

COMMISSION OF INQUIRY INTO THE RIOTS AT  
SOWETO AND OTHER PLACES IN SOUTH AFRICA.

AFTERNOON SESSION:

28th FEBRUARY, 1977.

VOLUME 121

(Pages 5 796 - 5 849)

gepraat van die grense nie en hierdie ding hinder ons baie want ons is die leiers wat ons moet mense na die groen weiveld moet lei.

Ek het geen verdere vrae nie, Edele.

GEEN VERDERE VRAE.

DR YUTAR: Edele, die volgende getuie is mnr. Sam Richard Rabotapi.

SAM RICHARD RABOTAPI: sworn states:

DR YUTAR: You are presenting a memorandum to this Commission on behalf of the Evaton Residents Vigilance Association. (10)  
-- Correct.

And what is your position with that body? -- I am general secretary.

Would you read out this memorandum, starting from the Summary of representations on page 1. -- The people of Evaton believe that conditions in their township are such as to cause disturbances arising out of the discontent at their treatment at the hands of the authorities and the conditions in which they live. Official indifference, if not actual polity, has resulted in a settled, responsible, land-owning population (20) having to live in appalling conditions. The memorandum sets out the grievances of residents of Evaton and their view of the dangers inherent in the situation which have been highlighted by the riots during June.

We can say now the damage in Evaton was comparatively very slight compared to other areas. -- Correct.

And I see only 3 schools were burned down. Now we will carry on with the preamble. -- In view of the recent riots in Black townships in the Transvaal and the ever increasing bitterness of the people of Evaton, which has recently (30) experienced the burning of 3 schools, one during June, 1976, and/...

and two thereafter, we feel this to be an appropriate time to set out in full the grievances of these people for your consideration and, we hope, investigation. The history of Evaton goes back 70 years to 1906 when it was established as an African township with freehold rights. Each standholder was responsible for paying 10/- per year for services and this money was paid into a fund administered by the Potchefstroom office of the Native Affairs Department. In 1959 this money was paid into a trust fund administered by the Bantu Affairs Commissioner in Evaton. In 1966, with the establishment (10) of the Regional Bantu Township of Sebokeng, administering Bantu housing for Vereeniging, Evaton and Vanderbijlpark, part of old Evaton was taken over and incorporated into Sebokeng itself. Sebokeng is administered by the local Bantu Resettlement Board. I want to pause a little here, and .. (inaudible) .. information. There are about 90 000 residents in the complex without formal representation in the Management Board. To maintain contact with the residents in order to assess their needs and grievances the Board depends on information elicited from residents who are regularly invited to the Board (20) monthly meetings. In the case of Evaton Township there is an Advisory Board whose members are appointed by the State without any consultation whatsoever with the residents. In our opinions some of the members of this Board have limitations which preclude them from voicing the needs and the grievances of the community and presenting their aspirations in the right prospective. These members have to toe the Board's line in order to enjoy certain privileges. The people reject this Board in toto and prefer to have a council whose members are elected by residents to perform duties and functions (30) parallel to those of the Town Council.

We/...

We come now to the major sources of resentment. -- The unbending and uncompromising attitude of the Bantu Administration Board:

CHAIRMAN: Which one? The Vaaldriehoek Board? -- Pardon?

Is this the Vaaldriehoek Administration Board? -- Yes.

1. Evaton residents have for many years made numerous representations to the local Bantu Affairs Commissioner, the Senior Bantu Affairs Administration Board officer, etc., for consultation regarding formation of a local representation board. All offices of Bantu Administration have adamantly (10) refused to grant such an interview. This letter from them may be a summary of the attitude of the authorities. This is dated 25 August, 1975.

DR YUTAR: Addressed by? -- By the Chief Director, Bantu Affairs Administration Board, Vaaldriehoek.

And it is addressed to? -- The Chairman, Evaton Residents Committee .. (inaudible - witness speaks very indistinctly).  
.. the complaints.

"Your letter dated 25th July, 1975, addressed to the Secretary for Bantu Administration and Development has been referred to this office for reply. (20)

The Board adheres to the contents of its letter to your Association dated 11th April, 1975, and has no further comment."

That letter that is not here, refused to give the Evaton residents permission to interview the Administration Board.

CHAIRMAN: Do you know what the letter - the previous letter said to which they refer? -- Yes. The letter said that the Bantu Administration Board .. (inaudible) .. is not prepared to meet the Evaton Residents Vigilance Association (30)

as a committee, but if the members could come as individuals, their grievances may be taken as individuals but not as a committee because regulation did not .. (inaudible) .. to meet committees purporting to represent the residents even .. (inaudible) .. local Advisory Board recognised by the Government.

Will you speak a bit louder please because apparently your voice does not come through on the recording. -- I am sorry.

DR YUTAR: Take a little water there. We will do our (10) best now. -- I think so.

Page 2. -- Taxation.

