

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

MORNING SESSION

22nd NOVEMBER, 1976.

VOLUME 58

(Pages 2 861 - 2942)

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THE COMMISSION RESUMES ON THE 22nd NOVEMBER, 1976.

DR YUTAR: My first witness this morning, M'Lord, is Mr Alan Duggan and I hand in four copies of his memorandum.

ALAN JOHN DUGGAN: sworn states:

DR YUTAR: You are a reporter and a member of the editorial staff of the Cape Times. -- That is true.

In an endeavour to assist the Commission you have very kindly drawn up a short memorandum for the benefit of the Commission. -- That is right.

You have a copy of it before you? -- I do. (10)

And you are going to refer to certain clippings and in particular to one which you will read out, which you now formally hand in as EXHIBIT 180. That is the only copy we have at the moment. Just keep it until we have a duplicate made of it in due course. -- Right.

You seem to have covered the riots over a long period, commencing the 4th August until the 12th October. -- That is right.

And in Column A you list those reports which were written by you in their entirety. -- That is correct. (20)

Those in Column B were written in collaboration with other reporters and the parts that you contributed are duly marked in the clippings. -- That is right.

Would you just read out Column A to give us some idea of the scenes you witnessed. -- These are the headlines of the reports between August 5 and October 19:

Riot squad called to UWC demo.

Riot squad sent to UWC again.

Agitators whipped up thousands.

Convoy through destruction. (30)

More violence in Guguletu.

Police/...

Police say Bonteheuwel schoolboy not hurt by bullet.

Youth was shot by police. (That is the following day).

Police fire on crowd from decoy car.

Soccer on as stoning stops.

Bonteheuwel pupils issue statement on grievances.

Boy, 15, wounded in clash, dies.

Police leave, shop attacked.

Police open fire on Hanover Park rioters. (10)

Several hurt by shotgun fire in township violence.

Shotgun victim rushes into bar.

UWC Rector calls for policy statement.

Shot man 'trapped' in Retreat rioting.

Coloured call to end violence.

Police will guard stations and townships.

Shot man grabbed gun, say police.

Students' petition on unrest is withdrawn.

Vigilantes join police reservists. (20)

Woman tells of threats from riot police.

Riot squad SAP men.

Coloured pupils boycott classes.

Charge against police today.

No complaint after police insult claim.

Pupils suspended for 'misconduct'.

Mrs Naidoo complains of 'threats'.

Mother says riot police attacked boys.

Riots: Call for Cape evidence.

This is very comprehensive cover. Column B. -- (30)

Beginning August 12:

Heavy/...

Heavy .. (intervenes)

CHAIRMAN: What is Column B now again?

DR YUTAR: Reports made by his colleagues of which he contributed certain articles. -- A composite report.

Heavy riot toll in Cape.

Police seal off townships.

Teargas at riot victim's grave.

Bonteheuwel sealed off.

Coloured township violence goes on.

5 Shot in Athlone unrest.

(10)

Riots: Appeal to Vorster.

6 Die in Cape weekend unrest.

Man shot dead in new unrest.

How long have you been a reporter at Cape Times? -- I have been with Cape Times for a total of I think 2 years and a reporter for about 6.

Before then? -- I was with a newspaper in Kimberley and I also worked in a London office for about a year.

So your total experience on newspapers? -- Six years.

Now we come to page 3 and there you give a brief (20) summary of the evidence which you want to make available to the Commission. Would you read out paragraph (a) please? -- The role of 'agitators' in African and Coloured riots. Those I observed appeared to be of the untrained variety and frequently treated confrontations with the police as a game. Similarly, young school children of 6 and 7 years old were seen laughing as they picked up stones to throw at police.

Would you like to comment on that? -- Why I refer to the untrained variety is the agitators or the people in the call front of the unruly crowds often appeared disorganised, (30) very badly organised, in other words their reactions were inconsistent/...

inconsistent with trained agitators. I saw a film or a series of films in the United States last year which purported to show Black Panthers and I think Weathermen in action in university campuses and in the streets and what they did was mingled in crowds, whipped them up by shouting various things - it was a silent movie - and then disappear to discuss strategy and at one point I also saw a man striking a woman to the ground from behind and the projectionist explained that he did this and then shouted to the crowd that she had been clubbed down by police. The riots in the Peninsula were (10) often or appeared often to be led by drunks, though it was not always the case. The youths would often (and there were many women) run to the front of the crowd, egg them on and then disappear. This did not appear - and then be overtaken by another youth ..(inaudible). This did not appear to be organised.

CHAIRMAN: Is your report of the 12th August relevant to this particular part of your evidence? -- Yes, referring to the agitators whipped up thousands.

Yes. -- Yes.

(20)

Would it be convenient if I asked him to read it out?

DR YUTAR: Yes, I was going to ask him. It would fit in beautifully.

CHAIRMAN: Would it not interfere with your line of leading him?

DR YUTAR: Not at all, M'Lord.

CHAIRMAN: Would it be possible for you to read that? -- Yes. This is dated 12th August:

"Yesterday began with a relatively orderly protest by pupils of the Langa High School. Uniformed police and security/...

(30)

security men kept watching the school but there was no open clash till a few hours later when a crowd of thousands began to gather round the police station."

DR YUTAR: Just a little slower because the Commission hasn't got a copy of it. -- Fine.

"Crime reporter, Ted Ollsen and I watched as police drove up and down, warning the crowd to disperse. The riot squad armed with teargas, shotguns and automatic weapons formed up in the middle of the road as a few agitators whipped up the crowd. At least three of the agitators were young women. They were very

(10)

excitable and appeared to treat it as a game. Later we saw a large band of screaming school children overrun a large field and begin taunting police and waving clubs. They ignored warnings and began to advance on the police. There were screams as dogs were used to drive back the front ranks. A snarling Alsation was released as police fired teargas and a young man was chased, brought down and arrested. We joined the riot squad convoy to leave the township and just as we passed the police station a brick crashed onto our car. The convoy accelerated as other vehicles were also hit. Less than an hour later, just as we were nearing the Guguletu Police Station,

(20)

(30)

the/...

the convoy ran the gauntlet through a shower of rocks on both sides of the road. Thousands of rioters crowded the hill and stoned every car. A large stone smashed through the window just behind my head less than a kilometre from the police station. Badly shaken we pulled inside as police reinforcements arrived with ammunition and teargas canisters. Later in the afternoon the Cape Times car was stoned for the third time as I was photographing a group of youths fleeing from teargas. I was parked on a bridge near the police station when they ran towards me and began pelting the car with rocks. I covered my face, skidded into a U-turn and raced over the bridge as dozens of rocks dented the car."

(10)

(20)

I might add that at this stage stoning was still a novelty, that is why we went into detail. Later in the riots stoning of press and other cars were one of the hazards.

"The police station was almost in a state of siege at one stage as many hundreds of Blacks formed in groups on the perimeter. So far the police appeared to have handled the situation with restraint. I was told by a person travelling with the riot squad that they/...

(30)

they open fire only at the last possible moment, ignoring extreme provocation and a constant barrage of rocks."

That was a man whom I considered a reliable informant. He was a friend of mine on the SABC team. He had apparently driven in a riot squad vehicle that night and I spoke to him immediately afterwards.

It would seem therefore that there was no distinction drawn between police vehicles, private vehicles or the vehicles of your own newspaper. -- No, I think they were - well, most of the dislike or hatred appeared to be directed against the police, pressmen were not immune. At the Arcadia High School on August 25th I was standing and the police had arrived and there was a series of clashes and I saw a little girl of about 6 or 7 picking up a large stone, obviously intending to throw it at the police. I pointed my finger at her and said 'hey' and she smiled very shyly and she put it down and as soon as I turned away, she picked it up again. She thought it was a marvelous game. (10)

CHAIRMAN: Dealing with that particular point now and your point that it was an unorganised agitation. In other parts of the country the Commission has had evidence that the throwing of stones or within a short while after the starting of the stone-throwing part of the riots, it was conducted at first of all public vehicles which belonged to a particular organisation which provided transport. Then at vehicles - also at the vehicles of the Administration which were marked and all vehicles which had the names of companies written on them. After that, fairly indiscriminately, at private vehicles - I have left out the police vehicles because they came first (30)

really/...

really in the stone-throwing. Private vehicles and then eventually a sort of a watch-word given to people or being enforced upon people that if they give the Black Power sign they would be allowed through without interference. -- I have seen that, that drivers would get through a blockade by putting their hand and fist out of the window and giving the Black Power salute but I certainly never did it and I do not think I can recall any White people doing it.

I cannot say that no White people did do it, but the information is that White people in any event were not (10) asked to give any watch-word, their cars were just overturned. -- Yes.

This is principally about certain areas in Soweto that I am speaking of. Naturally one cannot judge just on those incidents whether there was any organised agitation. Would you think that that sort of conduct is possible even in the unorganised agitation within some sort of a broad framework? -- Is Your Lordship referring to indiscriminate stoning?

Yes, I was only referring to indiscriminate stoning at this stage. -- I did see that the people who were throwing (20) stones - well, put it this way, I was aware that they would stone anything that moved because I have been stoned dozens of times and several other reporters on my paper have been. I do not think that they really cared who you were. Our car became very familiar to them after a while, it is a distinctive red Chev. with a radio and a high aerial and often they mistook us for police and every time we'd go past there, they ... (inaudible) .. police. We went to great trouble to put a press sign on the sunshield and that did not help at all. I am not saying that organised agitation did not occur. (30) What I am saying is that the riots cannot be blamed entirely on/...

on organised agitation.

No, it is that very point, because it does seem in certain instances to be completely unplanned, shall I say, whereas in other cases it seemed to have followed a particular pattern. I may tell you that about the last point about being stoned, the press being stoned, there has been evidence that in certain instances, if the driver of the car, Black or White, said that he was from the press, then that did not necessarily mean no interference, because the car was searched first and some effort made of establishing the identity (10) of the people before it was interfered with. -- That I have heard of.

But this is in accordance with your experience of the indiscriminate stoning I think is in accordance with what happened in a large number of areas. -- I can believe that.

DR YUTAR: Any further comment you would like to offer with regard to paragraph (a)? -- I do not think so.

We come now to paragraph (b). -- Treatment of prisoners. I saw several prisoners being beaten and punched by riot police without provocation - in the field, inside patrol vans and (20) at a police station.

Would you be so kind as to elaborate on that? -- I am not sure of the date, it was August 12th or August 13th, at the Guguletu Police Station I saw an African man of about 35 being dragged from the front gate of the station into the door of the charge-office and his trousers had been dragged off by the time he reached the office and he was punched repeatedly and when he attempted to cover himself, the policeman laughed at him. They then threw him or bundled him over the charge-office counter and when I remonstrated with one of the (30) African policemen he told me to leave in less polite language.

They/...

They then took the man to a room and I heard the sounds of blows and the man crying. It was the same man, I know it was.

It was the same man? -- Yes. At the same police station on the same day ... (intervenes)

Just before you continue. You speak of 'they'. How many policemen were there? -- I think there were two dragging the man and I do not know how many inside the office, I did not see inside.

Were they Black or White? -- They were Black.

All Black. Were there any European policemen in the vicinity? -- I think there may have been one or two standing at the main entrance to the police station, I cannot say for sure. (10)

Right, carry on. -- Also on the same day I heard from one of the offices on the bridge side of the Guguletu Station the sound of repeated blows. It sounded as if somebody was being caned. This went on for 4 minutes, which is a long time. And I then went to the front of the police station and watched as a young boy of about 10 years old came out and he was crying and obviously he was the victim of this. (20)

CHAIRMAN: What was your impression, what was he hit with? -- It sounded like a thin stick, the sort of noise that a cane would make. I do not know, I cannot say, it could have been a long ruler or whatever.

What date was this? -- It was either August 12th or August 13th, I am not very sure.

DR YUTAR: Like the caning we used to receive in our school-days. -- I remember that well. (LAUGHTER)

CHAIRMAN: You did not see any marks on him? -- He had his - all his clothes were intact. No, I did not see any marks. (30)

Can you remember at which particular police station this was/...

was? -- Guguletu Police Station.

That may perhaps be further investigated if it is at all possible. What time of the day was it? -- It was in the morning, I would say about 10 o'clock in the morning.

DR YUTAR: Again did you see any European policemen about? -- I may add that I went to try and interview the station commander. He was not in his office, so I should not think he was aware of it.

Just continue please.

MR MALHERBE: Before you continue with (c) I just want (10)
to .. (intervenes)

DR YUTAR: We are still on (b). -- In Bonteheuwel on August 25th, just shortly after .. (intervenes)

MR MALHERBE: Before you get onto that, could we just clear this. If it was on the 12th August, 10 o'clock, this is the police report:

"Openbare Geweld. 400 Bantoe jeugdige
vergader naby polisiestasie, Guguletu,
en gooi verbygaande voertuie met klippe.
Sodra polisie beweeg retireer hulle en (20)
vorm kleiner groepe. Padblokkade word
deur polisie opgerig op deurweë om
beweging te beperk."

Now, would it be - does this strike a bell? -- Dit is heel moontlik. That is possible.

At that time. -- I do not know what happened before, this happened about a minute after I arrived at the police station. Our photographer, Richard Bell, our chief photographer, might have been present on this occasion. I have not spoken to him.

