INTRODUCTION

In 1942, during World War II, the Japanese navy was a few hundred miles off the Natal coast, threatening not only the Allies' sea routes in the Indian Ocean but also, as a "non-white" nation, to adversely influence the then empire loyalties of sections of the "non-white" population of South Africa. General Jan Smuts, South Africa's Prime Minister and war-general, rushed to Durban and, among other things, declared that the Colour Bar was dead, would go, etc. This alarm bell of his was clearly intended to placate the already discontented millions of "non-white", non-citizens; who might get ideas of looking to the "non-white" Japanese as saviours even though they were led by fascist militarists bent on colonizing larger parts of the world. The oppressed were not taken in by Smuts's deception and sophistry. For example in a Cape Town weekly, "The Cape Standard", I had written an article entitled to the effect 'The Colour Bar to go – Segregation will remain'.

Not only was segregation to remain; it was entrenched when barely a few months later, at the beginning of 1943, Smuts announced a NEW DEAL for the 'Coloured' and 'Malay' section of the oppressed. This took the form of a dummy Coloured Advisory Council and a Coloured Affairs Department, forerunner of a Coloured Representative Council for this section of the oppressed; many of whom were forced through economic reasons to support the war effort as non-combatants in a segregated 'Coloured' and 'Malay' Corps. Smuts's panic knee-jerk of 1942 brought forth the 1943 mouse – a new colour bar dispensation which would further entrench segregation politically and socially. Dressed in the garb of a "new deal" was the old, more deliberate separation of the 'Coloured' people from the rest of the oppressed. Malan completed the process after 1948 with the removal of all "non-white" representation in the herrenvolk parliament and the Cape Provincial Council, followed eventually by removal of all blacks from representation in local urban councils.

With the rejection of Smuts's "poison apples" the oppressed people established the first really militant movement, the National Anti-C.A.D. Movement (Anti-CAD). By the end of 1943 the Anti-CAD, together with the All African Convention, was instrumental in the formation of the Non-European Movement (NEUM). The NEUM united African, Indian and Coloured bodies into one on a principled, programmatic basis in order to wage a national struggle for full democratic rights. The oppressed people had begun to see through herrenvolk machinations and from then on decided that their struggle should be an independent

one for full freedom as laid down in the Ten-Point Programme, the first time such a programme for full democratic rights was produced in South Africa.

THE 1935-36 'NATIVE QUESTION' SOLUTION

Let us take a look back a few years earlier to the infamous deception of 1935-36. Then General J. Hertzog, one time soul broeder of Smuts*, launched, as Prime Minister of South Africa, the herrenvolk's infamous Three Hertzog Bills to deal once and for all with the 'Native Question'. These "Slave Bills" as they were dubbed were introduced once again at a time of growing crisis in the world and in South Africa. It was a time of global economic depression and impending threat of Hitler/Mussolini and World War II. These three Bills, especially the 1935 Land Act and the Separate Representation Act were presented as a new dispensation whereby the labour reserves were to be consolidated from 7.5 per cent into 13 per cent of the land area reserved for 'Natives'. The quid-pro-quo was the removal of the African in the Cape from the common voters' roll and a replacement with three white representatives and two white senators for all the African males in the Cape. The third Bill was one to consolidate existing laws to direct and control the movement of African workers to the various sections of the economy.

This Machiavellian illusion of removing a right or a privilege and letting the substitute appear as boon offering has been a herrenvolk hallmark through the decades of sham rule. An outstanding example was the establishment of 'bush colleges' for all blacks when they were trundled out of the 'open' universities soon after Verwoerdian philosophy polluted all education in the 1950s. The Bill that removed proper university education from the oppressed was misnamed 'The Extension of University Education Bill'.

OLD GARBAGE IN NEW BAGS

We see this same Herrenvolk duplicity in the latest overtures by De Klerk in his much-heralded and publicized White Paper on Land following his February 1991 speech. It will be re-called that when opening his parliament De Klerk is alleged to have declared the death of the "apartheid pillars" – the 1913 and 1935 Land Acts, the Group Areas Act and the Population Registration Act. However, together with the

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* Hertzog fought side by side with Smuts during the 1899-1902 Anglo-Boer war.

repeal of these Acts De Klerk introduced his White Paper on land reform and supporting legislation. This legislation, however, maintains segregation. Here is the Nationalist fraud: Apartheid out through one door and Segregation in through another.