No, paragraph 2. The Department has regularly adopted a high-handed and arbitrary policy of appointing local Advisory Board members who have been used to force government legislation and policy upon the residents. Now we come to the Taxation. -- Under Proclamation No. 322 of 1967 which is the basic Proclamation governing Evaton, the owner of a property who desires to reside on his property has to have an owner's certificate. For this he pays a fee which is to (20) be used in respect of health, medical, administrative and other services .. (interference from police radio) ... (inaudible)

.. and you can stop me if you want to make any comment. We will start with taxation. Under Proclamation No. 322 of 1967 which is the basic Proclamation governing Evaton, the owner of a property who desires to reside on his property has to have an owner's certificate. For this he pays a fee which is to be used in respect of health, medical, administrative and other services rendered by the Board and also towards (30) the cost of providing accommodation for education purposes.

The/...



The amount to be paid by the holders of an owner's certificate is the sum of R1,55 monthly and an owner who does not reside on his property does not have to pay this fee. Do you want me to go on? -- Yes, thank you.

Will you stop me though when you want to say something?

-- Yes.

By Regulation No. 310 of December 8, 1972, the 1967 Proclamation was amended by the creation of the category of 'ownership certificate' and this must be taken out by every person who owns a site in the designated area of Evaton. (10)

-- Thank you. The main source of this .. (inaudible) .. because I as an owner of a property in Evaton has to pay owner's certificate and ownership certificate both of which have exactly the same functions. Whereas a man who owns a property and lives away from Evaton pays ownership certificate only. We are quite satisfied that the man who does not reside in Evaton should pay something towards the development of an area and we rightly feel that this ownership certificate has been correctly promulgated to cover the hundreds of people who own properties but do not stay in Evaton, but we certainly (20) do feel that it is grossly unfair that the residents who live in Evaton and own properties should be made to pay the owner's certificate as well as the ownership certificate. We feel the local administration has had a misinterpretation of what the central government possibly intended. Now, we have at the moment brought a case before court trying to contest the validity of making one man pay twice for the same functions. The case has been lost in the local court, but we have made an appeal to try and find whether this matter could not be resolved differently. In fact the people of Evaton are so (30) concerned about this matter that they feel even if the Supreme Court/...

Court throws them out, they will make representations to the Department of Bantu Affairs for the repeal of this section affecting residents who live in Evaton and have to be compelled to pay twice for the same functions. And finally in this matter also the result of this imposition of this double tax on residents who live in Evaton has resulted in quite a good number of people losing their properties. Now, we believe that when these properties are lost through Court Order it is the Bantu Administration locally that usurps ownership of these properties, though of course they are (10) put up for sale by auction and the highest bidder usually gets the benefit of the property. In most cases the Vaal Triangle Sebokeng Bantu Administration Board bids higher and buys the property. Now the properties have been sold or have been led to be sold by auction by court and our immediate question is to whom does the money go to which the Sebokeng Administration Board pays for the so-called properties. This also makes us ask other questions relevant to the type of deeds which read that the property shall be given to so and so and his heirs. Evidently the Sebokeng Administration (20) Board sell these properties without a deed of sale which is the basic agreement between the buyer and the seller. Now, when these properties are offered for sale by Sebokeng Administration Board no deed of sale is given and quite often the properties are sold with the title deed in the original owner's possession, but the property is sold and the Administration Board has made it quite clear you buy this property and if there are any difficulties arising from the sale, you and your lawyers must fight it out. Now this raises antagonism between the residents. One resident buys the property and says (30) Sebokeng sold it to me and the other fellow says the property is mine/...

mine, I have got the deed of sale and I have got the title deed and a whole lot of litigation starts from this point. We feel that this ownership certificate causes a great deal of inconvenience, bitterness and antagonism amongst the people.

You express what you have said now in the following paragraph which reads as follows: This Regulation has caused much bitterness because it is felt that this is a duplication of the owner's certificate and the fees for this are, it is stated, to be used for precisely the same purposes as those set out above in connection with the owner's certificate. (10) That is what you have been saying. And just to complete that: The fee payable is R1 for property under 2 082 square metres, R2 between 2 082 and 4 164 square metres and 50c for every 2 082 square metres or part thereof, but in fact residents pay a general sum of R2 per property.

CHAIRMAN: Have you ever been to the Board to discuss this matter with the Board? -- We have no charter to go to the Board.

What does a person pay who hires a house which belongs to somebody who does not live in Evaton? -- Or who lives in Evaton? (20)

Who does not live there. -- That is a personal agreement.

What does the tenant pay? -- Anything from 22 ...

(intervenes)

No, no, not in rent. What does he pay to the Board? -- R1,55.

That is the same as the amount, the extra amount which the owner who lives there must pay. So in the one case the owner who lives there pays on 2 certificates; if the property is owned by somebody who does not live there, then the owner pays one and the tenant pays the other one. -- Correct. (30)

So/...



So there are two certificates to be paid for. One by the person who owns it, the other one by the person who lives there. -- Yes.