The point I am trying to make is that the punishment (30)
that was meted out to this boy, that could not have been as

a/...

a result of the stone-throwing? -- I do not know, I cannot say.

In any case, you say they should not have done it, they should not take the law in their own hands. -- No, that is not what I said, I leave that to the Commission.

No, but I mean that is your .. -- Well, if you want my feeling, yes. At Bonteheuwel on August 25th shortly after a clash at the Arcadia High School I was parked some blocks away when a riot van pulled up and a man jumped out.

DR YUTAR: What day was this? -- August 25th.

What time? -- I would say before lunch-time, it (10)
could be around noon. A riot policeman jumped out and attacked a man standing or leaning against the fence and clubbed him to the ground, whereupon he kicked him several times and then picked him up and dragged him towards a van. Several persons, myself included, then explained to the policeman that this was not the man he was seeking. There had been stoning a few minutes before and we had seen this and the people had run in all directions, the crowd presumably responsible for the stoning and I gathered that the policeman was looking for a man wearing a distinctive cap or shirt, I do not recall which (20)
garment it was and this man had not had the same colour garment. Anyway, the man was freed and he got into his truck and drove off. Later during the rioting, I am afraid I do not remember the date, there had been heavy stoning in Lansdowne Road, I think in the vicinity of Philippi, and the road was covered with large rocks in the factory area. I was following the riot convoy as I often did in the Cape Times car and the convoy suddenly stopped and police - this was late at night, possibly about 11 or 11,30 p.m. - the police opened fire in the direction of - well, in an open field. I had no idea what (30)
they were shooting at. They then threw searchlights on the field/...

field and several or probably a dozen riot policemen walked off. They returned I would say about 5 or 10 minutes later with a man of about 20, an African man. He was punched several times while he was questioned and he was then told to go and he turned around and walked and was about 30 paces away when apparently one of the policemen changed his mind and said: 'Nee, ons het hom nodig', whereupon one of the policemen chased the man, jumped onto his back and hit him to the ground, brought him back, where the man was hit again and then bundled into the back of a large blue van. About 20 seconds later I (10) heard the sound of him being - or something being thrown against the wall of the van repeatedly and sounds of crying.

There again, Black or White policemen? -- An African man. White riot policemen.

How many of them? -- This was a large convoy. I would say in the group standing around there, there must have been about 12 or 15. I do not recall who was in command at the time. Finally in Kewtown(?) I have been trying to narrow down the date, I think it was September 1st. After heavy stoning in Klipfontein Road I, with a photographer, Richard Bell, (20) climbed into the back of a riot vehicle, that was the first and the last time I did so, and we drove to a quiet street where the police suddenly stopped and rushed into a property. I do not know whether they entered the house or merely into the garden, because I did not look out of the door, but they returned, dragging two Coloured boys aged about 10 and 16, also knocked them about a bit although they were not hurt at that stage and then flung one of them against the side of the van and he caught his head on the sharp edge of the door. They then put them inside the van where one policeman (30) kept hitting them on the head with his baton and they were at the/...

the time sitting on the floor, squatting on the floor and just looking scared. They certainly did not pose any danger to him. That is the total.

This you say was on the 1st September? -- Yes.

At Klipfontein Road. -- Not too far from Klipfontein Road on the Kewtown side.

And what time of the day was it more or less? Would it be round about midday? -- I think about 3 p.m.

About 3 p.m. -- It could be shortly before that time. I am not sure of the time. (10)

There is a report here of an incident, M'Lord, on page 27, EXHIBIT 155, 1st September, 1976, at 15h08:

"4 Kleurling mans bo 18 jaar en 2 Kleurling mans onder 18 jaar is gewond toe polisie in Klipfonteinweg, Athlone, op hulle gevuur het. Hulle word in Groote Schuur Hospitaal bewaak op aanklag van Openbare Geweld. 'n Verdere 7 Kleurling mans onder 18 jaar en 7 Kleurling mans bo 18 jaar op aanklag van Openbare Geweld in hegtenis geneem." (20)

Do you know perhaps whether it arises out of the same incident?

-- That was a very incident-full day. There were a lot of stoning incidents in Klipfontein Road and I watched as a group of youths threw half bricks onto cars, passing cars, any cars from the roofs of shops in the vicinity. Several road blocks were set up by rioters on the same day. I do not know whether police had marked these two youngsters or not.

.. (inaudible - witness speaks very softly)

Again were they African, Black or White policemen? (30)

-- They were White policemen.

Can/...

Can you recall any .. -- There was only one van involved at this time.

Can you recall any other incidents? You know, of ill-treatment of prisoners by the police. -- The only other one I can recall was during - in Guguletu after the first day of the rioting, I think that would have been on August 12th, the morning of August 12th, when police pulled up at a shebeen - not a shebeen, a beer hall in Nyanga and arrested several men after chasing them.

What time of day? -- It could have been about 09h00. (10) And knocked them about, but I would not think that they were hurt. All I felt at the time that it was unnecessary. There were several people - the hall was attacked the night before and burned down and when the police arrived the next day, there were still several drunks surrounded by cases of beer, sitting in the hall, totally unaware of what was happening.

CHAIRMAN: The incidents that you have referred to are incidents during the riots, shall I say. -- Yes.

In relation to the riots themselves. -- Yes, that is correct. (20)

Nevertheless with possibly one exception you say that these incidents do not refer to the understandable, and I say understandable and not excusable over-reaction by the law enforcer who eventually apprehends somebody that he thinks was responsible for the breaking of the law. -- My attitude was that - well, I was aware that the riot police worked long hours, that they were frequently subjected to stoning, in fact that they were downright fatigued, but I did not think they should let themselves be seen acting in that way. I felt that they were merely creating new rioters. (30)

Let me put it to you in the context in which we are discussing/...

discussing it. You do not say this was the ordinary - no, that is not the word I want - this was not strictly the case of an over-reaction, this was going too far, do you think, from what one would expect, and again I say understandable, not excusable over-reaction. -- I think it was over-reaction possibly prompted by tension.

MR NGO: Could you possibly perhaps give your opinion, say more or less what were the age groups of these policemen whom you saw in these instances? -- Are you referring to the riot policemen involved in the... (intervenes) (10)

CHAIRMAN: In these incidents you have referred to. -- They ranged from, I would say, 24 to - the African policemen involved at the Guguletu Police Station would have been, the one, the large man was about, say 40, and the other was 30. 33. The man who struck the Coloured youth in Bonteheuwel was about 40 I would say. A mixture of mature and relatively young men.

DR YUTAR: I think we can proceed now to paragraph (c). Unless there is anything else you want to say on paragraph (b). -- No, thank you.

Paragraph (c). -- The shooting of Christopher Truter, (20) the first Coloured riot victim, was the result of a bid by detectives to arrest some youths after the riot police had left the scene. They fired to protect themselves after stones rained on their car from all directions.

Just before you comment there, what is the date of that? Do you know? -- August 25th.

August 25th. And what time? More or less. -- I cannot say.

Morning, afternoon. -- About 9, and the shooting might have happened 10,30 although I .. (intervenes) (30)

Some time in the morning. -- It was in the morning.

CHAIRMAN/...

CHAIRMAN: The police say it was 11h00. -- That sounds quite likely.

DR YUTAR: Would you comment on that? -- On August 25th I went to the Arcadia High School with a photographer, John van der Linden. We were driven by our Cape Times driver. The riot police fired probably dozens of teargas canisters into the grounds of the Arcadia High School where students were demonstrating. The group was broken up by the teargas, but at a later stage they re-formed and left the school grounds. The pupils appeared very militant because a few moments (10) before they had rushed to a side street where they stoned police cars and press cars. I think an Argus car was damaged at that stage. The pupils, as I said, left the school grounds and confronted the police on an open stretch of land adjoining the school playgrounds. The police again fired teargas, but some of the young boys in the crowd put handkerchiefs over their mouths and noses and sometimes picked up teargas canisters to throw back at the police. They also advanced on them and threw a number of stones which obliged the police to jump out of the way. I think at that stage it might have been a good (20) idea if the police were better protected with helmets or shields. I do not know how long that went on, it could have been 20 minutes to half an hour and it was virtually a stand-off. The riot police then left and I saw later they were intending to approach the scene from across the field. A few minutes later I was standing amongst the Coloured people. I estimate the crowd must have been about 3 000 or 4 000 strong then. It may have appeared more than it really was because it was a very narrow road. A chap in his car, I think it was a Mazda or a Toyota, a blue one or turquoise colour, approached (30) with detectives in it. I did not see the actual arrest, but
the/...

the car stopped right amongst the crowd and I saw two policemen, two detectives dragging two young Coloured youths towards the car. The crowd was beginning to shout at them at this stage and as they bundled them into the car, the crowd closed in and a number of stones were thrown. The detectives jumped out with - I do not think they were the conventional rubber batons, I think they had sticks, they looked like axe handles or whatever, I am not sure of that - and chased the crowd away, but when they attempted to re-enter the car, the stones came again and the crowd closed in. The rain of stones was (10) very heavy and from several directions, including - in fact many people surrounding me were also throwing stones at the car. A detective then produced a firearm, I do not know whether it was a pistol or a revolver, and I was told later that it was a Captain Voskuil, he is apparently well known in the township, and he fired several shots that could have been six; it appeared quite high up in the air and the crowd retreated but they did not disappear entirely. The next part I am not sure of, I do not know who fired the second volley of shots. I understood that one of the detectives passed a second (20) firearm on to Captain Voskuil, but in the second firing incident the man firing the shots appeared to be firing directly at the crowd which then fled. All the people jumped into the car and sped around the corner, whereupon stones came down again. The car must have been badly damaged. I could not understand why Captain Voskuil and the other detectives had attempted to arrest these youngsters after the riot squad had left, because it was obviously a dangerous situation. I was standing with the crowd when the riot police arrived from across the field and I then discovered that one youth had been hit, although (30) I did not realise that immediately, I do not think anyone

did/...

did. And he was lying beside a fence. I do not know what the building was, it could have been a primary school. He had a large lump on the side of his head, I think it was the left temple and riot police were standing around him. I went up and I took a number of photographs and I had my back to the crowd and a stone then hit me on the head and knocked me to the ground. I do not know how long the police were there, but they then left after I would say about 20 minutes. I then walked back to the car with a Coloured woman who came up to me and offered to escort me. She told me that I should (10) take the handkerchief away from my head which I was using to stop the blood and - because it would attract attention and I should walk carefully because she heard the crowd say they were going to stone the reporters. We then returned to our cars and the stones started coming and we drove off. Then we stopped again briefly because we realised that an Argus photographer, Jim McGregor was still in the crowd somewhere. So a Sunday Times man, Willie de Klerk dropped his cameras and ran down the road part of the way. He then had to return because the crowd was advancing. I found out afterwards (20) that Mr McGregor - I think I have got it the right way round - I think he had been escorted by two sympathetic Coloured men and another photographer, David Pinter had been hidden in a house. And that is it.

The police report on it, as appears in EXHIBIT 155, page 20, fully supports everything you have just told the Commission. They answer your one query, you wanted to know what the police were doing there after the riot squad had left and they have indicated in this report that captain, he is a Coloured captain, Voskuil, was conducting an investigation on a (30) charge of arson. -- I see.

And/...

And they add one further thing. Not only was this young man, Christopher Truter shot, he died 6 days later, but medical evidence will be that there were four people injured on that occasion, not only one and their ages are 24, 16, 19, 16 and they succumbed to wounds received. Is there anything else you would like to say on that? -- I think that is all.

We come then to paragraph (d). -- Stoning during the riots was frequently indiscriminate. Though riot vehicles were the usual targets, several Black drivers and their passengers were hurt by stone-throwers and press cars were (10) badly damaged.

Paragraph (e). -- The Alexander Sinton High School, Athlone, on September 3rd. On that day riot police entered the school grounds, fired teargas and shotguns and were seen kicking a pupil. At least two pupils were hurt by birdshot.

What time of the day was that? -- 11h50.

Now, you want to read your particular clipping on that incident. -- Yes.

Would you be so kind as to do that please?

CHAIRMAN: What date is that? (20)

DR YUTAR: It is recorded on the 4th, it appeared in the Cape Times the following day, on the 4th September. Is that right?

-- That is correct.

And the heading there is? -- "Several hurt by shotgun fire in township violence."

The incident was on the 3rd September and reported in Cape Times the next day. Would you read that slowly please?

-- Yes.

It is important. -- Witness reads:

"Several people, mostly children, were wounded by shotgun fire yesterday and

dozens/...

(30)

dozens of others hurt in police baton charges in one of the bloodiest days of township violence so far. Police baton charged pupils inside the Alexander Sinton High School and fired teargas into the ground. Jeering pupils used hoses to douse the canisters, but fled when police struck out with batons. Across an open field students at the Hewitt Training College in Athlone flung stones at police. At 10,20 a.m. they retreated a few metres from teargas but quickly rallied and also used hoses to douse the canisters. Police then entered the college grounds and chased the students into the buildings with teargas and batons. They finally dispersed at 10,50 a.m. after the Rector, Mr E.E. Pratt conferred with police officers and asked them to give the students a chance to leave. At 11,30 a.m. several teargas cartridges were fired into the grounds of the Bishop Lavis High School where pupils from three schools had gathered to begin a march. Angry teachers remonstrated with officers, saying it was not necessary to fire teargas. Twenty minutes later the riot squad charged into the Alexander Sinton High School for the second time, after cars had/...