It is significant that the word "Reform" runs throughout De Klerk's "new" South Africa, which he claimed he had "placed finally on a new course" (1 February speech). Accordingly:

> "our country is irrevocably on the road to a new dispensation. The goal, with the removal of discrimination, is to give all South Africans full rights". Fine words! And later "South Africa cannot allow or permit the dynamic process of reform to slow down". And even later: "the process of fundamental reform and all it entails is the first priority . . ."*

Next De Klerk promotes himself as the one who has the "resolve to build a new South African nation". But right at the outset of the proposition he starts with conditions for this "Nation building":

> there is the "diversity of our population". a "lack of the natural cohesion of a single culture and language that frequently forms the corner-stone of nationhood" . . . "Consequently we shall have to rely heavily on the other corner-stone – that of common values and ideals".

This discovery – "common values and ideals" – is an alias for the old bogey of "cultural", language and racial differences (which by no stretch of the imagination could also be "common"). Hence what is at stake here is not one universal and human characteristic of all the people of South Africa but racial distinctions. In other words the old Colour Bar or Segregation models of Smuts, Hertzog and Company, which were painted in the colours of "separate development", which was 100 per cent separate and 0 per cent development.

It is the old garbage in new bags. De Klerk is now trying to trade a new dispensation, a reformed apartheid dressed in his formidable sounding "manifesto for the New South Africa". In the Unity Movement we could refer to our APDUSA VIEWS No. 38 of January 1991 in which we anticipated as it were De Klerk's February speech:

> "In all the talk one thing is very clear: The new South Africa in the immediate future will not be fashioned after the visions various political organizations have had of their new South Africa. In other

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* Unless stated otherwise all quotations are directly from De Klerk or legislation currently before his parliament.

words, neither the Ten-Point Programme of the Unity Movement nor the Freedom Charter of the Congress Movement nor the Azanian Manifesto is on the cards for implementation. That there will be change is not in dispute, what is in dispute is the NATURE of the change. If change is not based on a radical programme, then what we will be witnessing will be change in the SHADOW while the SUBSTANCE will have been left out . . ."

In De Klerk's "Manifesto" one sees that the herrenvolk still hope to pull the wool over the eyes of the oppressed. He plays around with a "Bill of Human Rights", "justice", "Peace", "prosperity", "participation in democratic institutions" which from him are merely shibboleths attuned to the demands of the oppressed. In broad daylight De Klerk is palming off a reform package of neo-apartheid as a "new dispensation" for the 21st Century!

DE KLERK'S "OWN COMMUNITY LIFE"

De Klerk's idea of an "Own Community Life" is the life-blood of his policy:

> "the removal of discrimination and coercion which is now being completed (sic) does not alter the reality of the existence of a variety of people and communities . . . a deeply-rooted desire exists among some communities for a system in which certain human needs may continue to be met . . . recognition has to be given to this reality in any new dispensation. Therefore, it remains committed to ensuring community rights for those who desire them and believes that they will have to be accommodated in the new South Africa."

According to De Klerk's reasoning with the repeal of the Land Acts and the eventual disappearance of the racial Population Registration Act of 1950*, the

> "South African statute book will be devoid, within months, of the remnants of racially discriminatory legislation which have become known as the cornerstones of apartheid."

In fact the three Land Bills now being scrapped are a mere sop. These Acts are no longer necessary because after 40 years of Nationalist rule the people have already been divided territorially into "homelands" and "own communities" in the white areas, which may take another 50 years to unscramble. And he forgets that two very important Acts: those that created the Bantustans and homelands – the "Self-governing

* This Act has since been repealed.

Territories Act" and the 1910 Act of Union and the racist tricameral travesty are the REAL CORNERSTONES of Apartheid, the Colour Bar and Segregation. Do they remain on the Statute Book?