And that is why, when the owner lives there, he has to pay both. That is the explanation we have been given. -- Here is an interesting situation. Let us assume on the same property there is an owner who lives on a property and there are three other houses on the same property. The owner lives on the property pays the ownership certificate and the owner's certificate. The 3 tenants who live in separate houses (10) on the same property each pay residential permit which is equivalent to the owner's certificate, so that there are actually 5 payments in that property.

And there are only 2 payments for the owner's certificate and the ownership certificate. -- Correct.

Now if you have a boarder in your house, has he got to pay? -- Yes, he pays a residential permit or lodger's permit.

Perhaps you must go and discuss this matter with somebody at the Board, although they will not see you as representing the rate payers, but perhaps they will talk to you and (20) try and explain this to you. I do not know whether they can, but they say there is an explanation.

DR YUTAR: And then on the third page, just to complete your memorandum, top of page 3. The particular cause of bitterness about these charges are that the services designated are not provided by the Sebokeng Management Board or the Bantu Administration Board, Vaal Triangle Area, in respect of Evaton and the fees are channelled to the other areas covered by the Board. Another grievance is that ordinary lodgers only pay the fees for the lodgers' .. (intervenes) (30)

CHAIRMAN: Well, perhaps I had better tell you about that.

You/...

You know they say that everything that is collected in Evaton, pays only one-third I think it is, of all the - of what is to be paid for all the services given to Evaton so that it is not - so that the money that they collect from owners and residents in Evaton, does not cover the amount that is spent on Evaton by them. -- Possibly, yet the Board is able to make donations to the Qwa-Qwa tribal land for the building of sports grounds and local halls. I believe the estimates/<sup>of</sup>last year show something like that and I believe also the estimates for this year also show something like that. (10)

DR YUTAR: Yes, well, Mr Maleko is going to deal with that, the point that you made that although there is a shortage of funds an amount of about R30 000 odd was set aside for building these facilities in the Qwa-Qwa area. That is the point you made. -- Correct.

Mr Maleko is going to put in the figures. And then we go on. Another grievance is that the ordinary lodgers only pay the fees for the lodger's certificate and non-resident owners only pay the ownership certificates, but only owners who reside on their properties are obliged to pay this (20) double tax. That is all in support of what you said. Now we come to demolition of houses. The Board's inspectors have been inconsiderate and inhuman in demolishing the so-called unsightly houses during inclement weather, leaving residents without alternative accommodation. -- Yes, that is true. Last month there was a case before court where one resident's house was broken down without prior notification to better the house or even to demolish it. The court rules in the favour of that resident that the Board was in fact wrong to enter the premises of that resident and to destroy a house without (30) permission.

Anything/...

Anything else you want to say on that? -- No.

We come now to expropriations. The Management Board has regularly expropriated Evaton properties and bought them with revenue accruing from owners and ownership certificate fees. This practice is regarded by residents as a means of dispossessing them of their properties. You have dealt with that already. Facilities in the township: Facilities in the township are virtually non-existent and the position over the years has been steadily worsening. The state of sanitation is unhygienic and a health hazard. Pit privies are dug (10) by residents and not serviced in Evaton in any way. Streets are, in the main, untarred and seldom repaired. There are no refuse removal services offered in Evaton. The township has no electricity either for domestic use or for street lighting. The only clinic in the area is at Sebokeng, the only hospital at Vereeniging. Police activity is limited to harassment by Bantu Resettlement Board Police. A sociologist's report, written after an inspection of Evaton in 1973, since which time conditions have deteriorated considerably, made the following points: (20)

"There are many substantial, well cared for brick houses in the township. In general there is more than one living unit on each plot. It appeared that usually there is a fairly substantial house on the front of each plot with mud or tin houses in the yard. Many of these 'secondary houses' on the plots could only be described as pondokkies and were often in an extremely bad state of repair ..."

(30)

About sanitary facilities he wrote:

"My/...

"My overall impression is that the household lavatory facilities in Evaton are most unsatisfactory.

They appear to be unhygienic and in summer months must stimulate the breeding of enormous numbers of flies.

The lavatory system of schools seems to be little better. In terms of the 'temporary' classrooms on private grounds that are rented by schools, the lavatory situation is totally unsatisfactory."

(10)

About the condition of streets in Evaton he wrote that the main street was tarred, but there was no street lighting in the township. At present untarred streets are, in the main, in a very bad state, pot-holed and some of them with large boulders in the middle. They are extremely dusty and there is no water sprinkling on the streets. There is also little street repair carried out in the township. The sociologist commented on the fact that there were no refuse disposal services for households and that most households used one part of their plot to dump rubbish and burned the dumps daily. -- Excuse me. I must concede, however, that since the riots, streets have gradually improved. There has been some grading. The main tarred street has also been improved.

(20)

And your objection is that which will be voiced by the next witness, Mr Maleko that whilst these deficiencies exist in the provision of facilities, especially in the nature of toilet facilities, drainage and all that, the authorities should not spend money on Qwa-Qwa recreation facilities. -- Correct.

