidies of 45% were paid to 90 such schools. No private school was refused a subsidy.¹⁸² [182 *Hansard* (A) 13 q cols 1247–1252, 2 May 1989] In 1989, 180 private schools received subsidies of 15% or 45%. Another 80 private schools did not

apply for a subsidy, while four schools were refused a subsidy.¹⁸³ [¹⁸³ *Hansard* (A) 13 cols 973–979, 23 April 1990]

Mr Clase said in Parliament in April 1990 that 197 English-medium private primary and secondary schools had admitted pupils who were not white in the course of 1989. Another 36 such schools had only admitted white pupils, he added.¹⁸⁴ [¹⁸⁴ *Ibid*]

A Roodepoort (west Rand) multiracial school for 35 children with learning difficulties, St Elmo's, was told by the city council in June 1989 that it would have to find new premises by the end of that year. The council decision followed complaints by a neighbour who said that the children were responsible for litter in her garden and that her property would 'most probably' lose its value owing to the presence of black children at the school. The director of St Elmo's board of governors, Ms Moira Short, said that the decision to open the school had been advertised in August 1988 and that people had had 28 days in which to lodge objections. The neighbour's complaint had been accepted by the city council five months later and the school had been told that its premises were unsuitable. Ms Short said that the facilities at the school complied with regulations of the Transvaal Education Department and that the school would appeal against the council's decision. The town clerk of Roodepoort, Mr L de Wet, replied that the rights for an educational institution had never been secured by the school.¹⁸⁵ [¹⁸⁵ *Sunday Star* 2 July 1989]

The many problems encountered by a multiracial church school, Kingdom School (Vereeniging, southern Transvaal), were reported in the *1987/88 Survey* (pp153–154) and the *1988/89 Survey* (pp250–251). In September 1989 the senior pastor of Rhema Ministries South Africa, the Rev M Blatt, said that windows at the school had been smashed six times during the year, that teaching equipment had been stolen or broken and that the interior of classrooms had been vandalised. He said that the parents of children attending whites-only schools appeared to be inciting their children to taunt and shout racist comments at the Kingdom School pupils.¹⁸⁶ [¹⁸⁶ *The Citizen* 20 September 1989]

The Children's House Montessori School, a multiracial pre-primary school in Morningside (Durban), was forced to close down in December 1989, after it had been refused a licence by the Durban City Council. The school's owner, Ms Jennifer Wild, alleged that the school had been subjected to racist harassment of several kinds by residents of Morningside, and that the city council had been influenced by racist complaints from residents. The chief legal adviser to the council, Mr M Barry, denied allegations that racialism had played a part in the council's decision. He said that 'although letters were received from residents who objected to noise being made specifically by black children at the school, the reason why the licence was refused was because of the high level of the noise in general'.¹⁸⁷ [¹⁸⁷ *Natal Post* 13 December 1989]

Pre-primary education

According to the Department of Education and Training's annual report for 1988, 'it should be borne in

mind that care of pre-school children is generally accepted to be the responsibility of parents and the community'. Therefore, the report stated, the department's contribution towards pre-primary education 'comprises advice to and motivation of local authorities and other bodies to promote pre-school education in their areas and to be involved in the management of such schools'. Although the subsidisation of schools already receiving subsidies would continue, no increase in the number of subsidised schools was being considered, 'as the principles in terms of which funds are allocated only generate monies for main stream school education and technical college education'. All pre-primary schools currently applying for registration were being registered as private institutions, the report said.¹⁸⁸ [¹⁸⁸ Department of Education and Training (DET), Annual report. RP61/1989]

In March 1988 there were 139 pre-primary schools registered with the department. They had an enrolment of 15114 children. Another 4432 children were accommodated in classes at 108 primary schools.¹⁸⁹ [¹⁸⁹ Ibid] According to the department's *Information Brochure*, the subsidy in 1987 comprised a basic sum of R3 000 per annum per school and an additional R100 per annum for every three pupils in excess of 30 pupils per school.¹⁹⁰ [¹⁹⁰ Department of Education and Training, *Information Brochure*, 1988]

While stating that the provision of pre-primary schooling would have to depend on the initiatives of parents and of the private sector, the department felt that 'domestic circumstances should not be permitted to militate against normal development in the first and subsequent years at school'.¹⁹¹ [¹⁹¹ Ibid] High failure and dropout rates (see *Dropout rate* below) in the primary school phase had led the department to develop school readiness programmes and the 'bridging period programme'. Special school readiness programmes, lasting the first term of the first school year, had been evaluated in 1988 and were further evaluated in schools in 1989. The bridging period programme, an extended school readiness programme provided for five-year-olds, was offered in some schools in 1988, and the department claimed that its 'early success is most heartening'.¹⁹² [¹⁹² DET, RP61/1989] The programme would be implemented in all departmental primary schools by 1992 if there were sufficient funds, the department said.¹⁹³ [¹⁹³ Ibid] The department also said, however, that the task of providing a bridging period for five-year-olds was enormous as there were about 250 000 children of that age in the area under its jurisdiction.¹⁹⁴ [¹⁹⁴ DET, *Education for Schools in South Africa*, June 1989]

There were 160 pre-primary schools in the six non-independent homelands, with 411 teachers and a pupil enrolment of 17873. In addition, 1958 pupils were enrolled at 33 pre-primary classes attached to primary schools and employing 58 teachers.¹⁹⁵ [¹⁹⁵ DET, RP61/1989]

According to the annual report of the Bophuthatswana Department of Education, there had been a very rapid growth of early childhood education facilities during 1988. There were 426 such centres registered with the department (against 376 in 1987) and another 150 centres/crèches which were not registered. However, the report said, the quality of the programmes offered at the centres varied from very good to fairly poor, owing, in part, to the fact that there were only five organisers serving the needs of the 17 education circuits. A trust fund for the centres was funded through a R2 levy paid by each child each year. It financed four resource centres, and enrichment courses and seminars for early childhood

education organisers.¹⁹⁶ [¹⁹⁶ Republic of Bophuthatswana, Department of Education, Annual report 1988] There was no pre-primary education in Venda.¹⁹⁷ [¹⁹⁷ Republic of Venda, Department of Education, Annual report 1988] Information on the Ciskei and the Transkei was not obtainable.

According to the House of Representatives' annual report for 1988, the Department of Education and Culture (coloured own affairs) had subsidised 245 pre-primary schools with an enrolment of 17580 pupils, at a cost of about R3m.¹⁹⁸ [¹⁹⁸ House of Representatives, RP47/1989] Pre-primary classes at primary schools had been introduced in 1984 to promote pre-primary education, the report said. In 1988 there were 242 such classes, with an enrolment of 6050 and a subsidy of R1,7m.¹⁹⁹ [¹⁹⁹ Ibid] The Department's Education Bureau had developed and standardised a school readiness test which would be administered to approximately 30 000 school beginners in 1989, thereby facilitating the 'provision of suitable differentiated instruction', the report stated.²⁰⁰ [²⁰⁰ Ibid]

According to the Department of Education and Culture (Indian own affairs), 9478 children received pre-primary education in 1988, while for 1989 the figure was 12549 children. There were 258 Indian pre-primary schools and 453 pre-primary classrooms in 1988, and 260 Indian pre-primary schools and 476 pre-primary classrooms in 1989. In 1988 and 1989 the numbers of teachers involved in pre-primary education totalled 60 and 81 respectively.²⁰¹ [²⁰¹ Information provided by the Department of Education and Culture (Indian own affairs), 4 January 1990]

The annual report of the House of Delegates stated that there were 37 private pre-primary schools registered with the Department of Education and Culture (Indian own affairs) in 1988. Of these, 25 received grants-in-aid at the rate of R36 per pupil per quarter, amounting to some R288 000 per annum. Private pre-primary schools which were run on a non-profit basis were able to apply to the department for subsidies towards building and equipment costs. Three such schools had been awarded subsidies in 1988, the report said.²⁰² [²⁰² Administration: House of Delegates, Annual report 1988, RP43/1989] There were also 84 bridging-module readiness classes for five-year-olds in 1988, conducted by qualified in-service teachers with a diploma in pre-primary education. In addition, 369 readiness classes at 191 state and state-aided schools were conducted by community-based organisations, which received a wage subsidy.²⁰³ [²⁰³ Ibid]

The annual report of the Department of Education and Culture (white own affairs) did not deal specifically with developments in pre-primary education in 1988. Information was obtained from the sections of the report dealing with the four provincial education departments. The Cape Education Department reported that no additional pre-primary facilities had been made available in 1988 and that, although a number of private pre-primary schools had been registered with the department, they had received no financial assistance. The Natal Education Department's report consisted mostly of matters dealing with curricula in pre-schools. In 1988 there were nine private non-subsidised, two provincially subsidised and 96 provincially controlled (fully-funded) pre-primary schools registered with the department. In the Orange Free State there were 82 subsidised and 25 non-subsidised private pre-primary schools, with respective enrolments of 5586 and 1125 pupils. The Transvaal Education Department (TED) recorded that there had been no change in the number of provincially subsidised or

provincially controlled pre-primary schools, although 13 new private pre-primary schools had been registered. In 1988 there were 316 private pre-primary schools registered with the TED which did not receive a subsidy. Another 173 private schools registered with the department had to re-apply every term for their subsidies and there were 35 private pre-primary schools where only staff salaries were paid by the TED. Whether the remaining 120 funded pre-primary white schools in the Transvaal were fully funded could not be ascertained.²⁰⁴ [204 Administration: House of Assembly, Department of Education and Culture, Annual report 1988, RP32/1989; *Hansard* (A) 9 q col 568, 6 April 1989] In November 1989 the TED said that it had decided to investigate the possibility of helping community organisations and individual entrepreneurs to establish pre-primary schools, as the department was not in a position to do so. It had requested 'school boards, management councils and principals of schools to take the initiative in supplying the department with details of redundant accommodation which might be utilised for this purpose', the TED said.²⁰⁵ [205 *The Citizen* 24 November 1989]

Subsidies to white pre-primary schools were allocated as follows in 1988: 173 pre-primary schools in the Cape received R15m, 100 pre-primary schools in Natal (two more than the number recorded in the Natal Education Department's report for 1988) were allocated R12,8m, the 82 subsidised schools in the Orange Free State were granted R5,5m, and 328 pre-primary schools in the Transvaal were funded to the sum of R24m.²⁰⁶ [206 *Hansard* (A) 9 q col 568, 6 April 1989]

The chairman of the northern Transvaal branch of the South African Association for Early Childhood Education, Mrs Dee Pullen, expressed the opinion in February 1989 that the government was 'penny wise, pound foolish' when it came to pre-school education. She said that it had been steadily pushing pre-school education 'into the cold' through inadequate funding and that it appeared to be blind to the advantages to be gained at primary and secondary school level if firm foundations were established at pre-school level. 'There is little government support today of early education, the most important and most neglected education stratum. And rumours are strong that by 1992, whatever little there is, will be withdrawn,' she said.²⁰⁷ [207 *The Citizen* 27 February 1989]

In November 1989 the deputy director of the Natal Education Department, Mr John Deane, announced that 53 pre-primary teachers would not have their posts renewed in 1990. Another 29 vacant pre-primary posts would not be filled, he said. This meant that of the cutback of 200 teachers undertaken by the department, 82 were from the pre-primary division. Mr Deane also said that, as far as he knew, no pre-primary schools would have to close as a result of the cuts in pre-primary staff. He suggested that pre-primary schools become smaller, or employ teachers who were paid by the school community.²⁰⁸ [208 *Ibid* 21 November 1989]

Compulsory education

There was no compulsory education for African pupils in the white-designated areas of South Africa in 1989 (see *1988/89 Survey* pp259–260).

There was also no compulsory education in the non-independent homelands or in Bophuthatswana, the Ciskei, the Transkei and Venda.

School attendance was compulsory for all white and coloured pupils from the beginning of the year in which they attained the age of six years until they reached the age of 16 years or passed standard 8 and for Indian pupils until 15 years of age.

Fees

Information concerning school fees in the 'independent' homelands was not obtainable. There were no compulsory school fees at schools falling under the control of any of the other education departments in 1989. However, many schools were reported to be exercising some form of pressure on parents regarding the payment of voluntary contributions to school funds, especially when pupils went to schools to register. Newspaper reports concerned themselves predominantly, though not exclusively, with schools falling under the Department of Education and Training.²⁰⁹ [209 Various newspaper reports]

When voluntary school levies were increased at secondary schools falling under the Natal Education Department (NED) in January 1989 (with amounts varying greatly from school to school), the deputy director of the NED, Mr John Deane, said that the amount of the levy was determined by the parent body as represented by the school committee. This seemed to be the general pattern of implementation at schools for all races, although, according to Professor George Trotter of the Economic Research Unit at the University of Natal, the practice with regard to school fund contributions 'or the equivalent concept' differed widely in African schools under the various education authorities.²¹⁰ [210 Trotter and Shave, *The Social Costs*]

According to the headmaster of one white secondary school in Natal, voluntary levies were used to pay for textbooks, library books, the employment of additional staff members and the maintenance of grounds, sporting facilities and buildings. He claimed that 'it has become impossible to maintain any sort of standard in the school without some form of contribution from the parents'.²¹¹ [211 *The Natal Witness* 19 January 1989] It was reported in January 1989 that voluntary levies had been increased at schools falling under the Cape Education Department in mid-1988 after it had announced that it would no longer pay for the maintenance of sports facilities or other extramural activities, and that parents at most of its schools would have to pay for exercise books in 1989.²¹² [212 *Cape Times* 18 January 1989] Information concerning white schools in the other provinces was not obtainable.

In May 1989 the minister of education and culture (white own affairs), Mr Piet Clase, announced in Parliament that his department's investigation into the possible introduction of tuition fees at white schools had been completed. Speaking during the debate on the budget vote for his department, he said that a model of fees had already been developed and submitted to the provincial education councils for comment.²¹³ [213 *Hansard* (A) 18 cols 8915-8917, 15 May 1989] In the course of the debate, Mr Roger Burrows

MP (Democratic Party), alleged that Mr Clase would not be willing to announce the implementation of compulsory fees at white schools on account of the forthcoming general elections in September 1989. Mr Clase denied the allegation.²¹⁴ [²¹⁴ Ibid]

Following Mr Clase's statements in Parliament in February 1989 concerning several measures being investigated by his department with a view to generating additional funds and reducing government expenditure,²¹⁵ [²¹⁵ *Hansard* (A) 3 q cols 94–100, 21 February 1989] the Transvaal Teachers' Association had issued a statement opposing compulsory tuition fees.²¹⁶ [²¹⁶ *Business Day, Cape Times, Eastern Province Herald* 22 February 1989] In March 1989 the Teachers' Federal Council had said that parents could not be expected to carry the full burden of educational costs and called for a special levy on all tax payers to pay for shortfalls in the education budget.²¹⁷ [²¹⁷ *The Citizen* 3 March 1989]

Stationery, textbooks and uniforms

The cost of providing free stationery for schools under the Department of Education and Training (DET) in 1989 amounted to R12,5m. In the same year, 2,1m textbooks to the value of R9m were supplied to primary schools and 2,4m prescribed books and textbooks to the value of R16m were supplied to secondary schools.²¹⁸ [²¹⁸ DET, Annual report 1989, RP50/1990] Pupils in the non-independent homelands also received free stationery, textbooks and prescribed books. Information on the 'independent' homelands, and coloured and Indian schools, was not obtainable. In all white schools pupils were provided with free textbooks and class readers.

In February 1990 a well-known educationist, Dr Franz Auerbach, said that in schools falling under the DET, 'it is still not standard practice to allocate the required textbooks on the basis of one for each pupil'. He also said that teachers frequently took prescribed books back at the end of a lesson and that this made it impossible for pupils to get real benefit from work done at home.²¹⁹ [²¹⁹ *The Star* 16 February 1990] (see *Boycotts and other disturbances* and *Teachers' strikes* below for details concerning the shortage of textbooks in African schools in 1990.)

In January 1989 an 85-page memorandum was sent to the minister of education and culture (white own affairs), Mr Piet Clase, by a parent, Mr Ian Masterson, who had been campaigning for a standardised school uniform for several years. The document detailed the comments of some of the 11 000 people who had signed a petition for the introduction of a standardised uniform at the end of 1988 and included correspondence with manufacturers, distributors and retailers of school uniforms. Mr Masterson said that a standardised uniform was the only way of reducing the unjustifiably high cost of school dress. He also said that parents should be allowed to make uniforms themselves and that there should be an end to the monopoly enjoyed by distributors appointed by schools to sell uniforms. Mr Masterson condemned the 'despicable victimisation' of some children whose parents had not been able to afford the complete uniform.²²⁰ [²²⁰ Ibid 20 January 1989] In February 1989 Mr Clase said that he considered the matter closed. He stated that in an interview in 1988, Mr Masterson had been informed that 'scientific research'

undertaken by the department had revealed, among other things, that 75% of parents were in favour of keeping to the present system. The department's findings and its guidelines concerning the rationalisation of schoolwear had been announced in Parliament and had been publicised, Mr Clase said. He added, 'Significantly, the research report was unanimously accepted by the provincial education councils, which are representative of parents, the profession and society at large. Mr Masterson, nevertheless, went on with his petition ... it does not represent any new arguments.'²²¹ [²²¹ *The Citizen* 3 February 1989] In April 1989, Mr Masterson, who continued a letter campaign in the newspapers in 1989 and 1990, called on Mr Clase to hold a national referendum on the issue.²²² [²²² *The Star* 3 April 1989]

Curricula

In January 1990 the minister of constitutional development and of national education, Dr Gerrit Viljoen, speaking at an educational congress, said that there were socio-political reasons for the urgent need to revise existing syllabuses and learning programmes. He went on to say that these reasons were to be found in 'the predominantly Eurocentric and white-oriented content of existing syllabuses due to the initiative and leadership of white educationists thus far in the development of curricula and syllabuses'. Dr Viljoen contended that 'it is essential that the experience, ideals, values and aspirations of all communities within the South African nation find a true reflection in our learning programmes. To this end it is essential that all further curriculum development be undertaken as a task involving the best educationists and subject experts from all population groups and communities'.²²³ [²²³ *Sowetan* 12 January 1990] The education spokesman for the Democratic Party, Mr Roger Burrows MP, responded to Dr Viljoen's statements by saying that the government had clearly altered its position and had realised that a 'common South Africanism' was an important aspect of the schooling system. However, Mr Burrows said, this common emphasis had to be accompanied by the government addressing 'the staggering differentiation between the racial departments brought about specifically by totally unequal funding formulae'. The president of the banned National Education Union of South Africa (NEUSA), Mr Curtis Nkondo, argued that merely revising syllabuses amounted to nothing more than 'tinkering with the system' and that the government should scrap the entire system and come up with something fresh. He insisted that there should be a single education system for all South Africans.²²⁴ [²²⁴ *The Star* 12 January 1990] (NEUSA was unbanned in February 1990.)

The National Education Crisis Committee (NECC), which had propounded the concept of 'people's education' before it was effectively banned in February 1989, was unbanned in February 1990, following the state president's opening address to Parliament (see chapter on *Political Developments*). For a detailed view of the NECC's role with regard to the issue of curricula, see the *1987/88 Survey* pp156–157 and the *1988/89 Survey* pp255–257. The NECC's approach was adopted by various organisations. The report issued in 1989 by the Cape Teachers' Professional Association following its 1988 21st annual conference and entitled 'Alternative education: the road to a democratic future' concentrated almost exclusively on alternative approaches to existing curricula.

Speaking on the occasion of the opening of the new premises of a publishing company involved in the

publishing of education textbooks in April 1989, Dr Ken Hartshorne, a well-known educationist, said that educational publishers in South Africa were working within a restricted environment, which he described as follows: 'In general, our whole educational system is far too authoritarian, far too prescriptive, far too inflexible. Access to schools for experimental work or pilot projects is not gained very easily. Some education departments place far too strict limitations on their lists of approved texts and book committees tend to be conservative and unadventurous, if not ideologically biased.' Dr Hartshorne also said that pupils were much too accustomed to using a single textbook per subject. He criticised the government's 'tax on knowledge' (general sales tax on books and learning materials), which placed a variety of texts beyond the means of schools, universities and individuals. Publishers, he said, should begin to develop away from the school system and 'concentrate on the needs of adult learners and of the powerful alternative education movement'.²²⁵ [225 Ibid 25 April 1989]

The Independent Publishers Association of South Africa (IPASA), which was launched in November 1989, committed itself to opposing apartheid and said that it had decided to promote the distribution of books to schools and libraries so that people could be exposed to a variety of ideological viewpoints. Alternative means of distribution should be established to reach unconventional markets as only a small percentage of potential readers were being reached by the current book market, IPASA said.²²⁶ [226 *Sowetan* 30 November 1989]

In June 1989 the minister of education and culture (white own affairs), Mr Piet Clase, announced that only six of 63 multiracial Accelerated Christian Education (ACE) schools had not been registered by his department. In January 1989, Mr Clase had instructed the majority of ACE schools to close down because education at these schools did not comply with the legal requirements for registration. Following discussions between Mr Clase and ACE schools representatives, two 'periods of grace' were granted by the minister, until 22 May 1989. In a statement in April, Mr Clase said that the principal obstacle to registration remained that ACE schools were still not following the core curriculum. He said that the recent registration of six ACE schools proved that his department had no vendetta against such schools, as had been alleged by some of the schools and by various officials in the ACE movement. All private schools were bound by the same legislation, he added. In his statement in June 1989, Mr Clase said that the 57 ACE schools now registered satisfied not only curriculum requirements, but also requirements with regard to facilities provided, numbers of pupils enrolled, and the level and nature of the qualifications of members of staff.²²⁷ [227 Media statements issued by the Directorate of Information, Department of Education and Culture (Administration: House of Assembly), 4 April and 6 June 1989]

In September 1989 the superintendent general of the Department of Education and Culture (white own affairs), Mr J Terblanche, issued a statement to counteract impressions created by press reports that the taking of technical subjects at school could adversely affect prospective engineering students. He said that he would be discussing the matter with the South African Council of Professional Engineers and that a technical subject orientation did not preclude pupils from taking subjects such as mathematics and physical science.²²⁸ [228 Ibid, 17 September 1989]

The Independent Examinations Board (IEB), constituted in 1988, announced at the beginning of 1990

that it intended to offer its first matriculation examination in 1993. The regulations and syllabuses of the Joint Matriculation Board (JMB) (which was being phased out) would be followed in the 1993 examination. The JMB had offered its full co-operation in the transition process, the IEB said. In January 1990 the IEB directorate agreed to the formal constitution of a council for curriculum development.²²⁹ [²²⁹ Newsletter of the Independent Examinations Board, March 1990] According to the IEB's newsletter of March 1990, the primary aim of the council was to promote thought and action about innovative curriculum design and to open up debate on the democratisation of curriculum development procedures. It would consult a wide range of organisations and individuals working towards nonracial education. Furthermore, the IEB held the view that 'curriculum development is linked to issues of national development and must take place in this context'.

Curricula-related issues

An athletics coaching programme initiated by the assistant superintendent of education (physical education and sport) in the House of Delegates, Mr A Bakharia, at the beginning of 1989, was condemned by 16 organisations consisting of 15 sporting, student, youth and teacher bodies and of the Transvaal Indian Congress. In a joint statement published in the press, the organisations objected to the House of Delegates' 'direct collaboration with pro-apartheid institutions such as the South African Sports Foundation (SASF)', and rejected the 'use of facilities and officials of the South African Defence Force (SADF) by Mr Bakharia in launching this new programme'. The first coaching programme had been held at the Voortrekkerhoogte (Pretoria) army base at the end of January 1989 and course leaders had included senior officers of the SADF. The statement said that the SADF was central to the defence of an unjust and undemocratic socio-political system that Mr Bakharia, in urging teachers to attend such courses, was placing undue pressure upon many teachers who had moral and political objections to the SADF and the SASF that Mr Bakharia's actions were not accidental but were part of a well-timed attempt to undermine the Transvaal High Schools' Sports Association and the Transvaal Primary Schools' Sports Board, which were both South African Council of Sport affiliates (see chapter on *Social Segregation*) and that public opinion would be mobilised against 'the blatant manipulation of our teachers and pupils for narrow and sinister political objectives' if the programme were not abandoned.²³⁰ [²³⁰ *The Progressive Teacher* February 1989]

Following a blanket ban on the distribution of literature written by several anti-apartheid organisations in white Transvaal schools in February 1989, the director of the Transvaal Education Department (TED), Dr P Bredenkamp, said in March 1989 that the department would not allow any circulars, pamphlets, questionnaires or publications to be distributed in schools if they had not been 'officially approved'. Accord According to a spokesman for the Five Freedoms Forum, the ban seemed to have been sparked by an essay competition for schools which was part of the organisation's '101 ways to end apartheid' campaign. He said, 'It is frightening that the TED is attempting to close all doors to any organisation that tries to promote thinking and questioning among pupils' (see also *1988/89 Survey* p259).²³¹ [²³¹ *The Star* 1 March 1989]

Overall school statistics

South Africa had the following primary and secondary schools, and teachers and pupils in such schools, in 1988:

Number of schools, teachers and pupils: 1988^a

Schools

Teachers

Pupils

African education in white- designated areas

7 810

53 747

2 033 831

Non-independent homelands

5 495

70 270

2 956 290

'Independent' homelands

5 839

53 040

2 037 452

Coloured education

2 083

35 665

832 329

Indian education

465

12 015

233 910

White education

3 658^b

56 000 ^c

935 903

Total

25 350

280 737

9 029 715

a

These statistics include special schools, and pupils and teachers at such schools. The fact that it is not always possible to ascertain how many special schools are primary schools and how many secondary schools, explains the differences in total numbers of schools between this and the next table.

b

Preliminary statistic. Includes 994 private ordinary schools.

c

Approximate figure derived from calculations made from a statement in Parliament concerning the number of white teachers who resigned in 1988.²³

Schools

The total number of schools above comprised the following number of primary and secondary schools:²³³ [233 DET, RP61/1989; Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990; Information supplied by the Department of Education and Culture (Indian own affairs) 4 January 1990; Republic of Bophuthatswana, Department of Education, Annual report 1988; Republic of Venda, Department of Education, Annual report 1988; Information on the Ciskei and the Transkei supplied by the Research Institute for Education Planning (RIEP), University of the Orange Free State]

Number of schools: 1988

Primary

Intermediate

Secondary

Combined

Total

Africans in white- designated areas

6 937

410

432

31

7 810

Non-independent homelands

4 090

54

1 350

1

5 495

‘Independent’ homelands

3 257

298

2 283

—

5 838

Coloured

1 795

—

231

—

2 026

Indian

313

—

133

—

446

White

N/A

—

N/A

—

3 658

N/A Not available. A dash indicates that a category is not applicable.