Judging by De Klerk's positiveness about "Own Community Life", these cornerstones of apartheid will be entrenched as the "new" segregation model (voluntary, of course) of continued white rule in his new South Africa

> "the legal principles, measures and courts that will make it possible for people (read white people) to feel secure in the communities of their choosing".

Quite clearly De Klerk's reform thinking is in line with his 1935-36 (Hertzog) and 1943 (Smuts) predecessors and will continue to benefit the white minority of his constituency:

> "urgent consideration will have to be given to the question of how community rights (read entrenched white minority rights) may be rightfully accommodated in South Africa."

NEW SYSTEM OF LOCAL GOVERNMENT

De Klerk's eggs are being securely packed into his local government basket. This is where he thinks reforms will be made to work his new models which had been hatched by the Co-ordinating Council for Local Government Affairs. He would introduce legislation to enable communities to discuss voluntarily "joint structures". The card he is pushing is a "new system of local government", ostensibly in recognition of the concept of "one municipality, one tax base". But, in effect, the government wants education, housing, health and agriculture to be separately (segregatedly) run:

> "In this context, there is a serious need for fundamental rationalization linked to effective protection of standards and the right of individuals and communities."

In the White Paper on Land reform and supporting legislation, De Klerk's guidelines are set out in great detail. It unmistakably spells out his neo-Nationalist, so-called "post apartheid", segregationist state of mind. FIVE BILLS will entrench the provisions of the three Land Acts being repealed! De Klerk's preface to the White Paper blandly states:

> "The objective is to do justice to all the citizens of the country, also as far as rights to land are concerned; to broaden opportunities for all, WHILE PRESERVING LAWFULLY ACQUIRED RIGHTS!" (my emphasis)

Briefly, three of the Bills concern legal aspects arising from the abolition of the two Land Acts and the Group Areas Act:

(1) The Racially Based Land Measures Bill, which abolishes race as a criterion for the acquisition and exercise of rights in land and for the rationalization of other laws restricting access to such rights.

(2) The Upgrading of Land Tenure Rights Bill, making provision for land registration and up-grading of "lower-order" land tenure rights to full ownership. These are phrased in the jargon of reform which masquerades as rationalization.

(3) The Rural Development Bill, which is supposed to regulate the "development needs" of land which "tribal communities intend to use for communal forms of agricultural settlement".

To sort out the legal entanglements created by the herrenvolk over the past fifty years and more, these three Bills are intended to remove scores, if not hundreds, of racist regulations, bye-laws, decrees and other diktats that coralled and knee-haltered the black majority to aparte locations, wastelands, suburban ghettoes, squatter slums and "self-governing" territories inside the 87 per cent of the land area occupied mainly by whites.

It is, however, the other two Bills that need special attention for these contain the herrenvolk's "new dispensation" when "apartheid goes". Here De Klerk's NEW STYLE of "Own Community Areas" is spelled out in the well-practiced veiled language of his predecessors in office.

(4) The fourth Bill, which is concomitant with the repeal of the Land Acts, is the Less Formal Town Establishment Bill. A euphemism for the provisions of the "Black Communities Development Act" of 1948, this will provide for the legalization of the hundreds of squatter townships and area found throughout the country.

"The need for these formal townships will not fall away with repeal of these Acts, and the Bill therefore makes provision for this, but not on a racial basis." (sic)

Just how non-racial will Cross Roads and Khayelitsha become when this Bill becomes law???

(5) The Fifth Bill of this package of De Klerk's sleight of hand, the most insiduous of them all, is The Residential Environment Bill*, a misnomer if ever there was one. In effect the Bill seeks to keep

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* This Bill was withdrawn but its main provisions surfaced as a Chapter in the Act which repealed the Group Areas Act.

white residential suburbs white and therefore free of the environmental pollution of having blacks wishing to own and occupy property in these "own white community" areas. To maintain "Norms and standards in residential environments" this Bill confers powers of (largely or exclusively white) local authorities to make bye-laws whereby white residential areas remain largely or exclusively white.

De Klerk's latest utterances and the 'philosophy' of his new South Africa remind us of Cecil Rhode's notorious outburst of almost a century ago: "The vote of every civilised man south of the Zambezi*".