(30)

You support that. -- Yes.

We/...

We go on. -- There was too a large township rubbish dump which served as a dump for schools and for residents who carted their own rubbish there. The lack of any electricity in the township means that individual shops needing freezing equipment have to install their own generating plants. An Escom power line runs through the bare veld that separates Evaton from Sebokeng, but there are no feed-offs from this power line into Evaton. Have you anything to say on that? --No.

Then we go to schools next. None of the schools in Evaton has been expanded over the years to cope with the (10) growing number of pupils. The result is that schools have rented churches, rooms in private houses, erected makeshift classrooms on private plots, many of which are totally unsuitable as teaching premises. -- Just now two schools, primary schools have been extended, but this extension is far from meeting the demand. There are almost 400 Form IV students who are virtually without schooling and local inspectors have insisted that these students must be left in the street. Almost 400 Form IV students in the street.

And the local inspector who is he? -- Mr Hofmeyer. (20)

I understand that is not quite correct. Are you speaking from personal experience or are you speaking from press reports? -- Personal experience. I have actually gone to the school locally and got the figures of the children who passed Form III last year.

All I wanted to say to you - I am going to read what you have written here, we have got a note of what you said, but perhaps it might be advisable for you to come tomorrow, because I am going to recall a certain witness tomorrow who indicated to me now he would like to place the full facts before (30) the Commission as to the schools, the pupils and all that.

Perhaps/...



Perhaps you might be present to listen to it. Right, we go on. One of these is built out of packing cases, has cardboard between strips of wood for some portions of the wall and a badly constructed roof of corrugated iron. The height of the classroom is under two metres. Now we come to the conclusion. The feeling of the Evaton Residents Vigilance Association is that this wholly unsatisfactory situation which is inspiring growing discontent and resentment is in the interests neither of the residents of the township nor of peaceful race relations in South Africa. The population of Evaton is a responsible (10) and settled one with a stake in the country in the form of the land and businesses they own. It is vital that, at this critical point in the history of the Republic, something be done and done soon to alleviate the discomfort of the residents of this Cinderalle township. Human feelings filled with resentment and dissatisfaction arising from lack of expression, representation and opportunity to own homes, move freely and work anywhere cannot be equated with a transformer saturated with electric current to be used in relative voltage as required. Government policy in South Africa seems to (20) attempt to produce "The Bantu" who will for ever be good enough for the South African "White Boss". When the situation reaches saturation point, people will give expression to their dissatisfaction and resentment by destroying public property and killing law-abiding residents as was seen during the recent riots in many parts of South Africa. Such a situation cannot be stopped by guns, batons and dogs but by mutual consultation of the type for which the residents of Evaton have long been pleading. Is there anything else you would like to add to this? -- No. (30)

Then I have no further questions.

CHAIRMAN/...

CHAIRMAN: Thank you very much.

NO FURTHER QUESTIONS.

DR YUTAR: M'Lord, I call the last witness, Mr D. Moleko.

DANIEL NASIMOLE MOLEKO: sworn states;

DR YUTAR: You are here to present a memorandum to His Lordship, a memorandum prepared by the Evaton Advisory Committee. -- Yes.

And what is your relationship to that Committee? -- I am a member of the Advisory Board of Evaton Committee.

Now before you read out this memorandum, it is a very (10) short one, you have asked me to place some correspondence before His Lordship. -- Yes.

We begin first with a letter of the 7th July, 1975, which you wrote to the Chief Bantu Affairs Commissioner Witwatersrand, Market Street, Johannesburg, and it reads as follows. -- May I please add something to what the previous speaker - witness has said, because I think I have some knowledge to what he said to the Court. On the 2nd February this year, Mr Noga, the principal of Jordan High School went to see an official of the Board, Mr Van Wyk, in view of getting (20) accommodation for certain students who were on the waiting list. Apparently on the 11th February Mr Van Wyk came back to Mr Noga and told him that he is considering the matter and also advised him to see the circuit inspector, Mr Hofmeyer, because Mr Noga's school is a combined junior and high school and the local authorities are fully responsible for the junior secondary schools, not the high schools. However, Mr Noga went to see the circuit inspector. On the 14th Mr Van Wyk, the officials of the Board went to the principal, Mr Noga, and offered five extra classrooms to accommodate these children. Although (30) on the 11th February the same children marched to the local authority's/...

authority's offices, that is Evaton offices, to see the senior superintendent who gave them a wonderful reception and explained the position to them that he was going to remedy the situation. On the 15th Mr Knoetze presided over a meeting where the regional director - I am sorry for speaking too loudly, sir - on the 15th Mr Knoetze presided over the meeting which was attended by the regional director, Mr Ackerman, and the circuit inspector, Mr Hofmeyer, and some of the members of the School Board. In that meeting it was Mr Ackerman specifically made it quite clear to the Board (10) that they have no grants at the moment, however, we are going to see into the matter, but in the meantime the School Board, the Joint School Board chairman should convene a meeting and transfer the funds from the primary school to the high school in order to pay the teachers, because the Board exonerated the responsibility of paying for the teachers. This matter is under consideration. The Joint Board met, but did not form a quorum and the matter was dispersed at the request of two of the members of the Board. The children are at school, but do not have teachers. We are still looking for (20) teachers too for these children. At the moment we have at least one and we want four more teachers. In any case thank you very much.