The annual report of the Department of Education and Training (DET) for 1988 gave the following details of the number of classrooms in African schools in that year (excluding the ‘independent’ homelands):²³⁴ [²³⁴ DET, RP61/1989]

Number of classrooms in African schools: 1988

White-designated areas

Non-independent homelands

Primary

31 678

34 120

Intermediate

5 240

677

Secondary

8 539

13 246

Combined

515

—

Private

517

194

Total

There were 7 796 primary, 2840 middle (standards 5–7) and 1 844 secondary classrooms in Bophuthatswana, 3918 primary and 1 412 secondary classrooms in the Ciskei, 9 576 primary and 9937 secondary classrooms in the Transkei and 2 374 primary and 1545 secondary classrooms in Venda.²³⁵ [²³⁵ Republic of Bophuthatswana, Department of Education, Annual report 1988; Republic of Venda, Department of Education, Annual report 1988; Information supplied by RIEP]

According to the DET, 21 new primary schools with 517 classrooms (700 in 1987) and 20 new secondary schools with 883 classrooms (1 064 in 1987) were completed during 1988. The DET also built 167 (against 142 in 1987) additional classrooms to 47 existing primary schools and 360 (opposed to 468 in 1987) additional classrooms to 18 existing secondary schools. These additional facilities made provision for about 27360 primary school pupils (33 680 in 1987) and about 43505 secondary school pupils (53 620 in 1987). During 1988 building operations were in progress at 15 new and 18 existing primary schools (providing a total of 527 additional classrooms) and at 22 existing secondary schools (providing 483 additional classrooms and 122 multi-purpose classrooms as well as other facilities, such as 83 laboratories and 53 centres for specialist subjects). Another 51 primary and 47 secondary schools were at the architectural planning stage. At farm schools 450 new classrooms were subsidised by the DET and 60 schools were renovated with the aid of a subsidy (see *Farm and rural schools* below).²³⁶ [²³⁶ DET, RP61/1989] According to the minister of education and development aid, Dr Gerrit Viljoen, in May 1989, a total of 88 865 places had been provided by all the new classrooms built in 1988.²³⁷ [²³⁷ *Hansard* (A) 15 q col 930, 2 May 1989] Provision for the erection and maintenance of African pre-primary, primary and secondary schools in 1989/90 in the white-designated areas amounted to R182m (as against R200m in 1988/89).²³⁸ [²³⁸ Information supplied by the DET, 17 May 1989]

In 1988 there were 33 902 classrooms at schools for coloured pupils. Information on the number of classrooms and schools built for coloured pupils in 1988 was not available. However, the number of classrooms under the control of the department rose to 34522 by the end of 1989.²³⁹ [²³⁹ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990] There were 8 067 classrooms at schools for Indians in 1988 and 8402 such classrooms in 1989.²⁴⁰ [²⁴⁰ Information supplied by the Department of Education and Culture (Indian own affairs), 20 March 1989, 4 January 1990] Buildings under construction included six new primary and six new secondary schools and additions to nine existing schools.²⁴¹ [²⁴¹ Ibid]

The total number of classrooms at white schools was not obtainable. The total potential capacity of white primary and secondary schools in Natal, the Orange Free State and the Transvaal as at January 1988 amounted to 884 698 pupils.²⁴² [²⁴² *Hansard* (A) 4 q cols 191–193, 1 March 1988] Figures for the Cape province were not obtainable. During 1988, one new primary and one new secondary school were constructed for white pupils in ‘South Africa’.²⁴³ [²⁴³ RP32/1989]

Shortages

In response to a question in Parliament in May 1989, Dr Viljoen said that based on a calculation of 40 primary pupils per classroom and 35 secondary pupils per classroom, there was a shortage of 1782 classrooms at primary and 2 730 classrooms at secondary schools under the control of the DET as at March 1988.²⁴⁴ [²⁴⁴ *Hansard* (A) 15 q cols 930–931, 2 May 1989] The corresponding figures for 1987 were 1084 primary and 2 194 secondary classrooms. In 1988 the DET built 447 fewer classrooms than it had done in 1987 (see *Schools* above).

Dr Stoffel van der Merwe, who succeeded Dr Viljoen as minister of education and development aid towards the end of 1989, said in Parliament in February 1990 that there had been a shortage of 60343 classroom places at primary schools and 99 506 classroom places at secondary schools as at March 1989. The statistics, he said, applied to permanent classrooms in state schools administered by the DET. Private and state-aided schools, permanent classrooms used in the platoon system (see *Double sessions and the platoon system* below), and rented and temporary accommodation, had not been taken into account.²⁴⁵ [²⁴⁵ *Hansard* (A) 4 q cols 210–211, 27 February 1990]

Research conducted by the Education Policy Unit at the University of Natal concluded that in Natal alone, more than 1m children between the ages of six and 20 had not been able to attend school in 1989.²⁴⁶ [²⁴⁶ *The Weekly Mail* 15 December 1989] According to government figures provided in 1988, there were 1m children between the ages of seven to 16 not attending school in South Africa and the non-independent homelands as at March 1987.²⁴⁷ [²⁴⁷ *Hansard* (A) 7 q cols 613–614, 22 March 1988]

In 1989 and at the beginning of 1990 it was apparent that the DET was attempting to find ways of reducing the number of African pupils making use of restricted secondary school facilities. The controversial measures were considered unacceptable by educationists and communities. (see

Examination results and Boycotts and other disturbances below.) It was also repeatedly stated that headmasters were being told not to enrol more pupils than allocated.²⁴⁸ [²⁴⁸ Various newspaper reports]

In January 1989 hundreds of pupils were allegedly refused permission to attend schools in Cape Town (western Cape) because they had come from the homelands.²⁴⁹ [²⁴⁹ *Business Day* 19 January 1989] Towards the end of January, the East London Progressive Teachers' Union said that only one fifth of pupils who had passed standard 5 had been admitted to standard 6 in Mdantsane (Ciskei), in an attempt to limit numbers in secondary schools. The union alleged that enrolment had been restricted following a directive from the DET.²⁵⁰ [²⁵⁰ *City Press* 29 January 1989, *Daily Dispatch* 21 January 1989] Research by the South African Institute of Race Relations showed that pressure on school facilities was also evident in the Port Elizabeth region in the eastern Cape, where schools failed to enrol all of the pupils who applied.²⁵¹ [²⁵¹ Cosser, *Social and Economic Update* 7]

In December 1989 the regional director of the DET's Cape region, Mr W Staude, said that the demand for school places in Port Elizabeth (eastern Cape) was outstripping the supply. He said that a natural increase in the population and rapid urbanisation would result in an 'excess of pupils for the foreseeable future'. Despite the fact that 11 new schools had been built between 1987 and 1989, the need to 'platoon' to get maximum use out of school buildings would increase, he added. He provided the following breakdown of African schools and pupils in the Port Elizabeth/Uitenhage area in 1989: there were 17 state secondary schools with a total enrolment of 19841 pupils and 579 teachers, 100 state 'primary' schools (some of these schools taught up to standard 7 level) with 73 661 pupils and 1757 teachers, 60 state-aided schools with 5 830 pupils and 163 teachers, and two private primary schools with 684 pupils and 24 teachers. Two new secondary schools were under construction and would be completed in 1991.²⁵² [²⁵² *Eastern Province Herald* 11 December 1989]

Facilities were under particular pressure in Soweto (Johannesburg) in January 1989.²⁵³ [²⁵³ *The Star* 26 January 1989] In March 1989 student spokesmen called for the provision of more schools and staff to alleviate overcrowding. Critics of the DET alleged that excluding pupils from schools allowed the department to keep pupil/teacher ratios at a reasonable level.²⁵⁴ [²⁵⁴ *Business Day* 16 March 1989, *Sowetan* 15 March 1989]

According to research conducted by the Education Policy Unit at the University of the Witwatersrand (Wits), some 13 000 African pupils had enrolled in private 'academies' offering secondary education in the Pretoria/Witwatersrand/Vereeniging area in 1989.²⁵⁵ [²⁵⁵ Information provided by the Education Policy Unit, University of the Witwatersrand, 22 March 1990]

It was reported at the beginning of February 1989 that a large number of pupils had been unable to gain readmission to schools in KwaZulu because the facilities simply did not exist (see *Finance* above and *Pupil/teacher ratios* and *Pupil/classroom ratios* below).²⁵⁶ [²⁵⁶ *City Press* 5 February 1989]

City Press reported in April 1989 that ‘the abolition of influx control measures has caused a surge of thousands of black people into cities—but schools have not been readily included in resultant township development. Massive townships are being developed by the private sector, but hundreds of school sites remain empty’.²⁵⁷ [²⁵⁷ Ibid 23 April 1989] The chief executive of FHA Homes (a housing developer for the Urban Foundation), Mr B Longley, said that no schools had been built in the 20 African townships which had been developed by the company during the past six years. The problem had not been caused by lack of proper planning, but by the ‘abnormally high growth rate of pupils in certain areas’, Dr Viljoen said, in response to queries.²⁵⁸ [²⁵⁸ Ibid]

Following what were considered to be ‘disastrous’ African matriculation results at the end of 1989, the National Education Co-ordinating Committee (NECC) launched a back-to-school campaign, urging all pupils, including those who had failed any examination, to return to class in defiance of a DET ruling which would have excluded all failed matriculants from schools (see *Examination results* below). The DET agreed to accommodate all pupils and extend the registration date to 26 January 1990.

It was reported at the end of January 1990 that more than 1 500 standard 6 pupils could not be accommodated at DET schools in Grahamstown (eastern Cape). Following a meeting between a delegation of parents, pupils and teachers and the DET’s director for the area, Mr B Podesta, a spokesman for the delegation, Mr T Tisani, said that according to Mr Podesta the current waiting list was not valid, that pupils had to re-register and that a new list had to be submitted to the DET. Mr Tisani also alleged that Mr Podesta had not committed himself to any possible solution once the new list had been handed in. Mr Podesta told the press that he was not in a position to comment on the issue.²⁵⁹ [²⁵⁹ Ibid 28 January 1990]

The deputy minister of education and of development aid, Mr Piet Marais, said in February 1990 that the extension of the registration date to 26 January had resulted in waiting lists containing 30644 names. He said that only 3 000 pupils on the lists had not yet been accommodated. He added that the number of high school pupils had increased by 60 000 since 1989 and that more than R230m would have to be spent to accommodate them. Mr Marais also expressed the opinion that the back-to-school movement did not seem to have achieved the desired educational ends.²⁶⁰ [²⁶⁰ *Business Day* 20 February 1990]

The general secretary of the NECC, Mr Ihron Rensburg, said at the time of Mr Marais’s statement that while the DET had supported the back-to-school campaign, it had done nothing to provide resources for the increased numbers of pupils. It was clear that there was gross overcrowding and an acute shortage of learning materials and that the conditions for qualitative learning simply did not exist, he said.²⁶¹ [²⁶¹ Ibid]

According to the Department of Education and Culture (coloured own affairs), there was a backlog of 9 561 classrooms as at the beginning of 1990. The cost of eliminating the backlog in primary school classrooms was estimated at R660m while that of eliminating the backlog in secondary school classrooms was estimated at R257m. The department also said that at a production rate of eight secondary and 22 primary schools per year and not taking into account the national growth of the coloured school population, it would take ten years to eliminate this backlog.²⁶² [²⁶² Information supplied by

the Department of Education and Culture (coloured own affairs), 2 March 1990]

According to the Department of Education and Culture (Indian own affairs), there was no backlog in classroom accommodation at Indian schools in 1988 or 1989.²⁶³ [²⁶³ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990]

Speaking during the debate on the budget for education and culture (white own affairs) in Parliament in May 1989, the Democratic Party's spokesman on education, Mr Roger Burrows MP, said that the more than 278 000 empty places at white schools in 1988 represented R1,6bn in unused assets.²⁶⁴ [²⁶⁴ *Hansard* 18 cols 8904–8906, 15 May 1989] The minister of education and culture in the House of Assembly, Mr Piet Clase, stated in Parliament in the same month that 196 white primary schools and seven white secondary schools had been closed over the last ten years. The 66 primary schools which had been closed in Natal, the Orange Free State and the Transvaal could have accommodated close on 13 000 pupils, while the five secondary schools in those provinces could have taught 2 000 pupils, Mr Clase said. Pupil enrolment capacity figures were not available for the 130 primary and the two secondary schools which had been closed in the Cape.²⁶⁵ [²⁶⁵ *Hansard* (A) 18 q col 1122, 16 May 1989] In reply to a question in Parliament some days later, Mr Clase provided figures which showed that in the eastern Cape, one white high school had an enrolment which was 20% of its capacity. Others were two thirds empty. With one exception, all schools in Aberdeen, Cookhouse, Cradock, Graaff-Reinet, Jansenville and Oudtshoorn (eastern Cape hinterland) were underutilised.²⁶⁶ [²⁶⁶ *Hansard* (A) 19 q cols 1159–1164, 18 May 1989]

According to the Education Policy Unit at Wits, in a statement issued in August 1989, there were 42 white schools risking closure, immediately or in the next five years, in Johannesburg alone. This number represented almost one quarter of all white schools in the city. Schools with a drop in enrolment of more than 50% over the past five years risked immediate closure, the unit said. There were seven schools in this category, and another seven schools close to it.²⁶⁷ [²⁶⁷ *The Star* 17 August 1989]

In March 1989 teachers at two different white schools in Johannesburg alleged that one school was 'fiddling the books' to boost pupil enrolment and that another was 'turning a blind eye to people who pass as white' in order to avoid closure.²⁶⁸ [²⁶⁸ *The Weekly Mail* 31 March 1989]

Mr Clase said in March 1990 that 24 white state primary schools, with a capacity of 4104 pupils, had been closed in 1989. Of these, 12 were in the Cape, one in Natal, one in the Orange Free State and ten in the Transvaal.²⁶⁹ [²⁶⁹ *Hansard* (A) 6 q cols 387–390. 12 March 1990]

In May 1990 Mr Clase said that 78 schools owned or controlled by his department were either not used or were used for purposes other than education as at 23 March 1990.²⁷⁰ [²⁷⁰ *Hansard* (A) 15 q cols 1173–1175, 7 May 1990] Mr Clase also said in March 1990 that, of the 515 928 places available at white primary schools in the Cape, the Orange Free State and the Transvaal, 449240 were filled as at the latest dates for which figures were available. Of the 390 585 places available at secondary schools in the three

provinces, 333260 were filled. Information on enrolment at schools in Natal was not available.²⁷¹ [²⁷¹ *Hansard* (A) 9 q cols 727–728, 27 March 1990]

There were 21 163 vacant places in white school hostels as at the beginning of 1989.²⁷² [²⁷² *Hansard* (A) 19 cols 1157–1160, 18 May 1989] During the last ten years, 16 white school hostels which could have accommodated well over 1 000 pupils had been closed down.²⁷³ [²⁷³ *Ibid*]

Double sessions and the platoon system

The following number of African schools, African teachers and African pupils in the white-designated areas and the non-independent homelands were involved in double sessions (the same teacher takes two classes a day) or the platoon system (two teachers for two classes but in the same room) during 1987 and 1988:²⁷⁴ [²⁷⁴ DET, RP61/1989]

Double sessions and the platoon system in African schools: 1987 and 1988

1987

1988

WhitNon-WhitNon-Dou

Number of schools

10

302

17

399

Number of teachers

N/A

N/A

N/A

N/A

Number of pupils

2 822

65 878

4 899

93 527

Pla

Number of schools

121

89

97

64

Number of teachers

2 538

1 524

2 008

988

Number of pupils

98 140

71 048

81 743

41 211

a

In 1987, the platoon system applied only up to std 9.

N/A Not available.

Neither double sessions nor the platoon system existed in Bophuthatswana or Venda. Information on the Ciskei was not obtainable. In the Transkei, a 'negligible' number of pupils was involved in double sessions.²⁷⁵ [²⁷⁵ Information supplied by the various departments of education of the 'independent' homelands]

In 1988, 99 coloured schools, 2 969 coloured pupils and 126 teachers at coloured schools were involved in double sessions.²⁷⁶ [²⁷⁶ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990]

There were no platoon or double sessions at Indian or white schools.

Farm and rural schools

In the first quarter of 1988 there were 5627 farm schools for Africans (5 576 in 1987) in the white-designated areas, including 5496 primary, 122 intermediate, three combined and six secondary schools. There were 12 061 primary and 249 secondary farm school teachers and 474517 primary and 6808 secondary farm school pupils.²⁷⁷ [²⁷⁷ DET, RP61/1989] Farm schools accounted for about 72% of all schools controlled by the Department of Education and Training, farm school teachers about 23% of all teachers employed by the department, and farm school pupils nearly 24% of all African school pupils in the white-designated areas. There were also four primary farm schools and one secondary school in KwaNdebele, employing 19 teachers and with an enrolment of 463 primary and 204 secondary pupils.²⁷⁸ [²⁷⁸ Ibid] There were no farm schools in any of the other homelands.

In reply to a question in Parliament in March 1989, Dr Viljoen said that an average subsidy of R26064 had been paid to each farm school during 1988. He stated that R147m had been budgeted for farm schools during the 1988/89 financial year.²⁷⁹ [²⁷⁹ *Hansard* (A) 6 q col 425, 16 March 1989] This amounted to an average subsidy of R261 per pupil for that year (as opposed to R281 in the 1987/88 financial year).

In 1988, 77 farm schools were closed down, while 143 were established and another 102 were extended.²⁸⁰ [²⁸⁰ Ibid, cols 425–426] Various newspaper reports bore testimony to the precarious existence of many farm schools and to the fact that the founding, continuation and closing of farm schools depended on the efforts or decisions of individuals such as farmers and other members of the community.

The annual report of the DET for 1988 stated that in order to improve the quality of education and the facilities for education in rural areas, the following measures were being implemented: a revised subsidy system, which increased the subsidies for physical facilities from 50% to 75% of the cost, calculated in accordance with the building norms incorporated in the general education policy;

- the subsidisation of teachers' residences on farms
- the revision of courses at colleges of education to include teaching methodology applicable to farm schools
- a pilot project to test the viability of a system of itinerant principals in rural areas and
- the provision of management training for all farm school teachers.²⁸¹ [²⁸¹ DET, RP61/1989]

Nearly 4 500 teachers were involved in the management training programme, which had begun in April 1987 and would run until April 1991.²⁸² [²⁸² Ibid]

The above measures appeared to have taken precedence, in 1988, over the implementation of other recommendations made by the special task group established in 1985 to investigate African education in the rural areas (see *1987/88 Survey* pp162–163 and *1988/89 Survey* p267).

In April 1989 the Northern Cape Regional Council of Churches and its western Transvaal counterpart announced that they would be subsidising the transport to township schools of some African children who lived on farms where there were no farm schools. The organising secretary of the Potchefstroom-based Western Transvaal Regional Council of Churches, the Reverend H Brooks, said that while the government subsidised the transport of coloured, Indian and white children living on farms, it did not subsidise the transport of African farm children. A major problem of African farm children was the long distances they walked to school, he said. The council was helping over 100 children who lived 18km to 27km from the school they attended, by paying half their travelling costs. According to Mr Brooks, some of the parents of pupils who lived on a bus route had to pay R5 for a weekly ticket, out of monthly salaries of between R120 and R230. He added that while help provided to the children should not be seen as a sign of concurrence with 'the inferior Bantu education system', the church councils did not 'want to see them being eternal slaves of the farming industry, which is monopolised by whites'.²⁸³ [²⁸³ *City Press* 30 April 1989]

Special education

According to the DETs annual report for 1988, comprehensive research into all aspects of care for the disabled had been completed at the end of 1987, with the Department of National Health and Population Development acting as co-ordinator. The resulting 32 supporting reports had been summarised into four

reports on 'care', 'development', 'prevention' and 'treatment' and these, together with a main report, had been submitted to the cabinet in 1988. An inter-departmental committee for the care of the disabled had been appointed as a result, and it was hoped that this would help to improve and extend the provision of special education by the various departments of education.²⁸⁴ [284 DET, RP 61/1989]

In 1988 there were 48 departmental and state-aided special schools for Africans (41 in 1987) outside the 'independent' homelands, made up of 36 in the white-designated areas and 12 in the four non-independent homelands of Gazankulu, KwaZulu, Lebowa and QwaQwa. There were no special schools in KaNgwane or KwaNdebele. Some of these schools made provision for more than one category of disabled children. Twenty one 'sections' provided for the severely mentally disabled, 13 for the aurally disabled, 13 for the physically disabled, 11 for the visually disabled and one for the cerebral palsied. They employed 643 (544 in 1987) teachers and had 5 436 (4 551 in 1987) pupils.²⁸⁵ [285 Ibid] Two new schools for the severely mentally disabled were being planned for Soweto (Johannesburg) and Kimberley (northern Cape), with financial backing provided by private enterprise and by the communities in these areas.²⁸⁶ [286 Ibid] According to the annual report of the DET, between IQ72 and 1988, 371 teachers had obtained the Diploma in Special Education following a two-year in-service training course. The diploma offers four fields of specialisation. In 1988 the enrolment for the four diplomas was as follows: aurally disabled, 82; physically disabled, 67; severely mentally disabled, 240; and visually disabled, 37.²⁸⁷ [287 Ibid]

In Bophuthatswana there were 22 special schools in 1988, 19 (15 in 1987) for the mentally handicapped and three for the physically disabled. They employed 227 teachers and had 1661 pupils.²⁸⁸ [288 Republic of Bophuthatswana, Department of Education, Annual report 1988] There were two special schools in the Ciskei in 1987, one for the physically disabled and one for the deaf.²⁸⁹ [289 Republic of Ciskei, Department of Education, Annual report 1987] Information for 1988 was not obtainable. There were six special schools in the Transkei in 1987, one for the blind and deaf, one for the aurally and visually impaired, two for mentally disabled children, one for the cerebral palsied and orthopaedically disabled children and one for physically disabled children. They had 104 staff members and 770 pupils.²⁹⁰ [290 Republic of Transkei, Department of Education, Annual report 1987] Information for 1988 was not obtainable. There was one special school in Venda in 1988, catering for aurally, physically and visually handicapped children, with 51 staff and an enrolment of 351.²⁹¹ [291 Republic of Venda, Department of Education, Annual report 1988]

There were nine special schools for coloured pupils in 1988, one for the aurally impaired, one for autistic children, one for the blind, two for the cerebral palsied, one for the deaf, one for epileptics, one for physically disabled children and one for the physically disabled and cerebral palsied.²⁹² [292 House of Representatives, RP47/1989] There were also two classes for the partially hearing at a primary school in Port Elizabeth and 13 special hospital schools. During the period January to December 1988, more than R7,6m was spent on the improvement and extension of accommodation at these schools.

Altogether these schools had an enrolment of 2 297 pupils and employed 341 full-time teachers. A new school for the cerebral palsied, which would cater for 300 pupils and would be situated in Mitchell's

Plain(western Cape), was in the planning stage. A new school for autistic children in Cape Town was in the final planning stage.²⁹³ [²⁹³ Ibid]

There were 16 special schools for Indian pupils in 1988. The number of teachers at such schools was not obtainable. However, these schools had an enrolment of 1 367 pupils.²⁹⁴ [²⁹⁴ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990]

There were 34 special schools for whites in 1988: 11 for the cerebral palsied, six for pupils with serious specific learning disabilities, six for the aurally impaired, four for the physically handicapped, three for epileptics, two for autistic children and two for the visually handicapped.²⁹⁵ [²⁹⁵ House of Assembly, RP32/1989] In addition, training was provided for severely mentally retarded children at 35 state and state-aided training centres, and at six private training centres which received no financial assistance from the state. The total enrolment for these schools and centres was 12 605 in 1988.²⁹⁶ [²⁹⁶ Ibid] The number of teachers employed at these schools was not obtainable.

Special education distinguishes between disabled children (see above) and behaviourally disturbed children. Places of safety provide for the admission and care of children whose circumstances are being investigated in terms of the Child Care Act of 1983 and/or who are awaiting referral to an institution. Pupils at schools of industries are placed in these institutions by courts of law in terms of the Child Care Act. Reformatories provide for the admission, re-education and re-habilitation of 'juvenile delinquents' sentenced to be placed there in terms of the Criminal Procedure Act of 1977, as well as for 'behaviourally disordered' pupils transferred from places of safety, children's homes and schools of industries in terms of the Child Care Act.

Two schools of industries and one reform school under the control of the DET admitted their first pupils in September 1988 (see *1988/89 Survey* p235). No statistics were available at the time of writing. There were no schools of industries in any of the six non-independent or in the four 'independent' homelands. There were a total of four reform schools in the ten homelands, with an enrolment of 1 100 pupils.²⁹⁷ [²⁹⁷ DET, RP 61/1989]

There were six places of safety under the control of the Department of Education and Culture (coloured own affairs) in 1988. Five of these provided tuition. They employed 21 teachers and had 303 pupils. Two new places of safety were beginning to admit children but did not yet provide schooling. There were six schools of industries for coloured children in 1988—three for boys, two for girls, and one for both sexes. They employed 169 teachers and had 1 726 pupils. The department also controlled three reformatories in 1988—one for rural boys, one for urban boys, and one for girls. Together they had an enrolment of 985 pupils and employed 104 teachers. According to the department's annual report for that year, 'in recent years the teaching at schools of industries and reformatories has become more vocationally orientated with the introduction of National Certificate courses in addition to the existing trade training'.²⁹⁸ [²⁹⁸ House of Representatives, RP47/1989]

There were two schools of industries for Indian children in 1988, and one 'pre-vocational school', which

was described as a special school by the Department of Education and Culture (Indian own affairs)²⁹⁹
 [²⁹⁹ Information provided by the Department of Education and Culture (Indian own affairs), 4 January 1990]

According to the Department of Education and Culture (white own affairs), the following matters regarding child care and reform schools had received attention in 1988: the classification of schools providing for children with severe behavioural handicaps, the appointment of social workers in teaching posts, the restructuring of the Diploma in Specialised Education, the appointment of teachers as full-time educators at hostels, additional provision for severely mentally handicapped pupils, and the completion of a manual for the use of care workers at reform schools. There were 2 678 pupils at child care and reform schools in 1988. Further statistics were not obtainable.³⁰⁰ [³⁰⁰ House of Assembly, RP32/1989]

Pupils

Enrolment

Of the 9 029 715 (against 8 166 009 in 1987) African, coloured, Indian and white pupils at school in South Africa (including all ten homelands) in 1988, 78% were African, 9% were coloured pupils, 3% were Indian, and 10% were white (compared with 77%, 9%, 3% and 11% respectively in 1987). Some 76% of African pupils (78% in 1987) and 73% of coloured pupils (74% in 1987) were in primary school, while for Indian and white pupils the proportions were 60% and 57% respectively (compared with 61% and 57% respectively in 1987). Just over 2,7% of African pupils (2% in 1987) and just under 2,7% of coloured pupils (2% in 1987) were in standard 10, in contrast to 5,8% of Indian pupils (5% in 1987) and 7,7% of white pupils (7% in 1987).