(10)

(20)

(30)

had been stoned in the area. Pupils immediately locked themselves in classrooms. Police tried to kick down the doors but failed. They then broke windows in an upper classroom and tossed teargas canisters inside.

Terrified school children rushed out to meet a hail of blows from police batons. Shotgun blasts reverberated through the quadrangle and screaming pupils ran in all directions. A Cape Times reporter went inside the school sickbay and saw two school boys who had been hit by birdshot. One was bleeding from a hand injury and the other had been hit in the hand and buttocks. One school boy was rugby tackled and then kicked by a policeman as he fled across the front lawn.

(10)

The pupils dispersed soon afterwards but within minutes cars in Thornton Road which runs past the school, were being stoned. About 3 p.m. a police convoy raced into Langa to disperse hundreds of people gathered in the grounds of a school near the Langa Police Station. They surrounded the school and fired teargas into the grounds, while a group of policemen, armed with shotguns, ran inside to head off the escapees. A number of shots/...

(20)

(30)

shots were fired, but it could not be established how many people were hit."

If I may mention that the report that I wrote there was partly what I witnessed and partly written - well, based on information given to me by other people. I did not see the children being struck as they came out of the classrooms, that was told to me by a pupil afterwards, a woman who had been standing at a shop nearby and also by my driver, the Cape Times driver who had been parked right outside the school. Neither did I see police actually firing their shotguns. All I saw was the result of that and all I heard was the shotgun fire. I know that the Sinton High School has been a focal point of a lot of bitterness and I can quite honestly say that when the police returned to the Sinton High School, they were returning to punish the pupils for alleged stone-throwing. (10)

CHAIRMAN: Is that your ... -- Yes, that is not an opinion, that is a statement.

DR YUTAR: You say there was trouble over there .. -- (20)
There was earlier.

What was the cause of the trouble? -- I was told that it was stone-throwing. I arrived at about 10 o'clock, so I missed that - shortly after 10.

Anything further you would like to say on that? -- Once the pupils - once the police .. (inaudible) .. was completed, the pupils were told to go home by their principal and shortly thereafter several White motorists were stoned in Thornton Road very nearby, in fact within sight of the riot police and a White woman, a Mrs J. Rees was very badly cut when her car windscreen was smashed by bricks. (30)

You/...

You made a remark, if I recall correctly, that you knew that Sinton High School was a focal point of some grievance or other. -- A lot of bitterness on the part of the Coloured people.

Do you know why they are bitter? -- Yes, because the police - I gather the police had no way of knowing that the pupils in that school were responsible for stoning. They went into the school, they chased the children out of the classrooms and they beat them up.

The bitterness was on the part of the police? -- Yes. (10)

Oh, I see. I thought it was the other way around. -- No.

CHAIRMAN: No, the bitterness was on the part ... -- The Coloured people.

The parents. -- The parents .. (intervenes - both speaking simultaneously.)

Because the parents thought there was not evidence to show that the children were ... -- Yes, I have been told by several ... (intervenes)

Were responsible for the stone-throwing. -- Yes.

DR YUTAR: Anything further you would like to add? -- (20)

In regard to the last paragraph on Langa, I do not know the name of the school, but the police did charge into the school grounds to break up a gathering and the report is not quite correct. I do not know whether I wrote it this way or whether it was changed by one of the staff, but right at the last sentence it says:

"A number of shots were fired but it could not be established how many people were hit."

That is correct, I could not establish how many were hit, (30) but I know at least two were badly hit; a youngster in side the/...

the school grounds, I watched through a chink in the corrugated iron fence, he was running away and there was a shot. I did not see the man who fired it in the confusion, but he was hit in the back and he fell on the ground and later a woman or a girl aged about 16 was led from the front of the school to a house by some elderly African women and she had blood running down the front of her dress. I do not know where she was hit or how she was hit. I think that covers that.

CHAIRMAN: This incident, I think it had better be further investigated. (10)

DR YUTAR: I will do that, M'Lord.

CHAIRMAN: You have obviously spoken to a large number of residents. -- I have.

What have you found to be the objection to using teargas so as to quell an uprising? -- No objection as such. They would obviously consider it .. (inaudible) .. to shotguns and Rl's, but I think it is a very human reaction they think I am not involved in the rioting, but the gas goes into my house and it is me suffering, so why should it be me and that immediately alienates them from the - any authority. (20)

Yes, in other words, it affects those who may not have been concerned with it. -- That is correct.

I think we have had the indications of objections by people who were merely sightseers. -- I saw a lot of evidence of that.

The facts here has only what he gets, what he deserves to get ... -- Well, the normal reaction is a plaintiff wail, why me, I am an innocent bystander. I think they should be told that if they are there, they will ... (inaudible - microphone moved around) ... responsible. (30)

Yes/...

Yes, in other words, it is - I will not say unreasonable attitude, but it is an understandable attitude too. -- That is correct.

DR YUTAR: Anything further you would like to say under (e)? -- No, thank you.

We go on to (f) then. -- Attitudes of Coloured people to riots and rioters. Many expressed regret at the cost in lives and property, but others were sympathetic to those who were looting and stoning. This was mostly obvious after teargas had gone into private homes. The dead were often viewed (10) as martyrs. There appeared to be universal dislike of the police, that is both Black and White police.

Would you like to comment? -- I do not think so. I think that speaks for itself.

And finally (g). --Methods of crowd and riot control employed by police.

MR MALHERBE: That dislike was that as a result of the riots or was that before the riots, manifest before the riots? -- I could not say, I do not know, I honestly do not know. It could have been - well, I can only guess, I did not (20) establish that.

CHAIRMAN: But it was in evidence during that time. -- Certainly.

Yes. -- In Rome two years ago I witnessed the effectiveness of heavy plastic helmets and shields in a riot. They deflected most missiles without injury to police and made shooting unnecessary. Peninsula riot police uniforms were unsuited to local conditions. I felt that if they were better protected, it might have made shooting unnecessary, because on several occasions I saw the police having to dodge stones. As I am not a riot strategist I do not know. (30)

DR YUTAR: I put that question, I think, to one of the earlier witnesses/...

witnesses, he said all very well for the police, but there were also innocent bystanders who were unprotected so that that would not have helped. -- Yes.

CHAIRMAN: It would not seem as if a very large number of police were actually injured, well, conceding the dodging that you speak of naturally must happen all the time. -- Yes, I do not know. In fact I do not know of any riot police that were injured. It is quite possible that some received light injuries from stoning.

Yes, I think there is only one instance of a bad (10)
injury that we have come across here. I think I am correct.

DR YUTAR: That is so, there is just the one.

CHAIRMAN: Yes, the others were slight.

DR YUTAR: You seem to have covered the riots for a period of about 3,5 months; from August 4th to October 18th. -- That is correct.

A very full, a birdseye view of what took place. -- Yes.

Would you be so kind as to be in touch with Major Mouton in connection with that Alexander Sinton High School incident which His Lordship would like you to investigate further. (20)
If you could give him the further details so that we can investigate that. -- Yes.

M'Lord, I have no further questions.

MR SONN: May I ask you a question? -- Certainly.

At Alexander Sinton you seem to have been at the spot. --
Yes.

Did you know whether the police had been summoned by anyone to the school? -- As I was standing beside a riot vehicle at the Bishop Lavis High School about 20 minutes before they returned to Sinton, they rushed into the van, (30)
presumably heard a message over the radio and I heard a
policeman/...

policeman say to another: 'terug skool toe, hulle gooi weer klippe'. So I presume they had a report of stoning whereupon they returned.

You would not know whether that could have been one of the teachers or the principal or anybody in authority at the school? -- I honestly do not know. There are a lot of private homes in the area whose residents were in the gardens watching the show and there is also a cafe. I do not know who actually tipped off the police or asked them to return. I know that the teachers at the school were very, very angry and (10) almost hysterical with rage as they were standing in front of the sickbay. They appeared to be guarding the school sickbay when I went inside. The sickbay was crowded with pupils, some of whom had fainted and some were bleeding from shotgun wounds.

While you were around, have you noticed any teacher interfering with the police? As they were performing their duty. -- No, I have seen several teachers arguing with police and asking them to leave, but never actively interfering with them or siding with the pupils. (20)

But you have seen or you have noticed that they have been talking to the police. -- Yes, the headmasters and ... (intervenes)

You would not say they were interfering with the police? -- I did not hear all the conversations, but I would not say so, it did not appear that way. I think the main mood seemed to be anger. They were usually remonstrating with police and criticising them for firing gas into school grounds.

In the school grounds would you say, or would you also say that they were perhaps disturbed by the fact that (30) they broke the windows and threw teargas into the school? --

Yes/...

Yes, I know at one school, it could have been Bonteheuwel High School, I am not sure, I have forgotten the principal's name, but I did the story and I ... (intervenes)

Mr Clarke? -- He was very angry because police had actually fired teargas inside the corridor and teargas had also drifted up and apparently trapped the children in the upper classrooms and I gather they had to break windows to get in fresh air. That is only what I was told by Mr Clarke, I think, but I cannot remember whether Mr Clarke told me that or whether another teacher told me. (10)

But I understood you saying that the same thing happened at Sinton High. -- In Sinton High the children had locked themselves in the classrooms to escape the police and the police used their rifle butts to break windows high up on a wall, you know, well above eye level and they tossed teargas inside and the children unlocked the door and as they came out they were struck.

MR MALHERBE: Just an overall view. You were involved with the riots for a long period. You are a respected and good reporter of the riots. Do you think that if the police (20) (a) had not - I mean this is now in the field of speculation - if they had used no teargas and had used no shotguns, that it would have affected matters at all? -- I think that there were many occasions on which the police attracted crowds and troubles merely by their presence. As I say, I am not a riot strategist, I would have preferred it if they struck quickly and arrested whoever they wanted to arrest and then left before the crowds had time to gather. I think curiosity was one of the most dangerous factors in the riots. Because once the crowd was big enough the police felt obliged to (30) break them up and disperse them. At other times I was very glad/...

glad to have the riot police near me.

Aren't you dealing with isolated instances? I mean, assuming now as it must be that the police must have erred even on the best interpretation in some areas, but now we are dealing with an unfortunate situation which happened over a fairly long period over a fairly widespread area and do you think that in that situation that the unrest was materially caused or aggravated by over-reaction on the part of the police? -- No, I cannot say the unrest was caused by over-reaction of the police; it was certainly worsened. On (10) at least one occasion my opinion is that the police should not have fired teargas into the Arcadia High School because the children were merely walking around and presumably demonstrating with blackboards although I do not know that, inside the school grounds and certainly were not posing any danger to anyone. Presumably the police felt obliged to break it up because it was an illegal gathering, I cannot say. If they were left alone, they might have dispersed on their own.

NO FURTHER QUESTIONS.

DR YUTAR: M'Lord, I now call Mr Molloy. (20)

ROBERT MAXWELL MOLLOY: sworn states:

DR YUTAR: You are attached to the Cape Times. -- That is so.

In what capacity? -- As a reporter.

And how long have you served as a newspaper man? -- Nine years.

You personally witnessed certain disturbances that occurred in Cape Town and environs and you published certain reports of the riots in the form of a diary. -- That is correct.

Of events from day to day and from hour to hour. -- On the first day, yes. (30)

And in that manner you covered the events of the 2nd

September/...

September as reported in the Cape Times of the 3rd September and again in fact you start from 09h00 and you go right through to late in the evening. -- That is correct.

You have also compiled a list of the deaths that occurred in the Peninsula riots as far as the Cape Times could ascertain from the authorities. -- Yes.

The total they give there, 66 dead as at the 24th September, 1976. Now, you hand this in as EXHIBIT 181 and I would like the Commission to see it, you have seen it already. And I would like to make a request to you. I regard that (10) document as so important. Would you be so kind as to let us have an additional four copies so that the members of the Commission can co-relate it with the police schedule of events? -- Yes, I can do that.

To have a double-check. Now, you have your statement before you? -- No, I do not have my statement.

Oh, would you take mine and would you read it out then please.

CHAIRMAN: Just before you do that, shouldn't the other documents be made an exhibit in the circumstances? (20)

DR YUTAR: It is, it is 181 and I am having a copy made of it. -- Events I personally witnessed during the Cape disturbances are covered under the headings "Diary of Unrest (City)" and "Schedule of Events in the centre of city" in the attached reports. The main points are the first baton charge in Adderley Street on September 2 in which it was noticed that police showed restraint, an attempt by a demonstrator to mislead the crowd into believing that an injured girl had been beaten up by police, the firing of shots by a plainclothes police photographer when surrounded by demonstrators, and (30) my impression that shoppers and passers-by were more affected

by/...

by teargassing than the demonstrators. A further aspect of the disturbances which may be relevant was that while compiling a list of riot dead over a period of several weeks, I received a number of complaints from relatives and friends of the dead. These consisted mainly of charges of police brutality. I was unable to substantiate them and hence they remain unpublished. On the instructions of the editor they were retained in memo form and are available if required.

Would you be so kind as to ask your editor to make that available to Major Mouton so that we could have those (10) allegations of brutality further investigated? -- Yes.

I have no further questions, M'Lord.