The Residential Environment Bill provides for such modern political gerrymandering by making provision for a battery of pernicious by-laws to, inter alia:

combat "over-occupation of residential premises" (these can only be white areas) and to ensure "the orderly and civilised use of public facilities". Further "contravention of such by-laws is punishable" and "the Courts will play an important role in this regard."

Rhodes and De Klerk are separated by a century in time but are united in their racist herrenvolk philosophy masquerading under the term "civilised" and enforced by "the courts".

While the Group Areas Act is formally to go, a novel way is found to re-impose Group Areas:

"in case where at least a large majority of the owners/occupiers of premises in a specific neighbourhood desire the above by-laws, the relevant local authority may be compelled to make such by-laws for the neighbourhood in question".

With calculated political cunning the legislation reads:

"It should also be mentioned that by-laws that differentiate on the basis of race or colour will not be permitted by law".

This is the approach being used to beguile the oppressed. Such is the cynicism of the herrenvolk.

The sole purpose of the Bills is to ensure

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* This was how Rhodes formulated the idea of a racist 'white' 'Union of South Africa', 21 years before the apartheid 1910 Act of Union.

> "that the tried and tested judicial basis of which land rights are regulated will remain intact and preserving lawfully acquired rights" (De Klerk's White Paper of 12 March 1991).

After such a homespun "truth" what can one say?

"OWN AFFAIRS" AND BANTUSTANS STAY

The White Paper excludes the Bantustans/Homelands and in actual fact deals only with Blacks in the "Blankestan" (White South Africa) 87 per cent of the land. The repeals do not affect the legal status of the "self-governing territories", their geographical definitions and their structures of "self-government".

The reason for this is that these matters are dealt with in the Self-Governing Territories Constitution Act of 1971, which not included among the laws that are now to be repealed. Nevertheless, the impression is given that the "self-governing territories" cannot be entirely excluded from the land reform measures, and are therefore cosmetically dealt with in a separate dispensation.

The same applies to the "concept of own affairs". The government will continue to administer the "own affairs" areas by convenient interim provisions "to maintain these areas for the purpose of continuing the administration of own affairs in such areas". A trump (ed up) card in De Klerk's dispensation is the system of local government which all along has been based on separate local "authorities" and these are "also unaffected by the repeal of the Land Acts". Local government for blacks continues to be regulated by the Black Local Authorities Act of 1982, while local government for whites, Coloured and Indian areas will also continue to be maintained as under existing separate provisions.

De Klerk has during 1990 already placed his eggs in the revamping of local government in such a manner that existing apartheid residential areas remain largely intact. Using the current gobbledygook:

> "the (aparte) communities at local level (are) to enter into negotiations and establish joint local government structures as required . . . The government does not believe that the repeal of the said (Land) Acts will lead to drastic changes in the existing community character of areas".

And further jargon:

> "Neighbourhoods . . . will be able to retain the particular community character of their areas or neighbourhood by continued voluntary

and natural association, but no longer in racially exclusive manner backed up by statutory measures" (my emphasis)

The apartheid laws will go BUT SEGREGATION CAN REMAIN, by statute!

The above merely confirms and reinforces the conclusion we have drawn that the National Party's "New Style" of "own community" areas with specific "Community values" and "without apartheid and without discrimination" is a huge hoax and a fraud.

THE NEW UNITY MOVEMENT POSITION

A New Unity Movement Bulletin (March 1991, Volume 5, Number 1) states that:

> On the published proposals there is no way in which millions of desperately poor rural people can be established on the land. Lack of basic resources leaves them helpless in a system that is both capital and labour intensive. On the other hand, the proposed reforms leave the way open for wealthy speculators to muscle in on the system, 'farming' the subsidies and concessions open before only to whites. There is no honesty in pretending that millions of land-hungry people burdened with incredible poverty and lack of skills can be led to buy land, etc., in search of a living within a grasping exploitative society.
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> Only the successful prosecution of a struggle for the complete democratisation of South Africa can usher in the prospect of changing the skewed 87 per cent-13 per cent land distribution and open up the way to launch rural and urban development upon a course to put all tragic results which dominate people's lives now as they have done for centuries."

Harare
13/05/1991