You say that in support of the statement made by the last witness with regard .. -- That is correct and the part played by the local Administration. Thank you very much.

Now we deal with this letter of the 7th July. Will you read it out? -- Witness reads:

"The Chief Bantu Affairs Commissioner

Witwatersrand,

Market Street,

JOHANNESBURG.

(30)

Dear/...

Dear Sir,

(a) We the undersigned do hereby ask you in good faith to choose a date for the election of the advisory board of Evaton. We have no confidence in the ten hand picked men serving under you in the advisory capacity.

Sharpeville, Boepatong and Bophelong have all elected members, it is only Evaton which has been denied this opportunity. (10)

(b) Further define the status of Evaton in the light of the changed administration.

(c) We are aware, however that you are a government appointed body and therefore cannot move a motion of no confidence in you by so doing we shall be moving a motion of no confidence in the government.

(d) In modern society happiness is a virtue to be achieved by all, but not with us here in Evaton. We are subjected to the most tyrant administration. We have no forum where we can air grievances. (20)

(e) Failing to get a reply from within fourteen days from today, we shall have no alternative but to instruct our lawyers to apply to the Supreme Court of South Africa.

Yours faithfully,

D. MOLEKO."

Did you get a reply? -- Yes, I got a reply from (30)  
the Chief Director. I see that I have got a blanko paper with  
me/...

me here, but nevertheless I got it. That was on the 21st July, 1975, I received the reply from the Chief Director:

"Representation.

In reply to your letter dated the 7th July, 1975, I wish to inform you as follows:

- (a) The Advisory Board members of Evaton are nominated by the Minister of Bantu Administration and Development in terms of existing legislation applicable to the areas concerned.

(10)

The question of future representations by Bantu in Evaton and Evaton small farms, is however at present receiving the urgent attention of the Government and the residents of these areas concerned will be kept fully informed of development in this connection.

- (b) It is again emphasised that the status of Evaton has not been altered by the fact that the Management Board of Sebokeng has been taken over by the Bantu Affairs Administration Board, Vaal Triangle Area.

(20)

- (c) Any grievances that you or any residents of the area may have should .. (inaudible) .. be brought to the attention of the government to the Local Bantu Affairs Commissioner and the attention of my Board through the township and the Director of Housing.

(30)

Yours/...



DUTCH LAW that BOTH sides of the story should be heard and from the tones and the wording of your reply it does appear that you have made conclusions and closed the matter. May I please ask you these questions?

(a) How did you make your conclusions?

(b) Did you appoint a departmental enquiry?

(c) if so, what were your findings and will you please forward us copies of this enquiry, if not, how did you conclude?

(10)

My dear Doctor, are you aware that you are not a minister over animals but of people and your deliberately neglecting them and their grievances in order to protect your officials namely of the Vaal Triangle Bantu Administration Board."

By the way, who is this "My dear Doctor"? -- Well, I referred to Dr Treurnicht. (20)

The letter is written to the Minister of Bantu Administration.

"We are sick and tired of Baasskap in the administration of the Vaal Triangle Bantu Administration Board, there is no democratic communication between the people and the Board. In our letter we asked for judicial commission of enquiry over the Vaal Triangle Bantu Administration Board.

(30)

We are prepared to testify or submit a

memorandum/...

We have also the Senior Council's opinion and the report of the research made by an anthropologist about Evaton.

In the light of these untiring efforts in trying to find a solution to one of the most unscrupulous and tyrant Administration confronting the people of Evaton, we now apply for a judicial commission of enquiry.

We have no confidence in Mr. Wium as a Bantu Commissioner of Evaton and in Mr Van Rooyen as the Chairman of the Vaal Triangle Bantu Administration Board. Relevant information regarding this matter can be obtained from warrant officer Mr van Heerden of the Security Police, Vereeniging who interviewed residents who are prepared to testify under oath.

(10)

We are aware however, that Senator Monty Crook is distinguished in such matters, but we have the highest respect and confidence in the Government through your unfailing leadership from the foundation layed by the late Rt. Hon. Dr. H. Verwoerd that great philosopher, that great visionary whose ideals we are prepared to propogate far and near - "Eaual separate development" - let each group enjoy happiness in their areas and create their own future."

(20)

"SKEP U EIE TOEKOMS" - CREATE YOUR OWN FUTURE

FUTURA CREA TU A

(30)

In modern society happiness is a virtue  
to/...

to be achieved by all, but not with us here in Evaton. "Happiness is made to be shared."

It should be accepted however that the basis of our objective is in accordance with the law of the country.