Enrolment figures for 1988 for Africans were as follows:³⁰¹ [³⁰¹ DET, RP61/1989; Du Plessis A, Du Pisani T and Plekker S J, *Education and Manpower Development* (RIEP, no 9 in series), 1988]

African pupil enrolment by standard: 1988

Standard

White- designated areas

Non- independent homelands

‘Independent’ homelands

Total

Proportion

Sub A

331 155

458 115

378 934

1 168 204

16,6%

Sub B

266 260

351 063

252 764

870 087

12,4%

Std 1

243 505

327 749

233 320

804 574

11,4%

Std 2

200 172

295 986

209 863

706 021

10,1%

Std 3

203 600

292 677

199 964

696 241

9,9%

Std 4

182 376

249 325

168 753

600 454

8,5%

Std 5

154 455

220 169

145 342

519 966

7,4%

Total primary

1 581 455

2 195 084

1 588 940

5 365 547

76,3%

Std 6

146 217

218 825

132 795

497 837

7,1%

Std 7

115 675

177 624

110 320

403 619

5,8%

Std 8

86 029

144 474

88 225

18 728

4,5%

Std 9

61 340

120 982

68 121

250 443

3,6%

Std 10

43 047

99 301

49 051

191 399

2,7%

Total secondary

452 308

761 206

448 512

1 662 026

23,7%

Combined total

2 033 831

2 956 290

2 037 452

7 027 573

100,0%

The table reveals that 29% of African school goers were at school in the white-designated areas and 71% in the homelands.

Enrolment figures for 1988 for coloured, Indian and white pupils were as follows:³⁰² [302 Du Plessis et al, *Education and Manpower Development*, information supplied by the Department of Education and Culture (Indian own affairs), 20 March 1989]

Coloured Indian and white pupil enrolment by standard: 1988

Standard

Coloured

Proportion

Indian

Proportion

White

Proportion

Sub A

110 035

13,2%

21 143

9,0%

83 571

8,9%

Sub B

95 881

11,5%

19 766

8,4%

76 937

8,2%

Std 1

87 083

10,5%

19 320

8,3%

73 389

7,9%

Std 2

81 403

9,8%

19 370

8,3%

73 258

7,8%

Std 3

79 326

9,5%

20 126

8,6%

74 473

7,9%

Std 4

76 766

9,2%

20 695

8,9%

76 376

8,2%

Std 5

73 654

8,9%

20 832

8,9%

77 878

8,3%

Total primary

604 148

72,6%

141 252

60,4%

535 882

57,2%

Std 6

64 963

7,8%

21 244

9,1%

83 595

8,9%

Std 7

60 765

7,3%

20 211

8,6%

82 902

8,9%

Std 8

46 241

5,5%

20 315

8,7%

82 801

8,9%

Std 9

34 162

4,1%

17 243

7,4%

78 603

8,4%

Std 10

22 050

2,7%

13 645

5,8%

72 120

7,7%

Total secondary

228 181

27,4%

92 658

39,6%

400 021

42,8%

Combined total

832 329

100,0%

According to the Research Institute for Education Planning (RIEP) at the University of the Orange Free

State, there would be just over 14,5m pupils of all races in South Africa (including all ten homelands) by the year 2 000. The following table, based on figures provided by RIEP, provides a breakdown of projected pupil numbers in primary and secondary education in the year 2 000.

Pupil enrolment projection: 2000

African^a

Coloured

Indian

White

Total

Primary education

8 613 800

722 800

160 500

594 100

10 091 200

Secondary education

3 722 200

269 500

88 900

338 100

4 418 700

Total

12 336 000

992 300

249 400

932 200

14 509 900

^a Including all ten homeland

Pupil/teacher ratios

Provisional pupil/teacher ratios for 1989, calculated official statistics (excluding the 'independent' and homelands), were as follows:³⁰³ [³⁰³ DET, Annual report 1989, RP50/1990; Department of National Education, Preliminary Education Statistics for 1989, NATED, 02-214(89/07) July 1989]

Pupil/teacher ratio in the white areas: 1989^a

Africa

38 to 1

Coloured

18 to 1

Indian

19 to 1

White

14 to 1

^a Includes private schools but excludes special schools

Estimated pupil/teacher ratios in all ten homelands in 1988 were as follows:

Pupil/teacher ratio in the homelands: 1988

Primary

Middle^a

Secondary

Bophuthatswana

35 to 1

34 to 1

31 to 1

Ciskei

44 to 1

—

35 to 1

Gazankulu

42 to 1

—

31 to 1

KaNgwane

37 to 1

—

33 to 1

KwaNdebele

35 to 1

—

32 to 1

KwaZulu

54 to 1

—

40 to 1

Lebowa

40 to 1

—

34 to 1

QwaQwa

30 to 1

—

30 to 1

Transkei

69 to 1

—

15 to 1

Venda

34 to 1

—

25 to 1

^a Standards 5-7. This category exists only in Bophut

Pupil/classroom ratios

RIEP provided the information on which the following table is based:³⁰⁵ [³⁰⁵ Du Plessis et al, *Education and Manpower Development*]

Overall pupil/classroom ratios: 1988

School phase

African^a

Coloured

Indian

White

Primary

55 to 1

26 to 1

N/A

N/A

Secondary

43 to 1

24 to 1

N/A

N/A

^a Including all ten homelands

N/A Not available

RIEP, commenting on the ‘relatively large’ discrepancy between the pupil/teacher ratio (see figures above) and the pupil/classroom ratio in African schools, noted that ‘the shortage of classrooms may lead to the underutilisation of teachers, as well as a limitation of the subject choice offered by schools with a shortage of classrooms’.³⁰⁶ [³⁰⁶ Ibid]

Pupil/classroom ratios in African schools in the white-designated areas were as follows:³⁰⁷ [³⁰⁷ Information calculated from DET, RP61/1989]

African pupil/classroom ratios in the white areas: 1988

School phase

No of pupils

No of classrooms

Ratio

Primary

1 358 344

31 970

42 to 1

Intermediate^a

249 859

5 286

47 to 1

Combined^a

24 788

531

47 to 1

Secondary

401 091

8 702

46 to 1

^a Including both primary and secondary pupils.

Pupil/classroom ratios in the non-independent homelands in 1988 were as

Pupil/classroom ratios in the non-independent homelands: 1988

Ga

KaKwa-Ndebele

Kw

Le

Qw Primary level

No of pupils

219 970

146 606

86 768

1 067 963

590 525

53 627

No of classrooms

2 849

1 934

1 491

17 433

9 059

1 413

Ratio

77 to 1

76 to 1

58 to 1

61 to 1

65 to 1

38 to 1

Intermediate level

No of pupils

459

N/A

N/A

21 754

994

16 982

No of classrooms

10

N/A

N/A

357

25

285

Ratio

46 to 1

N/A

N/A

61 to 1

40 to 1

60 to 1

Combined level

No of pupils

N/A

N/A

N/A

N/A

260

N/A

No of classrooms

N/A

N/A

N/A

N/A

14

N/A

Ratio

N/A

N/A

N/A

N/A

19 to 1

N/A

Secondary level

No of pupils

66 110

48 139

34 112

303 669

268 291

30 061

No of classrooms

1 452

775

641

5 808

4 036

655

Ratio

46 to 1

62 to 1

53 to 1

52 to 1

66 to 1

46 to 1

N/A Not applicable

Pupil/classroom ratios in the 'independent' homelands in 1988 were as follows:³⁰⁹ [309 Republic of Bophuthatswana, Department of Education, Annual report 1988; Republic of Venda, Department of Education, Annual report 1988; Information supplied by RIEP]

Pupil/classroom ratio in the 'independent' homelands: 1988

Bophuthatswana

Ciskei

Transkei

Venda

Primary level

No of pupils

356 585

198 831

840 725

147 852

No of classrooms

7 796

3 918

9 576

2 374

Ratio

46 to 1

51 to 1

88 to 1

62 to 1

Middle level^a

No of pupils

125 372

N/A

N/A

N/A

No of classrooms

2 840

N/A

N/A

N/A

Ratio

44 to 1

N/A

N/A

N/A

Secondary

No of pupils

71 891

66 770

165 044

65 711

No of classrooms

1 844

1 412

9 937

1 545

Ratio

39 to 1

47 to 1

17 to 1

43 to 1

^a Standards 5 to 7 in Bophuthatswana

N/A Not applicable

Dropout rate

According to estimates provided by the RIEP, 440 400 (60%) of African school leavers in 1988 were in the primary school phase. Of these, 227 000 or 31% were in their first two years of schooling (sub-A and sub-B). The following table, based on figures provided by the RIEP, includes African pupils in the 'independent' and non-independent homelands as well as in the rest of South Africa. School leavers are defined as pupils who left school during or at the end of the academic year and did not return to school the following year. Both those pupils who passed and those who did not pass a year (with the exception of Standard 10 pupils, where a difference is made) are included in the estimates. RIEP feels that 'the high dropout rate in sub-A is a cause for alarm, and may be ascribed, inter alia, to the misuse of sub-A to serve as a substitute for preprimary education' (see *Pre-primary education* above).³¹⁰ [³¹⁰ Du Plessis et al, *Education and Manpower Development*]

African school leavers: 1988^a

Pupil outflow

Outflow per standard as % of total outflow

EnOutflow as % of enrolment

Sub A

189 700

25,8

1 168 204

16,2

Sub B

37 300

5,1

870 087

4,3

Std 1

50 900

6,9

804 574

6,3

Std 2

29 600

4,0

706 021

4,2

Std 3

57 100

7,8

696 241

8,2

Std 4

38 300

5,2

600 454

6,4

Std 5

37 500

5,1

519 966

7,2

Std 6

51 200

7,0

497 837

10,3

Std 7

37 800

5,1

403 619

9,4

Std 8

33 200

4,5

318 728

10,4

Std 9

31 100

4,2

250 443

12,4

Std 10(no pass)

40 800

5,6

191 399

21,3

Std 10(with pass)

99 500

136

191 399

52,0

Total

734 000

100,0

7 218 972

10,2

^a Owing to rounding off, percentages may not add up to

Examination results

African pupils in the white-designated areas, pupils in the six non-independent homelands and pupils in three of the 'independent' homelands (Bophuthatswana, the Ciskei and Venda) write examinations set by the Department of Education and Training (DET). All other education departments, including that of the Transkei, have their own examining bodies.

The South African Certification Council, founded in terms of the South African Certification Council Act of 1986, aims to control the standards of subject matter and of examination at schools and technical colleges for all departments (excluding those of Bophuthatswana, the Ciskei, Venda and the Transkei (TBVC)). One of the objectives of the council is to ensure that certificates awarded at various exit points in schools, technical colleges and non-formal educational institutions are of the same standard. Negotiations were under way in 1989 to extend the functions of the council to the TBVC.

The preliminary African, coloured, Indian and white examination results for 1989 were as follows:³¹¹
^{[311} Information provided by the Department of Education and Training, 19 February 1990 Information provided by the Department of Education and Culture (coloured own affairs), 8 March 1990; Information provided by the Department of Education and Culture (Indian own affairs), 8 March 1990; *Hansard* (A) 3 q cols 141–144, 23 February 1990]

Matriculation examination results: 1989

African^a

Coloured

Indian

White

Candidate

177 076

22 666

14 191

70 666

Total passes

72 787

16 475

13 282

67 825

Proportion

41,1%

72,7%

93,6%

96,0%

Passed with matriculation exemption

17 170

4 044

6 004

29 933

Proportion of total number of candidates

9,7%

17,8%

42,3%

42,4%

Passed with school-leaving certificate

55 617

12 431

7 278

37 892

Proportion of total number of candidates

31,4%

54,8%

51,3%

53,6%

^a Excluding the Transkei only.

Breakdown per area of 1989 African matriculation results^a

Number of candidates

Proportion of passes with school-leaving certificate

Proportion of passes with matriculation exemption

White-designated areas

Cape

5 317

27,3%

7,8%

Diamond Field

2 590

36,7%

10,4%

Highveld

10 293

27,9%

7,9%

Johannesburg

4 934

20,9%

6,5%

Natal

2 691

26,6%

13,3%

Northern Transvaal

5 774

38,2%

17,5%

Orange Free State

3 889

31,3%

8,4%

Orange Vaal

4 604

39,2%

11,9%

Total

40 092

30,6%

10,1%

Non-independent homelands

Gazankulu

10 707

34,2%

11,2%

KaNgwane

6 423

32,2%

9,1%

KwaNdebele

5 283

26,7%

6,7%

KwaZulu

28 245

32,7%

10,3%

Lebowa

46 659

27,8%

8,2%

QwaQwa

5 069

26,7%

6,5%

Total

102 386

29,9%

9,0%

'Independent' homelands

Bophuthatswana

17 613

37,5%

12,5%

Ciskei

7 045

39,5%

11,4%

Venda

9 940

33,4%

9,1%

Total

34 598

36,7%

11,3%

^a Excluding the Transkei for which results were not available at

The 1988 matriculation examination results (given below) show that 57% of the African candidates, 66% of the coloured candidates, 95% of the Indian candidates, and 96% of the white candidates passed, while 17%, 16%, 41% and 42% respectively passed with matriculation exemption.

Results of the African matriculation examinations at the end of 1988 were as follows:³¹³ [313 Information

provided by the Department of Education and Training, 20 February 1990; Information provided by RIEP, 8 March 1990]

African matriculation examination results: 1988

Rest of South Africa

Transkei

Ciskei

Candidates

167 141

15 905

183 046

Total passes

96 704

8 135

104 839

Proportion

57,9%

51,1%

57,3%

Passes with matriculation exemption

27 577

2 820

30 397

Proportion of total number of candidates

16,5%

17,7%

16,6%

Passed with school-leaving

certificate

69 127

5 315

74 442

Proportion of total number of candidates

41,4%

33,4%

The results of the coloured, Indian and white matriculation examinations at the end of 1988 were as follows :³¹⁴ [Du Plessis et al, *Education and Manpower Development*]

Coloured, Indian and white matriculation results: 1988

Coloured

Indian

White

Candidates

21 456

13 221

69 549

Total passes

14 171

12 577

66 809

Proportion

66,1%

95,1%

96,1%

Passes with matriculation exemption

3 492

5 397

29 126

Proportion of total number of candidates

16,3%

40,8%

41,9%

Passed with school-leaving certificate

10 679

7 180

37 683

Proportion of total number of candidates

49,8%

54,3%

54,2%

In response to a question in Parliament in March 1989 the minister of education and culture (white own affairs), Mr Piet Clase, said that 34 293 pupils at schools under the control of his department had passed mathematics in the November 1988 matriculation examination, while 24 647 pupils had passed physical science.³¹⁵ [³¹⁵ *Hansard* (A) 7 q col 521, 22 March 1989]

In African schools under the DET, 1 348 pupils passed matriculation mathematics in 1987. In 1988, 2 957 pupils passed matriculation mathematics at these schools. Of these, 853 passed on the higher grade. The number of matriculation pupils who passed physical science on the higher grade at DET schools was 1 253. In the six non-independent homelands, a total of 3 682 pupils passed matriculation mathematics in 1988.³¹⁶ [³¹⁶ *Business Day* 14 June 1989; Information provided by the Department of Education and Training, 21 September 1989]

Less than two weeks before the start of the new school year in January 1989, the DET announced that approximately 20 000 pupils who had failed the matriculation examination in the white-designated areas of South Africa at the end of 1988 would not be able to return to DET secondary schools but would have to enrol at adult education centres or finishing schools instead. According to the DET, students at these centres would receive credit for all the subjects they had passed and would have to rewrite only those subjects they had failed. In Soweto (Johannesburg) pupils who were not readmitted to schools set cars alight and assaulted a number of teachers. Teachers at several Soweto schools began a fund-raising campaign to have matriculation scripts remarked following allegations that the DET had bungled the marking of 1988 scripts.³¹⁷ [³¹⁷ *City Press* 22 January 1989]

By the end of February 1989 there were 1 300 pupils registered at seven 'finishing schools' (schools providing education for matriculation to failed matriculants) in Soweto and Alexandra (Johannesbu

In May 1989 controversy arose over the writing in African schools in the DETs Johannesburg region of mid-year common papers, with pupils and teachers alleging that conditions at some schools had not allowed teachers enough time to cover the required syllabus. There were also allegations that papers had failed to arrive on time or at all, that pupils had written the same papers at different times in different

schools, that the scripts were frequently illegible and filled with errors and that the morale of pupils and educators was low as a result.³¹⁹ [³¹⁹ *Weekly Mail* 2 June 1989] According to information provided by DET officials, the decision to have common papers had been motivated by principals and school management councils seeking to establish whether schools were up to date with syllabuses. While the examination had been co-ordinated by the region and by its subject advisory services, each school had exercised responsibility in the actual running of the examination (which included the duplication of examination papers). The examination had been carried out efficiently at a number of schools which had adhered to the strict timetable insisted on by the principals' council for secondary schools. The results (showing an average pass rate of 25%) were not taken into account when determining end-of-year results.³²⁰ [³²⁰ Information provided in the course of interviews with DET officials, October 1989]

At the end of October 1989, when African pupils began to write the matriculation examinations, it was reported that the DET had introduced a special training programme for invigilators so that irregularities which had previously occurred during the writing of examinations, and which the DET had detailed earlier in the year, might be avoided.³²¹ [³²¹ Various newspaper reports, *Sowetan* 25 October 1989] The department also used a security firm to transport question papers to the head offices of education departments countrywide.³²² [³²² *Ibid*] Problems occurred, however, during the marking of examination scripts. In December a reporter for *The Weekly Mail* was able to walk into marking rooms of the main marking centres in Pretoria (central Transvaal) and to handle scripts. He also had himself photographed while posing as an examiner. He reported that examiners were marking for up to 12 hours a day; that at least some were taking large piles of scripts out of marking rooms in the evening and getting through them very fast at night (markers were paid R3.65 for the script of a three-hour paper); that white university students were marking scripts, sometimes in subjects which they were not themselves studying; and that pupils who had written their matriculation examinations at the end of 1989 were being used to add up marks.³²³ [³²³ *The Weekly Mail* 8, 22 December 1989] Following the disclosure of these irregularities, a number of markers were sacked by the DET.³²⁴ [³²⁴ *Sowetan* 12 December 1989] The director of liaison services at the DET, Mr C Rademeyer, said at the time that the department was 'usually let down by credible markers who do not turn up and as a last minute measure we employ individuals whose bona fides later prove not to be in order'. He also said that the DET had met 'professional and dedicated markers' in order to review the standard and quality of marking procedures.³²⁵ [³²⁵ *The Star* 12 December 1989] The director general of the DET, Dr Bernhard Louw, who had been asked to offer an explanation for the situation by the deputy minister of education, Mr Piet Marais, issued a statement in which he claimed that while certain irregularities had taken place, *The Weekly Mail* allegations had been unfair to the vast majority of the 7 800 markers who applied themselves with diligence and professionalism to their task. Measures had been introduced to tighten up security and the standard-isation of marking, he affirmed. He also gave his assurance that 'on the strength of the extensive system of checks and rechecks, no matric candidate will be disadvantaged as a result of the limited and isolated instances of irregularity'. Mr Marais said that he was satisfied with Dr Louw's statement.³²⁶ [³²⁶ *Business Day* 13 December 1989, *The Star* 12 and 13 December 1989]

According to an editorial in *Business Day*, however, the DET's failure to ensure proper marking

procedures meant that ‘the credibility of all its matriculants has been placed at risk at a time when jobs are going to be extremely difficult to come by in any case’.³²⁷ [³²⁷ *Business Day* 13 December 1989] Later in December, about 600 teachers who had marked scripts in Pretoria formed a markers’ ad-hoc committee to ‘protect the interests of markers and eliminate exploitation, corruption and misunderstanding at all levels of the marking process’. In a strongly worded statement, the committee said that the DET would have to eliminate all irregularities by the time the 1990 examinations were written or face a ‘pens down’ action by markers. Markers saw themselves as quality controllers and not as money makers, and needed the support of the community at large, the statement added. Members of the committee resolved to form links with mass-based educational and community organisations so as to ‘campaign for a better South Africa’.³²⁸ [³²⁸ *The Weekly Mail* 22 December 1989]

Following what were almost unanimously considered to be the ‘disastrous’ examination results of matriculation pupils from DET schools at the end of 1989, the National Education Co-ordinating Committee (NECC) pursued a back-to-school campaign in January 1990. It stated that it would not go along with the DET’s policy of accommodating failed matriculation pupils in adult education centres or finishing schools (see above). The NECC called on all failed students to re-register at DET primary and secondary schools.³²⁹ [³²⁹ Numerous newspaper reports] Later in January, following a meeting between the NECC and the minister of education and development aid, Dr Stoffel van der Merwe, the DET undertook to place unregistered pupils in facilities such as underused primary schools in African urban areas.³³⁰ [³³⁰ *The Star* 27 January 1990] According to the NECC’s chairman, Mr Eric Molobi, in a statement issued towards the end of January, the first phase of the campaign had gone well and it was hoped that classes in African schools throughout the country would begin to operate normally from 29 January (about three weeks late).³³¹ [³³¹ *Ibid*] Mr Molobi said that NECC representatives from various areas would deliver waiting lists of pupils who had been turned away from schools, for whatever reasons, to the DET (see also *Shortages* above).

Pupils’ organisations

Information concerning the majority of pupils’ organisations was unobtainable in 1989. It was difficult to assess whether there had been a general drop in organisations’ activities, or whether statements issued by existing and new organisations could not be reported owing to state of emergency media regulations (see chapter on *Security*). For an overview of state action against pupils’ organisations and of pupils’ attempts at regrouping, see *1988/89 Survey* pp283–284.

The **Azanian Students’ Movement** (AZASM) had both pupils and students as members in 1989. For information on AZASM see *Student organisations* below.

The secretary general of the restricted **Azanian Youth Organisation**, Mr K Mampondo, speaking at a funeral following the death through ill health of a Black Consciousness Movement leader in October 1989, said that black pupils and black people in general were not interested in reforming the system, but in transforming it and making of it what they wished.³³² [³³² *Sowetan* 30 October 1989]

A new national students' organisation, the **Pan-Africanist Students' Organisation** (PASO), was launched at the Wilgespruit Fellowship Centre (Roodepoort) in October 1989. The two-day congress to launch the organisation was attended by over 600 delegates from various parts of South Africa (including the Ciskei, the Transkei and Venda) and was addressed by the president of the Pan-Africanist Congress (PAC), Mr Zephania Mothopeng. A message from the PAC's mission in exile said that the launch was 'timely and significant' and praised participants for having 'discovered the Africanist truth that education means identification with the masses'.³³³ [³³³ Ibid 16 October 1989] Other messages of support were received from various trade unions. At the time of the launch, PASO pledged to strive for an educational system that liberated the mind\ Under the present system of education, the congress stated, students received a 'colonial education geared towards inculcating bourgeois tendencies in the service of capitalism and alienating us from our concrete conditions to make us appendages of capitalism and imperialism'. PASO called for the unity of workers on the basis of one workers' federation in a unified country. The new organisation also said that it opposed negotiations with the government until the transfer of South Africa to its rightful owners had been addressed. It resolved to help promote sports activities but to discourage participation in all activities organised by the DET.

The **South African Youth Congress** (SAYCO) 'unbanned' itself during the defiance campaign by extra-parliamentary organisations in September 1989 (see chapter on *Political Developments*). Also in September a SAYCO delegation met the African National Congress (ANC) in Lusaka (Zambia) and on returning called for the lifting of the ban on the ANC; the release of a prominent jailed leader of the ANC, Mr Nelson Mandela, and of other political prisoners and detainees; the repeal of apartheid laws; the lifting of the state of emergency; a moratorium on all political trials and executions; and the withdrawal of military troops from townships.³³⁴ [³³⁴ *The Star* 14 September 1989]

The **Soweto Students' Co-ordinating Committee** was formed in January 1989, following the banning in 1988 of the **Soweto Students' Congress** (SOSCO) and the **Soweto Youth Congress** (SOYCO). In March 1989 the committee called on the DET to re-admit all pupils unconditionally, build more schools and employ more teachers. It also asked the DET to stop sending teachers on courses during school hours.³³⁵ [³³⁵ *Business Day* 16 March 1989]

At the beginning of 1989, many of the SOSCO members who had been detained in 1988 were released but were served with severe restriction orders.³³⁶ [³³⁶ *The Weekly Mail* 21 December 1989] Nevertheless, SOSCO 'unbanned' itself in September 1989, following a meeting of 1 000 pupils in Diepkloof (Soweto).³³⁷ [³³⁷ *Sowetan* 15 September 1989]

In February 1990, following the state president's opening address to Parliament (see chapter on *Political Developments*), the restrictions on the following pupils' organisations were lifted:³³⁸ [³³⁸ Government Notices R229 and R233, *Government Gazette*, no 12287 of 3 February 1990]

- the Congress of South African Students (COSAS);

- the Mitchell's Plain Students' Congress;
- the South African Students' Movement (SASM);
- the Soweto Students' Congress (SOSCO);
- the Soweto Youth Congress (SOYCO);
- the Transvaal Students' Congress; and
- the Western Cape Students' Council.

A number of other youth congresses were unbanned at the same time. However, it was not possible to ascertain whether these bodies were pupils' organisations.

Following the lifting of restrictions on these organisations and on the ANC, PAC, the United Democratic Front (UDF) and the South African Communist Party, there was a resurgence of pupil organisation activity, notably in various homelands, where pupils called for changes in the education system and in homeland administration, as well as for the reincorporation of homelands into South Africa.³³⁹ [339 Numerous newspaper reports]

Boycotts and other disturbances

Although there were relatively few newspaper reports of school boycotts and other disturbances during the first half of 1989, a number of educationists reported that the situation in many urban and in some rural African schools was tense. They attributed this to a DET decision not to re-admit pupils who had failed the matriculation examination (see *Examination results* above), and to the promulgation, in November 1988, of very broad regulations empowering the DET to suspend or expel any African pupil who 'prejudiced the maintenance of order and discipline' and ban any pupils' organisation of which it had not approved (see *Legislation* above).

According to the South African Council of Churches education desk report of June 1989, tension reached 'fever pitch countrywide when it became clear that the DET was bent on expunging large numbers of children from schools'. The report stated that a variety of further categories of pupils had been excluded. Among these were pupils who had failed any standard between standard 6 and standard 9 more than once, those who could not show proof of having been at school the previous year, pupils who had come from areas outside those served by a particular school and pupils over the age limit of 21.