CHAIRMAN: I think I must meanwhile return this exhibit to you so that you know what it is that is wanted and will you then please also take the necessary steps so that the accusations and reports that you have about brutality can be investigated. -- Yes.

NO FURTHER QUESTIONS.

DR YUTAR: M'Lord, the next witness is Dr Elsworth. She will be testifying on behalf of the Bantu Scholars Fund. (20) She has submitted a rather lengthy memorandum which I now hand in as EXHIBIT 182. Dr Elsworth will be led by her attorney, Mr Hales, but I must make it perfectly clear it is not to be construed as a sign of no confidence in the members of the Commission leading the evidence and on the contrary I welcome witnesses who prefer to be led by their own legal representatives.

CHAIRMAN: Well, depending on the evidence, I would appreciate it if you would consider the evidence and in case there are certain aspects which you think should be put more (30) clearly or in greater detail before the Commission, to ask questions/...

questions or ask the legal adviser who is leading her evidence to investigate it in further detail.

DR YUTAR: May I say that in fact both Dr Elsworth and Mr Hales have consulted with me and in fact they want me to be present while she is being led to help as far as I can and I shall certainly do so.

CHAIRMAN: Yes, because you would be more acutely aware of particular aspects which have come before the Commission here and elsewhere.

DR YUTAR: There has been perfect collaboration between (10) this witness, her adviser and myself. I meantime hand in three copies. I am sorry I haven't got a fourth.

MR HALES: I would just like to confirm what Dr Yutar said. He has been most helpful to us and of course we will have his very great experience in leading the evidence. Dr Elsworth is a very old family friend of mine and that is the reason that I lead her in evidence. Might I just say, I do not know if other members of the profession have appeared before you, but might I express a very warm welcome to Cape Town to Your Lordship, I am sorry that the weather has lived up to (20) the worst reputation that it has enjoyed in the Transvaal.

MARGARET ELSWORTH: sworn states:

MR HALES: What are your professional qualifications? --
M.B. Ch.B. University of Cape Town.

What experience have you of the African people? -- In 1946 I first went to Lovedale and worked in the general office. Thereafter I did various sessions in mission hospitals and then in 1968/69 I started a rather large collection of second-hand books which came from the White schools who had been just given all their books for free and so I collected a whole (30) lot of books and took over various premises, first my own house and/...

and then premises in the townships and did a massive re-distribution of these books to African schools and then too the actual Bantu Scholars' Fund work grew out of this.

Were you the founder of the Bantu Scholars' Fund? --
Virtually I was.

Are you a trustee presently? -- I am presently a trustee and have been from the beginning.

Are you authorised to give evidence and prepare the memorandum which is before the Commission? -- A resolution was passed by the Board of Trustees on the meeting of (10)
27th October, 1976, to submit a memorandum to the Commission of Inquiry and it was agreed at that time that I should be the representative of the trustees in this regard and resolutions has been - copies have been made and signed by the chairman on behalf of the trustees.

You hand those in. -- The Fund administers bursaries.

You have prepared a memorandum - the trustees prepared a memorandum and asked that this be handed in to form part of the record of the Commission. -- Yes.

CHAIRMAN: That would be EXHIBIT 182. (20)

MR HALES: 182. Would you read the preamble? -- I will just leave out the first paragraph.

Yes. -- The Fund administers bursaries to African scholars up to matriculation or equivalent; scholars are selected because they show academic promise yet require financial assistance in order to pursue their studies. Since preference is given to local applicants, most of the bursaries are awarded to scholars domiciled in Cape Town, the majority of whom attend Secondary and High School in Cape Town. Bursary awards since 1970 have numbered 1 057 at an approximate cost of (30)
R60 000; the final costs for 1976 are not yet known. The
Trustees/...

Trustees are responsible for administering money which pays most of the school expenses of the bursars, and they are to that extent interested in the welfare of the scholars and all matters affecting their school careers. Consequently the Trustees are interested in the courses which the children take, in the problems which they encounter, in the suitability of the careers which they choose, and in the opportunities available for their future. The Trustees have an important advisory role to fulfil towards their bursary scholars.

Now on the other hand the Trustees are answerable to (10) their contributors for the proper disbursement of money given; when disturbances occur in schools, and especially when scholars do not attend school for any reason, the Trustees are bound to enquire into the causes for this and, if possible, to remedy the situation in order that public money is not wasted. The chief function of the Trustees is to get the promising scholars into school and to keep them there. In the course of this work there has been correspondence with many thousands of scholars and thousands of school reports have come in and been scrutinised and the Trustees have become very familiar (20) with the problems of Bantu Education. Each year very generous contributions towards this work have been received from sources in the African townships of Cape Town. This year they gave us R1 200 from concerts. The Fund has been regarded by the Africans as a friendly and helpful organisation; consequently, when disturbances began in Cape Town, many scholars spontaneously approached Trustees in order to inform them about the disturbances, to express opinions, to ask Trustees to present their problems to the authorities concerned and in some cases, to ask for advice. I have given the figures (30) here of how many bursaries the Fund awarded to Cape Town pupils/...

pupils in 1976 and it works out at 268 scholars at R9 720. All these scholars have been out of school since disturbances began on Wednesday, 11th August, and is well over the 200 scholars there, it is a lot of scholars and a lot of money. These figures represent the extent of the Fund's immediate concern. The Trustees of this Fund therefore submit these facts, which have emerged in the day-to-day dealing with the problems of African education in the hope that they will be of value to the Commission in understanding the causes of disturbances among African scholars. Now there is a note (10) here to say: it is our experience that the African people consider the term 'Bantu' to be derogatory. The term will not therefore be used in this Memorandum except when referring to official administration or the name of this Fund. I want you just to note that actually our fund is deleting the word at its next meeting. I should also tell you who the Trustees are whom I represent. There is Mr Whiteford, past principal of S.A. College, Mr V. Taylor who is the vice-chairman (Mr Whiteford is our chairman), Mr Taylor is our vice-chairman and he has been controller of welfare for Langa and (20) Guguletu for a very, very long time before the days of the Bantu Affairs Administration Board. Mrs Targett is secretary housewife is our treasurer, Mrs Clarke has long associations with Bontebosch/^{Boys}High School, Miss Margory Corden-Lloyd, past principal of Kimberley Girls High School and St Cyprians and taught in Coloured schools. There is myself, then there is Prof. Lighton, he was professor of education at UCT and is presently on the Publications Control Board. Mrs Mitchley, past vice-principal of Oakhurst Primary School; Mrs Saunders, housewife and nurse; Mr T. Mgijima who represents the (30) Cape Bantu Peninsula Schools Board Association as their representative/...

representative on our Fund and is principal of Vukukanya High Primary School; Mr E. Ndandani, who is principal of Suzeka High School.

Would you now move to page 4 of the record. We are not dealing with the annexures that follow the Preamble. Where you deal with the reluctance of Africans to give evidence to the Commission. Would you deal with that, please? It is on page 4, the top of page 4. It is after all the annexures that follow the preamble which are the annexures. -- In order to give fair perspective to the findings of the Commission, (10) the full spectrum of African opinion should be presented in evidence by the African people themselves, because White people, however sympathetic and understanding they may try to be, can never properly represent the opinions of the African people, particularly in the current situation where the division between racial groups is so absolute. The African people, with a few exceptions, have rejected the Commission by boycott. The main body of African scholars have rejected the Commission.

CHAIRMAN: This Commission? -- Yes, they have rejected this Commission. The reasons given are these: because the (20) Commission is not going to change anything, that is what they say. Previous Commissions, they say, have gone unheeded. I am giving the reasons.

Yes. -- Secondly: those who give evidence are liable to be regarded as informers or collaborators. They fear personal injury or that injury is done to their families or that their homes may be attacked. They fear too that the very fact that they have given evidence to the Commission will remain as a stigma for a long time to come.

Who do they fear injury from? -- The injury they fear (30) from their own people, among their own people, that they will be/...

be beaten up. I mean scholars for instance coming, are afraid that other scholars will come and beat them up. I have, for instance, had first-hand evidence myself that I cannot get any witness to come forward to say that there^{are}/teachers who fear losing their jobs which mean their livelihood if they come forward. They are afraid that they are being spied upon, not just by the police, not just by the Bantu Affairs Administration Board, but by the Bantu Education Department. It is as serious as that, that there has now developed an atmosphere of mutual distrust between Black and White and particularly between the State Departments and the people and yet the tragedy is that investigation is the most urgently needed where the trouble originated, precisely in the secondary schools and that is exactly where we are not getting the evidence. The empty seats here are a very good example. For example, the Board of Trustees of this Fund includes two Africans who were informed that the Fund intended to give evidence to the Commission. Both these Trustees have, during recent weeks, sought rapport with the scholars, they tried very hard to get the scholars back into school and to talk to them and so on, they suffered great anxiety both for their own schools and for the community as a whole. Neither of them has supplied evidence for this memorandum, not for the purpose of, if you understand me. I may have had it from the past, but from now, no, I haven't got it. The evidence offered, therefore, contains many gaps which cannot be filled.

MR HALES: If Your Lordship pleases, the witness will move on now to discrimination in per capita costs of schooling. It commences at page 5 and goes through to page 8 and I think that the witness will summarise the findings. -- The main point is that the general average spent by the State on a

White/...

White scholar at school varies from province to province, but in the Cape it is R496 a year, whereas for an African in a White area the State expenditure is less than R30 - R28,56. Now we must accept, you will see in paragraphs 2 and 3, and try to accept that obviously this average does not describe precisely what high schooling costs per capita per annum. It is going to be much higher for a White child to get high school than for an African. And in 3 you will see that the greater percentage of high school children, African children are actually in the homelands. There is a smaller (10) percentage in the White areas. So that this per capita cost is less influenced by the higher cost of high school here in Cape Town than it would be, say, up in the Transkei or the Ciskei.

CHAIRMAN: I do not understand that. -- Well, there are more children studying in high school in the homelands.

Yes, that is correct. -- And therefore the per capita cost in White areas is less influenced by the cost of high schooling than it would be in the homelands.

Does your figure 28 not reflect .. -- That reflects (20) it pretty well.

MR HALES: That reflects the .. -- The number of the percentage of scholars studying here in the ... (intervenes)

CHAIRMAN: But it does not reflect the homelands. -- No.

Because I recollect being given a figure by the homelands that was somewhat different, but I haven't got .. -- These I extracted from a survey ... (intervenes)

You say that this is the figure of the White areas? -- White areas, yes.

The figure I recollect having received from one of (30) the homelands was not the same as this, in other words, it was higher/...

higher. -- Well, certainly the cost in Cape Town cannot be much influenced by high schooling because we have only got two high schools here; two high schools and two secondary schools. So that .. (intervenes - speaking simultaneously) ..

... that this reflects only the cost of higher school education. -- Yes.

In White areas. That is correct, isn't it? -- Sorry, I do not follow quite - I am sorry, I think I have got red herrings here anyway, because the main point really hear is that the per capita cost is under R30 per annum overall (10) and actually there is a cutting from - Kenneth Hartshorn(?) made a statement, talked about R150 per annum per capita cost last week, that was for high school. But here in Cape Town this per capita cost is not greatly influenced by the number of high school scholars because there are so few high school scholars relatively.

MR MALHERBE: To make this meaningful for me anyway, do you perhaps have a break-up of what you say, just to take the figures that you mention, that it costs, according to this, it costs per head for a White scholar in the Cape R496. (20) Is that right? -- That is right.

And for the African in the White area R28,56. Do you have a break-up what these figures comprise? How much in respect of buildings, books, salaries? Because as it is at the moment, it does not mean very much to me. -- I haven't got the break-up here, I am sorry.

MR HALES: You will actually deal with these various matters that Mr Malherbe has presently referred, the question of schools but it is all dealt with further on in your evidence, is it not? - Quite a lot of detail. (30)

Would you read the last paragraphs, 4 and 5, on page 5. --

The/...

The Trustees do not consider it possible to provide adequate education on the basis of so low a per capita cost each year. The African pupils and population as a whole regard the tremendous discrepancies shown in 1 above as gross discrimination.

CHAIRMAN: This is the Trustees' criticism of the amount expended and not a consideration of their ability to finance bursaries. -- This has no relationship to the bursaries we give, this is evidently State expenditure on each child per year.

MR HALES: You will deal with the actual cost of African education later in your evidence. -- Yes. (10)

The cost to the parents. You will come to that. -- Yes.

Now you deal with the estimates of the African school population of Cape Town, quite a difficult to arrive at. Will you just deal with the head matter, so to speak, your conclusion you have come to about the number? -- Yes, it was a terribly difficult chapter to write. I wish I had left it out altogether because all the figures - none of the figures coordinate. Everyone gives different totals. Now, I think that probably there are only two really reliable figures (20) and that is, those two are the primary school African population because that must be fairly accurate and the actual high school enrolment - I will not call that the high school population, because a lot of the high school kids go away to school. So it is the high school enrolment we have got and the primary school enrolment is probably, it is almost equivalent to primary school population. And look, I have simplified it as well as possible. We have done a lot of extrapolation of figures, I can hardly spell the word, but that is more or less it. I did that last night. Because really this chapter (30) is getting complicated, but that 31 000 has been agreed as

the/...

the primary school enrolment in Cape Town, has been pretty well agreed upon. Now if you extrapolate that into the pre-school age group then you get again about 31 000 because I am ... (inaudible) .. mortality. Now when it comes to the secondary and high school population, if you extrapolate that, this middle figure of 31 000, it comes to 26 500. Now the interesting thing is of course that the actual school enrolment is only 3 669. So there is a huge gap there. So I have tried to work out what the actual high school population is.