May the wisdom of your unfailing leadership prevail towards the happiness of all your subjects, who in periods of depression and in times of prosperity and as well as in times of war are prepared to the best of their ability to sacrifice their blood for the defence of their country - South Africa we are for you.

I remain,

Your humble subject,

D. MOLEKO."

Now, that is the letter of the 22nd September. Now we come to a letter which you wrote on the 8th July, 1976. You haven't got that. -- I haven't got that letter. (10) (20)

I will read it:

"Dear Sir,

I acknowledge the receipt of your letter of 11th March 1976, which was the reply to my letter of 22nd September 1975 to the Prime Minister and referred to you."

By the way, have you got their letter of 11th March, 1976? -- I haven't got that letter.

"The tone of your reply is very embarrassing, evasive and vague in the light of justice. (30)

It is an accepted principle of the ROMAN

DUTCH/...

DUTCH LAW that BOTH sides of the story should be heard and from the tones and the wording of your reply it does appear that you have made conclusions and closed the matter. May I please ask you these questions?

(a) How did you make your conclusions?

(b) Did you appoint a departmental enquiry?

(c) if so, what were your findings and will you please forward us copies of this enquiry, if not, how did you conclude?

(10)

My dear Doctor, are you aware that you are not a minister over animals but of people and your deliberately neglecting them and their grievances in order to protect your officials namely of the Vaal Triangle Bantu Administration Board."

By the way, who is this "My dear Doctor"? -- Well, I referred to Dr Treurnicht.

(20)

The letter is written to the Minister of Bantu Administration.

"We are sick and tired of Baasskap in the administration of the Vaal Triangle Bantu Administration Board, there is no democratic communication between the people and the Board. In our letter we asked for judicial commission of enquiry over the Vaal Triangle Bantu Administration Board.

(30)

We are prepared to testify or submit a

memorandum/...

memorandum if need be.

We are aware however that the government has appointed a judicial commission of enquiry into the riots of Soweto and the Reef as per the regulation promulgated last Friday. We are not aware of the terms of reference. Would it be possible for us as unrepresented people to submit a memorandum or testify verbally under oath to the Commissioner? Because in the press report of Sunday Times of last week the Minister of Justice said only the Home leaders and members of the Urban Bantu Council can testify, but I remind you that it is not the Homeland Leaders nor the ...."

(10)

.. (intervenes)

CHAIRMAN: Who said that? -- That was a press report in the Sunday Times.

It appeared in the newspaper? -- Yes.

That the Minister had said that? -- Yes, Sunday Times. (20)

I have got a copy.

Have you got it here? -- I have not got it with me now, but it was said in the Sunday Times.

That only? -- Members of the homelands should testify in this Commission of Inquiry.

In this Commission? -- Yes.

Why didn't you mention that to me the day I was there? You heard me on that day ask you to come and give evidence. Why didn't you tell me that ... -- But I was stopped whilst I was talking. (30)

Oh? -- Whilst I was talking, I was stopped.

You/...



You were stopped? -- Yes.

I stopped you? -- Yes, the chairman.

Do you remember that?

DR YUTAR: I know, Mr Moleko, you were allowed to speak .... --  
Yes, I was allowed and whilst I was speaking, the Chairman  
said: Mr Moleko, I have a witness to that effect.

Anyhow, will you let me have that cutting from the  
Sunday Times? -- I have got it. Because it was specifically  
stated, that is why I wrote that letter that only homeland  
leaders will be able to testify in this Commission. (10)

Well, I would like to see that because I know press  
reports are inaccurate, but I cannot see - anyhow, we will  
not go into that now.

CHAIRMAN: What is the date of the letter?

DR YUTAR: 8th July, 1976.

CHAIRMAN: That is the Sunday Times.

DR YUTAR: He refers here to the Sunday Times of 'last week',  
so it must be in the first week of July. Did you know that  
whatever was stated there, it cannot be true, because we have  
been leading witnesses, Black and White, Coloured, all (20)  
colours and all shades of political opinion. -- Yes, I am  
aware of that, but what prompted that letter is that I read  
that report from the Sunday Times.

That shows you how - anyhow, let us have a look at it  
before I make any further comments. -- Yes, thank you very  
much.

All right, it goes on:

"Because in the press report of Sunday  
Times of last week the Minister of Jus-  
tice said only the Homeland leaders and (30)  
members of the Urban Bantu Council can  
testify/...

testify, but I remind you that it is not the Homeland Leaders nor the Urban Bantu Council who suffer the iniquities - (both the Homeland Leaders and members of Ruban Bantu Council are privileged). But the workers, road diggers, night soil carriers, children, teachers and doctors, are best qualified to testify before the Commission.

Will you please expedite your reply in view of the urgency of this matter.

(10)

Yours faithfully."

Did you get a reply to that? -- I did not.

You did not get a reply. -- I did not get a reply.

Now please let me have that Sunday Times report. -- Yes, I will try my best to deliver it to you.