Pupils in Venda joined students at the University of Venda and at the Venda College of Education in a boycott against conditions in the homeland in July and August 1989 (see chapter on *The Homelands*).³⁴⁰

[³⁴⁰ *The Citizen* 9 August 1989, *Sowetan* 31 July 1989]

African, coloured and Indian pupils in various parts of South Africa protested against the general election of September 1989. At the end of August 1989 pupils in the eastern Cape backed the Mass Democratic Movement's defiance campaign against various apartheid laws (see chapter on *Political Developments*) and marched to a number of prestigious white government schools. The marches were halted by the police.³⁴¹ [³⁴¹ *The Star* 25 August 1989, *The Citizen* 31 August 1989, *The Weekly Mail* 1 September 1989, *Sowetan* 5 September 1989]

Schooling in the townships and rural areas surrounding Pietermaritzburg (Natal) has been disrupted since 1987, owing to violent conflict between supporters of inkatha and of the UDF (see chapter on *Political Organisations*). Two lecturers and researchers at the University of Natal, Mr J Gultig and Mr M Hart, said that 'the violence has brought large-scale dislocation in its wake, with people fleeing the conflict and becoming refugees in other communities. Large numbers of pupils have been de-schooled by the violence, adding to the burgeoning population of school leavers who are unemployed and unable to find places in schools'. (For details of the conflict, see chapter on *Political Developments*.) The two lecturers, who conducted their research from mid-1988 to January 1989, also came to the conclusion that the marked decrease in school enrolment had been caused by school-based conflict between pupils of differing political persuasions, and between staff and pupils and various Inkatha structures. Many pupils who attended school lived in constant fear, the researchers said. Overall matriculation pass rates for some schools had dropped in such a way as to suggest that schooling had been 'severely disrupted'.³⁴² [³⁴² Gultig J and Hart M, 'The World is Full of Blood': Youth, Schooling and Conflict in Pietermaritzburg, 1987-1989', *Perspectives in Education*, vol 11 no 2, summer 1990]

The violence in the area escalated in the first quarter of 1990 (see chapter on *Political Developments*).

In the last quarter of 1989 the *Sowetan* newspaper carried numerous articles and letters which stated that, while the present inadequacies of the current system of African education were obvious and were not being addressed properly, some of the blame for the situation in schools in urban areas, such as Soweto, should be shifted from the DET and attributed to pupils' lack of discipline. It was said that pupils' blaming of the system was an excuse for doing no work; that pupils were frequently absent for hours or days at a time (an allegation also made by the DET); that they had no respect for teachers, who were all viewed as 'tools of the system'; that teachers feared students, especially those who came to school armed with knives and guns; that several members of staff had been attacked; and that there was a new disturbing criminal element operating in schools. There were reports of attacks on pupils by gangs and of female pupils being abducted and repeatedly raped by gang members calling themselves 'jackrollers'. Articles variously attributed the increase in criminality to high unemployment among youth, to the general chaos in schools, and to jealousy on the part of ex-pupils who had been forced out of the school system.³⁴³ [³⁴³ Numerous articles in *The Sowetan* and other newspapers] One view frequently expressed was that the situation would not have deteriorated to such an extent if education had been more firmly in the hands of communities, if parent/ teacher/student associations (PTSAs) had been allowed to form and to take decisions, and if a greater number of democratically elected student representative councils (SRCs) had

been allowed to operate in a greater number of schools.³⁴⁴ [³⁴⁴ Ibid]

In February 1990 the deputy minister of education and development aid, Mr Piet Marais, said that a daily average of more than 72 000 pupils at DET secondary schools had been involved in stayaways between 24 January and 13 February 1990. This meant that about 15% of secondary pupils had had no teaching for at least three weeks, he added. Mr Marais expressed the opinion that there was a 'complete lack of discipline' at many schools and that much of the 'unacceptable behaviour' of pupils was the result of the insistence that all young people, including the unemployed and vagrants, be accommodated in schools.³⁴⁵ [³⁴⁵ *The Natal Witness* 22 February 1990] Later in February, the DET suspended classes at 17 primary and secondary schools in the Orange Free State (OFS) (an area infrequently involved in educational unrest), following a week-long boycott by approximately 20 000 black pupils in Thabong (near Welkom) and Meloding (near Virginia). The chief director of the DET's OFS region, Mr N Botha, said that pupils had demanded PTSAs, democratically elected SRCs with access to offices and telephones, and the dismissal of some teachers and principals. The DET could not accede to these demands, he said, and added that agreeing to the PTSAs would mean 'the disbanding of the school management councils' (see *Policy* above).³⁴⁶ [³⁴⁶ Ibid] Some days later, the Thabong Students' Congress called on the DET to reopen the schools. A spokesman for the congress, Mr Thabo Masoleng, said that the boycott had been the result of clashes between protesting pupils and the police, during which five pupils were believed to have died and over 30 pupils to have been injured.³⁴⁷ [³⁴⁷ *City Press* 25 February 1990]

In the first months of 1990, a number of 'youths', including school pupils, were arrested, attacked, or killed, in the course of conflict between various communities and security forces, and between organisations of differing political persuasions.³⁴⁸ [³⁴⁸ Various newspaper reports]

According to reports towards the end of March 1990, there had been virtually no schooling in some areas of the OFS for periods ranging up to six weeks. Although most of the boycotts were taking place at secondary schools, the areas of Welkom and Bethulie experienced boycotts by primary school pupils. According to a DET statement, almost 24 000 pupils failed to attend school in the province on 20 March 1990. Reasons for the boycotts were said to include a lack of textbooks and confusion about school fund contributions.³⁴⁹ [³⁴⁹ *Sowetan* 21 March 1990]

Dr Van der Merwe said in Cape Town at the end of March 1990 that on 27 March, 593 of a total of 1 587 primary schools and 227 of a total of 482 secondary schools falling under the DET had been disrupted by boycotting pupils and teachers. While attendance of more than 80% had been registered at the 1 249 schools which had not been disrupted, one fifth of all teachers had taken part in the boycotts, he added (see also *Teachers' strikes* below).³⁵⁰ [³⁵⁰ *Business Day, The Star* 30 March 1990] On the following day, a further 30 schools were affected by boycotts, bringing the total for that day to 850 schools.³⁵¹ [³⁵¹ Information provided telephonically by the Department of Education and Training, 11 April 1990]

The Johannesburg regional offices of the DET held talks with pupil leaders from Soweto and Alexandra in April 1990 to discuss a memorandum of grievances accepted by a DET official who had been present

when the police had interrupted a pupils' march to DET offices two weeks before.³⁵² [³⁵² *Sowetan* 5 April 1990]

In the first quarter of 1990 schooling was also severely disrupted in several homelands. Pupils protested against the education system and/or were at the forefront of protests against the policy of homelands, homeland maladministration, and other issues (see chapter on *The Homelands*).³⁵³ [³⁵³ Numerous newspaper reports] In March 1990 about 6 000 pupils and teachers marched to the offices of the Department of Education in Nebo (Lebowa) to demand more schoolbooks.³⁵⁴ [³⁵⁴ *Sowetan* 2 March 1990] Most of the youths in Ga-Rankuwa (Bophuthatswana) were reported to have gone into hiding when police raids followed school boycotts against the homeland administration in the same month.³⁵⁵ [³⁵⁵ *The Citizen* 10 March 1990] Pupils in Thohoyandou (Venda) refused to attend school for a number of reasons and the boycott continued into April 1990.³⁵⁶ [³⁵⁶ *Sowetan* 14 March, 5 April 1990] It was difficult to assess to what extent the boycotts had spread beyond the areas mentioned above. Halfway through April 1990 the Giyani Youth Congress called on pupils to return to school in Gazankulu, following a six-week total boycott by pupils and civil servants (including teachers). The boycott had begun amid demands for a redress of educational grievances and was accompanied by widespread unrest, detentions and deaths (see chapter on *The Homelands* for details). Spokesmen for the congress said that the decision to return to school had been taken as a result of several important concessions made by the chief minister of the homeland, Professor Hudson Ntsanwisi (see also *Teachers' strikes* below).³⁵⁷ [³⁵⁷ *The Star* 19 April 1990]

Teachers

Numbers and qualifications

In 1988 there were 177 057 teachers in African schools (including all ten homelands), 35 665 in coloured schools, 12 015 in Indian schools and some 56 000 in white schools.³⁵⁸ [³⁵⁸ *Hansard* (A) 2 q cols 34–35, 14 February 1989]

According to research by the South African Institute of Race Relations there was a shortage of 5 531 primary and 1 350 secondary school teachers in schools under the Department of Education and Training (DET) in 1988. Although the total number of teachers had risen by 7% between 1987 and 1988, the shortage of teachers had increased by 27% in the same period. Calculations were made according to hypothetical pupil/teacher ratios of 35 to 1 in primary schools and 30 to 1 in secondary schools. If the more than 1m African children not attending school in the white-designated areas and the non-independent homelands had had to be accommodated using the pupil/teacher ratio of 30 to 1 recommended by the report on education of the Human Sciences Research Council (the De Lange committee report) in 1981 (see 1981 *Survey* pp338–345), an estimated 74 000 additional teachers would have been required in 1988. Figures for the 'independent' homelands were not obtainable.³⁵⁹ [³⁵⁹ Cosser, *Social and Economic Update* 8, March–July 1989, SAIRR]

If a post-standard 10 teachers' certificate or diploma is regarded as the minimum qualification for a teacher, it is evident from the tables below that 46% of teachers in African schools in the white-designated areas and non-independent homelands, 29% of teachers in coloured schools and 0,3% of teachers in Indian schools were not adequately qualified in 1988. The respective figures for 1987 were 54%, 34% and 2%.

The following tables give a detailed breakdown of African, coloured and Indian teachers' qualifications in 1988.³⁶⁰ [³⁶⁰ DET, RP61/1989; Republic of Bophuthatswana, Department of Education, Annual report 1988; Republic of Venda, Department of Education, Annual report 1988; Information provided by the Department of Education and Culture (coloured own affairs), 2 March 1990; Information provided by the Department of Education and Culture (Indian own affairs), 16 March 1990] Information on the qualifications of teachers in the Ciskei was not obtainable. In the Transkei, almost 49% of teachers were not matriculated in 1989.³⁶¹ [³⁶¹ Information supplied by the Department of Education, Republic of Transkei, January 1990]

In white schools, most teachers were in possession of a professional qualification. Further information was not obtainable.

Qualification of teachers in African schools (excluding TVBC^a): 1988

White-designated areas

%

Non-independent homelands

%

Total

%

Professionally qualified with

Std 6

2 508

4,7

1 514

2,2

4 022

3,2

Std 8

14 980

27,9

12 763

18,2

27 743

22,4

National technical certificate

2

—

5

—

7

—

Std 10 with primary teachers' certificate

13 484

25,0

19 608

27,9

33 092

26,7

Std 10 with junior secondary

teachers' certificate

2 460

4,6

3 161

4,5

5 621

4,5

Std 10 and 3 years'

teacher training

10 604

19,7

13 076

18,6

23 680

19,1

Degree

2 240

4,2

2 978

4,2

5 218

4,2

Sub-total

46 278

86,1

53 105

75,6

99 383

80,1

No professional qualification, but with

Std 8 or lower

4 084

7,6

3 763

5,4

7 847

6,3

National technical certificate

84

0,1

24

—

108

0,1

Senior certificate or

matriculation

3 055

5,7

13 129

18,7

16 184

13,1

Degree

246

0,5

249

0,3

495

0,4

Sub-total

7 469

13,9

17 165

24,4

24 634

19,9

Total

53 747

100,0

70 270

100,0

124 017

100,0

a

Transkei, Bophuthatswana, Ve

Qualification of teachers in Bophuthatswana: 1988

Professionally qualified with

Number

%

Below std 8

6 545

40,4

Std 8

5 428

33,5

Std 10

856

5,3

Degree incomplete

84

0,5

Degree

681

4,2

Sub-total

13 594

83,9

No professional qualification, but with

Number

%

Below std 8

1 462

9,0

Std 8

541

3,3

Std 10

359

2,2

Degree incomplete

8

—

Degree

257

1,6

Sub-total

2 627

16,1

Total

16 221

100,00

Qualification of teachers in Venda: 1988

Professionally qualified with

Number

%

Below Std 10

980

13,4

Std 10

3 903

53,3

Degree incomplete

125

1,7

Degree

759

10,4

Sub-Total

5 767

78,8

No professional qualification, but with

Below Std 10

52

0,7

Std 10

1 368

18,7

Degree incomplete

31

0,4

Degree

105

1,4

Sub-total

1 5

Qualification of teachers in Venda: 1988

Professionally qualified with

Number

%

Below Std 8

65

0,2

Std 8 or 9

7 872

22,1

Std 10 with 2 years' teacher training

2 785

7,8

Std 10 with 3 years' teacher training

12 082

33,9

Std 10 with 4 years' teacher training

1 926

5,4

Std 10 with std 8 or std 9 teachers' certificate

4 213

11,8

A university degree

4 209

11,8

Other (eg technical)

53

0,1

Sub-total

33 205

93,1

No professional qualification, but with

Number

%

Std 8 or lower

518

1,5

Std 10

1 211

3,4

A university degree

588

1,6

Other(eg technical)

143

0,4

Sub-total

2 460

6,9

Total

35 665

100,0

Qualification of teachers in Indian schools:^a 1988

Professionally qualified with

Number

%

Std 10 with 1 years' teacher training

98

0,9

Std 10 with 2 years' teacher training

91

0,8

Std 10 with 3 years' teacher training

5 925

52,4

Std 10 with technical certificate

283

2,5

Degree

4 878

43,1

Sub-total

11 275

99,7

No professional qualification, but with

Number

%

Std 10

6

0,05

Degree

23

0,2

Other(eg technical)

9

0,05

Sub-total

38

0,3

Total

11 313

100,0

^a Excludin

The minister of education and development aid, Dr Gerrit Viljoen, said in Parliament in February 1989 that 22 teachers had been retrenched or made redundant in African schools at the end of 1988. Of these, 11 had been retrenched to accommodate recently qualified teachers who were contractually bound by the department. Another 11 temporary teachers had been retrenched because they ‘had chosen not to join’ the Department of Education in QwaQwa following the incorporation of Botshabelo into the homeland (see chapter on *The Homelands*). They had also not been prepared to accept posts in the Orange Free State, he said. Nine of the 11 had been fully professionally qualified.³⁶³ [³⁶³ *Hansard* (A) 4 q col 159, 28 February 1989]

In December 1989 it was reported that 124 underqualified and unqualified (‘temporary’) teachers in Soweto (Johannesburg) were being retrenched by the DET.³⁶⁴ [³⁶⁴ *The Star* 4 December 1989] The retrenchment was widely criticised on the grounds that schools in the township were far too full and that pupil/ teacher ratios were unsatisfactory.³⁶⁵ [³⁶⁵ Various newspaper reports] The director of the DETs Johannesburg region, Mr Peet Struwig, stated that Soweto had a surplus of teachers, that qualified teachers needed to be placed and that the teachers who had been laid off could be employed in ‘other’ regions where there was a desperate shortage of teachers. Posts which became vacant in Soweto were simply not filled, Mr Struwig said. He added that the DET had retrenched only 124 of 234 underqualified and unqualified teachers.³⁶⁶ [³⁶⁶ *The Star* 4 December 1989] He also promised that the DET would help those teachers in the process of qualifying by granting them study leave.

According to the minister of education and culture (white own affairs), Mr Piet Clase, 5 247 persons (representing about 9% of the total number of posts) had resigned from teaching posts in the four

provincial departments of education in 1988. He gave a number of reasons for the resignations. The only province affected by the resignations was the Transvaal, but there were only 39 posts vacant out of a total of 28 090, the minister said.³⁶⁷ [³⁶⁷ *Hansard* 2 q cols 34–35, 14 February 1989]

In February 1990 Mr Clase told Parliament that 223 teachers at white own affairs schools had been retrenched or made redundant during 1989.³⁶⁸ [³⁶⁸ *Financial Mail* 2 March 1990]

Teacher training

According to the annual report of the DET, there were 15 teacher training colleges for Africans under its control in 1988 (one more than in 1987), with a teaching staff of 826. There were another 28 under the education departments of the six non-independent homelands (as opposed to 27 in 1987), with a teaching staff of 1283. Enrolment at all these colleges totalled 27 639 (24 805 in 1987)³⁶⁹ [³⁶⁹ DET, RP61/1981] In 1988 Bophuthatswana had five teacher training colleges with a teaching staff of 261, and a student enrolment of 3 399.³⁷⁰ [³⁷⁰ Republic of Bophuthatswana, Department of Education, Annual report 1988] Venda had 2 577 student teachers, enrolled in three teacher training colleges employing a teaching staff of 222.³⁷¹ [³⁷¹ Republic of Venda, Department of Education, Annual report 1988] Information on the Ciskei and the Transkei was not obtainable.

The following teaching degrees and diplomas were awarded to (predominantly) African education students at African universities in 1986, 1987 and 1988.³⁷² [³⁷² DET, RP61/1989; Information supplied by the registrars of the various universities]

Tea

1986

1987

1988

University

Degrees

Diplomas

Degrees

Diplomas

Degrees

Diplomas

Bophuthatswana

67

31

58

17

58

6

Fort Hare

49

35

81

59

55

74

The North

236

106

303

150

N/A

N/A

Transkei

12

90

11

76

7

138

Vista

5

1 679

42

2 566

54

734^a

Zululand

141

173

203

267

N/A

N/A

Total

510

2 114

698

3 135

174

952

^a Vista university also awarded 1 924 teaching certificates in 1988.³⁷³

N/A Not available. However, compare this table with those on pp844-845.

³⁷³ [³⁷³ Information supplied by the administrative registrar, Vista University, 10 January 1990]

The following numbers of (predominantly) African students enrolled in the education faculties at African universities in 1987 and 1988:³⁷⁴ [³⁷⁴ DET, RP61/1989; Information supplied by the registrars of the various universities]

Student teachers at African universities: 1987 and 1988

1987

1988

University

No of students

No of students

Bophuthatswana

759

816

Fort Hare

429

687

The North

2 280

3 393

Transkei

773

1 152

Vista

15 875

18 836

Zululand

1 714

2 178

Total

21 830

27 062

In addition to the above, a number of African students enrolled for degrees and diplomas in education at the University of South Africa and at some of the predominantly coloured, Indian and white universities (see the tables below).

There were 8 187 student teachers registered at 13 colleges of education under the Department of Education and Culture (coloured own affairs) in 1988.³⁷⁵ [³⁷⁵ House of Representatives, RP47/1989] At the end of 1988, 1 179 students qualified as teachers at these colleges.³⁷⁶ [³⁷⁶ Information supplied by the Department of Education and Culture (coloured own affairs), 18 May 1990] For information regarding the number of coloured students who obtained a qualification in the education faculties at universities in 1987 and 1988, see the tables overleaf.

The Department of Education and Culture (Indian own affairs) controlled two teacher training colleges in 1988 and 1989, with an enrolment of 602 pre-service students in 1988 and of 455 such students in 1989. Altogether, 242 students qualified as teachers at these colleges at the end of 1988.³⁷⁷ [³⁷⁷ Information supplied by the Department of Education and Culture (Indian own affairs), 4 January 1990 and 13 August 1990]

For information regarding the number of Indian students who obtained a qualification in the education faculties at universities in 1987 and 1988, see the tables below.

There were 8 487 white student teachers enrolled at 19 colleges of education in 1988.³⁷⁸ [³⁷⁸ Briefing paper prepared for the National Education Co-ordinating Committee, Education Policy Unit, University of the Witwatersrand, January 1990] Information on the numbers of students who qualified as teachers at the end of 1988 was not obtainable. Mr Clase said in March 1990 that statistics were not available on the number of students who had qualified as teachers in the past ten years.³⁷⁹ [³⁷⁹ *Hansard* (A) 6 q cols 397–398, 12 March 1990] For information regarding the numbers of white students who obtained a qualification in the education faculties at universities in 1987 and 1988, see the tables below.

The following two tables, based on information provided by the Committee of University Principals (CUP), show the number of African, coloured, Indian and white students who obtained some or other qualification in education (for example a degree, an undergraduate or a post-graduate diploma) in 1987 and 1988.³⁸⁰ [³⁸⁰ Information provided by the Committee of University Principals, 1 November 1989 and 13 August 1990]

Number of education students qualifying at universities: 1987

African

Coloured

Indian

White

Cape Town

30

106

10

291

Durban-Westville

2

4

331

3

Natal

16

26

50

309

The North

426^a

—

—

—

Orange Free State

5

6

—

304

Port Elizabeth

—

3

1

167

Potchefstroom

—

1

—

468

Pretoria

1

—

—

608

Rand Afrikaans

1

11

—

355

Rhodes

16

14

5

84

Stellenbosch

—

9

—

421

Unisa

223

89

248

868

Vista

2 608^b

—

—

5

Western Cape

2

441

5

2

Witwatersrand

124

9

47

382

Zululand

520^c

—

1

1

Total

3 974

719

698

4 268

^a This total is 27 less than provided by the university itself (see above).

^b This total is five more than that provided by the university itself (see above).

^c This total is 52 more than that provided by the university its

One reason for differences in totals between the various tables above may be that figures supplied by the CUP are those which universities supply to the government according to the South African Post Secondary Education formula. This formula includes students from faculties other than education, who earn what are considered to be education qualifications even though they are not issued by education faculties. Universities frequently use criteria different from those of the formula when they issue information on qualifications and other issues.

Number of education students qualifying at universities: 1988

African

Coloured

Indian

White

Cape Town

34

104

14

244

Durban-Westville

15

4

308

—

Natal

86

20

82

280

The North

461

—

—

—

Orange Free State

7

5

—

263

Port Elizabeth

—

11

—

132

Potchefstroom

1

—

—

493

Pretoria

—

—

—

634

Rand Afrikaans

6

21

—

494

Rhodes

24

14

8

83

Stellenbosch

—

5

—

505

Unisa

303

89

285

770

Vista

2 7554

1

Western Cape

13

13

760

1

Witwatersrand

116

10

36

407

Zululand

594

—

—

2

Total

4 414

In January 1989 the Transvaal Teachers' Association submitted a request to Mr Clase to allow empty places at teacher training colleges in the Transvaal to be filled by students of all races.³⁸¹ [³⁸¹ *Business Day*

13 January 1989] Also in January, the KwaZulu Department of Education and Culture announced that 100 teachers from KwaZulu were being admitted to a (white) provincial teacher training college in Natal and that permission for their admission had been granted by Mr Clase. The teachers were all in possession of three-year teaching diplomas. The statement also said that classes would be fully integrated, as coloured and Indian students were already studying at the college. The education manager of the Urban Foundation in Natal, Mrs M Padayachee, who had been closely involved with the project, said that it was the first time African teachers had been able to obtain qualifications of matriculation plus four years' teacher training.³⁸² [³⁸² Ibid 12 January 1989] However, the developments at the Natal College of Education did not indicate any changes in government policy, according to a statement by Mr Clase's department, issued in response to the announcement: The training of 100 students from KwaZulu is done in accordance with the constitution which provides for the rendering of services by one department to another.³⁸³ [³⁸³ *The Star* 13 January 1989] The education spokesman for the Progressive Federal Party, Mr Roger Burrows MP, said that he welcomed the development but pointed out that the college was a correspondence college and had no campus or hostels.³⁸⁴ [³⁸⁴ Ibid] The college, which had until recently been a fully fledged institution training full-time students, had resorted to becoming a base for correspondence courses owing to a drastic drop in enrolment.³⁸⁵ [³⁸⁵ *Financial Mail* 18 August 1989]

In reply to a question in Parliament, Mr Clase said in May 1989 that there were 3 567 vacant places in colleges of education falling under the control of his department. Of these, 1 354 were in the Cape, 1 004 in Natal, 238 in the Orange Free State and 971 in the Transvaal.³⁸⁶ [³⁸⁶ *Hansard* (A) 15 q cols 939-940, 2 May 1989] This amounted to 570 vacant places less than the number announced by Mr Clase in March 1988.³⁸⁷ [³⁸⁷ *Hansard* (A) 8 q cols 920-921, 11 March 1988] According to a briefing paper prepared for the National Education Co-ordinating Committee by the Education Policy Unit at the University of the Witwatersrand in January 1990, there had been 4 910 vacancies at the 19 white colleges of education in 1988.