What figure did you arrive at? -- Well, the thing is (10) there are so many factors which influence it and if you look at page 8, it is No. 4. In attempting to estimate the numbers of scholars at secondary and high school level, the following factors must be considered. First of all, a lot of kids just fail, they drop out due to academic failure. Secondly, a lot of them drop out because the family needs the income from the kids. When they get to the age of 16, they must go to work. So there is a drop-out due to the need for contributions to family income from children old enough to work. Then there is a drop-out from the scholars who are not motivated to (20) go on at school, especially in the Western Cape, because if they go on at school, it does not improve their earning power. Now the next thing is they have shortened the school year, the school curriculum by amalgamating Std. 6 and Form 1. I will go into that later if you haven't learned it already. And this actual amalgamation has not affected the school age yet, because it only happened in January, so school age is staying the same, but I would like to point out that the pupils in high school are so much older than those to whom we are accustomed in White schools because they only start at (30) the age of 8 and they have an extra year in the curriculum anyway/...

anyway, so by the time they get to matric they are about 21, you know, 20, 21 is the earliest they can get there, that is provided they did not drop out along the way. The other very important .. (intervenes)

CHAIRMAN: Of course the age for European children have also become somewhat higher in later years, but still not as high as it used to be a larger number of years ago. -- Urban areas from homes that are - urban children come from homes that are much more aware of the need for education compared with a home in Idutywa or in Sterkspruit or something, well, it is (10) very, very rural. But in Cape Town the children are very much more aware.

Wouldn't it be convenient to adjourn for tea at this stage?

THE COMMISSION ADJOURNS FOR TEA. THE COMMISSION RESUMES.

MARGARET ELSWORTH: still under oath:

MR HALES: You mentioned the figure of 23 000, was it, that should be the - what is - you worked out various figures here to arrive at a calculation which you consider is a conservative one of the actual school population that there ought to (20) be, African high school population. What is that? -- I worked out 4 845, the very, very barest minimum, but probably it should be about double that. We work that compared to the Coloured and Indian sections.

Now is that referred to on what page? -- On page 10. We say there should be - there are about just under 5 000 definitely in high school, Cape Town children.

And what provision is made? How many children are provided for? -- 3 669.

There is provision for 3 669 and at the most (30) conservative estimate the school population will be 4 845. Is that/...

that correct? -- Yes.

MR MALHERBE: What is the actual population? -- It is very difficult to discover what the actual population is. The total African population I think seems to be round about 150 000.

No, I am talking about the - you say there should be - the total secondary school population should be 4 800. There are facilities for 3 600. Now how many secondary school children are there actually at school? -- 3 669 in school. I think that probably 4 845 are in school, but the others (10) are going elsewhere.

What do you mean going elsewhere? -- Going up-country to boarding-schools and other schools. In fact some of the people in the townships think that the number is even higher of those who are going away.

I am sorry, I am being confused with all the figures. I understood your evidence to be that there are not sufficient high school facilities for Black scholars. -- That is right.

And there should be a Black high school population of 4 800, taken at the most conservative estimate. -- Yes, (20) that is right.

But I also understood you to say that there are not facilities for more than 3 600. Is that correct? -- That is correct.

So that in fact there is a short as far as facilities are concerned of about 1 200. -- That is correct. May I just go on now to the provision of bursaries by the State?

MR HALES: Before you do that would you read the second paragraph on page 10? -- The Trustees wish to emphasize that in Cape Town the different sections of the population (30) live and work in relatively close proximity so that aspirations and/...

and comparisons are more sophisticated than in the rural areas. The high school requirements are greater than the available facilities and the African population is aware of the short-fall.

MR MALHERBE: Do the 1 200 that are not provided for, do they in fact want to go to school and there are no facilities for them? -- I think most of them are in school there, but they have gone up-country. There is an annexure further on ... (intervenes)

Have they gone up-country because there are not (10) facilities for them? -- Partly. Sometimes they cannot get the courses locally. This will be brought out in later evidence.

CHAIRMAN: Is it correct that it is policy that many of these pupils who want to - as a result of policy, many of the pupils in any event who want to go to high schools have to go to the homelands? -- That is correct.

Do you know whether there are in the Western Cape available any training colleges for teachers? -- There are none at all and this too is a matter of evidence that (20) is coming later.

That is also something that is provided in the homelands? -- Homelands only.

MR HALES: Would you now deal with inadequate provision of bursaries by the State, page 11 of the memorandum. -- African scholars are aware that White and Coloured scholars already enjoy free education and the issue of free books. They consider that the Bantu Education Department should make realistic provision for those pupils who come from poor homes. They regard the existence of privately run bursary funds (30) as a paternalistic gesture which effectively stifles the conscience/...

conscience of more affluent sections of the community, notably the White people. Bursaries, boarding allowances and transport allowances are available to White and Coloured children who come from poor homes, while also enjoying the advantages of free education. The poorest section of the community, the African people, have no such benefits, with the exceptions I will tell you about, and are not provided with free education and books. I would like to explain the phrase 'free education' because the Bantu Education Department declared publicly that they do give free education. (10)

You will excuse the checkboard coming out again. That is the free - those are figures which describe how much education costs to an African child. To begin with there is a tuition fee of R4. This is supposed not to be compulsory; in effect it is. Secondly there are books .. (intervenes)

CHAIRMAN: It is compulsory? -- Well, it works out as compulsory; I haven't heard of anyone being let off, not yet, not even the poorest child.

Is that the same as the payment made by the Whites towards the school fund? -- It is the same. (20)

Nobody is let off that. -- No, they are let off in certain areas.

Whites and not Blacks? -- Whites are definitely let off in certain areas, from paying any fees on application. In fact there have been even before the introduction of free education for Whites, they had that privilege.

That was just poor people, poor White people? -- Poor Whites. Some of the schools in Cape Town were almost entirely non-paying pupils before the introduction of free education. (30)

But this is not really a tuition fee or is it a tuition fee/...

fee? -- Well, it is called a school fund fee. A lot of the schools call it a tuition fee.

It is something that has to do with, for example, taking them to sporting events and things of that nature, that is what it is used for. -- No, this goes into the school fund and it is used for maintenance of various things. If they want to buy an audio-visual aid or something like that.

That is right, some schools buy a bus eventually to take children - I am not saying some of these schools, but it is the general situation, White schools for example, to buy (10) a bus to take the children to various sporting contests and things like that. It is just one example, but you say .. -- It has become compulsory.

That it is compulsory? -- It is compulsory certainly in the local schools. That I am sure of. Whatever the Department says, it is compulsory by the schools.

But it is not a tuition fee, that is a misnomer. -- It is called a tuition fee ... (intervenes)

But that is a misnomer. -- .. (inaudible) .. it is called a tuition fee. (20)

But it is a misnomer. -- A misnomer.

Have you any indications of pupils who have been refused attendance at school because they have not paid the tuition fee? -- I have got the circulars of various departments which say that the child will be sent home from school if he is not in full uniform, let alone payment of fees. Every year we have children sent home from school because they have not paid their fees.

I am referring to the so-called tuition fee. -- I haven't got evidence of that one in particular from a local school. (30)

MR/...

MR SONN: A question please. Would you not rather call that a contribution towards the school fund? Do you really mean to call it a tuition fee? -- I would be quite agreeable to that. It is only a matter of R4. Because the next item is books and the books cost still between 30 and 100. Those are, you get a few cases where the books cost a little less and you get a few cases where they cost more than 100. I have got a letter from Umtata at the moment, saying it costs 108, but on the whole it is between 30 and 100. At most of the local schools it is round about 40. Exam fees are compulsory. (10)

CHAIRMAN: Those are the fees for public exams? -- Well, the one is not, the one is a departmental exam.

Well, it still is a departmental exam, examination is still a ... -- Yes, well, that is .. (intervenes - both speaking simultaneously)

It is not for the ordinary examination in the school itself. -- No, but they have to pay R8 or R10 for Senior Certificate.

Yes, that is not an everyday - not for a student every year. -- No, it is for 2 years out of the 5. Form 1, 2, (20) 3, 4 and 5 and they have got to pay that in Form 3 and Form 5. Then there is a sport fee which is usually charged. Uniform I think R30 for uniform for one year is a very conservative estimate. Now that is supposing that they are at a local school that would be approximately the cost. Then follows, if they have to go to boarding school for various reasons. A rail fare is anything between 60 and 120, the details I have listed on page 27. Boarding is anything between 100 and 180. Registration fee is charged for the first year as a rule in most institutions that is another 5 and then they have (30) got to pay for their bioscope and their clinic, that is another couple/...

couple of rand and then on top of that for PTC, the primary teachers' course, they have got another R70. This is just to give you an idea of what education actually costs.

Well now, that is what education costs the parents of each child you say. -- Yes. Now the bursaries supplied by the Bantu Education Department are as follows: there are precisely three offered for Forms 2 and Form 3 in Cape Town and those - for Cape Town domiciled children and these have got to be taken up in the Ciskei and they are only valued R80 each. That does not even pay their boarding fees. They (10) cannot go to a local school with an Education Department bursary.

MR HALES: Not allowed to. -- No, no, they are only tenable in the Ciskei. So let us look then instead, since this is rather to the point, look at those offered by the Bantu Affairs Administration Board and here there are 12 bursaries of R30 each. That does not get very far either and those have to be .. (intervenes)

Page 12 of the record. -- I am sorry. These, before they can be taken up, the applicant has to sign that he is (20) prepared not only to study in one of the homelands, but he has got to work there afterwards for an equivalent number of years and the parent has got to sign as well. This is deeply resented locally because scholars whose homes are in the Western Cape are afraid of losing their resident rights if they are away for so long. It is not just their schooling that they are going away for, it is also their working afterwards. So these have not been taken up.

CHAIRMAN: But where must they work during the number of years that they have to work? -- They take up these bursaries (30) they have to work in the homelands.

Is that correct or do they have to work in schools. The information of the Commission is that all the teachers provided - no, not all the teachers, but most of the teachers provided in schools at the moment are teachers who have been educated and trained in the homelands, but whether they work in the homeland itself or whether they work in the urban areas does not matter. -- Can I point to you there is an annexure in green which has got the required .. (intervenes)

Well, could I just put this to you, if there are no teachers' training colleges in the urban areas of the (10) Western Cape, where do the teachers come from? -- They have at the moment to go and study in the homelands.

Right, so when they have studied in the homelands it is not necessary for them to work only in the homelands. Some of them have to work in the urban areas. -- If they take up these bursaries they have to work in the homelands and this is what they have to sign.

MR HALES: Do you refer His Lordship to the second page of the Bantu Affairs Administration Board Peninsula Area application, Annexure D and would you read to His Lordship (20) paragraph 9, the official form. -- Witness reads:

"In the event of the Bantu Education Department approving this application, I agree to my child serving the Territorial Authority or other Authority of the relevant National Unit for a period equal to that for which this Bursary may be made available."

CHAIRMAN: That does not say that it has got to be in the homelands. -- It is understood .. (intervenes) (30)

MR HALES: Would there be any territorial authority or relevant/...

relevant national unit which would control education in the Cape area? What is that under the control of? -- That is under the control of regional offices of Bantu Education Department.

So that would not be a territorial authority or other authority of the relevant national unit? -- No, but the scholars are definitely of the opinion that they will be sent to the homelands and it makes it liable to them to go to the homelands.

But with His Lordship's point you cannot say, not giving evidence on where the teachers come from, obviously not. (10)
-- No.

But you are saying that the reluctance of scholars to apply for these bursaries because of the conditions which pertain to them. Is that correct? -- That is correct. To such an extent that not one of them has been taken up in the matriculation classes this year, not one of these bursaries.
CHAIRMAN: How many would be available? Have you any idea? How many would be available? -- There are 12 available each year for scholars study forms 1, 2 and 3, the bursary being in each case tenable for the full three years. So this (20) means that 3 times 12 bursaries are available each year at up to J.C., that is up to Form 3. There are another 12 of 30 each available for scholars to study Forms 4 and 5. This does not actually relate to PTC, the teachers' course, they only relate to academic courses. They would not qualify people for teachers.

MR HALES: Now, would you, you have dealt with on page 13 of your memorandum and on page 14. In para 3 on page 13 with the comparison with bursaries and financial assistance supplied for White scholars; then 4. the comparison with bursaries (30) and financial assistance supplied for Coloured scholars. I do not/...

not wish to take the Commission through all of those, they can read that, but what is the conclusion that the Africans - the comparisons are there, are they not? Do you want to highlight anything or do you just pass on to your conclusion? -- It is just that I was very surprised to discover that there were even transport allowances for White and Coloured scholars and even they still got uniform allowances and boarding provisions is allowed, even for incomes up to about 4 800 per annum they still get rebates on hostel fees and things like this; that is in White Education Department .. (intervenes) ... (10) allowances are still available.

The comparisons you draw under 3 and 4 they show discrimination, do they? What is the result on the Africans? -- The Africans resent acutely - this is paragraph 5, page 14 - the discrimination reflected by bursary awards and financial assistance being so freely available to White and Coloured pupils who are not only exempt from conditions such as we have just described, but are already benefiting from free education.