And I would like you to be here tomorrow because I am going to call evidence tomorrow morning in conflict with what you are saying and what the last witness has said. -- Thank you very much.

(20)

I want to be fair to both sides. -- Thank you very much.

You got this reply from the Office of the Prime Minister, dated 29th September, 1975, which should have been put in .... -- From the Office of the Prime Minister?

Yes, I should have put that in earlier because the Prime Minister ... -- 29th September, 1975.

That reads:

"Dear Mr. Moleko

I have been instructed by the Honourable the Prime Minister to acknowledge the receipt of your letter dated 22 September

(30)

1975/...

1975 and annexure and to say that your representations have been taken up with the Honourable the Minister of Bantu Administration and Development."

Signed by Mr Weilbach, the private secretary. Now after the 8th July, you got this letter from the Minister of Bantu Administration, dated the 17th November, 1975 and it reads as follows:

"Dear Mr Maleko

(10)

ADVISORY BOARD

By direction of the Honourable the Deputy Minister of Bantu Affairs receipt is acknowledged of your letter dated 6 November 1975.

The matter is receiving attention and a further communication will be addressed to you in due course."

Now have you got that letter? -- I have got that.

Of the 6th November? -- Of the 17th November.

(20)

No, they say the 6th November. -- Yes, the 6th November I have got here too.

Will you read that one please? -- Yes.

"Mr M.C. Botha,

The Minister of Bantu Administration  
and Development,  
Union Building,  
Pretoria.

Dear Sir,

On the 22nd September we wrote a letter to the Prime Minister, Mr J.B. Vorster.

(30)

In/...

In his reply to this letter he informs us that he has made representation to you with regard to our application for a judicial commission of inquiry in the administration of the Vaal Triangle Bantu Administration Board.

In the circumstances would you kindly advise what is the position.

I reiterate the tone of my epilogue in my letter to the Prime Minister.

(10)

I remain,

Your humble servant,

D. MOLEKO."

And then you got this reply of the 17th November. -- Of the 17th November.

By the way, you did get this reply from the Minister of Bantu Administration in reply to your letter to the Prime Minister. Remember the Prime Minister said he was sending your letter to the Minister of Bantu Administration. -- Yes, I remember.

(20)

And there is your reply dated the 11th March, 1976. -- Yes.

Have you got it there? -- I have got it with me.

Would you read it please. -- Witness reads:

"ELECTION OF AN ADVISORY BOARD FOR EVATON

By direction of the Honourable the Deputy Minister of Bantu Affairs I wish to inform you that your letter dated 22 September 1975 addressed to the Honourable the Prime Minister has been referred to this Ministry for attention.

(30)

Your/...

Your representations have been investigated and considered by the Honourable the Deputy Minister of Bantu Affairs who finds that he cannot associate himself with your remarks concerning the administration of Evaton and certain office bearers.

Nevertheless, the Honourable the Deputy Minister wishes to assure you that everything possible is being done to ensure continued good administration at Evaton.

(10)

Yours faithfully

ADMINISTRATIVE SECRETARY : MINISTRY."

Now I see why in your letter of the 8th July, 1976, to the Minister of Bantu Administration you at one stage addressed yourself to 'My dear Doctor', referring to the Deputy Minister. -- Yes, thank you very much.

Now we come to your memorandum, because that completes the correspondence. -- Yes. (20)

The memorandum is a very short one. Would you like me to read that for you? -- Please.

(A) Whilst the members of the Advisory Board of Evaton are serving under the Vaal Triangle, there is no communication between the Advisory Board and the people. (B) The Advisory Board is merely a puppet to the Vaal Triangle Bantu Administration. It has no powers of deciding nor of recommending matters affecting the people over whom they advise. (C) The closing down of Wilberforce Institution - one of the biggest Institutions characterised by its own creation - has been a blow (30) to the people of South Africa. There is no sufficient training colleges/...



colleges for all ethnic groups in the Vaal Triangle and this institution was catering for all ethnic groups. The only training college we have is for South Sotho. (d) Define the past, present and future status of Evaton. (E) On or about 1965, the Vaal Triangle Bantu Administration Board drew a plan about Evaton through the Surveyor-General. What we want to know is who authorised this new plan about Evaton. Is it the Minister or the cabinet or the State President with the Executive. If so, did they consult the people of Evaton, if not, why. (F) The police station which was in Residentia (10) has been moved to the head office of the Vaal Triangle Bantu Administration Board. This makes it difficult for people to report their cases because of the distance, and the people are not well protected by the periodic patrol of the police. Evaton has 55 000 people and it has no police station. Now that shortly is your memorandum. Now you want to put in an account of Evaton and it is titled 'Opgesomde Inkomste Rekening vir 1977 tot 1978'. You want to refer to two items over here. -- Yes, please.

All right. -- These are the estimates for this current (20) year 1977/78. Grond aankope Evaton R200 000. This money has been voted for to buy property in Evaton. The people of Evaton have never been consulted and do not know anything about the expropriations of their properties. In the Board meeting ... (intervenes)

CHAIRMAN: It is not appropriations, it says it will be bought. -- They will be bought but now we are going to be expropriated. They are going to be expropriated because the people have not been told.