According to figures which were provided by various white colleges of education in July and September 1989, the number of empty places may have been on the increase. For instance, the Johannesburg College of Education (Transvaal) said in September 1989 that, although it had an enrolment capacity of 2 500 students, it would register only 1 100 students in 1990.³⁸⁸ [³⁸⁸ *The Star* 27 September 1989]

In July 1989 the Natal Education Council appointed a committee under the chairmanship of Mr Justice W H Booyen to investigate the rationalisation of teacher education under the Natal Education Department. Many educationists expressed the fear that 'rationalisation' in fact spelled closure.³⁸⁹ [³⁸⁹ *The Natal Witness* 11 July 1989, *Financial Mail* 18 August 1989, *The Star* 27 September 1989] The Edgewood College of Education, which had been designed to cater for 1 200 student teachers, was training half that number in 1989. However, the rector of the college, Professor Andre ie Roux, said that it was vitally important that the Natal colleges not be closed down. He estimated that Edgewood would cost approximately R100m to replace.³⁹⁰ [³⁹⁰ *Financial Mail* 18 August 1989] He emphasised the need for the opening of all white colleges to African student teachers. Professor Le Roux quoted the minister of education and culture in KwaZulu,

Dr Oscar Dhlomo, who had said earlier in the year that KwaZulu would need to double its present teaching force of over 26 000 teachers almost immediately to remedy existing pupil/teacher ratios and to deal with the massive population explosion in the region.³⁹¹ [³⁹¹ Ibid, *The Natal Witness* 11 July 1989] Professor Le Roux also advocated the diversification of the role of training colleges on lines which would help to address the country's massive educational needs, outside and beyond the school system.³⁹² [³⁹² *The Natal Witness* 11 July 1989]

More than 1 000 students at the DETs teachers' training college in Soshanguve (near Pretoria) boycotted classes at the end of January 1990 in protest against the administration's decision not to readmit first and second year students who had failed at the end of 1989. Replying to allegations that the rector of the college had used his discretion in this regard, the DET's regional director, Mr J Schoeman, said that this was not the case and that the rector had followed departmental policy. He also said that all the students who had failed had been given the opportunity to write supplementary examinations early in the year. However, during a visit to the college, he agreed to investigate the complaint and to call a meeting of the management committee on condition that students return to class. The college was closed on 27 February after a total boycott of classes starting on 23 February. The student representative council (SRC) called for an end to the boycott on 16 March, following an out-of-court settlement between the DET and seven students who had taken legal action to force the college to readmit them.³⁹³ [³⁹³ *The Star* 16 March 1990]

Two other African colleges of education were involved in similar disputes in early 1990: the Mphohadi College of Education (near Kroonstad) and the Soweto College of Education. At Mphohadi College, failed second-year students were re-admitted. In Soweto, first-year students were allowed to return and would be rewriting in July 1990.³⁹⁴ [³⁹⁴ Ibid 30 January 1990]

Teachers' strikes

The first four months of 1990 saw widespread action by teachers at African schools in both the white-designated areas and various homelands.³⁹⁵ [³⁹⁵ Numerous newspaper reports]

On 14 February 1990 several thousand teachers marched to the regional offices of the DET in Johannesburg, in order to highlight the crisis in African education (see *Overall Policy, Shortages, Examination results and Boycotts and other disturbances*, above). Teachers of the National Education Union of South Africa (NEUSA) presented Mr Struwig with a memorandum calling for improvements in teaching conditions and for measures to solve severe overcrowding in schools.³⁹⁶ [³⁹⁶ *The Star* 15 February 1990] In the same month about 3 000 teachers marched to DET offices in Vereeniging (Vaal Triangle) and threw hundreds of their 'work books' in front of the building. Teachers also marched near Duiwelskloof (northern Transvaal) to protest against the transfer of teachers and the 'inefficiency' of the DET's circuit office.³⁹⁷ [³⁹⁷ *Sowetan* 21, 23 February 1990, *The Star* 23 February 1990]

Towards the end of February a secondary school pupil from Ikageng (Potchefstroom) was shot dead by

the police while hiding under a teacher's bed, in the course of violent school protests which followed an abortive march on DET offices by local teachers.³⁹⁸ [³⁹⁸ *City Press* 25 February 1990] On 27 February 1990 thousands of teachers in Venda boycotted classes to back demands for better pay.³⁹⁹ [³⁹⁹ *The Star* 28 February 1990]

At the beginning of March 1990 about 6 000 pupils and teachers marched to offices of the Department of Education in Nebo (Lebowa) to demand school books.⁴⁰⁰ [⁴⁰⁰ *Sowetan* 2 March 1990] Later that month civil servants in Lebowa-kgomo (Lebowa) embarked on a work stayaway. The Lebowa-kgomo Civic Association and the Lebowa-kgomo Youth Congress said, in a joint statement, that they wanted the chief minister, Mr Nelson Ramodike, to rescind a decision not to hire more teachers, provide more textbooks, or build more classrooms.⁴⁰¹ [⁴⁰¹ *The Citizen* 19 March 1990] Also at the beginning of March 1990 civil servants in Gazankulu joined pupils in a stayaway which began amid demands for a redress of educational grievances and which lasted six weeks. In April 1990 thousands of civil servants marched to government offices to demand their salaries and the resignation of the chief minister of Gazankulu, Professor Hudson Ntsanwisi. They returned to work following assurances that they would be paid in full, that political prisoners would be released, and that army and police units would be withdrawn from townships in the homeland.⁴⁰² [⁴⁰² *The Star* 19 April 1990]

On 5 March 1990, 6 000 teachers from Soweto and Alexandra began a strike because their grievances were not being addressed (see below). On 6 March more than 2 000 teachers marched in Ikageng.⁴⁰³ [⁴⁰³ *Sowetan* 7 March 1990] Another 2 000 teachers marched to Church Square (Pretoria) on 8 March and sent a delegation to the local DET offices.⁴⁰⁴ [⁴⁰⁴ *The Star* 9 March 1990] On 11 March over 1 500 teachers from various areas near the town of Kroonstad (Orange Free State) marched to the home of a local inspector, Mr P Moloi, and dumped hundreds of 'work books' in his yard. A spokesman for the Moakeng Progressive Teachers' Organisation said that teachers gave the DET until 16 March to respond to a memorandum containing 52 demands. These included the removal of white teachers from African schools, an end to the use of Afrikaans in circular letters for teachers and to delays in the payment of salaries, the immediate start to the building of a secondary school promised since 1979, and removal of the rule that unmarried teachers resign when they became pregnant.⁴⁰⁵ [⁴⁰⁵ *Sowetan* 12 March 1990] At the end of March 1990 the police prevented teachers from KwaGuqa (near Witbank, eastern Transvaal) from marching to DET offices but allowed a delegation to present a list of grievances and demands. The latter included the erection of more schools and an adequate supply of textbooks and stationery.⁴⁰⁶ [⁴⁰⁶ *The Star* 30 March 1990] In the same month there were also teachers' marches in Tembisa (east Rand) and Bloemfontein (Orange Free State). The police arrested 67 armed white men who attempted to disrupt a legal march by teachers from Thabong to the civic centre in Welkom (Orange Free State).⁴⁰⁷ [⁴⁰⁷ *City Press* 11 March 1990]

The strike of 6 000 teachers from Soweto and Alexandra, which began on 5 March 1990 (see above), spread to the east Rand, the Highveld, the Northern Cape, Pretoria, and the Vaal Triangle. All in all, 11

600 teachers were involved. Most teachers were on strike for a month.⁴⁰⁸ [⁴⁰⁸ *Sowetan* 6 March 1990, *Financial Mail* 13 April 1990, *The Star* 19 April 1990] On 5 April the DET placed an advertisement in the *Sowetan*, which listed all the teachers' 90 major demands. Long-term demands included the formation of a single, nonracial education department, the scrapping of the Group Areas Act of 1966, the employment of more teachers, a reduction in the number of weekly teaching periods, a minimum wage of R1 200 and salary parity of male and female teachers.⁴⁰⁹ [⁴⁰⁹ *Sowetan* 5 April 1990] Short-term demands included the suspension of extramural activities, an end to out-of-date DET upgrading courses and visits by school inspectors and subject advisers (described as being of 'no value'), and improvement of maternity leave.⁴¹⁰ [⁴¹⁰ *Ibid*]

At the beginning of April 1990 (the end of the first school term) teachers resolved to suspend the strike for a period of three months, pending a fuller response to their demands by the minister of education and development aid, Dr Stoffel van der Merwe.⁴¹¹ [⁴¹¹ *Ibid*] According to Dr Van der Merwe, the teachers' strike had involved 290 primary schools and 63 secondary schools.⁴¹² [⁴¹² *Ibid* 4 April 1990]

At a meeting organised by NEUSA and attended by 3 000 teachers, it was agreed that teachers would resume lessons when schools re-opened on 18 April 1990.⁴¹³ [⁴¹³ *Ibid* 5 April 1990] The teachers said that schools would remain open during the June holidays to regain time lost.⁴¹⁴ [⁴¹⁴ *The Star* 5 April 1990] However, the meeting resolved that there would be a defiance campaign against most instructions from the DET. It would last until June, by which time it was hoped that the DET would have addressed the teachers' short-term demands.⁴¹⁵ [⁴¹⁵ *Sowetan* 5 April 1990] In terms of the defiance campaign:

- inspectors and subject advisers would not be allowed on school premises;
- there would be no class visits by principals, who would concentrate on teaching;
- teachers would teach only 32 periods a week. Alternatively, teachers at all schools would teach an equal number of periods;
- they would not attend educational courses offered by the DET;
- they would conduct classes between 8am and 2pm only;
- subjects not for examination, such as guidance and physical education, would not be taught; and
- cultural and sporting activities organised by the DET would be abandoned and organised by teachers or pupils instead.⁴¹⁶ [⁴¹⁶ *Sowetan, The Star* 5 April 1990]

Mr Struwig said that a quarter of the teaching year had been lost as a result of strikes and boycotts and

that teachers would have to bear ‘full responsibility’ if results were poor at the end of 1990.⁴¹⁷ [⁴¹⁷ *The Star* 3 April 1990] The national president of NEUSA, Mr Curtis Nkondo, said that Dr Van der Merwe had ‘dragged his feet’ over replying to teachers’ demands. He also said that even if there had been no strike, effective learning could not have taken place: ‘There has been a national crisis in education for a long time. Many weeks were spent in registration, and teachers found themselves in the predicament of having 70 to 80 pupils in a class.’⁴¹⁸ [⁴¹⁸ *Ibid*]

On 11 April 1990 Dr Van der Merwe announced that striking teachers who resumed their duties at the start of the second school term would not be penalised and would be reinstated automatically, as if they had been ‘on leave with full pay’.⁴¹⁹ [⁴¹⁹ *The Citizen* 12 April 1990]

At the same time, the government provided R184m for immediate salary adjustments for about 76 000 underqualified female teachers. The pay improvements were retrospective to 1 April 1990 and were granted above and beyond general teachers’ salary increases granted in 1990 (see *Salaries* above). The new pay deal included approximately 60 000 African teachers working at schools and colleges under the DET and the education departments of the non-independent homelands. The minister of home affairs and national education, Mr Gene Louw, said that the adjustments had been made following ‘particular requests made in 1990’.⁴²⁰ [⁴²⁰ *Ibid*]

Also in April 1990 the DET said that an additional R9m allocated by the government would be spent on textbooks and stationery for schools in all its regions.⁴²¹ [⁴²¹ *Business Day* 30 March 1990, *The Star* 19 April 1990]

Adult education

According to the annual report of the Department of Education and Training, there were 419 adult education centres and satellites in 1988 (48 more than in 1987 and 160 more than in 1986) in the white-designated areas of South Africa as follows: Cape province 76, Highveld 74, Johannesburg 81, Natal 50, Northern Transvaal 58, Orange Free State 43, and Orange Vaal 37. These centres employed 6 126 part-time teachers (against 5 126 in 1987 and 3 585 in 1986), as well as 70 full-time principals. They had 102 282 (84 010 in 1987) adults enrolled: 26% in primary, 61% in secondary and 13% in literacy courses. In addition 2 170 (compared to 2 356 in 1987) teachers were enrolled as students at these centres.

The numbers of private candidates who enrolled for the standard 8 and the standard 10 courses at adult education centres for Africans were 28 589 and 34 202 respectively, as opposed to 9 241 and 6516m 1984⁴²² [⁴²² DET, RP61/1989]

In 1988 there were 825 adult education centres and satellites in the non-independent homelands: 19 in Gazankulu, 23 in KaNgwane, 32 in KwaNdebele, 75 in KwaZulu, 624 in Lebowa and 52 in QwaQwa. They employed 110 full-time principals and 6 242 part-time teachers and had an enrolment of 55 304

students. There were also 2 984 teachers enrolled as students in these adult education centres.⁴²³ [⁴²³ Ibid] There were 262 adult education centres in Bophuthatswana (26 more than in 1987), employing 1 931 teachers (as against 1 850 in 1987) and with an enrolment of 21 227 (including teachers enrolled as students).⁴²⁴ [⁴²⁴ Republic of Bophuthatswana, Department of Education, Annual report 1988] Information on the number of literacy and continuation centres in Venda was not obtainable. Most literacy centres were inoperative owing to the fact that ‘most adults have joined employment’. The majority of continuation centres offered matriculation classes, for which the demand was ‘high’.⁴²⁵ [⁴²⁵ Republic of Venda, Department of Education, Annual report 1988] Information on adult education in the Ciskei and the Transkei was not obtainable.

In 1988 there were 636 coloured adult education classes with an enrolment of 1 053 primary and 5 878 secondary students.⁴²⁶ [⁴²⁶ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990] The Department of Education and Culture (Indian own affairs) operated 14 adult education centres for Indians in 1988 (one more than in 1987) with 558 adults enrolled in part-time secondary courses.⁴²⁷ [⁴²⁷ Information supplied by the Department of Education and Culture (Indian own affairs), 20 March 1989] In 1989 there were 15 such education centres, with an enrolment of 592.⁴²⁸ [⁴²⁸ Ibid, 4 January 1990] Information on adult education for whites was not obtainable.

Literacy

A survey conducted in 1986 by the Human Sciences Research Council found that if one took standard 3 and above as a criterion for literacy, 45% of Africans over the age of 20 were literate, while the proportions of literates amongst coloured people, Indians and whites were 68%, 80% and 97% respectively.⁴²⁹ [⁴²⁹ *Race Relations Survey* 1986, Part 2, p435] For details concerning the number of children exiting the school system prior to standard 3, see past editions of the *Survey* and *Dropout rate* above.

All the available figures relating to literacy are based on the national census of 1985. A new census is to be undertaken in 1991.

In the course of his opening address to the conference on adult literacy organised by the research division of the Institute of Education at the University of Bophuthatswana in March 1989, Mr Edward French, an expert on literacy in South Africa, said, ‘The will of the authorities, the confidence of the social engineers, is shaken here and abroad. Internationally, the past ten years have witnessed a decline in the pursuit of huge totalitarian schemes for reconstruction linked to literacy. Instead we find the local, the communal, the alternative.’ He also said that in South Africa ‘one of the notions that has died along the way is the idea of co-ordination-much used ten years ago. In its place we have fiercely independent action, with collaboration along lines of shared political positions and little contact even where there might be a substantial sharing in narrower instructional interests’. Mr French, while listing some of the positive achievements of various participants in a ‘relative proliferation’ of local projects, expressed the opinion that many of these were ‘fuller of promise than substance as yet’. Turning to the general

situation, he said, ‘Many of the shortcomings of ten years ago persist. The proportion of illiterate adults being reached (let alone adequately served) by adult literacy work has scarcely changed. Rural illiterates especially would appear to be untouched, except for some isolated schemes and homeland programmes. Local funding of literacy work remains a matter of shame; organisations dependent on this are constantly at risk, and others owe their survival to foreign donors. As a result, expertise and resources are thinly spread... If we are lucky, we might have just sufficient personnel to staff one small teachers’ training college to serve the educational needs of a possible clientele of many millions.’ One of the most blatant and expensive failures in adult literacy work in the last decade, Mr French stated, had been that of management-initiated basic education programmes for workers. He also said, however, that there had been a recent increase in informed and professional approaches to literacy in the business sector. Concerning the future, Mr French said that powerful unions ‘figure prominently on the horizons of the adult education landscape’.⁴³⁰ [⁴³⁰ *Matlhasedi Education Bulletin* November/December 1989 (University of Bophuthatswana, Institute of Education, Research Division)]

Research conducted by Mr French showed that fewer than 50 000 adults were completing literacy courses annually. This number represented less than 1% of illiterate adults and a mere fraction of the number of people reaching adulthood every year without any schooling or with schooling so insufficient that they could not be called literate.⁴³¹ [⁴³¹ *Democracy in Action: Monthly Newsletter of the Institute for a Democratic Alternative for South Africa*, February 1990]

Technical Education and Industrial Training at Secondary and Post-Secondary Level

Policy, legislation and general information

Technical colleges are defined by law as ‘post-secondary’ institutions. According to research undertaken by the South African Institute of Race Relations in 1988, this ‘partly secondary’ status was a severe obstacle to the desegregation of facilities as the government continued to insist that secondary education must remain segregated.⁴³² [⁴³² Bot M, *Training on Separate Tracks: Segregated Technical Education and Prospects for its Erosion* (SAIRR, 1988)]

The **Technical Colleges Amendment Act (House of Assembly)** of 1989 amended the Technical Colleges Act of 1981, so as to add or delete certain definitions, and to adjust certain other definitions and expressions as a consequence of the assignment of the administration of the original act to the minister of education and culture; to provide for the act to be applied subject to certain general laws; and to make certain adjustments as a consequence of the amendment of certain other laws. It also set out to extend the conditions in regard to the conditions of service of the staff of technical colleges; further to regulate the pension rights and retirement benefits of officers; to provide for the conducting of examinations subject to the provisions of certain general laws; to provide that the Association of Technical Colleges be replaced by a Committee of Technical College Principals; and to provide for the

registration of white private technical colleges. The act also allowed for the extension of the provisions in regard to offences and the increase in punishment for offences, the making of provisions regarding the delegation of powers and the assignment of duties, the extension of the powers of the minister to make regulations, and the repeal of certain provisions of the Education Services Act of 1967.⁴³³ [433 Technical Colleges Amendment Bill, B109A & B-1988 (HA); B58-89 (GA)] In terms of section 27 of the act, all white private technical colleges or similar institutions would have to register with the Department of Education and Culture (white own affairs) and meet certain requirements.⁴³⁴ [434 *Hansard* (A) 6 col 2823, 14 March 1989] The role of the Committee of Technical College Principals would be purely advisory.⁴³⁵ [435 *Ibid* col 2825]

The chairman of the (white) Teachers' Federal Council, Mr Dudley Schroeder, said in May 1989 that traditional attitudes to technical and vocational education were reinforcing a major imbalance in current education. Addressing a symposium of the South African Federated Chamber of Industries in Cape Town, he expressed the view that a country which did not achieve relevant education was at risk of allowing its greatest natural resource-people-to become its greatest liability instead of its greatest asset. He said, however, that vocational and technical education were particularly expensive types of education and that if a state and a community wanted to develop them, they had to be prepared to pay for them. Addressing the issue of curricula, Mr Schroeder emphasised that they should be well-planned and that attention should be paid to the ability of different disciplines to complement each other.⁴³⁶ [436 *The Citizen* 24 May 1989]

An article in the *Sunday Tribune* of 10 December 1989 remarked that the 'well-planned publicity campaign' recommended by the De Lange investigation into education in 1982 to change 'well-entrenched resistance' to technical education in South Africa had not happened and that there was a general lack of knowledge concerning technical colleges especially. It claimed that while industry was 'crying out' for people to fill 200 000 vacancies in technical posts, technical colleges were insufficiently funded by both the private sector and the government. The head of a technical college in Cape Town, Mr R Young, was quoted as saying that 115 technical colleges currently training 100 000 students a year relied heavily on commerce and industry for funding because the government subsidy paid for the salaries of teachers and nothing else. The article reported a drop in business support for these institutions. According to Mr Young, many sectors in commerce and industry held the outdated belief that technical college students were less equipped to handle jobs than were university graduates. Another reason for lack of funding lay in companies' reluctance to fund institutions they perceived as state-owned, he added.⁴³⁷ [437 *Sunday Tribune* 10 December 1989]

According to the dean of education at the University of Transkei, Professor S Ngubentombi, It must be deeply regretted that in Transkei, where technical education is most urgently needed at the present time. ..people are still obsessed with academic and theoretical education and the white-collar jobs for which this type of education prepares them. Technical education is generally rated below academic education, despised and thought to be suitable only for the academically weak pupils who cannot benefit from formal academic schooling. The career-oriented educational programmes advocated by the minister of education are without doubt aimed at redressing this anomaly in the education system.'⁴³⁸ [438

Ngubentombi S, *Education in the Republic of Transkei: Some Origins, Issues, Trends and Challenges* (Academica, 1989)]

While the annual reports of the education departments of the various homelands unanimously stressed the importance of increased technical training at all levels, only a small percentage of bursary funds were allocated to technical education (see *Bursaries and scholarships* above).

In January 1989 an associate director of the Department of Education at the Natal Technikon, Mr Michael Reynish, told a press conference that technical and commercial teachers were a minority among KwaZulu teachers and that fewer than 10% of pupils enrolled for commercial and technical qualifications. He also revealed that 22% of the teachers involved in the teaching of these subjects did not have a teaching qualification.⁴³⁹ [⁴³⁹ *The Natal Mercury* 12 January 1989] The very first committee for commercial subjects was set up in one of the 25 circuits of the Department of Education and Culture in KwaZulu in 1989⁴⁴⁰ [⁴⁴⁰ *Fundisa: KwaZulu Education Journal*, June/July 1989; KwaZulu Department of Education and Culture, Annual report 1988]

An investigation initiated by the KwaZulu Training Trust in 1986 reported its findings and made recommendations to the KwaZulu cabinet in mid-1989. It argued that a massive training initiative was required to provide people in KwaZulu and in Natal with marketable skills. The research established that 70% of the African population in the two regions had an education level of under standard 4 while only 8% had attained standards 8 to 10. The rural areas were worst off in this respect. Projections indicated that the African workforce would have increased 2,6 times to 4,5m people between 1985 and 2020. Rapid urbanisation was fuelling unemployment, especially in big shack settlements. The report stated that the South African economy was unable to deal with the enormous amounts of capital required to implement the training initiative.⁴⁴¹ [⁴⁴¹ *The Developer* July/September 1989] The implications of the report were that the trust had to invest more than R60m in the next five years to train people to create enough job opportunities to prevent poverty and misery. According to the managing director of the trust, the findings of the report were applicable not only to KwaZulu but provided a microcosm of the situation in South Africa as a whole.⁴⁴² [⁴⁴² *The Citizen* 13 July 1989] The investigating committee stressed the need for a national policy for human resources development.⁴⁴³ [⁴⁴³ *The Developer* July/September 1989] It recommended that the trust seriously look into the exploitation of technological development, the development of courses in the electronics and technical fields and a change of emphasis from artisan training to production-oriented training.⁴⁴⁴ [⁴⁴⁴ *Ibid*]

The president of the Council for Scientific and Industrial Research, Dr Louw Alberts, reiterating an idea frequently expressed in the past few years, said in July 1989 that the salaries and service benefits of mathematics and physical science teachers ought to be increased to make the teaching of these subjects more attractive and to prevent teachers in these disciplines from leaving the profession.⁴⁴⁵ [⁴⁴⁵ *The Citizen* 7 July 1989]

In a statement to the press in June 1989 during the course of a visit to South Africa, the minister of education of the Republic of China, Dr Mao Kau-Wen, said that his country's specialised vocational and

technical schooling techniques would now be available to South Africa.⁴⁴⁶ [⁴⁴⁶ Ibid 21 June 1989]

Secondary school technical training

The total number of schools offering practical, technical and commercial subjects was not available.

In 1988 a total of 641 001 African pupils in standards 6 to 10 in the white-designated areas and non-independent homelands were involved in practical subjects such as agricultural science and home economics (as against 590 576 in 1987 and 517 003 in 1986). There were 25 968 pupils (18 556 in 1987 and 19 849 in 1986) enrolled in technical subjects and 395 354 in commercial subjects (compared to 314 276 in 1987 and 268 621 in 1986). A further 100 131 pupils in standards 4 to 6 were involved in technical orientation subjects (as against 86 321 in 1987 and 111889m 1986).⁴⁴⁷ [⁴⁴⁷ DET, RP 61/1989] There were 17 training centres in 1988 (one less than in 1987) run by the Department of Education and Training and fed by 433 primary and two secondary schools. These centres employed 335 teachers and had 45 301 primary and 293 secondary pupils. There were also three training centres in the non-independent homelands. These included two new centres in Lebowa and KaNgwane, which together employed 13 teachers and had an enrolment of 1 108 primary and 58 secondary pupils. The training centre in QwaQwa was fed by 21 primary and 15 secondary schools in 1988. It employed 32 teachers and had 2 404 primary and 2 206 secondary pupils (as against primary and secondary totals of 3 605 in 1987 and 2 261 in 1986).⁴⁴⁸ [⁴⁴⁸ Ibid]

In Bophuthatswana 93 802 pupils (including 83 480 studying agriculture) were involved in the study of practical subjects at the middle school level (standards 5 to 7) in 1988. A further 8 383 pupils were enrolled in commercial subjects while 345 were studying a technical orientation subject. At the high school level there were 21 894 pupils enrolled in practical subjects (including 18 621 studying agriculture), while a further 9 924 pupils were enrolled in commercial subjects. There were 169 pupils studying a technical orientation subject at high school level in 1988.⁴⁴⁹ [⁴⁴⁹ Republic of Bophuthatswana, Department of Education, Annual report 1988] In Venda there were 326 pupils enrolled at two trade schools employing 49 teachers in 1988. The first technical secondary school in the homeland, Thohoyandou Technical High, started operating in 1988.⁴⁵⁰ [⁴⁵⁰ Republic of Venda, Department of Education, Annual report 1988] Information on secondary school technical training in the Ciskei and the Transkei was not obtainable.

According to the executive director of education and culture (coloured own affairs), a total of 3 138 coloured pupils (2 021 in 1987) was involved in technical studies at comprehensive secondary schools controlled by his department in 1988. The following year, there were 3 924 coloured pupils enrolled in such studies.⁴⁵¹ [⁴⁵¹ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990] The number of schools involved was not obtainable.

According to the chief executive director of education and culture (Indian own affairs), four comprehensive secondary schools, three in Natal and one in the Transvaal, offered technical secondary

education for Indians in 1988 and 1989. Altogether 1 479 pupils were enrolled in the technical study divisions at these schools in 1988, while in 1989 the enrolment totalled 1 347 pupils.⁴⁵² [⁴⁵² Information supplied by the Department of Education and Culture (Indian own affairs), 20 March 1989 and 4 January 1990]

Information on the number of schools offering technical subjects for white pupils was not obtainable.

Technical colleges and industrial training

In 1988 there were 20 technical colleges for Africans in the white-designated areas of South Africa, employing 40 African and 417 white staff.⁴⁵³ [⁴⁵³ DET, RP61/1989] There were 21 technical colleges and industrial training centres in the non-independent homelands, as follows: one in Gazankulu, one in KaNgwane, one in KwaNdebele, ten in KwaZulu, six in Lebowa and two in QwaQwa. They employed 163 African and 279 white teachers.⁴⁵⁴ [⁴⁵⁴ Ibid] In 1988, 3 358 African students (3 367 in 1987) were enrolled in technical colleges in the white-designated areas on the block release system, 1 816 were enrolled for one-year pre-service trade training courses (1 741 in 1987), and 469 were enrolled in part-time technical classes. A further 2 002 (1 831 in 1987) were enrolled for full-time commercial courses. In the non-independent homelands there were 2 076 students enrolled in pre-service trade training courses in 1988 (against 2 259 in 1987) and a further 578 students (236 in 1987) enrolled in commercial courses.

Work began in January 1989 on a R15m technical college in Atteridgeville (near Pretoria). The college, donated by the Anglo-American Corporation of South Africa, was expected to be completed at the end of 1990.⁴⁵⁵ [⁴⁵⁵ *The Star* 17 January 1989] It would accommodate 700 students.⁴⁵⁶ [⁴⁵⁶ DET, RP61/1989] Building of the Alexandra Technical College (near Johannesburg) began on 1 September 1989.⁴⁵⁷ [⁴⁵⁷ *The Star* 1 September 1989] It would accommodate 450 students⁴⁵⁸ [⁴⁵⁸ DET, RP61/1989] and cost R5m in donations from the private sector.⁴⁵⁹ [⁴⁵⁹ *The Star* 1 September, 24 October 1989] The community of Alexandra township had been closely involved in the project during the time taken to plan and fund it—eight years⁴⁶⁰ [⁴⁶⁰ Ibid]

There were no technical colleges in Bophuthatswana in 1988. A number of short courses offering training in a limited range of technical skills was offered by a few of the adult education centres (see *Adult education* above).⁴⁶¹ [⁴⁶¹ Republic of Bophuthatswana, Department of Education, Annual report 1988]

The Ciskei had one technical college in 1988, with an enrolment of 190 students.⁴⁶² [⁴⁶² Information supplied by the Development Bank of Southern Africa, 7 July 1989]

Information on the Transkei was not obtainable for 1988. In 1987 it had six technical colleges and institutes (see *1988/89 Survey* p292).