Just to clear it because this is quite confusing, would you explain that Std. 6 to 10, how they relate to Forms (20) 1 to 5 so that it is clear? -- The primary schools - African schools are like those of White and Coloured schools: sub A to Std. 5. Until last year African schools went up to Std. 6, primary schools. The high schools are Form 1 to Form 5 which is equivalent to Std. 7, 8 - sorry, Std. 6, 7, 8, 9 and 10. So in effect until January, 1977, Std. 6 and Form 1 were almost identical. This has now been amalgamated into one class so that it has shortened the curriculum by one year, but Forms 1 to 5 are now equivalent to Std 6 to Std 10 and has now got an equivalent now to White and Coloured education. (30)

Could we move now to inadequate accommodation provided
by/...

by secondary and high schools in Cape Town, on page 16 and would you read your introductory paragraph and then deal briefly with the schools. -- The trustees have noted that, since 1970, the accommodation in these schools in Cape Town have actually become more inadequate than previously for the demands of scholar enrolment. Cape Town schools can offer accommodation for only 3 669 pupils. I would like to just mention that we do not imagine for a minute that you can push any more children into these schools because they are already overcrowded. In the light of the estimates that we have just gone through (10) with some trouble, there should be accommodation for about nearly 5 000. So there is a shortfall. We have already demonstrated that. I would like to describe the high and secondary school accommodation which is available now. First of all there is Langa High School. These buildings have not been extended since 1970 and the buildings have not even been maintained well. There is one building of 4 classrooms which is still in use because they have got to use them, they have got no other space, and that building was condemned 20 years ago. The roof goes like this and the doors do not open (20) and window-frames are all rusted up; it is a terrible mess.

What do you mean condemned? -- I believe it was condemned as unfit for use.

CHAIRMAN: By the authorities, by the municipal authorities or whatever they are? -- Yes. It was the vice-principal actually who told me and showed me this place and I was horrified when I saw it because you have to kick the doors before they open and with the South-Easter blows there is no way of stopping the windows from rattling, they are these old ... (intervenes) (30)

But has it actually been condemned officially? -- So

I/...

I believe, yes.

By the urban authority. -- The urban authority. But they are - that is really I am trying to describe that the poor maintenance of the existing building.

MR HALES: The next school? -- The next one is Fezeka which is another high school and that was burned down several times - 3 times - in 1974 - 1973/74. That does not relate, as far as I can tell, to the present disturbances. However, the new building which went up, was a TEACH school and that provides classrooms, greatly appreciated, but they are bare (10) classrooms and they are minimum facilities. There is I.D. Mkize Secondary School which goes up to J.C. This is a new school erected by TEACH and that goes up to J.C. and no extension has been provided for Form 4 (Std. 9). Then there is Sizamile in Nyanga and that began with Form 1 2 years ago, so it has now got Form 2 and they have been existing side by side with the lower primary school in the same premises for 2 years and sharing double sessions. This is a very bad situation, but there is a new school going up, it will be ready next year; it again will be a TEACH school. (20)

CHAIRMAN: When you say double sessions, are there double sessions in the school building and not double sessions also of teachers? -- A double session is when at 7 o'clock in the morning the first lot of children come in and the same teacher teaches and at 1 o'clock a new lot of children and the same teacher goes on.

The same teacher, that is why I ask. Does it mean the same teachers take the double session of school children? -- I think in this particular case, the Sizamile staff are different staff .. (intervenes - speaking simultaneously) (30)

different sessions ... -- ... primary school, yes.

There/...

There have been no additional secondary school facilities arranged as a result of the amalgamation of classes this year, which resulted in an extra Form 1 and it has been more difficult for youngsters to go up to the homelands because of various increases. I would like to mention here the difficulties about boarding-school. There is no boarding-school at all in Cape Town, no hostel facilities are provided.

MR HALES: And do you give - refer on page 18 to certain examples of people's names given where their children needed to go to boarding-school but had to be sent away to the (10) homelands? -- Yes, there are children who have lost one or both parents or whose parents cannot ensure discipline or whose homes are too far from the school for them to travel daily. Those are the ones who require boarding. This is quite apart from academic reasons for going boarding, not having the courses available. Of course all of those have to go up-country because we only offer academic courses locally.

CHAIRMAN: You have been on the buildings now. -- I would like to leave the buildings now. (LAUGHTER)

Well, if they have been condemned over your head, (20) no doubt you would. Do you know how many schools have been burned down as a result of the riots? -- Not one school has been touched, except one door in one higher primary school which got burned a little bit .. (intervenes)

In this area? -- Yes.

Well, then you would not be able to assist the Commission on that particular difficulty in other parts of the country. -- No, the scholars have indicated their great pride in the way they have not damaged their schools. I would like to mention that there were windows broken in one school, but (30) that was a different matter.

Yes/...

Yes, well, that is not so serious on this particular point I wanted to ask you about. But you will not be able to assist because obviously it did not happen here and you did not have this point to deal with.

MR HALES: . Turning to page 19, deficiencies in post-primary schooling in Cape Town. The first matter you deal with is the language medium which has rather righted itself, has it not? But could you just deal with the underlined, the difficulty about learning content subjects. -- Yes, to learn content subjects in an unfamiliar language added unnecessary (10) difficulty to the task of learning the subject itself. This whole problem of language medium was very widely publicised right at the beginning in relation to the Soweto riots and it was a cause of great bitterness here in Cape Town as well and it has largely been adjusted. I would like to mention something else, though and that is, with regard to language medium the trustees have often wondered whether the very low standard of English and probably of Afrikaans too, is related to the teaching through the medium of the vernacular in primary schools, because they only become familiar with the vernacular (20) at the primary schools even now up to the end of Std. 4 and the letters which I have appended here, show you how extremely difficult it is for these scholars to communicate when they get to high school, because they haven't got the language. They put their words round back to front and upside down. They call themselves beneficiaries when they are really the other way around. They do not know the difference between one end and the other.

CHAIRMAN: Well, they are difficult conceptions for people beyond school-going age. (LAUGHTER) -- But they are - (30) it has been quite remarkable when you try to get the scholars to/...

to express themselves, they are not able to.

Would you just explain to me, in the primary school, there isn't a lower and a higher primary in the Cape, is there? -- Yes, there is.

In what language would they receive their instruction in the lower primary school? -- In Khoza.

Irrespective of what particular ethnic group they may come from? -- I think we have only got Khozas here, we may have one Sotho around, I am not sure.

You believe there is one Sotho? -- Yes. (10)

Then you come to the higher primary school. -- Yes.

What is the medium of instruction there? -- Inclusive of Std. 4 it is still vernacular. From Std. 5 up .. (intervenes)

Vernacular you mean? -- It will be Khoza and one Sotho.

Then you come to the secondary school. Now you are at Form 1. What is the language of instruction now? -- I am still not sure what they have chosen, which language they have chosen. The majority would have chosen English.

They can choose. -- They can now choose.

Between English and Afrikaans. Was there ever here (20) a limit on the amount of selection, in other words, that it was always necessary here that there should be at least two subjects in the other language; if they had chosen Afrikaans, there must be two through English medium; if they had chosen English then two must be through Afrikaans medium? -- That has always been policy of the Department to divide the subjects between the two languages, but they issued a circular at the beginning of this year, the Department did enforce, they have already wanted to see it come into practice and the principals found this extremely difficult because they (30) did not have the teaching staff to implement it and besides

the/...

the children were not capable of understanding and there was an interesting sideline from this that some of the books which were ordered came in the wrong language. They did arrive, but there were some agricultural books ordered and they did not arrive in the English medium, they arrived in the Afrikaans medium, but they only had an English teacher. There were all sorts of difficulties like that earlier this year.

MR HALES: They have now been given the choice. -- Now they are given the choice. I think this matter has largely fallen away because they .. (intervenes) (10)

CHAIRMAN: Well, it did exist at the time of the start of the riots. -- It fell away before our riots began.

Yes, that may very well be. -- However, the .. (intervenes)

Have you any information? Did it fall away before the riots began here or had it become known before the riots started here that there would be a change? -- It was well known.

It was well known there would be a change. -- Yes. But with regard to the other deficiencies, the trustees of this Fund have long been aware of the very poor quality of the schools, of the facilities and even the teaching given (20) and we have often wondered whether bursaries were worth giving for such a poor system. We have never really expressed this publicly before, but it has been a thing in the back of our minds. Because we have looked around us and we have seen all sorts of difficulties. It was aggravated at the beginning of this year by the telescoping of the two classes into one, the Form 1 and the Std. 6 because adequate provision was not made here in the Cape. The double intake was put into the higher primary schools which meant that they should have been secondary pupils, Std. 6, we think of as secondary (30) schooling, but they had primary teachers teaching Std. 6's and the/...

the teachers were told .. (intervenes)

That is not an uncommon thing in the history of education in South Africa. -- No, but .. (intervenes)

Amongst Europeans, amongst Whites. There were provinces where that was a common feature some time ago that Std. 6 was still in the primary department, in other words, primary teachers took Std. 6 classes. -- Indeed I was at one school like this myself.

Yes, I am speaking of personal experience too. -- The teachers who are in the higher primary schools are not (10) qualified to teach at the Std. 6 level necessarily. In fact they were so encouraged to go and get high qualifications, that this in itself raised a lot of problems. I have put them out on page 21 here. That they were definitely told you had better get higher qualifications if your school is now going to be a junior secondary school. Now what were they going to do? Were they going to study, say, through Unisa? If they did that, they would perhaps pass their exams but then their own pupils were going to fail. They found they could not run the two jobs concurrently, the learning for exams and the (20) teaching. It was either they failed and the scholars passed, or the other way around. Supposing they were to go away to get the extra training then very often these were married men with some experience and they are married already, with families, and to go away to Fort Hare or something like that to get extra training suitable for junior secondary school, meant that they would have to take leave. So the Department said you can take study leave, but you are not going to get paid for it. So they had study leave without pay, with families, and this was a very great difficulty. The other extraordinary (30) thing is that they had had to have double sessions at the Form 1 level/...

level, at Std. 6 level.

That is understandable once you put the two together, isn't it? -- Exactly.

Because you would have - well, let me put it to you firstly, this way: was it an improvement? Do you consider it an improvement to put together the Std. 5 and Form 1 - or Std. 6 and Form 1? -- That is right.

Was that an improvement? -- That in itself was an improvement, but they had ... (intervenes)

Yes, well, that will only happen in the first year. (10) It cannot happen every year. - It will happen in Form 2 though and in Form 3.

That may be but it is something that .. -- It is the Battle of the Bulge.

Yes, well, the bulge will disappear. -- In the meantime we have got the situation here with the double session bulge and this is in direct contradistinction to government policy; the Bantu Education Journal this year has an editorial on the matter of double sessions and it definitely implies that double sessions only exist in Sub-A and Sub-B and they (20) talk about a maximum total of 90 pupils who are permitted in these classes so that the teacher would not be overloaded. 90 pupils is a big job. Well, the classes are bigger than that in the Form 1 level here now. Form 1 enrolments at higher primary schools have been 104 and 239, according to the reports we have received from the schools. They are very much bigger, the bulge is very big. I would like to just mention about that teachers are on the whole inadequate. There is quite a lot about it in detail here.

MR HALES: What page of the record are you referring to? (30)

-- I am on page 22. There is one form, Form 2, that is Std. 7, that/...

that class is 68 pupils, this is just one example, and the Senior Certificate classes listed on page 23, they are huge. There are 48 and 52 and 60. Those are examples we have taken from the school reports. Now, I mean, I have got kids and if one of my children were doing matric in a class of that size, that is already sub-divided by the way, but it is too big to study for your matric. There is great difficulty of course in getting teachers for mathematics and science.

CHAIRMAN: Just to revert to the question of the high number of pupils in a class. Do you think that that leads to (10) a difficulty to enforce discipline in a class? -- I think that their disciplinary problems are less than in White schools because on the whole these youngsters are terribly keen to learn and most appreciative that they have been admitted in the first place.

That is educational discipline, but is there moral discipline, difficulty with moral discipline? -- No, I do not think there is a disciplinary problem, I think there is a learning problem.

I am merely concerned about the disciplinary problem (20) at this stage. That is what my question is about. Do you think that the fact that the relation between the number of students and the - the number of pupils and the number of teachers for example goes over 40, that may lead to a difficulty in discipline in the class and outside the class on the playgrounds? -- I have no evidence of this, it has not come into my experience. That I cannot help you with.

It has been said in other areas that may very well have been a factor which has led to such a lack of discipline that the teachers could not discipline the pupils when it came (30) to the riots and could not contain whatever unrest there was.

-- It may well have been a factor.

MR SONN: But you say you reckon it is impossible for a teacher to control at any time a class of matriculants of 60 and beyond. I mean, how would you feel? Talking about discipline, class discipline and moral discipline, whatever it is. How do you personally feel? Would it be possible for a teacher to control such a class? -- It is more like a university lecture, isn't it? A lecturer having very large classes there. He cannot give individual attention, but if the scholars are terribly keen to learn, then they are going to behave well. (10)

Was that your experience now at these schools that you have mentioned? -- This has been my impression certainly. I have been in among the schools a fair amount.

That they are fairly well controlled? -- Yes.

CHAIRMAN: Yes, you wanted to add something? -- I thought we might go on to another subject.