But if people want to sell, can't they sell? -- No, (30) here is the position: the Board is building those ..(inaudible) and/...

and there are houses along next to that place where they are building. They want to expropriate those houses in order to build there and Evaton has been zoned, Zone 1, Zone 2, Zone 3. The people of Evaton were never consulted about the zoning of Evaton. I only got this information through court records when I had a court case with the Board in the Supreme Court of South Africa, that Evaton has been zoned. The people of Evaton do not know nothing about the zoning of Evaton. The intention, the purpose then there - the purpose and the intention of the Board is to buy Evaton by instalments. As (10) they are building their zones they must expropriate property and the people of Evaton have never been told about that.

DR YUTAR: You want to refer to an item, I think, two items totalling 30 000. -- Yes, please. There are other sums here which shows that - this totals about R30 000. Holiday resort for school children, this R15 000 for a holiday resort for school children and R15 000 for mountain trails and main huts and base camp in Qwa-Qwa. You have been in Evaton, you have seen our conditions. We live in miserable conditions in which no human being can tolerate to continue to live, under (20) which we live. We have pit lavatories which are dug periodically when they are full. We have no trash removals, we have no street lights. One can have ..(inaudible) .. from his own place because conditions, walking conditions are very undesirable. We have no creche in our area, we have no maternity clinic in our area. The maternity clinic has been removed, we once had one, it was closed by the Board. The only maternity clinic that we have is in Zone 7 and it is being closed on Fridays at 4 o'clock and our patients and prospective mothers-to-be they have to go to Vereeniging Hospital which is about (30) 9 miles away from us. Transport is very scarce, I have made

.. (inaudible) .. to the authorities. Our people are suffering. Even reporting the cases to this effect is very difficult because our police station has been moved from us. This money has been voted to make happiness for the children of Evaton - of Qwa-Qwa. This is not the creation of the people of Evaton, it is the creation of the government, the government is responsible for that. When the beer halls were .. (inaudible - witness speaks very indistinctly and very loudly) .. the former Minister - the late Minister, Mr De Wet Nel was .. (intervenes) (10)

He is still alive. -- Oh, I am sorry.

Yes, he is still alive. -- De Wet Nel .. (inaudible) .. to us that there is no hall, the profits accruing from the beer halls are for maintenance of the people of Evaton and we do not .. (inaudible) .. maintenance. I refer you to the profits of the beer hall here R598 580 - here are they.

There are two figures there. There is one for the beer and one for liquor. -- Yes, one for the beer and one for liquor. Here they are.

There are two ... -- R341 072 and for liquor (20)  
R598 598 for liquor.

That is near a million. -- That is nearly a million.

Your point is this, that a previous Minister of Bantu Administration had said that all the profits from liquor and the sales of beer would be used for the betterment of the residents of Evaton. -- Thank you very much.

And the point that you want to make and we can make it very briefly, is that you as a resident of Evaton on behalf of the residents of Evaton object to even a small amount like R35 000 being spent on the children of Qwa-Qwa whilst the (30)  
bare necessities of Evaton are neglected. -- Thank you.

Ni'Lord/...

M'Lord, I have no further questions, but Mr Moleko has made available to me a document which I have indicated to him does not really fall within the terms of reference of this Commission. I doubt whether it can be classified as a cause of the riots, but it is certainly a matter which has aggrieved Mr Moleko very much and I told him that I would hand it in and ask Your Lordship perhaps that you read it before we resume again, that we can help him in any way, I would be only too pleased to do that.

CHAIRMAN: Yes, you can leave that with me. (10)

DR YUTAR: Is there anything else you would like to say? -- We are faced with a predicament with the people of Evaton. We are representing on a number of Advisory Boards, I have been nominated by the Minister and there is no communication between me and the people I represent. The whole monthly meeting with the Board, but I do not report to the people by way of holding meetings, unless I go from house to house, 'huisbesoek'. This means of communicating are very poor indeed. The people of Evaton are very worried about the position of Evaton. As I say, the Board came here, (20) there was nobody happy because the Board does not want to make free .. (inaudible). The whole democratic .. (inaudible) ... ;. (intervenes)

CHAIRMAN: Is it the Board who does this or are the regulations such that you cannot hold free elections at this stage? -- I will tell you the reason why. We are very suspicious that the Board be an autonomous body of the government, is not keen to press that they put the free elections in order to expropriate Evaton and use the members of the Board as tools to their objectives. (30)

DR YUTAR: I think we have got your point. Now, would you  
be/...

be so kind as to let me have a copy of that Sunday Times? --  
I will do so.

And if you want to be here tomorrow, you will hear the  
... -- I will be here tomorrow. Thank you very much.

I have no further questions.

NO FURTHER QUESTIONS.

THE COURT ADJOURNS.

---