In Venda there were three technical training centres in 1988: the Finyazwanda Technical College, the

Mashamba Training Institute and the Mavhoi Technical Institute. Further information on the three centres was not available.⁴⁶³ [⁴⁶³ Republic of Venda, Department of Education, Annual report 1988]

According to the Department of Education and Culture (coloured own affairs) there were seven technical colleges under its control in 1988 and 1989 (the same as in 1986 but six less than stated in the 1988/89 *Survey* owing to incorrect information being provided). Of these, four were technical institutions and three were training centres. A total number of 2 848 students was enrolled at these institutions in 1988.⁴⁶⁴ [⁴⁶⁴ Information supplied by the Department of Education and Culture (coloured own affairs), 2 March 1990]

There were three technical colleges for Indians in 1988 (the same as in 1987). The Northdale Technical College had an enrolment of 2 566 students, while the Sastri Technical College and the St Oswald's Technical College had respective enrolments of 4 075 and 563 students. There were no vocational schools or training courses under the department in that period.

In 1988 there were 71 technical colleges for whites throughout South Africa (as in 1987).⁴⁶⁵ [⁴⁶⁵ House of Assembly, RP32/1989] The number of students enrolled at 70 of these colleges in 1988 was not obtainable. The Technical College of South Africa (TECHNISA), which offered courses mainly through correspondence, had an enrolment of over 5 000 students in 1988. Of this number, 1 872 were African, coloured and Indian students (as opposed to 2 186 in 1987).⁴⁶⁶ [⁴⁶⁶ *Ibid*] At the beginning of March 1989 there were 70 technical colleges for whites in South Africa. Enrolment figures provided at the time (which would be smaller than those available towards the end of 1989, owing to students who enrolled for courses shorter than a one-year course), showed that there were 130 African, 155 coloured, 24 Indian and 44 018 white students enrolled at all colleges, excluding TECHNISA. The enrolment at TECHNISA consisted of 1 194 African, 371 coloured, 157 Indian and 1 647 white students in March 1989.

Industrial training schools

There was only one industrial training school for African adults in the white-designated areas of South Africa in 1988. Classes took place at the George Tabor Technical College (Soweto). The school offered a one-year intensive trade training course and subsequent placement with approved employers for a further period of training. It had an enrolment of 54 students in 1988.⁴⁶⁷ [⁴⁶⁷ DET, RP61/1989]

One industrial training school in KwaZulu and two such schools in Lebowa offered full-time courses for adults in 1988. These schools trained a total of 86 students in 1988.⁴⁶⁸ [⁴⁶⁸ *Ibid*] In the same year five industrial schools in KwaZulu (one more than in 1987) and the Kwetlisong Manpower Centre in QwaQwa offered intensive short courses in a variety of trades. Together, they employed 60 trainers.⁴⁶⁹ [⁴⁶⁹ *Ibid*] The number of adults who received training in the KwaZulu schools was not obtainable. In QwaQwa only 102 students were trained (as opposed to about 150 in 1987); no training took place in the third trimester, owing to preparations for a move to new premises. During 1988, 45 new courses were

approved for implementation at the new Kwetlisong centre.⁴⁷⁰ [⁴⁷⁰ QwaQwa Department of Education, Annual report 1988] In that year, there was no comparable industrial training in any of the other non-independent homelands.

There were no full-time industrial training courses in Bophuthatswana or Venda in 1988.⁴⁷¹ [⁴⁷¹ Republic of Bophuthatswana, Department of Education, Annual report 1988; Republic of Venda, 500 Department of Education, Annual report 1988] Information on the Ciskei and the Transkei was not obtainable.

There was one trade training centre for coloured people, in Bellville (Cape), in 1988. It fell under the control of the Department of Education and Culture (coloured own affairs) and provided one-year full-time training courses in a variety of trades. Of the 103 people enrolled in 1988, 69 had been selected by the Department of Manpower and 34 had been sent by firms in the fishing industry for training in marine engineering.⁴⁷² [⁴⁷² House of Representatives, RP47/1989] The department also controlled a training centre for artisans (situated in Bellville South) which offered three-year full-time training in the fields of diesel and motor mechanics. Success in the final trade test ensured full artisan status. There were 113 trainees enrolled at the centre in 1988.⁴⁷³ [⁴⁷³ Ibid]

There were no industrial training schools for Indians in 1988.

There were two trade training centres for whites in 1988: the Vereeniging Trade Training Centre (southern Transvaal), which had an enrolment of 49 in 1988 (81 in 1986), and the Westlake Trade Training Centre (western Cape) which had an enrolment of 192 (against 247 in 1987 and 273 in 1986).⁴⁷⁴ [⁴⁷⁴ House of Assembly, RP32/1989]

Group training centres

A group training centre is a centre established by a group or an association of employers in a particular area or industry. Group training centres are also used to train the unemployed. In 1988, 39 661 people of all race groups received training at nine state-aided centres (as against enrolments of 23 038 in 1987 and 12 599 in 1986).⁴⁷⁵ [⁴⁷⁵ National Manpower Commission, Annual report 1988] (See also chapter on *Employment*.)

Private in-service training

Private in-service training centres are run by employers or other bodies for the purpose of training their own employees and/or those of other employers. In 1988, 130 535 people of all races received training at 778 private training centres (as against 110 917 in 1987 and 126 347 in 1986). A further 129 270 people were trained through private training schemes (run by employers for the training of own employees), as opposed to 140 201 people in 1987 and 132 968 people in 1986. The number of schemes in 1988 was 851, as against the 893 of the previous year.⁴⁷⁶ [⁴⁷⁶ Ibid] (See also chapter on *Employment*.)

Tertiary Education

Shifts in funding policy

It was reported in 1989 and early 1990 that technikons were slowly increasing their bursary funds as a result of a growing awareness, among organisations and individuals, of the need to fund technical training. However, while a fair number of technikon students appeared to be adequately funded by future or current employers, the technikons themselves could supply only small numbers of bursaries or loans. Frequently, these did not even cover full tuition fees. According to a spokesman at the Witwatersrand Technikon, the institution's bursary loan scheme had only been in existence for five years at the beginning of 1989. The technikons were unanimous in saying that there were not enough bursaries for their students.⁴⁷⁷ [⁴⁷⁷ *The Star* 23 February 1989; Supplement to *The Star* 22 March 1990; Special report on South African Technikons, *Financial Mail* 7 April 1989]

According to a detailed special report on South African technikons in *the Financial Mail* in April 1989, the state expected the private sector to do more to educate the manpower it required and would not increase its contribution of about 80% towards technikon expenses (see also *Policy and finance* below). The consensus among representatives of the various institutions was that running costs could be met but that further development and expansion would be impossible under present circumstances unless industry was prepared to pay for it and unless the technikons found ways to compete with the better established and more prestigious universities (see also *1988/89 Survey* pp286–287).

The report noted that whereas Technikon Mangosuthu (which is administered by the Department of Education and Culture in KwaZulu) was almost entirely dependent on private funds, and other technikons appeared to be receiving occasional substantial funds or donations in the form of capital resources from industry, the links between industry and technikons needed to be strengthened and refined along several lines, including those of curriculum development and employment opportunities. While the students and diplomates of white technikons had little difficulty in finding employment in industry, this was not the case with students of other technikons. The rector of Technikon Northern Transvaal, Dr D van den Berg, said that African students and diplomates found employment rapidly only when the economy was buoyant. Recently, it had been impossible to place many students, with the result that they could not fulfil their course requirements. Technikon Mangosuthu and the M L Sultan and Peninsula technikons reported similar problems. According to the last-mentioned institution, the cause of the problem resided in racist attitudes and 'malicious noncompliance', at lower management levels, with equal opportunity policies. The report also pointed out that 'despite M L Sultan's figures which give manpower forecasts for 2010 as indicating a need for some 1,2m post-secondary graduates (compared with some 480 000 in 1990), Peninsula has had to resort to starting its own factory to give students the practical experience they need. M L Sultan may have to abbreviate the practical components of some courses—thus negating the very essence of technikon training'.⁴⁷⁸ [⁴⁷⁸ Special Report on South African Technikons, *Financial Mail* 7 April 1989]

Technikons

Legislation

No legislation was proposed regarding technikons in South Africa in 1989.

Policy and finance

In recent years the state has cut back on subsidies to technikons as well as to universities (see also *Policy and finance* under *Universities* below). Technikons are now funded along the same general lines as universities. The South African Post-Secondary Education (SAPSE) funding formula is derived from an annual statistical audit in which the ratio of full-time equivalent students to the pass rate is of particular significance.⁴⁷⁹ [⁴⁷⁹ Information provided by the Committee of University Principals, November 1989; Special report, *Financial Mail* 7 April 1989] The SAPSE formula thus favours growth. However, in view of the comparatively low subsidies allocated to some fast-growing tertiary institutions, it is not certain how the formula is being applied. According to one investigation, the state was funding approximately 80% of the running costs of technikons in the white-designated areas in 1989.⁴⁸⁰ [⁴⁸⁰ Special report, *Financial Mail* 7 April 1989] In December 1989, however, the Pretoria Technikon, announcing an overall rise of almost 18% in tuition fees, said that this had been necessitated by a further cut in its government subsidy, from 68,5% in 1989 to 56,5% in 1990.⁴⁸¹ [⁴⁸¹ *The Citizen* 9 December 1989] In October 1989, the Port Elizabeth Technikon had stated that it would be raising its fees by 19%.⁴⁸² [⁴⁸² *Eastern Province Herald* 20 October 1989] In May 1989 the rector of the Peninsula Technikon, Mr Franklin Sonn, had criticised the government for 'apartheid cutbacks' in subsidies. He had said that the technikon was experiencing grave financial problems and that 'true to form and consistent with the pattern of modernised discrimination, the government has seen fit to allocate [us] the lowest subsidy allocation of all technikons in South Africa for the 1988/89 financial year'.⁴⁸³ [⁴⁸³ *Cape Times* 15 May 1989]

In February 1989 the rector of the Port Elizabeth Technikon, Professor Hennie Snyman, who had said at the end of 1988 that the institution would not apply any race quotas and would serve all the people of the eastern Cape, expressed the view that any cutbacks in education, and particularly in the field of technology, would amount to 'economic suicide'. Echoing a great number of voices in the business, educational and technical sectors,⁴⁸⁴ [⁴⁸⁴ Numerous newspaper reports] he said that the only way of 'mustering' the country's future economy was to upgrade manpower education and deplored the emphasis still placed on academic education in South Africa. Calling on the government to increase significantly the financing of technikon education, he said that economically successful nations at the turn of the century would be those that would depend more and more on the skills of their citizens and less and less on natural resources. The shift from resource-intensive economies to knowledge-intensive ones was of special relevance for South Africa, which had relied and prided itself on its natural and

mineral resources for many years, Professor Snyman said.⁴⁸⁵ [⁴⁸⁵ *Eastern Province Herald* 21 February 1989]

In May 1989 the vice rector of the University of Pretoria, Professor P Smit, speaking on the occasion of a diploma function at the Pretoria Technikon, warned that the mining industry had provided South Africa with wealth 'it had not really deserved', if one took into account both the country's low productivity and its failure to develop its human resources. He also said, 'For us to stay competitive with the rest of the world and not be priced out of the world markets by low productivity and high inflation, we will need to make drastic adjustments to our technological training.'⁴⁸⁶ [⁴⁸⁶ *The Citizen* 15 May 1989]

The Port Elizabeth Technikon stated in January 1989 that although the institution was expanding, there were long waiting lists for most courses.⁴⁸⁷ [⁴⁸⁷ *Eastern Province Herald* 18 January 1989] It was reported in February 1989 that applications had increased by 33% over those of the previous year at the Cape Technikon and that more than 600 applicants had been turned away from the Mangosuthu Technikon in Natal owing to a lack of classroom space.⁴⁸⁸ [⁴⁸⁸ *The Natal Mercury* 1 February 1989] In November 1989 the Pretoria Technikon said that, owing to the state's cuts in funding to tertiary institutions, it had already had to turn away more than 2 000 prospective students for 1990. The final rejection figures were certain to be much higher, it added. The institution also said that completed laboratories were standing idle as a result of a shortage of money for equipment and that it had received 2 500 applications for 800 hostel places.⁴⁸⁹ [⁴⁸⁹ *Citizen* 14 November 1989] Other technikons reported serious shortages of hostel places.⁴⁹⁰ [⁴⁹⁰ Special report *Financial Mail* 7 April 1989] In March 1990 the Witwatersrand Technikon said that it had received 7 000 applications for 4 000 vacancies in the 1990 academic year.⁴⁹¹ [⁴⁹¹ *The Star* 22 March 1990]

Internal policy

Although a policy statement concerning the admission of students of all race groups to residences could not be obtained from all white technikons following the government's decision to allow tertiary institutions to decide on their own admission policy with regard to accommodation (see *Overall Policy* above), it appeared that at least some of them had implemented, or would shortly be implementing, an open policy regarding accommodation facilities on their campuses. In May 1989 the council of the Port Elizabeth Technikon decided to open its residences to all race groups. According to a statement by the technikon, the opening of residences would be 'phased in responsibly'. The residences were fully subscribed and the technikon's R97m development programme did not include any plans for additional hostel space, the statement read.⁴⁹² [⁴⁹² *Eastern Province Herald* 27 May 1989] In September 1989 the Natal Technikon announced that it would be extending its general policy on student admission to its residences in 1990.⁴⁹³ [⁴⁹³ *The Natal Mercury* 3 August 1989, *The Citizen* 30 September 1989]

Student enrolment

There were two institutions for the advanced technical education of Africans outside the 'independent'

homelands in 1988: the Technikon Northern Transvaal under the Department of Education and Training, and the Mangosuthu Technikon under the KwaZulu Department of Education and Culture. In 1988 these technikons employed 174 staff and had an enrolment of 2 599 (1 759 in 1987).⁴⁹⁴ [⁴⁹⁴ DET, RP61/1989] There were three technikons in the 'independent' homelands—one in Bophuthatswana, one in the Ciskei and one in the Transkei.⁴⁹⁵ [⁴⁹⁵ Information provided by the Committee of Technikon Principals, October 1989] Student numbers at these technikons were still very small in 1988.⁴⁹⁶ [⁴⁹⁶ Special report, *Financial Mail* 7 April 1989]

The Peninsula Technikon continued to provide advanced technical education for coloured people. In 1988 the enrolment figure was 3 098 full-time and 910 part-time students.⁴⁹⁷ [⁴⁹⁷ Information supplied by the Peninsula Technikon, 28 November 1989] There was one technikon for Indians—the M L Sultan Technikon—in 1988. The enrolment at this technikon included 3 107 full-time (2 797 in 1987) and 1 262 part-time students.⁴⁹⁸ [⁴⁹⁸ Information supplied by the Department of Education and Culture (Indian own affairs), 20 March 1989] There were eight technikons for whites in 1988. Technikon RSA, which offers courses through correspondence, had an enrolment of 15 397 in 1988. Together, the other seven technikons had an enrolment of 34 528 students in the same year.⁴⁹⁹ [⁴⁹⁹ Special report, *Financial Mail* 7 April 1989]

Enrolment figures for 1989, supplied by the registrars of the technikons, were as follows:

Student enrolment at technikons: 1989

Technikon

African

Chinese

Coloured

Indian

White

Total

Cape

102

—

670

57

7 913^a

8 742

Ciskei

224

—

—

—

1

225

Mangosuthu

1 050

—

—

—

—

1 050

M L Sultan

927

—

252

5 185

306

6 670

Natal

298

—

113

287

5 525

6 223

Northern Transvaal^b

1 735

—

—

—

17

1 752

Orange Free State

52

—

27

—

2 939

3 018

Peninsula

576

—

3 500

126

81

4 283

Port Elizabeth

274

—

402

99

3 313

4 088

Pretoria

67

—

39

21

8 561^a

8 688

RSA

4 180

8

1 083

1 153

12 748

19 172

Setlogelo^c

483

—

1

1

—

485

Transkei

121

—

—

—

—

121

Vaal Triangle

338

—

30

117

5 328

5 813

Witwatersrand

675

—

153

332

8 278^a

9 438

Total

11 102

8

6 270

7 378

55 010

79 768

a

Includes Chinese students.

b

The figure for the student enrolment at Technikon Northern Transvaal include only those students enrolled for year-long courses. The number of students enrolled for short courses was not obtained

Examination results

Overall pass rates at some of the technikons in the past few years were as follows:⁵⁰⁰ [⁵⁰⁰ Information supplied by the registrars of the various technikons, 1990]

Technikon (overall) pass rate

Technikon

1986

1987

1988

1989

CAPE

African

41,0%

75,0%

49,0%

55,0%

Colored

40,0%

69,0%

59,0%

63,0%

Indian

45,0%

57,0%

61,0%

70,0%

White

71,0%

80,0%

77,0%

78,0%

MANGOSUTHU

49,0%

48,0%

52,0%

N/A

NATAL

Lower undergraduate (courses at undergraduate diploma level)

African

77,7%

53,2%

66,4%

N/A

Colored

74,7%

83,9%

71,5%

N/A

Indian

72,7%

79,9%

83,3%

N/A

White

83,1%

81,1%

84,7%

N/A

Intermediate undergraduate (course at level of first 3 years of first bachelor's degree)

African

—

—

—

N/A

Colored

100,0%

—

100,0%

N/A

Indian

96,6%

91,8%

96,0%

N/A

White

91,1%

91,0%

100,0%

N/A

Higher graduate (courses at level of fourth and subsequent years of first bachelor's degree)

African

100,0%

—

—

N/A

Colored

100,0%

100,0%

—

N/A

Indian

93,7%

100,0%

100,0%

N/A

White

100,0%

100,0%

97,9%

N/A

Technikon (overall) pass rate(continued)

Technikon

1986

1987

1988

1989

NORTHERN TRANSVAAL

African^a

68,6%

74,0%

64,4%

N/A

PORT ELIZABETH

African

57,9%

54,5%

52,8%

N/A

Colored

62,8%

61,6%

63,1%

N/A

Indian

68,7%

72,6%

67,0%

N/A

White

76,8%

75,7%

74,8%

N/A

WITWATERSRAND

African

69,2%

25,9%

50,9%

N/A

Colored

89,9%

37,5%

54,2%

N/A

Indian

76,0%

38,3%

59,2%

N/A

White

72,3%

71,2%

73,1%

N/A

VAAL TRIANGLE

African

90,9%

54,7%

61,7%

53,4%

Colored

24,0%

100,0%

64,5%

38,7%

Indian

42,4%

40,7%

40,2%

49,4%

White

75,5%

67,4%

67,0%

64,8%

a

No students of other race groups wrote examinations at Technikon Northern Transvaal between 1986 and 1988.

N/A Not available. A dash indicates that no students wer

Incidents on technikon campuses

On 1 September 1989 the majority of students at the **Northern Transvaal Technikon** (near Pretoria) began a boycott of classes and student leaders stated that the boycott would continue until the following demands had been met: 501 [⁵⁰¹ *The Citizen* 5 September 1989; *The Star* 5, 12 September 1989; *Sowetan* 4, 5 and 11 September 1989]

- the immediate de-registration of two white students who had been admitted at the beginning of the second term to complete two subjects. It was alleged that the two had been receiving preferential treatment;
- the expulsion of a senior member of staff whom students accused of being a racist;
- the instant dismissal of the chief of security who, according to students, had shot and wounded a student. Students also called for the dismissal of white security officers on account of their being in frequent contact with the South African 'security establishment';
- recognition by the authorities of the right of black workers at the technikon to belong to trade unions of their choice;
- the reinstatement of a fired cleaner;
- the opening of certain facilities to students in any year of study and the extension of library hours; and
- the use of technikon vehicles for Students' Representative Council (SRC) members while on official SRC business.

Shortly after the start of the boycott most of the students deserted the campus. They returned on 11 September in response to an ultimatum issued by the rector, Dr D van den Berg, but refused to attend lectures.⁵⁰² [⁵⁰² *The Star* 12 September 1989] Students controlled access to the campus and prevented staff members from entering. Buildings on campus were vandalised and it was alleged that students had been generally unruly.⁵⁰³ [⁵⁰³ *The Citizen* 16 September 1989] The technikon was then officially closed. When it reopened towards the end of October, students were adamant that they would not return to classes.⁵⁰⁴ [⁵⁰⁴ *Ibid* 21 October 1989] A meeting between the rector and students and their parents ended in deadlock when Dr Van den Berg allegedly walked out after telling the meeting that parents had no say in the running of the technikon.⁵⁰⁵ [⁵⁰⁵ *Sowetan* 24 October 1989] Students said they were arranging a meeting with the minister of education and development aid, Dr Stoffel van der Merwe.⁵⁰⁶ [⁵⁰⁶ *Ibid*] Although there were no records of this meeting having taken place, it was reported that the administration had made certain ‘concessions’ to students’ demands and the boycott ended after eight weeks.⁵⁰⁷ [⁵⁰⁷ *Ibid* 10 November 1989] In November the council announced that it would not reschedule end of year examinations to 19 January 1990 or make any concessions with regard to year marks, as this was not in the interest of maintaining academic standards.⁵⁰⁸ [⁵⁰⁸ *Ibid*]

Universities

Legislation

The **Universities Amendment Bill (House of Assembly)** of 1989 proposed to amend the University of Cape Town Act of 1959, the University of Natal (Private) Act of 1960, the Potchefstroom University for Christian Higher Education (Private) Act of 1950, the Rhodes University (Private) Act of 1949, the University of Stellenbosch Act of 1959, the University of South Africa Act of 1959 and the University of the Witwatersrand, Johannesburg (Private) Act of 1959. The bill provided for the transfer of powers and duties of the state president to the minister of education and culture (House of Assembly), and for matters connected therewith. The accompanying memorandum stated that the amendment had been proposed as a result of the state president’s heavy work load. Among the clauses to be altered in the original acts were those pertaining to the appointment of certain university council members by the state president.⁵⁰⁹ [⁵⁰⁹ Universities Amendment Bill (House of Assembly), B62–89 (HA)]

The memorandum noted that the University of Port Elizabeth Act of 1964 and the University of Pretoria (Private) Act of 1930 had already been amended to provide for the changes.⁵¹⁰ [⁵¹⁰ *Ibid*]

The **University of the Orange Free State (Private) Amendment Act** of 1989 and the **Rand Afrikaans University (Private) Amendment Act** of 1989 also provided that members of the council formerly appointed by the state president would in future be appointed by the minister of education and culture, and for various administrative changes.⁵¹¹ [⁵¹¹ University of the Orange Free State (Private) Amendment Bill, B48–89 (HA); Rand Afrikaans University (Private) Amendment Bill, B47–89 (HA)]

Between four and eight members would be appointed to each university council by the minister, depending on the number stipulated by the private act under which each university had been constituted.⁵¹² [⁵¹² *Business Day* 26 May 1989]

A statement issued on behalf of the committee of university principals (CUP) and signed by the principals of the universities of Cape Town, Natal, Rhodes and the Witwatersrand in May 1989 challenged the Universities Amendment Bill and said that it was ‘completely inappropriate’ for the white own affairs minister to nominate members of their councils. The CUP was unanimous that the universities should fall under a single education ministry and not be forced into an own affairs ideology, the statement added.⁵¹³ [⁵¹³ *Ibid*]

The **Universities Amendment Act** was passed by the state president in June 1989.

Policy and finance

Addressing Parliament in April 1989 in his reply to debate on his budget vote, the minister of national education, Mr F W de Klerk, said that the ‘alarming loss of manpower to foreign countries in some professions such as medicine, engineering, accountancy and academia’ had to be addressed. However, while the taxpayer was entitled in principle to recover the investment he/she had made in the financing of the education of persons who left South Africa shortly after completion of their studies, it was important that students be granted opportunities to study abroad and that international interaction take place in the field of tertiary study. He said that one solution to the problem might lie in the implementation of study loan systems and that this possibility was being investigated by the Universities and Technikons Advisory Council.⁵¹⁴ [⁵¹⁴ *Hansard* (PCE) 11 cols 5791–5792, 19 April 1989]

It was reported in the *1988/1989 Survey* (pp294–297) that the universities had not received their full government subsidies for several years. In February 1989 the government allocated a further R27m (pro rata) to universities. The chairman of the CUP and vice chancellor and principal at the University of Natal, Professor Peter de V Booyesen, said that ‘while providing welcome respite for universities, the allocations will have little impact on conditions resulting from the government’s dramatic cut-backs last year’.⁵¹⁵ [⁵¹⁵ *Cape Times* 15 February 1989] He said that the R27m could be seen as part of a reimbursement of funds, owed to the universities by the government; the universities had not received their full subsidies since 1984; and the government had agreed to raise academic salaries by 7% in December 1988 and civil servants’ salaries by 15% in January 1989. According to information in the *1988/89 Survey* (p291), the universities would have to bear 37% of the cost of the two staff salary increases. Professor De V Booyesen said that the R27m reimbursement would be used mainly to cover salary adjustments and the cost of implementing these⁵¹⁶ [⁵¹⁶ *Ibid*]

Although the universities were pursuing a programme of rationalisation which was being carefully monitored by the CUP, there was growing concern in 1989 concerning the lack of sufficient funds for

these institutions. In January 1989 the CUP once again warned that the university student population was growing too rapidly, that a levelling off process needed to be initiated and that student 'overflow' would have to be channelled to other tertiary institutions.⁵¹⁷ [⁵¹⁷ *Eastern Province Herald* 30 January 1989] During 1989 and 1990, however, at least several technikons turned away thousands of prospective students (see *Technikons* above).