MR HALES: Before you deal with inadequate classrooms on page 23, would you just briefly just deal with curriculum, but very briefly please with the headnotes. The difficulty of three languages, perhaps you could just explain that. -- Three (20) languages are compulsory.

What are they? -- English, Afrikaans and the vernacular, it may be Xhosa or Sotho or whatever it is. Here it is Xhosa.

What effect has that on the rest of the curriculum? -- They have to be taken Form 3 Departmental Exam and Senior Certificate, which means that they only have a choice of four other subjects for J.C. and three other subjects for Senior Certificate. This has a cramping effect upon the choice of subjects and the possibility of streaming .. (intervenes)

CHAIRMAN: Isn't that the same thing that you find in (30) all White schools? Six subjects for matric and if you want to

go/...

go to university, it is advisable to have three languages? -- It is a matter of choice whether you have more than two languages as a White person.

Why? -- You have to have two languages only if you are White or Coloured, but for an African you have got to have three. That is compulsory.

MR HALES: After your compulsory three languages here in Senior Certificate, what other subjects are available to the scholar? -- There are a limited number of academic subjects that are available in the Western Cape. Biology, maths, (10) functional mathematics, physical science, history, geography, typing, accountancy, home economics, business economics and agriculture, but agriculture is only up to Form 3.

What level is that? -- That is the Junior Certificate.

Senior Certificate? -- Senior Certificate is biology, mathematics or history, physical science or geography, that is all, that is the limit.

What extra subjects do you suggest? -- There is a very big section on this because it is more than just adding one or two subjects. The problem is much bigger than that (20) really. It is a whole matter of screening and .. (intervenes)

MR MALHERBE: You know, one has got to start somewhere. I mean, I grew up in the country and I went to a small country school, I did not have a great mass of subjects to choose from in my matric. So really, although I agree it is desirable to have a broad choice, is it necessarily something that should concern you to the extent that you should mention this at an inquiry like this where we are trying to assess why people acted the way they did over a long period? Is it really an important factor? -- What I am trying to show here is (30) one of the reasons for drop-out from school, is because the scholars/...

scholars cannot cope with only academic subjects and that we have actually by this system been breeding a new generation of young revolutionaries.

CHAIRMAN: Is there a necessity and is that not catered for, a necessity for training of people who have to work with their hands and will not become white-collar clerks? -- (Reply inaudible)

MR HALES: You are talking about senior certificate. What are they aiming for? Surely not white-collar workers who are aiming for senior certificates. Would that be (10) correct? -- Some of them will be going up to university, but a lot of them would like to go on to do health inspectors work or whatever it is, all these other trainings, nursing and so on, but you have got to have .. (intervenes)

CHAIRMAN: That is training after you have left school. -- You have got to do matric first.

Yes, but after that you do that particular training. -- If you want to start streaming after Form 3. Could we leave this until we go on to this section?

I do not know about Mr Malherbe's past, but probably (20) he had one of these three languages which was Latin, which is positively frightening if I may coin a phrase.

MR HALES: Is one of your complaints against the limited choice of subjects, the difficulty about streaming students into where their capabilities lie? Is that one of your criticisms? -- That is so.

CHAIRMAN: In other words, there is not differentiated education. -- No differentiation at all.

MR MALHERBE: That is an ideal situation and we are far from that obviously in the field that we are dealing with at (30) the moment. -- I would - what I am trying to suggest is very/...

very pertinent to the inquiry, because we have not got the educational facilities for our youngsters and they are dropping out and that is why we have got the skollies of today who were the scholars of yesterday.

MR HALES: Could you move on to page 23 and just headline from 5 onwards. You deal with classrooms are inadequate and I think leave His Lordship to ask questions if he wishes to, giving the examples needed. -- The desks are so inadequate that you get 2 or even 3 youngsters in the high school sharing a desk. They haven't even got enough to sit on. The libraries (10) are very poor, they are mostly sort of storerooms, they are not really libraries; very badly equipped. The laboratories, actually they should be better equipped than they are, as I understand, because requisitions have been supplied in full. So here there is a fault of teachers as well as of - definitely indicated here. They should have requisitioned better, but the teachers themselves have sort of lost morale in Cape Town. I do not know if you met this up-country, but certainly in Cape Town there is a kind of loss of morale and lack of interest and that is, I think, one reason why they do not (20) requisition as they should. Electricity is only supplied to 3 of the 4 secondary schools. It is very difficult to run audio-visual aids without electricity. Their toilet facilities definitely need attention. It should interest the public health authorities because they have about 1 for every 50 - one lav. for every 50 is just not right. Playing-fields are not - only one school really has playing-fields, the other has not. There is no gymnasium equipment. Books are a very emotive problem. There is another statement which has been issued by the Bantu Education Department since this (30) memorandum was compiled. In fact the circuit inspector phoned

me/...

me up and told me what it was, saying that they were going to supply next year all the requisitions which had been sent in and they have already been packed in Pretoria; that in 1978 all the Form 1 and 2 books will be supplied up to 100% and the next year there were going to be substitutions and the next year they were going to stationery. But pupils, teachers and bursary funds will only believe this when they see it and the reason I .. (inaudible) .. is to show how in 1970 we all got frightfully excited because they said exactly the same thing then and every couple of years the Bantu Education Department has been issuing statements about how they are giving free books, but the books do not materialise. So when the books come I think people will believe it, but until then they will not. On page 26. (10)

Item 14. -- Yes, Item 14, pupils have great difficulty in getting any educational opportunities after Form 3, because the Form 4 classes anywhere are limited. There are only the two schools providing Form 4 and those are just those few courses. And therefore all the other things have to be taken elsewhere in the country. There are a couple of in-service training programmes going in Cape Town but they are so minimal they do not really affect the school population at all. And after Senior Certificate you can see that pupils in the matriculation exemption can go to university if that is their inclination and if they can afford to go, but those who cannot afford it or haven't got matric exemption, they look for employment and employment suitable to their educational standard is very difficult to find and there is certainly no post-matric training down here at all. Again there are no ... (20)

(intervenes)

(30)

MR MALHERBE: What do you mean by post-matric training? -- There are/...

are various Bantu educational journals ... (intervenes - speaking simultaneously) ... that this is the sort of courses the people can ... (intervenes)

But they must go to the homelands. -- All taken elsewhere. And again no boarding facilities exist here. The nearest one is up in the Ciskei and that is a very long way away, 5, 6, 700 miles before they get to school and so we have this peculiar situation in Cape Town where some kids are actually commuting from Stellenbosch daily to Langa. That means they get up at 7 in the morning, they get home by 7 o'clock (10) at night, 6 o'clock at night, exhausted. Actually we cannot recommend that from an educational point of view. We have got one of our youngsters who comes from Eersterivier, but it is just too far to commute to Langa daily and still get through exams.

MR HALES: Would you deal with your conclusions on page 28, 18 and 19. -- The general picture which emerges from the foregoing details is one of inadequacy of school facilities in every respect. The trustees of the Bantu Scholars' Fund consider that proper teaching cannot be maintained under (20) such conditions.

Now before we go on, Mr Malherbe, a member of the Commission, asked a very important question which I would like to just ask a few supplementary questions of you. Mr Malherbe was asking now, is this relevant to the unrest, the evidence you are giving of what you consider shortfalls in education systems and various other ones you have indicated in your evidence. How many pupils are there, African pupils who should be at school in Cape Town area? How many are there? What is the population? -- 30 700 if you add the (30) primary and the high school together, 30 700 approximately.

And/...

And how many of them are at school today? -- Not one.

Have they been to any type of school since the riots? -- They tried once or twice, the primary schools tried once or twice, but they were chased home by the older ones.

How would you from your knowledge of African education, the feelings of the African people about Bantu Education? What is their attitude towards it? -- Their attitude is that it is inferior, that they do not write on the whole the same exams as the White children or it is not a comparable standard, their Senior Certificate is actually a National Senior (10) certificate which is written also in the technical colleges and therefore also written by Whites, but it is not like a departmental exam.

I would rather you sum it up.

CHAIRMAN: Sorry, I did not hear the last. The Senior Certificate? -- The Senior Certificate is not a departmental exam, it is a national exam they write, but if it is written by Whites, it is written only in technical colleges, it is not written like Rondebosch and Rustenburg and these schools.

What is the difference? Have you any idea what the (20) difference is between the standard? -- I am not prepared to express an opinion on that, but the scholars themselves feel that it is inferior.

Has anybody ever told them that the matriculation was not inferior or tried to tell them that? -- I think those of them who tried to do university level after senior certificate have found great difficulty in doing so, especially if they for some reason had to go to a White university.

MR HALES: Now apart from any other minor reasons why they are not at school, what could be fairly said that it is (30) because there is an acute resentment now in relation to Bantu education/...

education. Would that be a fair way of saying it? Put it in your own words. -- Yes, I would say the daily pinpricks of all the small things which I have been describing, have accumulated to a very great resentment.

MR MALHERBE: I can understand when it comes to books which obviously you can compare if White children get books, they do not get books. But even so, I mean, when it comes to, in the past in urban areas where there were English speaking schools but few Afrikaans speaking schools, Afrikaans speaking scholars also got up at 6 o'clock in the morning and got (10) home at 6 o'clock at night to go to their own schools, but they did not stay away from school because of that, they did not stay away from school because at that time rightly or wrongly they thought that they were being discriminated against in perhaps that stage a special way or that they were being discriminated against by unsympathetic government. You see, I cannot understand that if they are so keen to learn, as I am inclined to agree with you, that they should stay away; that even that they do not overcome the fact that there are double sessions and things like that. I cannot understand for (20) instance that whereas I think a very few White teachers today who do B. Ed. who do not do it through Unisa do not do it parttime, why the Black teacher should find that it is impossible for him to teach and study at the same time because it does not apply, as far as I know, to most of the White teachers to do post-graduate study. Also people with families and what not. It seems to me that so many of these reasons that you have quoted, although some of them I concede are important, I have a difficulty that so many of them rather indicate that they want to have the good life without (30) really knuckling down and getting down to it and pulling themselves/...

themselves up themselves, and ensuring that in due course they get equal treatment. But to me at the moment it seems that if it is not put in their laps, well, I mean they just do not go to school, and that, to me, I cannot understand.

MR HALES: How would you describe the situation in the White school as compared to the schools you have described? One phrase, how would you describe it, to answer Mr Malherbe's question? Is it superior, inferior, on an equal basis? -- Conditions in the White school are infinitely superior, they are incomparably superior to those in the Black schools. (10)

MR MALHERBE: But that is today, but 30, 40 years ago it was not so. You see, that is the point. The point I am trying to make is that - I mean I do not want to be racialistic about this, but various language groups, various racial groups have come up in this world and they did not start off as equals and I do not think - but it has never happened before that people have in fact stayed away from school because of that or because they do not think that they are being treated - you see, that is my difficulty. -- This is precisely why I am presenting the evidence because this is such a unique (20) thing that has happened that it is quite different from anything that has happened before. The pinpricks I have described are pinpricks, they multiple - a child does not stay away from school just because he has to commute so far. A Teacher does not not go on to further education just because he has to teach at Unisa - work for Unisa, but the compounding of everything is quite enormous. They are already short of money, they are short now of facilities, they do not get - and they are afraid of being spied upon by the Department. I have already sort of described all this and they feel it is an inferior (30) system and then on top of that they are teaching double sessions today/...

today at this rate with that number of scholars and then they are trying to work at night to get through their exams. Having been told to do so by the Department. You know, it is the compound, as I have already tried to describe.

CHAIRMAN: Every teacher does not do a double session. -- No, but quite a lot of the senior ones are doing it and those are the more reliable ones, those are the ones who .. (intervenes)

From what you have told me and if this matter goes on and the bulge eventually moves right up to the top then it is not every teacher that has to do the double session. (10)
You see, the explanation has been offered and whether that is correct, the Commission will have to decide, that what you have here is an unsatisfactory situation which others for their own reasons have taken into account and have caused and have agitated those who are somewhat disappointed with the present position, have agitated and have caused them to stay away from school, not merely because of this but because of ulterior motives. That is the suggestion that the Commission has from more than one source.

MR HALES: Your Lordship, the witness will deal with that (20)
in her conclusions at the end. Might we move to page 29, the need for technical - with respect, I am sorry, would you just refer to Annexure G? Dr Yutar thinks that is important. It is an editorial from the Bantoe Onderwysblad of May, 1976, an editorial on double sessions, without reading it. Do you think that is important? -- Well, I thought that was relevant because it showed how there was a need for double sessions, but the Department actually only admits it up to Std. 1 or so. After that they say they do not exist. That is what is implied by this article, that is why I put it in. But in (30)
fact it is going on in Form 1.

Page 29, now would you deal with the need for technical, trade, vocational facilities in Cape Town? -- There are no such facilities in the Western Cape; no technical, trade or vocational facilities. And the trade school being planned for the near future will supply need only at Form 1 level, it is not supplying the need later on.

That is Std. 6 level? -- Std. 6. There are no plans to provide any specialised training facilities in the Western Cape for scholars after Form 3 or Senior Certificate. The trustees of this Fund have long been aware that it is this (10) group of scholars which requires first attention because, since they have achieved Form 3 qualification, they have shown that they are capable of more than unskilled labouring employment. Similar rationale may be applied to those who have finished Senior Certificate. There is a memorandum attached here which I quote from:

"These post-J.C. drop-outs are not only young and active, but are also half-educated, unemployed and frustrated.