In January 1989 some 6 500 students failed to gain entry to the universities of Stellenbosch (Cape) and of the Western Cape because there were no places for them.⁵¹⁸ [⁵¹⁸ *The Star* 26 January 1989] Late in 1989 the universities of Cape Town, Natal and the Witwatersrand all said that they had received three times as many applications as they were able to grant, while Rhodes University said that it had received 2 600 applications for 980 places.⁵¹⁹ [⁵¹⁹ *The Citizen* 18 November 1989]

Professor De V Booyesen said at the beginning of 1989 that the government had limited student growth to 2% per annum and that this had been a relaxation of an earlier injunction to provide for zero growth. It appeared, however, that a number of universities had decided not to adhere to the recommended growth rate. The University of Durban-Westville, which had said in January 1989 that it would be limiting the growth in student numbers to a couple of hundred students, later reported an 8% growth rate for 1989.⁵²⁰ [⁵²⁰ *The Natal Witness* 19 January 1989; *Phoenix*, vol 6 nos 3 and 4, March/ April 1989] The rector of the University of the Western Cape, Professor J Gerwel, said in January 1989 that the institution was bracing itself for a difficult financial year because it would be receiving only 48% of its state subsidy compared with the 70% or more other universities would be receiving. The university was being penalised for being the fastest growing university in the country, and the government was ignoring the student growth factor in the subsidy formula, he added (see also *Technikons* above).⁵²¹ [⁵²¹ *Cape Times* 26 January 1989]

Large increases in donations from the private sector to some universities were reported in the press in early 1989. The Rand Afrikaans University, and the universities of Rhodes and the Witwatersrand reported private sector donation increases of 22% to 25% in 1988.⁵²² [⁵²² *The Star* 16 February 1989] In April 1989 the University of Stellenbosch received its largest donation ever (in the region of R2m).⁵²³ [⁵²³ *The Citizen* 3 April 1989] Much larger donations, involving a number of companies and/or foundations with an interest in the same project, were also recorded in 1989.⁵²⁴ [⁵²⁴ Various newspaper reports; *The Star* 18 April 1989] In 1989 a number of universities received a total of R2,5m in grants and bursaries from the Attorney's Fidelity Fund.⁵²⁵ [⁵²⁵ *Sowetan* 23 May 1989]

Towards the end of 1989, several universities announced that their tuition fees would rise by between 15% and 24% (the highest increases being those for the universities of Fort Hare and of the North) and that residence fees would also rise.⁵²⁶ [⁵²⁶ *Business Day* 20 October 1989; *The Citizen* 12 September, 18 November 1989] Students at the University of Fort Hare would have to pay an average of 80% more in residence fees, following the introduction of a new meal system.⁵²⁷ [⁵²⁷ *Daily Dispatch* 13 December 1989] In October the

University of Pretoria said that an increase in fees was unavoidable as its government subsidy for 1990 would amount to only 68% of the total required funding.⁵²⁸ [⁵²⁸ *The Citizen* 20 January 1989]

The price of university textbooks was found to have increased by an average of 40% to 55% between 1984 and 1989. However, textbook allowances from bursars had generally not kept pace with rising costs.⁵²⁹ [⁵²⁹ Supplement to *The Star* 23 February 1989]

There was a great deal of debate in 1989 concerning the role of the universities in South Africa. According to the CUP'S Chairman's report for 1988, the joint task group consisting of members of the CUP and officials of the Department of National Education, which had been set up to investigate the funding of universities (see *1988/89 Survey* p296), had developed a 'global algorithm which will gradually guide each university over a period of twelve years towards the full funding of a leaner structure consisting only of students with full matriculation exemption'.⁵³⁰ [⁵³⁰ Committee of University Principals, Chairman's Report for the Calendar Year 1988,1989] The task group report was submitted to the minister of constitutional development and national education at the end of January 1989. The director general of education, Dr R Venter, said in April 1989 that admission standards were too low and had to be raised.⁵³¹ [⁵³¹ *Business Day* 20 April 1989]

Several universities were reported to be raising their entrance requirements to cope with dwindling funds. However, this conflicted with the aim of a number of these to accommodate a substantially greater number of students from educationally disadvantaged backgrounds. The application of separate entrance requirements for these students and the cost and desirability of academic support programmes were discussed frequently in 1989⁵³² [⁵³² Various newspaper reports, articles and studies]

The principal of the University of South Africa (UNISA) (a correspondence university), Professor Cas van Vuuren, said in July 1989 that he felt that the large number of general degrees issued by the university each year was justified in as much as it contributed towards raising the educational level in South Africa. While he recognised that manpower planning had to take place, he expressed the opinion that supply and demand ought to be controlled by employers rather than by the university. Nevertheless, he also said that the administration was giving a great deal of consideration to vocational and technical education and that UNISA might play a greater role in the provision of in-service training for a number of professions.⁵³³ [⁵³³ Special report on UNISA, *Financial Mail* 4 August 1989] Earlier in the year, however, Professor Van Vuuren had also stated that South Africa had 'hopelessly too many students compared with the number of taxpayers'. He had said, furthermore, that there was a serious imbalance between student population and economic growth. If the population, the economy and student numbers in 1985 were placed on a base of 100, the figures would be 143 for the population, 195 for economic growth, and an astronomical 366 for student numbers, he said. He expressed the view that the taxpayer was already overtaxed and that the government could simply not maintain the present student subsidy unless new sources of revenue could be mustered. Professor Van Vuuren asserted that unless alternatives were found, there could be 'serious political and social unrest if the school system declared a group of students university material and the universities refused to accept them'.⁵³⁴ [⁵³⁴ *Business Day* 11 April 1989]

In December 1989 the outgoing director of the Mamelodi campus of Vista University, Professor E Jenkins, said that South Africa could not possibly be said to have too many university students. He argued that 'as long as the proportion of the African population attending university is smaller than that for whites, there should be no talk of limiting Vista's growth'. Referring to the frequent criticism that there were too many Bachelor of Arts degrees in South Africa, Professor Jenkins expressed the opinion that 'while the majority of African children in this country are still being taught ... by underqualified teachers, there will still be a need for Vista to produce BA graduate teachers'.⁵³⁵ [⁵³⁵ *Sowetan* 6 December 1989]

In March 1989 Professor De V Booysen, detailing certain aspects of a report prepared by the University of Natal's university planning committee, said that several issues needed to be taken into account when planning the use of university resources:

- based on general population growth projections, the number of African matriculants with university exemption was expected to grow at 5,6% per annum, from 25 000 in 1988 to 98 000 in 2009; that of coloured matriculants at 4% per annum, from 4 000 in 1988 to 11 000 in 2009; that of Indian matriculants at 1,3% per annum, from 5 000 in 1988 to 6 900 in 2009; while that of white matriculants with university-exemption was expected to drop by 0,3% per annum;
- while in 1985 the ratio of university students per 1 000 of population had been just over 9 (a ratio which was appropriate to the developmental needs of South Africa), the African student ratio was only 2,6 to 1 000, while the white student ratio was an 'inordinately high' 31,1 to 1 000; and
- to retain the ratio of 9 to 1 000, while redressing the current imbalance, universities would have to allow African student numbers to grow at the rate of 9,6% per annum, while decreasing the numbers of white students by 3,9% per annum until 2010.

The only feasible solution, the report said, was for all the universities to adopt a global, nonracial policy and to provide for a student number growth of about 3,4% per annum.⁵³⁶ [⁵³⁶ *Business Day* 22 March 1989]

The report also said that the University of Natal ought to serve both first and third world needs, although the latter needed to be emphasised in order to redress historical imbalances. Academic support programmes, as well as equal opportunity and affirmative action programmes, needed to be expanded. The challenge to the university lay in developing appropriate curricula, while maintaining high academic standards.⁵³⁷ [⁵³⁷ *Ibid*]

In statements which sparked off an enormous amount of debate in the press and elsewhere, a professor of philosophy at the University of Natal, Dr James Moulder, argued that entrance requirements were far too high, that universities (with the exception of the very few) should abandon their status as centres of excellence, and should concentrate on becoming institutions which provided a practical, career-

orientated education for the many. Dr Moulder stressed that he was basing his arguments not only on the needs of the majority of black pupils who had been disadvantaged by apartheid education, nor on the fact that these could never adequately be met, even if there were a proliferation of expensive bridging and academic support programmes. His suggestions, he said, were based on the poor performance and study choices of white students at universities.⁵³⁸ [⁵³⁸ Numerous newspaper reports]

According to breakdowns provided by the National Manpower Commission, only 15% of all the university degrees awarded in 1987 had been in commercial subjects, while the proportion of engineering degrees was only 8% in the same year.⁵³⁹ [⁵³⁹ *The Star* 2 November 1989] The chairman of the education committee of the South African Institute of Civil Engineers, Mr C McMillan, said that only 464 of 1987 African matriculants had gained university entrance to study engineering. He said, however, that a 'quiet revolution' had been taking place and that from something close to a zero base, almost 25% of first-year enrolment in the engineering faculties at the universities of Cape Town, Natal and the Witwatersrand consisted of students from educationally disadvantaged backgrounds. Academic support programmes made it possible for a significant number of these students to graduate, he added.⁵⁴⁰ [⁵⁴⁰ *Ibid* 20 July 1989] The national director of the Programme for Technological Careers, Mr D Kramer, stated that currently, only 27 of 10 000 African pupils who started school received a matriculation exemption, while only one got an exemption in mathematics and science.⁵⁴¹ [⁵⁴¹ *Ibid* 26 April 1989]

In May 1989 the Committee of University Teachers' Associations said that the current position, where lecturers' earnings were determined by the size of government subsidies and where the final decision concerning remuneration lay with severely constrained university councils, was not compatible with high standards of teaching. The president of the association, Mr A de Beer, stated that lecturers wanted their own negotiating machinery so that they could, like teachers, bargain with the government directly (see *Salaries* above).⁵⁴² [⁵⁴² *Business Day, the Citizen* 15 May 1989]

In the same month, a spokesman for the University of the Witwatersrand said that the 128 academic staff resignations in 1988 were cause for 'serious concern'. The major reasons given for the resignations included the disturbed political climate, the stalling of the government's reform programme, government interference in the running of universities, and remuneration.⁵⁴³ [⁵⁴³ *Business Day* 26 May 1989] A survey conducted by the CUP between 1986 and 1988 concluded that the major reason given for resignation from the English-language universities was emigration. Other findings regarding staff at all universities showed that the annual staff turnover varied between 5% and 18%. Of those leaving, one third went on to other tertiary educational institutions in South Africa and abroad and one third each were lost to the public and private sectors. Departments most affected by the 'brain drain', or which experienced the greatest problems concerning the acquisition of suitable academic staff, included departments of mathematics, physics, chemistry, computer science, accountancy and economics. While the majority of universities had managed to rationalise their salary budgets without retrenching staff, the survey discovered, staff numbers had increased at a much lower rate than student numbers. Some universities had reported that additional workloads were proving too great for existing staffs.⁵⁴⁴ [⁵⁴⁴ *Ibid* 23 May 1989]

Internal policy

Following protest by African students concerning the presence of white students at the Medical University of South Africa in the last couple of years, the university included the following in its mission statement: 'The university considers its commitment and unique role to be the development of those communities with inadequate access to educational opportunities and will therefore give preferential admission to students in these communities.'⁵⁴⁵ [⁵⁴⁵ Information supplied by the academic registrar of the Medical University of South Africa, 30 October 1989]

Regulations in June 1989 empowering the councils of universities and technikons to formulate their own admission policies with regard to residences (see *Policy* above) were welcomed by several universities,⁵⁴⁶ [⁵⁴⁶ Various newspaper reports] including some who had been providing accommodation to students of other race groups for quite some time. Shortly after the announcement of the change in policy, the rector of the University of Stellenbosch, Professor Mike de Vries, stated that nonracial residences would not change the intrinsic Afrikaner character of the university. He dismissed conservative students' demands for a referendum, saying that he had been working towards nonracial residences for ten years and that in that time he had been able to gauge the feelings of the majority of students.⁵⁴⁷ [⁵⁴⁷ *The Star*, undated, June 1989]

In October 1989 the council of the University of Pretoria announced that accommodation facilities would be opened to students of all races. The decision was accepted by the Student Representative Council (SRC) with the proviso that 'the practical circumstances and realities' of the campus be taken into account.⁵⁴⁸ [⁵⁴⁸ *Business Day* 19 October 1989] The chairman of the Conservative Party (CP) branch at the university, Mr Christiaan de Jager, accused the council and rectorate of having failed to consult enough students and of having ignored the feelings of the ones they had consulted. The chief whip of the CP, Mr Frank ie Roux, told the press that 'the opening of the hostels to all races is completely irreconcilable with the Afrikaner culture and character on which the whole philosophy of the university is based'.⁵⁴⁹ [⁵⁴⁹ *The Citizen* 18 October 1989] Some eight political, religious and sporting student bodies, claiming that the council's decision had been a 'brainwashing exercise to condition students into accepting the inevitability of a multiracial South Africa and of a black government', formed the Anti-Oopstelling Komitee, which planned several actions including a secret ballot among hostel residents.⁵⁵⁰ [⁵⁵⁰ *Business Day* 19 October 1989] In December 1989 the university announced that it would be opening two hostels, the residents of which had voted in favour of integration.⁵⁵¹ [⁵⁵¹ *The Citizen* 6 December 1989]

The Potchefstroom University for Christian Higher Education stated in October 1989 that it had no intention of opening its campus hostels to all races; it regarded the cultural character of its residences as an integral part of its educational task and would thus keep things as they were.⁵⁵² [⁵⁵² *The Star* 3 October 1989] Since it was necessary to cater for the housing needs of the coloured students accommodated in the guest house, two housing units were being built with financial assistance from mining concerns and

would be ready for occupancy in 1991, the university said.⁵⁵³ [⁵⁵³ *The Citizen* 3 October 1989; *The Star* 3, 5 October 1989] However, in April 1990, the university announced that following requests from several quarters and taking into account the shared commitment of all its students to Christian principles, the council had voted in principle to open its residences to all race groups. It was up to the management committee to decide how best to implement the change.⁵⁵⁴ [⁵⁵⁴ *The Citizen* 28 April 1990, *The Star* 1 May 1990]

Also in April 1990 the Rand Afrikaans University announced that it would be providing accommodation for students of all race groups. However, the rector, Professor C Crause, said that the university had not yet decided whether all residences would be integrated.⁵⁵⁵ [⁵⁵⁵ *The Star* 1, 3 May 1990]

It was reported in April 1989 that the University of the Witwatersrand (Wits) had taken a firm stance on the use of racially abusive language. Guilty parties were liable to be called before a disciplinary committee and expelled without a second warning.⁵⁵⁶ [⁵⁵⁶ *Wits Student* April 1989] Also in April 1989, the vice chancellor at Wits, Professor R Chariton, effectively banned a debate on the grounds that the viewpoint of the banned African National Congress (ANC) could not adequately be expressed.⁵⁵⁷ [⁵⁵⁷ *Business Day*, *The Citizen* 4 April 1989] In July 1989 Wits announced that it would not prevent election candidates from speaking on the campus in the run-up to the general election, as it had done in 1987. Political meetings would be allowed provided they were 'non-partisan', the university council decided (see also *1988/89 Survey* pp297–299).⁵⁵⁸ [⁵⁵⁸ *Business Day* 27 July 1989] In August 1989 the university appointed a special tribunal to gather evidence for a disciplinary trial by a special committee following the disruption by members of the Black Students' Interim Committee (see *Student organisations* below) of a debate on the role of parliamentary politics and the September 1989 general election. The debate was to have been addressed by one of the leaders of the Democratic Party, Dr Zach de Beer; the director of the Institute for a Democratic Alternative for South Africa, Dr Frederik van Zyl Slabbert; and a researcher at the South African Institute of Race Relations, Mr S Friedman.⁵⁵⁹ [⁵⁵⁹ *The Weekly Mail* 11 August 1989] The Black Students' Interim Committee issued a statement apologising for the disruption. Nevertheless, seven of its members were fined R200 each following a disciplinary committee decision in October 1989.⁵⁶⁰ [⁵⁶⁰ *Wits Student* October 1989]

Widespread debate at the University of Natal followed a university administration ban on an address by two youth leaders of the British Conservative Party in August 1989. The president of the National Student Federation (see *Student organisations* below), Mr N Myburgh, accused the principal, Professor Peter de V Booyesen, of 'moral cowardice' and challenged him to a debate on free speech. Professor De V Booyesen replied that the student federation's affiliate on the campus had not adhered to booking procedures and had advertised the meeting with 'provocative and offensive posters'. He added that he had acted within the university's code of conduct: acts clearly designed to be provocative and likely to cause acrimony or violent conflict would not be tolerated.⁵⁶¹ [⁵⁶¹ *The Natal Mercury* 23 August 1989] The two British youth leaders were also banned from addressing meetings at Wits. A meeting they addressed at Rhodes University was disrupted by about 100 students.⁵⁶² [⁵⁶² *The Citizen* 9 August 1989]

In March 1989 a well-known educationist, Mr W Kambule, was appointed to the council at Wits. He was the first black person to be appointed to this position by the university.⁵⁶³ [⁵⁶³ *Wits Student* March 1989]

Student enrolment

Enrolment figures for 1989, supplied by the registrars of the universities, were:

Student enrolment at universities: 1989

University

African

Chinese

Coloured

Indian

White

Total

Bophuthatswana

Breakdown according to race not available

2 330

Cape Town

1 110

—

1 842

429

10 303

13 684

Durban-Westville

2 379

—

166

4 502

355

7 402

Fort Hare

4 058

—

15

15

46

4 134

MEDUNSA

1 474

2

17

105

212

1 810

Natal

1 715

1

288

2 157

8 720

12 981^d

The North ^b

9 382

—

3

3

36

9 424

OFS

101

—

185

—

8 841

9 127

Port Elizabeth

79

38

388

30

4 168

4 703

Potchefstroom

256

—

99

15

8 436

8 806

Pretoria

199

87

28

23 054^a

23 368

Rand Afrikaans

127

—

369

10

8 004

8 510

Rhodes

461

159

170

2 990^a

3 780

Stellenbosch

46

2

592 ^c

18

13 361

14 019

Transkei Breakdown according to race not available

4 694

UNISA

39 935

215

5 019

9 678

53 525

108 372

Venda

3 883

—

1

2

24

3 910

Vista

23 388

—

233

33

71

23 725

Western Cape

2 239

—

9 106

433

156

11 934

Witwatersrand

2 313

195

299

1 485

14 461

18 753

Zululand

5 508

1

14

32

5 555

Total

98 653

453

18 869

19 227

156 795

301 021

^a Chinese included.

^b Including satellite campuses in Gazankulu and QwaQwa.

^c Including seven students with race not ascertainable.

^d The enrolment figure given in the 1988/89 survey referred only to the Pietermaritzburg campus of the university. The correct t

Of a total of 49 198 students in 1989 at the English-language universities of Cape Town, Natal, Rhodes and the Witwatersrand, 5 599 (11,5%) were African, 2 588 (5,5%) coloured and 4 341 (9%) Indian. The remaining 74% were white, making the student composition of the universities predominantly, though not exclusively, white. The five Afrikaans-language universities had 2 132 (3%) African, coloured and Indian students out of a total of 63 830. The University of Port Elizabeth, a dual-language university,

had 535 (11%) African, Chinese, coloured, and Indian students out of a total enrolment of 4 703. At the University of Durban-Westville there were 2 900 (39%) African, coloured and white students out of a total enrolment of 7 402, the remainder being Indian. Of the students at the University of the Western Cape, 2 828 (24%) were African, Indian and white, the remainder being coloured. The six African universities (excluding the universities of Bophutha-tswana and Transkei for which a breakdown according to race was not available) had 865 (2%) Chinese, coloured, Indian and white students out of a total enrolment of 48 558.

In January 1989 press reports indicated that more than 6 500 students had been turned away from the universities of Stellenbosch and the Western Cape, and that the University of Cape Town had also turned away a substantial number of applicants.⁵⁶⁴ [⁵⁶⁴ *The Star* 26 January 1989]

Examination results

Overall pass rates at some of the universities in the past few years were as follows:⁵⁶⁵ [⁵⁶⁵ Information supplied by the registrars of the various universities, 1990]

University (overall) pass rates

University

1986

1987

1988

1989

NATAL

Lower undergraduate (courses at undergraduate diploma level)

African

87,7%

76,2%

88,4%

N/A

Coloured

76,2%

84,8%

71,5%

N/A

Indian

73,1%

80,2%

83,7%

N/A

White

89,0%

85,5%

88,4%

N/A

Intermediate undergraduate (courses at level of first 3 years of first bachelor's degree)

African

59,2%

63,6%

62,9%

N/A

Coloured

72,3%

74,4%

72,9%

N/A

Indian

72,9%

72,4%

76,7%

N/A

White

78,8%

80,7%

83,0%

N/A

Higher undergraduate (courses at level of fourth and subsequent years of first bachelor's degree)

African

86,6%

85,3%

89,9%

N/A

Coloured

92,2%

76,4%

92,8%

N/A

Indian

93,2%

93,6%

93,6%

N/A

White

85,4%

82,9%

84,6%

N/A

POTCHEFSTROOM

African

45,0%

49,0%

40,0%

N/A

Coloured

73,0%

67,0%

59,0%

N/A

Indian

56,0%

66,0%

65,0%

N/A

White

74,0%

75,0%

76,0%

N/A

RHODES

African

56,0%

55,0%

63,0%

N/A

Coloured

65,0%

57,0%

68,0%

N/A

Indian

56,0%

66,0%

65,0%

N/A

White

79,0%

80,0%

80,0%

N/A

TRANSKEI

51,0%

N/A

N/A

N/A

VISTA

61,0%

61,0%

61,0

Student organisations

Information concerning some student organisations was unobtainable in 1989 and in the first quarter of 1990. For a list of organisations unbanned in February 1990, see the end of this section.

At its annual congress in Durban (Natal) in May 1989, the **Azanian Students' Movement** (AZASM) adopted the motto 'Black power for a socialist Azania' and once again stated its belief that the black working class was 'the vanguard of the black liberation struggle'. AZASM's newly elected executive called on members to launch a campaign against the 'below-the-belt tactics of white liberal student unions which seek to re-start their articulation of black students' interests'.⁵⁶⁶ [⁵⁶⁶ *Sowetan* 3 May 1989] Also in May AZASM, together with the **South African National Students' Congress**, another student organisation with active support at the University of Durban-Westville (see *1988/89 Survey* pp304–305) condemned the findings of the commission of inquiry into disturbances on the campus of the University of Durban-Westville (the Flurt commission) (see *Incidents on university campuses* below).⁵⁶⁷ [⁵⁶⁷ *Natal Post* 16 May]

In February 1990 AZASM alleged that six of its youth section members had been attacked and another abducted by members of the Bekkersdal Youth Congress, a pupils' organisation believed to be affiliated to the United Democratic Front (UDF).⁵⁶⁸ [⁵⁶⁸ *Sowetan* 27 February 1990 and 12 March 1990] While no details were available, the alleged incident echoed certain events in 1988 (see *1988/89 Survey* p300). One of the youths, Mr Douglas Chuma, died after the attack.⁵⁶⁹ [⁵⁶⁹ *Sowetan* 12 March 1990]

It was reported in the *1988/89 Survey* (pp300–301) that the **Black Students' Movement** (BSM) at Rhodes University and the **Black Students' Society** (BSS) at the University of the Witwatersrand (Wits)

had been effectively banned by the minister of law and order, Mr Adriaan Vlok, on 8 December 1988, when a proclamation in the *Government Gazette* had prohibited the two organisations from performing any activities, except the keeping of books.

Black students at Wits formed the **Black Students' Interim Committee** (BSIC) early in 1989. The president of the committee, Mr Nepo Kekana, said that it had been decided, in conjunction with lawyers, that the interim committee was the only legally viable alternative to the BSS. Fie described the objectives of the committee as 'short term' and said that it would merely represent black students and carry out administrative duties. The restrictions placed on the BSS and its members made it impossible for the committee to call for the lifting of restrictions on the BSS, he said. Mr Kekana also said that the committee upheld certain policies followed by the BSS. Tactical participation in faculty boards would be continued and extended if the university faculty boards' relations with the BSIC were cordial. Like the BSS, the committee was firmly committed to non-racialism but also believed in a need for a structure which could address and represent the unique circumstances and backgrounds of black students on the campus, Mr Kekana said.⁵⁷⁰ [⁵⁷⁰ *Wits Student* March 1989] This view was echoed by the president of the BSS at the University of Cape Town, Mr Tshediso Matona, at the beginning of 1989.⁵⁷¹ [⁵⁷¹ *Varsity* February 1989]

Following talks between the Wits administration and Mr Vlok, the minister offered to lift restrictions on the BSS in March 1989, on condition that the organisation inform him in writing that it would henceforth confine itself to 'bona fide student activities'. More than 400 BSS members rejected the offer as 'shameless', at a meeting for which special security clearance had to be arranged.⁵⁷² [⁵⁷² *The Star* 10 March 1989, *Varsity* April 1989] The president of the BSS, Mr Terry Tselane, said that membership of the broader community was of primary importance to BSS members; their role as students was only of secondary importance. Fie said that members could not be expected to keep quiet when people in their communities were being harassed, detained and tortured. Mr Tselane also referred to the many BSS members who had been detained by the police since 1986.⁵⁷³ [⁵⁷³ *The Star* 10 March 1989]

In April 1989 Mr Tebogo Mngomezulu, a Wits student and BSS member who had been detained in August 1988, escaped from detention at the Johannesburg Flospital while receiving treatment after a hunger strike (see chapters on *Security* and *Health*). Flours after presenting himself at the British consulate in Johannesburg, he obtained an assurance from Mr Vlok that he would not be redetained.⁵⁷⁴ [⁵⁷⁴ *Ibid* 7 April 1989]

In August 1989 the BSM and BSS, together with other organisations, declared themselves 'unbanned', in response to the defiance campaign organised by the Mass Democratic Movement (MDM) (see chapters on *Political Developments* and *Security*)⁵⁷⁵ [⁵⁷⁵ *The Citizen* 30 August 1989; *Wits Student* September 1989]

The chairman of **Jeugkrag**, an Afrikaans national students' organisation, Mr Marthinus van Schalkwyk, said in the course of an interview in March 1989 that the organisation's aim was 'to clearly establish ourselves as the major opinion-maker among Afrikaner youth'. He claimed that Jeugkrag was 'already

halfway there, with an unrivalled influence in the leadership echelon at schools and universities'. It was initially composed mostly of 'verligtes' who had broken away from a traditional student organisation, the Afrikaanse Studentebond, in 1986 (see 1986 *Survey* Part 2 p468). By 1989 Jeugkrag was firmly established at all white Afrikaans universities, with the exception of the University of Stellenbosch. Asked why right-wing student movements had fared poorly when the right-wing political movement had won so much electoral support, Mr Van Schalkwyk said, among other things, that 'the right-wing rise is not an authentic revival of nationalism. Its cornerstone is mere fear of the "swart gevaar" [fear of a danger posed by black people]. It is not a true upsurge like the rise of nationalism was before 1948, and thus has little attraction for intellectuals or young people'. He also said that the right-wing movement had no major financial backing. Jeugkrag, on the other hand, was funded by a large number of American and local businesses.

Mr Van Schalkwyk said that when it had been formed, Jeugkrag had specifically adopted a political as well as a cultural role and that part of the organisation's intention was to avoid being bound by traditional notions of group rights as defined by the ruling National Party (NP). He said that while many in the organisation had not 'finally broken our links with the NP, even if only in recognising that the NP is the only force which can actually make change', Jeugkrag wanted to see the abolition of discriminatory legislation and the introduction of universal suffrage 'provided that it does not mean the impotence of minorities'. Mr Van Schalkwyk said, 'You can't abolish the group basis ... no Afrikaner will go for anything without group protection. Maybe you work on things like a one-man-one-vote lower House, and an upper House reflecting group rights, something like that.' He also said that a socialist economy was out of the question and that Afrikaans would have to remain an official language, along with other languages. The issue of language, he asserted, was 'non-negotiable'.

Mr Van Schalkwyk also spoke of Jeugkrag's aim of engaging a wide number of Afrikaner youth in dialogue with black student leaders, but said that dialogue had been limited to meetings with the Inkatha Youth Brigade (see chapter on *Political Organisations*). He stated that while Jeugkrag was keen on broadening its range of contacts, this was often impossible. Concerning Jeugkrag's attempts to engage the leadership of the South African Youth Congress (SAYCO) (see *Pupils' organisations* above), Mr Van Schalkwyk alleged that 'SAYCO's condition is that we become part of the "progressive movement"—that is, that we submit to ANC leadership, and of course we are not going to do that. I can't understand their position. All along they have said that they don't want to talk to the white liberals, they want to talk to genuine boere, then when we come along as genuine boere they say "no, we will only talk to you if you stop being boere". Our feeling is that they don't actually make their own decisions. They wanted us to go to Lusaka so that the ANC could decide whether to approve us or not'.

Concerning links with moderate student groups on English campuses (see below), Mr Van Schalkwyk said that approaches from some quarters had made Jeugkrag uncomfortable. 'We don't know what they are standing for. At the English universities "moderate" often actually means "right-wing". They're trying to move English youths to the right and we are trying to move Afrikaans youth to the left. We don't see common ground,' he said.⁵⁷⁶ [⁵⁷⁶ *Frontline*, vol 8 no 8, April 1989]

It was reported in the *1988/89 Survey (p301)* that the **National Students' Federation** (NSF) had said that it had shaken off its earlier links with the NP and had become less conservative. In 1989 the NSF called for the repeal of the Group Areas Act of 1966 and the lifting of the state of emergency.⁵⁷⁷ [⁵⁷⁷ *The Weekly Mail* 11 August 1989]

In February 1989 the national executive of the **National Union of South African Students** (NUSAS) completed an eight-day fast in support of detainees on hunger strike in various parts of the country (see chapters on *Health* and *Security*). The executive, consisting of the NUSAS president and of the student representative council (SRC) presidents of the University of Cape Town, the Durban and Pietermaritzburg campuses of the University of Natal, Rhodes University and Wits as well as the chairman of the NUSAS committee at the University of Stellenbosch, also called on students and academic and non-academic staff to fast for one 24-hour period per week until the hunger strike had ended.⁵⁷⁸ [⁵⁷⁸ *The Citizen* 16 February 1989]

In April 1989 more than 13 000 postcards, signed by students in a NUSAS campaign to express support for students at the University of Turfloop (see *Incidents on university campuses* below), were handed to the SRC president at Turfloop, Mr E Khosa. A call for the withdrawal of South African Defence Force (SADF) troops from the Turfloop campus was also issued by black students' organisations, including the BSIC at Wits (see above).

The chairman of the aforementioned NUSAS committee at the University of Stellenbosch, Ms Leslie Durr, was expelled after she had participated in a student march against racially segregated residences on the campus in August 1989.⁵⁷⁹ [⁵⁷⁹ *Cape Times* 2 September 1989] University rules banned demonstrations on campus.⁵⁸⁰ [⁵⁸⁰ *The Star* 1 November 1989] Later that month, Ms Durr applied to the Cape of Good Hope Provincial Division of the Supreme Court to have the rule declared ultra vires. The application was dismissed but two months later Ms Durr was granted leave to appeal against the decision.⁵⁸¹ [⁵⁸¹ *Ibid*]

At the beginning of 1989, the president of NUSAS, Mr Lindsay Falkov, had said that his organisation would have to address the issue of how to implement the academic boycott at its quarterly national council meeting in April. Mr Falkov had said that the disruption of the lectures of a visiting academic, Dr Conor Cruise O'Brien, at the University of Cape Town in 1986 by students who supported the academic boycott (see *1986 Survey Part 2 pp470-472*), had raised a number of questions. One of these pertained to what constituted a 'controversial' figure in terms of the boycott, he had added. In reply to a question as to whether the term 'controversial' would apply only to individuals of a certain type of political persuasion, Mr Falkov had replied that a position would be developed in terms of whether individuals actively supported or implemented apartheid. According to Mr Falkov, the April meeting would need to discuss the categories 'supported' and 'implemented'.⁵⁸² [⁵⁸² *Business Day* 23 January 1989] While Mr Falkov expressed the view that NUSAS finally had time to attend to the issue of the academic boycott, the April council meeting was again dominated by general political issues.⁵⁸³ [⁵⁸³ *Wits Student* April 1989] The issue was again discussed at the organisation's national congress meeting in December 1989.

At the time of writing, it had still not been resolved.⁵⁸⁴ [⁵⁸⁴ Information supplied telephonically by NUSAS Head Office, 12 February 1990]

In November 1989 the **South African Students' Movement** (SASM) was unbanned in the Transkei along with other organisations when the homeland lifted its state of emergency (see chapter on *The Homelands*).

Following the state president's opening speech to Parliament in February 1990 (see chapter on *Political Developments*), the following student organisations were unbanned :⁵⁸⁵ [⁵⁸⁵ Government Notices R229 and R233, *Government Gazette*, no 12287,3 February 1990]

- the Azanian Students' Movement (AZASM);
- the Black Students' Movement (BSM);
- the Black Students' Society (BSS);
- the South African National Students' Congress (SANSCO); and
- the South African Students' Organisation (SASO).

Incidents on university campuses

There were a great many press reports in 1989 concerning protests, marches and boycotts by students at various universities. Issues included the September 1989 general election and other political matters, the working conditions of non-academic staff, the Labour Relations Amendment Act of 1988, police action on and off campuses (the latter including the killing of youths in the Cape on the eve of the election), fines imposed on students for contravening university rules and the expulsion of some of these students, the exclusion of past students on academic grounds, the lack of student representation on university councils, the raising of hostel fees, lack of accommodation and the quality of food. Reports bore testimony to the frequent and sometimes violent harassment of students by other students of differing political persuasion, and to the harassment and detention of students and members of staff by the police. Militant students on various campuses broke up meetings addressed by people whose views they did not agree with. A number of pupils' and students' organisations 'unbanned' themselves on a number of campuses in September 1989, as part of the MDM's defiance campaign (see chapter on *Political Developments*). Flags of the ANC and the South African Communist Party were prominently displayed during many protest actions by students in 1989.

Following violent disturbances on the campus of the **University of Durban-Westville** in 1988 (see *1988/89 Survey* pp304–305), the council of the university appointed a board of inquiry. The chairman and sole member of the board, Advocate N Hurt, was requested to report on friction between different

student groups on the campus, on the events associated with an SRC sports tour to Wits in August 1988, on disturbances alleged to have taken place at student meetings later that month, on the intimidation of students on the campus, and on any other incidental matters. Members of staff and students and their parents were invited to submit information, all of which was treated in strict confidence. According to the university administration, the response from students had been poor. Advocate Hurt had had to rely largely on evidence provided by staff, and on reports and comments in campus newspapers and other publications. However, he had been satisfied that the viewpoints of the more politically active students had been clearly represented in the printed matter.

The commission's report, released in April 1989, found that:

- political activity on the campus was polarised between two distinct groups: SANSCO and AZASM. SANSCO appeared to support the SRC. In general, SANSCO was backed by Indian students while AZASM was supported by black students;
- conflict between the two groups had led to open confrontation and violence, and to accusations by AZASM that the death of one of its members on the SRC trip to Wits had been orchestrated by SANSCO;
- radical student groups were subject to a misapprehension that all students were bound to follow resolutions taken at a formal meeting;
- the liberty of the non-aligned majority (some 80% to 90% of students) seemed to have been severely restricted;
- some students had been forced to align themselves to one or other group as a self-protective measure;
- there was significant resentment on the part of Indian students and their parents concerning the influx of African students to the university. The university's essentially Indian characteristics had been completely 'submerged'. A good deal of lip service was paid in public to the principle of integration while, in the background, a significant proportion of Indian parents and students wished that enrolment could once again be restricted to their communities;
- the university had to be warned of an imminent confrontation in the residences between the highly conservative Indian sector, with its traditionally strict rule of behaviour for its children, and the growing body of radical African students 'bent' on enforcing their own communal traditions;
- some of the dissatisfaction and tension was caused by the fact that a relatively large number of African students got out of their depths, academically, fairly early in the year. They either gave up hope or adopted the attitude that their tuition and treatment were inadequate and unfair. These reactions led to an unsatisfactory academic atmosphere and affected the whole student body and the staff;

- irrespective of their political persuasions, students did not trust the university administration or other law-enforcement bodies such as the police. At the root of contributory causes symptomatic of much of the violence at the university was student reluctance to invoke the assistance of authority in a situation which they could not manage alone; and
- the university authorities had failed to liaise with students or speedily to enforce disciplinary measures when these had been necessary.

These last two aspects were emphasised again and again in the report, which made lengthy recommendations concerning ways in which related problems might be remedied.

The board also made certain tentative recommendations regarding the admission of African students. It stated that, owing to the poor standard of African education in schools, the likelihood of a student's finding himself unable to cope with the required standard was proportionately greater among African students. It advised the university administration to develop a different set of entrance examinations and admission rules for African students. Such a system would have the dual benefit of avoiding African students' being embarrassed and disillusioned and of slowing down the current drastic rate at which the university's racial composition and traditions were changing. However, Advocate Hurt acknowledged that such a system might be considered discriminatory and contrary to the urgent need to produce qualified African people.⁵⁸⁶ [⁵⁸⁶ University of Durban–Westville, *The Year at UDW: 1988*, 1989]

The president of the SRC at the University of the Western Cape, Mr K Naidoo, responded to the report's suggestion for stricter entrance requirements for African students by saying that it was 'grossly insensitive' and bordered on blatant racism. He also said that the clashes on the campus had been purely ideological, not racial.⁵⁸⁷ [⁵⁸⁷ *Sunday Tribune* 30 April 1989] Later in April more than 1200 students rejected the Hurt commission's report for displaying a 'Conservative Party mentality'.⁵⁸⁸ [⁵⁸⁸ *Varsity* May 1989]

Late in May 1989 the university was closed down indefinitely, as a result of a student boycott of lectures following a university disciplinary committee decision to suspend one student and expel another for breaking residence rules, when they allowed other students to sleep in their rooms. The university said that residential space on campus was very limited and that strict rules had to be applied. The closure was announced after a group of students writing examinations had been chased out of a lecture hall by boycotting students.⁵⁸⁹ [⁵⁸⁹ *Cape Times* 1 June 1989, *The Leader* 2 June 1989, *The Natal Mercury* 24 June 1989] The university re-opened on 10 July 1989.⁵⁹⁰ [⁵⁹⁰ *The Natal Mercury* 24 June 1989]

In September 1989 calls were issued for the resignation of the rector and two vice rectors at the university, following a clash between students and the police. Details of the clash were unavailable owing to emergency media regulations.⁵⁹¹ [⁵⁹¹ *The Natal Witness* 12 September 1989] At a meeting attended by staff and students, speakers said that the three senior administrative officers had refused to intervene or negotiate with the police and had failed to organise legal help for students who had been detained. Over

1 000 people at the meeting approved a campaign to lobby for their resignation. Prior to the meeting, the Combined Staff Association, the university's convocation body and a number of parents had made a similar call.⁵⁹² [⁵⁹² *The Natal Witness* 12 September 1989, *The Weekly Mail* 15 September 1989] One of the vice rectors of the university, Professor M Smout, said after the meeting that liaison committees were the correct channels through which students should express their grievances.⁵⁹³ [⁵⁹³ *The Natal Witness* 12 September 1989] In October 1989 the executive committee of the university's council passed a unanimous vote of confidence in the rectorate, which had acted 'according to council policy'.⁵⁹⁴ [⁵⁹⁴ *The Citizen* 28 October 1989]

A pamphlet calling for a stayaway on the Namibian issue, the origin of which was not clear, since student leaders had decided not to call for a stayaway, was issued at the **University of Fort Hare** (Ciskei) at the end of April 1989 and caused many students to miss important tests. At a meeting of students in May, the SRC was asked to discuss the rescheduling of tests with the university administration. Students said that they had then gone to a lecture hall, to plead with a group of students writing a test to show solidarity with those students who had missed tests. They claimed that campus security guards had arrived and fired tear gas and that some students had been taken to security offices and been beaten. They claimed, further, that other students had been chased to residences, that they had been attacked and shot at and that eight students had been injured in the shooting.⁵⁹⁵ [⁵⁹⁵ *The Weekly Mail* 5 May 1989, *City Press* 7 May 1989]

According to the vice principal and rector of the university, Professor J Lamprecht, events had been substantially different. He said that students had just started writing the test when a group of students wielding iron bars and bricks had entered the hall and torn up examination papers. The numbers of people involved could not be ascertained as newspaper reports of the vice principal's statement contradicted each other. Professor Lamprecht said that it had been necessary to request police assistance after students had attacked campus security forces who had been called to the scene. He claimed that no more than six policemen had arrived and that some shots had been fired into the air.⁵⁹⁶ [⁵⁹⁶ *The Citizen* 5, 9, 10 May 1989; *The Star* 5 May 1989; *City Press* 7 May 1989; *Sowetan* 10 May 1989]

In February 1989 students on the Turfloop campus of the **University of the North** (near Pietersburg) alleged that a contingent consisting of members of the SADF, the South African Police (SAP) and the Lebowa police force, which had been stationed on the campus since mid 1986, had actually been contracted to monitor student activities for a period of three years.⁵⁹⁷ [⁵⁹⁷ *New Nation* 16 February 1989] Although press reports indicated that this could not be confirmed, the security contingent was still on campus despite assurances, since 1987, that it was being phased out and withdrawn (see *1988/89 Survey* p308).

The students said that the duties of the police and soldiers included patrolling the campus, controlling access to it, and ensuring that no protests of any sort took place. One of the reasons the students put forward as proof that the security presence was entrenched was the security forces' use of sporting facilities on campus.⁵⁹⁸ [⁵⁹⁸ *Ibid*]

The public relations division of the SAP, when asked to comment on the police presence at Turfloop, replied that it considered the visiting of premises to be a routine police duty and that it did not comment on such duties.⁵⁹⁹ [⁵⁹⁹ Ibid]

In March 1989 students on the Turfloop campus staged a mass protest against the presence of staff members who were members of the Conservative Party (CP) and demanded the immediate dismissal of the head of the department of business economics, Professor W Botha, for having allegedly voted to exclude the multiracial regional services council from Pietersburg town council chambers.⁶⁰⁰ [⁶⁰⁰ *Business Day, The Star* 14 March 1989]

A few days later, during a three-day mass boycott of classes in protest against the administration's decision not to readmit 472 failed students, students reiterated the call for Professor Botha's dismissal and also called for the immediate withdrawal of SADF troops from the campus and its immediate surroundings.⁶⁰¹ [⁶⁰¹ *The Citizen, Sowetan* 17 March 1989] The administration replied that the two-week deadline set by students for the withdrawal of troops was based on 'means, methods and strategies which are not within the powers of the university'.⁶⁰² [⁶⁰² *The Citizen* 17 March 1989] It also refused to retract an earlier statement that SADF troops had left the campus.⁶⁰³ [⁶⁰³ *Sunday Tribune* 19 March 1989]

On the eve of the boycott, 'campus control personnel' shot and injured three people who were part of, or were standing on the edge of, a crowd of chanting students protesting against what they considered to be administration's unsatisfactory response to their demands.⁶⁰⁴ [⁶⁰⁴ Ibid, *Wits Student* April 1989] One of them, Mr M Puane, was hit in the head by buckshot pellets and all three students were hospitalised.⁶⁰⁵ [⁶⁰⁵ *Sowetan* 17 March 1989] The university appointed a committee to investigate the shootings⁶⁰⁶ [⁶⁰⁶ *The Citizen* 18 March 1989] and issued an ultimatum for a return to classes.⁶⁰⁷ [⁶⁰⁷ *Sowetan* 20 March 1989]

On 20 March the university closed down all hostels on the campus and between 6 000 and 7 000 students left for home, although the academic programme had not been suspended,⁶⁰⁸ [⁶⁰⁸ Ibid 21 March 1989] and despite student attempts to forestall a development based on measures previously adopted by the university (see *1988/89 Survey* pp307–308)⁶⁰⁹ [⁶⁰⁹ Ibid 20 March 1989] Students returned to the campus following the April break.⁶¹⁰ [⁶¹⁰ Ibid 31 March 1989]

At the end of April 1989 a delegation of community and church leaders met Turfloop students and the university's administration to discuss the tense situation and the SADF presence on the campus. The delegation consisted of academics and members of the Atteridgeville (Pretoria) Civic Association, the Call of Islam, the Equal Opportunities Foundation, the Institute for Contextual Theology, Lawyers for Human Rights, NUSAS (see *Student organisations* above) and the South African Council of Churches (SACC)⁶¹¹ [⁶¹¹ *The Citizen* 28 April 1989]

According to a joint statement issued by all parties it was agreed that 'the presence of the security forces

and their uncontrollable access into the university is totally disruptive of the fragile relations between the students and the management of the university. The management of the university, the church community delegation and the students will urgently and seriously consider joint action that will result in the removal of the presence on and around the campus of the troops and their ability to enter the campus without even consulting university management'.⁶¹² [⁶¹² Ibid; *City Press* 30 April 1989] Following the meeting the president of the Turfloop SRC, Mr Ernest Khosa, said that the university had 'for the first time since ... 1986, tied itself down to a specific date on which the soldiers should leave our campus'.⁶¹³ [⁶¹³ *City Press* 30 April 1989]

The university also undertook to ensure that SRC members were not victimised.⁶¹⁴ [⁶¹⁴ Ibid]

In May 1989 Mr Ken Andrew MP (Democratic Party), said that the refusal of the minister of defence, General Magnus Malan, to supply information about the SADF presence at Turfloop was unacceptable when it was alleged that the university was still 'almost in a state of military siege' and when official information could not possibly pose a threat to state security.⁶¹⁵ [⁶¹⁵ *Cape Times* 12 May 1989] In the same month Mr Khosa and another member of the SRC alleged that they had been questioned by the SAP concerning the meeting between university authorities and the delegation in April, and that they had been forced, at gunpoint, to sign a document they had not been allowed to read but which, they were subsequently told, contained a 'confession' stating that they were police spies. Mr Khosa also alleged that the men who had questioned him had threatened that he would 'end up like David Webster' (see below).⁶¹⁶ [⁶¹⁶ *Business Day* 9 May 1989, *Varsity* May 1989]

In June 1989 about 2 000 students at the university protested against the continued presence of security forces on the campus.⁶¹⁷ [⁶¹⁷ *The Star* 13 June 1989] In July 1989 an SACC delegation to Turfloop, which was stopped and searched for over an hour by an SADF road block set up close to the university, was told by the university authorities that an end to the presence of SADF personnel on campus was in sight.⁶¹⁸ [⁶¹⁸ *Sowetan* 7 July 1989]

The soldiers had left by the time students returned from the July breaks.⁶¹⁹ [⁶¹⁹ *The Weekly Mail* 28 July 1989]

In August 1989 the entire student body boycotted classes and called on the university authorities to issue a public condemnation of 'persistent' police raids on campus, including one alleged incident where police had assaulted and tear gassed some SRC members. The authorities replied that they were conducting an investigation into the matter and that they would take action if the allegations were found to have substance.⁶²⁰ [⁶²⁰ *Business Day* 16 August 1989] As the boycott went into its third day, the police arrested the SRC president; the SRC vice president, Mr A Diavane; and three lecturers.⁶²¹ [⁶²¹ *Business Day* 17 August 1989, *The Weekly Mail* 25 August 1989] The arrests were followed by a mass demonstration.⁶²² [⁶²² *The Star* 18 August 1989] On the fifth day of the boycott the university was closed down indefinitely. According to a statement issued by the Turfloop authorities, student demands for the barring of police from campus

and for the release of the five detainees could not be met. 'This implies that there will be no meaningful return to academic programmes as the university has no power to declare campus as a zone free from police action. University management can only protest unwarranted police actions with police authorities and has also been informed that an immediate release of the detainees is out of the question', the statement read.⁶²³ [⁶²³ *The Citizen* 19 August 1989, *Sowetan* 21 August 1989] The closure of the university was widely criticised.⁶²⁴ [⁶²⁴ *The Star* 22 August 1989, *Sowetan* 24 August 1989, *New Nation* 25 August 1989]

While students returned when the university re-opened at the end of August,⁶²⁵ [⁶²⁵ *City Press* 27 August 1989] they refused to go back to classes despite pleas by the rector, Professor P Mokgokong.⁶²⁶ [⁶²⁶ *Sowetan*, *The Star* 30 August 1989] Two more SRC members had been detained since the closure.⁶²⁷ [⁶²⁷ *The Weekly Mail* 25 August 1989] It was announced that a delegation of parents and prominent members of various organisations had been formed to meet university authorities.⁶²⁸ [⁶²⁸ *Sowetan* 1 September 1989] In the meantime it was reported that Lebowa police had 'invaded' the campus and seriously injured students during an anti-election demonstration, and declared a 7pm curfew.⁶²⁹ [⁶²⁹ *Sowetan*, *The Star* 8 September 1989] Nevertheless, students agreed to go back to classes a few days later when the four students and three lecturers were released following urgent representation by the university.⁶³⁰ [⁶³⁰ *Sowetan*, *The Star* 11 September 1989; *The Citizen* 14 September 1989]

One of the lecturers, Mr Louis Mnguni, who was vice chairman of the Black Staff Association at the university, was sensed with restriction orders.

Following a meeting between the university and the parent delegation, the former agreed to extend the academic year by three weeks.⁶³¹ [⁶³¹ *The Weekly Mail* 15 September 1989] Various newspaper reports pointed to a softening of the administration's previous stance.⁶³² [⁶³² *The Star* 26 September 1989] At the end of September 1989 the university terminated, at a cost of R550 000, a catering contract which had been the cause of widespread student dissatisfaction over a number of years.⁶³³ [⁶³³ *Business Day* 29 September 1989]

The very first anti-apartheid protest march at the **University of the Orange Free State**, which involved 40, mostly black, students protesting against a vote by white students, to keep hostels segregated, was disrupted by white students in September 1989. According to one of the marchers, Ms H Monchusie, about 15 students had torn up placards and assaulted the marchers. She also alleged that campus security had watched and photographed the march but had made no attempt to intervene when the violence began. Two lecturers had eventually stepped in and helped the demonstrators, she said.

Ms Monchusie reported that the rector of the university, Professor F P Retief, had told them that while their complaints would be treated as a priority, he could not guarantee their safety, especially since they had chosen to march on the day before the election.⁶³⁴ [⁶³⁴ *The Weekly Mail* 8 September 1989]

About 200 members of the Concerned Black Students' Organisation at the **Rand Afrikaans University**

marched around the campus in September 1989 to protest against 'racist practices' by the university administration. Their action followed a ballot in which 75% of white students had voted in favour of the retention of whites-only hostels. The marching students were jeered at and some of the male students were deliberately jostled by white students. Security officers who monitored the march did not intervene.⁶³⁵ [⁶³⁵ *The Citizen, The Star* 28 September 1989]

At the **University of Stellenbosch** a member of the SRC and of NUSAS (see *Student organisations* above), Mr Mark Behr (see *1988/89 Survey* pp309–310), was shot at four times through a window of his home. He was not hit. A man claiming to be a member of the Wit Wolwe (see chapter on *Political Organisations*) later claimed responsibility for the attempted assassination.⁶³⁶ [⁶³⁶ *The Citizen* 22 August 1989]

Over 400 resident students at the **University of Transkei** were ordered to vacate their rooms and to leave the campus after a boycott of mid-year examinations in May 1989. The Commissioner of Police in the Transkei, General L Kawe, denied that police had fired at students indiscriminately when called onto campus for the alleged purpose of dealing with a group of students who were preventing part-time students from attending classes.⁶³⁷ [⁶³⁷ *Ibid* 31 May 1989] There were no further reported incidents at the university during the year.⁶³⁸ [⁶³⁸ *Daily Dispatch* 13 July 1989]

In May 1989 students at the **University of Venda** boycotted classes and called for the dismissal of certain members of staff, notably the chief security guard, whom they alleged was a security policeman; the abolition of police studies, an end to the sexual exploitation of female students by corrupt lecturers; and the readmission of 16 students excluded from classes the year before.⁶³⁹ [⁶³⁹ *The Weekly Mail* 19 May 1989] In July 1989 students again boycotted classes and demanded that all their colleagues in detention be released, that stronger action be taken against ritual murderers, that the proposed state of emergency be called off, and that police stop interfering with school and university affairs (see also chapter on *The Homelands*)⁶⁴⁰ [⁶⁴⁰ *The Star* 7 August 1989] The administration closed down the hostels until the beginning of August 1989⁶⁴¹ [⁶⁴¹ *The Citizen* 9 August 1989]

On 1 May 1989 a well-known anti-apartheid activist and anthropologist at the University of the Witwatersrand (Wits), Dr David Webster, was murdered outside his home in Johannesburg in what was almost unanimously considered to be a political murder.⁶⁴² [⁶⁴² Numerous newspaper reports] More than 4 000 Wits students and members of staff attended a memorial service for Dr Webster.⁶⁴³ [⁶⁴³ *Wits Student* June 1989] The Union of Democratic University Staff Associations (UDUSA), of which Dr Webster had been a member, condemned the assassination in the strongest possible terms. It said that 'this monstrous act appears to be yet another event in the sickening web of unresolved murders, bombings, arson and other attacks' against anti-apartheid activists.⁶⁴⁴ [⁶⁴⁴ *Sowetan* 5 May 1989] Later that month UDUSA launched a campaign to collect a reward of over R100 000 for information leading to the arrest and conviction of Dr Webster's killers. Although the SAP had already offered a reward of R10 000, the union said, 'About 60 South Africans have been killed in similar circumstances, and the police's record with these cases has been such that the killers are unlikely to be found. The purpose of offering the reward is therefore to

increase public pressure on the government, and to ensure that harassment and murders of its political opponents does not continue.’⁶⁴⁵ [645 Ibid 23 May 1989]

By the end of 1989 a sum of R 150 000 had been raised by the campaign.

At the time of writing, the murder had still not been solved. (See chapters on *Political Developments* and *Security* for further details relating to Dr Webster’s assassination.)

APPENDIX: LEGISLATION

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