They are not motivated to work in the Cape because this is a Coloured preferential area with regard to employment. This situation has recurred for many years and is unrelieved..."

(20)

We have got a sort of backlog of these drop-outs building up. The trustees believe that this group is a major element active in the promotion and continuing destruction of recent urban riots. Now, there is on this subject we submitted a long memorandum to the Deputy Minister of Bantu Education in 1974. It is Annexure JB and here we have described the sort of training (which is in answer to your question, Mr Malherbe) of which/...

(30)

which is required locally. First of all it says at least one full technical college such as exists for Whites in Cape Town should be built and made operative as soon as possible.

2. Night school facilities obviously for those who are working and they have got to do it at night. 3. A boarding hostel to accommodate scholars from Stellenbosch, Paarl, Worcester, all around. 4. A nursery school teachers' training course.

Because the nearest place they can do nursery school teaching is up in Natal. It is a very long way to go. 5. Bantu nurses and nurse-aides. They are not allowed at the moment to (10)

train in Cape Town and this is a great disadvantage to the girls. There is a chronic shortage of nursing staff in the Hospital Services. And in the meantime we suggested an interim arrangement because a full technical college and facilities is a long-term project. I mean anyone will agree about that.

The immediate need has to be met and so it was suggested that Bantu students should be permitted to enrol at the Cape Technical College for those classes which are not yet provided in the townships. We haven't got it locally so let them come into the Cape Tech. where the classes and the facilities (20)

are already available. It can be seen - sorry, that memorandum is the one which went to the minister, Mr M.C. Botha this year, and the minister has replied only in part to this. A copy of his letter is Annexure Je and there is one section I want to read at the bottom of the page:

".. the Government is therefore compelled to provide these institutions in the homelands, in other words the areas which these institutions will eventually serve. To provide technical training institutions at this stage in (30)

White/...

White areas will be contrary to this objective as training will then be directed towards serving a White community."

Now, it is quite evident that no consideration has thus been given to the needs of Africans in White areas, although, as we have already seen, these Africans are numerically more than those in the homelands. The trustees of this Fund therefore find themselves in a sort of head-on collision with basic State policy and you sort of hit a brick wall (10) at this point and it is quite beyond the powers of regional authority to solve this one. Recent riots are obvious example of the frustration of scholars engendered by this policy. The trustees believe that education becomes unmotivated and futile unless it can provide training in specialised skills, and that after many years neglect of this matter the school system is beginning to suffer because qualified teachers are not being trained and fed back into the system. That applies to the teaching side of it.

MR MALHERBE: What you are in fact saying is that as long (20) as there are 100 000 or more, I mean, this comprises the Western Cape, 100 000 or more Blacks here, they must get these basic facilities which you - because without that you breed dissatisfaction. -- Yes.

That is part of your thesis. -- Yes.

MR HALES: .. (inaudible - microphone bumped around) ... is that Government policy is against that as stated by the minister, so policy would have to be changed. -- We got that right from the top now. Actually it is the administrative secretary to the minister who wrote this letter, but I (30) have no doubt it is the minister's policy.

I/...

I do not want to go through all the annexures you have got, correspondence with the departments, but you did raise this question of drop-outs and revolutionary people being bred long before these riots. -- Yes, it goes right back 4 or 5 years ago.

MR SONN: Just this one question. Do you agree that it seems it is the Department's policy to have this phasing out since this has become Coloured preferential area? The Government is actually phasing out education and from the urban areas to the homelands. -- Yes, I do not think it is necessarily (10) related to the Coloured preferential area particularly, the phasing out. I think it probably applies to all the urban areas, but my experience is limited to Cape Town.

But now do you agree that the Department might see it in this light that they make all the facilities available in the homelands and not in the urban areas like in Cape Town? I mean technical education and that kind of thing. -- That is what they are trying to do, but we have only got two technical colleges in the whole of the Ciskei.

But now what .. -- Even there they are so short. (20)

What you also want to convey is that the Department must realise that it will always have Africans in these urban areas and while they are here, they should provide for them. -- Yes, I think while people exist, are in a place, they have got to have reasonable facilities.

Is that your ... -- Yes.

MR HALES: Put it this way: would that technical college mop up these post-J.C. drop-outs and put them into a useful way of education do you feel? -- I do not see it happening like a magic wand now, this has been - the problem has (30) been accumulating over several years. I think we are now reaping/...

reaping the harvest of several years, but I think it would be a step in the right direction, it would be a constructive thing to do.

You deal with on page 32 and you head it the futility of representations to educational authorities. I do not want you to go through this at all, but have you made repeated - has the Fund made repeated representations to the authorities? -- Yes, indeed by constitution we are linked to the Bantu Education Department, they are informed all the time of our meetings and all this sort of thing, but we have found (10) that most problems are quite beyond the authority of the Regional Office.

And your relationship with the Regional Office, is it a good one? -- Yes, very happy. As long as the press does not get hold of it, because they do our duplicating. (LAUGHTER)

Your criticism is then not of the officials or the minister but of the system. -- Yes.

Could you turn to page 36 and deal with your experience now dealing with the department, under items (e) and (f). -- No real change or promise of change has resulted on (20) any occasion. The trustees have become progressively more discouraged by an apparent lack of attention to representations made by them. We have established our bona fides here this morning and we feel that there are a lot of experienced teachers among our trustees who should know what they are talking about. There are only two conclusions left. Either the authorities do not take the representations seriously or the authorities do not want to change the system, but there was one very important point here, if I may just bring it in, which is an annexure about priorities in Bantu education (30) which was in the memorandum which went to Mr Janson.

Is/...

Is that Jg? -- I havent got it down - but the point here was that Mr Janson had come to Fezeka School and he had opened the new school building and said how wonderful this was and he hoped that one day everyone would have free education and so on. So he was cheered like anything. And we wrote to him and we said, look, you know, it is very nice to have said this but we do not honestly think it is possible, not in the immediate future and what about working out your priorities first and this was the memorandum, it is Mc,"Priorities in Bantu education."

(10)

"Since the ultimate vision of free and full education for all Bantu scholars is not practicable in the foreseeable future, certain priorities should be defined for most urgent attention."

And here it says:

"NO BRIGHT CHILD SHOULD BE ALLOWED TO DROP OUT OF SCHOOL FOR LACK OF FUNDS."

That is what we said there and we went on a lot about the vocational and technical training that we have been talking about. I just wanted to mention that.

(20)

Are you - what is your recommendation or your view or submission that one should not be directing one's effort to primary school education but to secondary school education? That is the point. -- I think this is where the trouble started, isn't it? In secondary schools and therefore this is the group which requires first attention.

And do you put some of the disturbances to the frustration experienced by these people at that level? -- Yes.

And the drop-outs that you have, that you refer to. -- Yes.

(30)

Who/...

Who you say should be in a technical school. -- Most definitely, yes.

Could I say that is your main priority? -- That is the main priority, yes. The difficulty of going to authorities is this, that even though we go and see them and so forth, we have difficulties in communication because there are so many delays that go on.

Would you just refer to that on page 36 and just refer to ... -- Delayed replies from educational authorities makes effective communication extremely difficult. (10)

And you quote five examples. -- Yes. The worst example is that of the Minister himself. We had a delay of nearly two months in a situation of crisis in spite of urgent phone calls (I have even put in my phone account) and he did not answer the letter and I had to go to the scholars and they would say well, what is happening and I would say well, we haven't had a reply yet, you know, they thought this is rather a wash-out and they certainly lost faith in our efforts to negotiate for them and we only got our reply about 2 months after our original letter. And if it is so hard for us as trustees to communicate, (20) I just want to point out how much harder it must be for the school kids.

That was at a time that you were trying to persuade them to go back to school. -- Yes.

Could we now move to 39, the growing resentment of African scholars. -- Applications for help were pouring in (for financial help) and we just refused a great batch of youngsters whom we cannot help because we have not the money.

Who referred these people to you? -- A lot of them have been referred by State Departments. They come in so many (30) Government Service envelopes that we cannot collect the stamps

any/...

any more for charity, because there are not enough.

(LAUGHTER) You know, the Bantu Affairs Board or social workers and hospitals and all those, they come to us. It is a desperate poverty, I mean, some of the rural areas which are terrible, you know, 5 bags of mealies a year. It is a bit better in Cape Town because wages are better, but this moves out a little bit towards Beaufort West and it is simply appalling.

At page 40 will you deal with 3. -- Well, neither the Bantu Education Department nor the Bantu Affairs Administration Board is able to assist such applicants. Now there is (10) all this about the police action.

Before we move down to that, could you just deal with just the headline of 4? -- Inability of post-J.C. and post-Senior Certificate pupils to find opportunities for further suitable training or employment. Well, we can't help them, the Fund, to get employment or training because that is not our function, but what is disappointing is that mostly all bursary scholars are promising before they begin. That is why they are bursary holders.

Now, you have moved down to the end of page 40, 5, (20) which is resentment of police presence in Fezeka High School before disturbances began. Now you have no personal and direct knowledge of police activity or any conduct complaint. It is not direct that you saw yourself. -- No.

But is there a view held by the African people in regard to police activity and what is that? -- The African scholars themselves are so resentful of police that when we met to discuss educational problems they kept on popping up with 'but you should have seen them beating the girls on the bridge with their batons', or 'you should have seen them (30) kicking the girls in the stomach' or 'they threw everyone in the/...

the fishpond' or 'they beat up the teacher' or something. And you know, we said, no look, it has nothing to do with education, and they would come out with another one of these. The resentment is undoubtedly acute against the police. I think there may be an error in this memorandum. I put 'riot police' there in Fezeka before disturbances began, but it may be just 'police', I am not sure.

Well, do you want to delete that and just say police ... -- It is still equally just as good for your mathematics, the police, it is maths homework for the policeman looking (10) over your shoulder.

Would you deal with this? I think you should read this through, so would you do so and abbreviate where you can? -- Yes, I think there is no doubt that the police were in Fezeka High School before any of the disturbances of the 11th August.

That is a report made to you. -- Yes, but it came actually from several sources and then I spoke to the headmaster anyway, he told me.

That was confirmed by the headmaster. -- Yes. Then there is a whole detail why they do homework at Fezeka, (20) but it .. (intervenes)

Could you move to the .. -- .. wanted to be peaceful, page 42.

No, before that, 41 under (d) at Fezeka, you say that they were there, the police were there before .. -- The scholars resented the presence of riot police in their school when there was no trouble. There was no trouble there that time.

Then would you read from 6 onwards. -- Resentment of police action: The purpose of this section is to (30) emphasise that the scholars' reaction was one of resentment which/...

which increased to hatred of the police. A resentment made more acute because they wanted to talk to someone in authority and they did not think that the matters for debate had anything to do with the police. (a) Scholars declared that their first march was meant to be peaceful and that the placards which they carried demonstrated sympathy with Soweto and the need for peaceful change.

CHAIRMAN: Surely they had been advised, wouldn't they have been told that you want a peaceful demonstration? We know Soweto says it had peaceful demonstration, but the (10) demonstration never ends being peaceful. They are not allowed to have a demonstration because it is prohibited. Then what do you expect?

MR HALES: Well, I do not think you can answer that because you were not there. -- No, I cannot, but I can give one thing that when the scholars first came to us the first time, they were terribly proud of themselves because they had had this march into Cape Town, to Cape Town Station and that was a peaceful one and when we spoke to Brigadier Bishoff he said yes, they had not interfered with that, they would just (20) see what would happen and sure enough they came to Cape Town, they walked round and they all went home and there was not any disturbance.

CHAIRMAN: What date was that? -- It must have been end of August some time, about the 25th August or somewhere round about there. But there was just .. (intervenes)

MR HALES: 2nd September, would that be about the date? -- That would be about right. Now the scholars said that they marched with a white flag to show that they wanted peaceful negotiations, but they were met with violence. They said (30) 'do you know, even the white flag was fired upon' and there was/...

was no chance of constructive negotiation between the police and the scholars because the police did not understand what the trouble was about. And that was my experience too. I and Mrs Saunders, another trustee, went to see Brigadier Bischoff shortly after we had a meeting with the scholars and told him about this and various other things and we gave him a statement which he said he would very much like to read because he did not know anything about the educational grievances and he would like to know what all the trouble was about. So I said it is quite understandable the police (10) cannot be expected to know about details of Bantu Education system, but resentment against the police increased enormously when even after the first marches and so on the police came into the schools repeatedly and according to the scholars, beat up the scholars and even teachers.

You are not personally directing any criticism to the police, because you were not there. -- No.

You are reporting what the scholars had told you, what their view is. -- Yes. It is not generally known that not one school was damaged during the riots. (20)

Is that by the scholars ... -- .. (intervenes - speaking simultaneoulsy) .. at that time, except, as I say, one broken window. That was a different thing.

CHAIRMAN: I should indicate before the adjournment that there is one advisor who does not find it possible to attend this afternoon. However, so as not to stop the flowing of the witnesses and the evidence, it has been decided that the Commission will go on with two assessors and the absent assessor will be informed of what had transpired in his absence. He will have full knowledge of what evidence has been placed (30) before the Commission when he was not here.

THE COMMISSION ADJOURNS FOR LUNCH.