

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

AFTERNOON SESSION:

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THE COMMISSION RESUMES AT 2 P.M. ON THE 22nd FEBRUARY, 1977.

DR YUTAR: We were dealing with Document C and we have reached page 8, paragraph 5 under the heading Compulsory Homeland Citizenship.

DR HELLMANN: We make the point here that when home ownership was restored in 1975 or the announcement was made that home ownership would be restored, because it took a long time to get the whole procedure into working order and it is not fully in working order yet, it was accompanied by an announcement that only people who had taken out or applied for homeland (10) citizenship would qualify to own a house, to become traders or any of these matters. Now I would like, with your permission, for us to alter this because when this was written, this did reflect the actual position, but since then there has been a suspension of this rule that only people who have taken out homeland citizenship could become home owners for a matter of 2 years. What the position will be after those two years we of course do not know, but there seems to be one exception to this suspension and that relates to Transkeians. It is not absolutely clear now, because as you will yourself have (20) noticed, there is a lively debate going on in the newspapers and certain contradictory statements are being made even by Cabinet Ministers about the implications of Transkeian citizenship, but it does seem to be the case that if someone who is adjudged to be a Transkeian wishes to apply for a trader's licence or ownership of a home, that he or she will be required to surrender the ordinary reference book and to take out a passport. Now, this whole question of having homeland citizenship imposed on them is something that is causing enormous concern to Africans and a great spirit of resentment. (30) We write here on page 9, 5.2: The Institute believes that if the/...

the government had deliberately sought a means to alienate and antagonise the most educated and economically advanced section of the urban African population, it could not have succeeded better. That was in regard to the announcement about homeland citizenship and we would submit that this applies still to people who are culturally or linguistically related to the Xhosa of Transkei, but who do not regard themselves as as Transkeians and value their South African identity enormously. And these people are now being harried and pushed to take out Transkeian passports and the same, we believe, will (10) be the position in regard to Baphuthatswana when Baphuthatswana becomes independent at the end of this year. This new and utterly unacceptable condition forcing Africans to forfeit their South African citizenship is the naked equivalent of the total rejection of those Africans most committed to permanent urban settlement. The self-evident contradictions and government policy are inexplicable on any rational basis. In order to qualify for certain rights - home ownership, a trader's licence, permission to practice as a doctor, lawyer or other professionally qualified person - an African must have (20) been born in an urban area, have worked there for one employer for 10 years or have been legally resident there for 15 years and have continued there uninterruptedly. He then qualifies for certain specified rights. But he cannot exercise these rights unless he forthwith abandons the citizenship of the country and the area in which he lives and works. That applies to Xhosas today, to Transkeian Xhosas. In 1948 the National Party stated in its election programme that 'the process of detribalisation should be arrested'. In 1976 and now in 1977 Africans are being subjected to yet another exercise in (30) this government-designed policy of retribalisation. We suggest that/...

that this is an invitation to Africans in the Republic to strengthen the forces of a divisive tribalism that is elsewhere in Africa being combated as an ever-present danger to the stability of the state. We go on then to emphasise again that the denial of the rightfulness of the urban African presence is one of the settled African townsman's most bitter grievances. And we ask that due attention be paid to the fact that Africans have shown proof of their desire to identify with the country of their birth. They fought in two major wars and that today with the looming peril confronting us, (10) we are looking to Africans to play a larger role in the defence of South Africa; that process has already started. And the fact that they have deliberately chosen to accept the official languages of this country is important and also the fact that very many of them have, until now, we do not know what the future is going to bring, shown that they are prepared to adapt to the forces of modernisation, that is the complex of institutions on which a modern industrialised country is based. We then go on to discuss the imposition of ethnic grouping which was introduced by the government in the (20) 50's in Soweto and other urban areas and this was not wished and was not desired, not requested. We willingly concede that some Africans do desire to live with people of their own groups just as in Johannesburg you have Italians tending to cluster in suburbs which have become sort of known as an Italian quarter and we suggest that it would have been the course of wisdom to set aside a certain township where those people who wanted to live - Vendas or Tshangaans or Zulus - would have the right to do so, but this certainly does not apply to all and it certainly was most unwelcome when (30) ethnic rolls were introduced for the election of advisory boards.

Now/...

Now I have already dealt briefly with the position of Khozas who hail from the Transkei and the fact that they are being compelled to take out Transkeian passports even though they were born in Soweto, their parents may have been born in Soweto - I have known such cases - and the Transkei is about as near to them as for instance Germany is to me, although my father hailed from Germany and so did my mother, coming here in 1894. We say that it is likely that South Africa is about to harvest the bitter fruits of the constantly repeated doctrine of the National Party that the maintenance of (10) a separate own identity is the greatest good to which any people can aspire. The Institute submits that the people of Soweto and elsewhere did not aspire to develop a 'separate own identity' but aspired to share a South African entity. And we believe that no matter how many homelands become independent, the future safety and progress of the 84% of South Africa constituting the White area - we call it the common area - depends on preserving the South African identity. And we direct ourselves to you with the earnest plea that you bring to official attention the imperative need to revoke this (20) pernicious citizenship ruling, not suspension, but to revoke it and to allow people, Khozas in the common area the right to elect whether they wish to retain their South African identity or not. We then proceed to deal, from page 12 onwards, with the inadequacy of educational and other facilities. We do point out that we are aware of the difficulties, financial and other, for providing for the needs of a rapidly expanding urban population, particularly when that population is, as are urban Africans, economically disadvantaged. But we do complain about the inadequacy, we suggest that the inadequacy of (30) provision cannot be justified. And it was as late as 1976

when/...

when the Minister of Bantu Administration and Development said we, that is the Whites, are primary in the White areas, while the Bantu are secondary and the secondary status is reflected in housing and schooling, in transport, in recreational, sporting and social welfare facilities. In passing we draw attention to the fact that in terms of present policy, Africans are not permitted to have what we nowadays politely call, senior citizens, the aged housed in old aged homes outside the homelands and we feel that it is an injustice to condemn the aged to choose between living in an over-crowded house (10) of their children, or to go to a settlement far away in the homeland, far away from their children and grandchildren. We think they should have the comfort of the proximity of their children and grandchildren. We do point out that there has been a considerable improvement in the educational position in Soweto, particularly in respect of the more adequate - not adequate yet - more adequate provision of secondary schools. For long it was government policy that secondary schools could only be erected in the homelands and we are very happy that this position has now been changed and I think, if I may (20) just bring us somewhat up to date, that the Institute would express a considerable degree of encouragement as arising out of the statement Mr M.C. Botha, the Minister of Bantu Education made at the very end of last year when he announced a preliminary step towards bringing about compulsory education; admittedly it is very preliminary, all it means at the moment is that any African parent enrolling a kid - a child in sub-standard 1 has to commit himself keeping that child at school for 4 years, but it is a beginning and the Minister stated that this was the first step on the road towards compulsory education and (30) he announced a number of other measures that encouraged not only/...

only members of the Institute, but I think other people. We now deal very briefly with the question of the generation gap between parents and children. This is towards the end of page 14. We say that generation gap between parents and children, which has become a noticeable feature of many communities in the rapidly changing world of today, is accentuated in many Soweto families by a number of factors. I have on previous occasions when I have dealt with this, said that the generation gap in African urban communities is not a gap, it is an abyss across which the two (10) generations confront each other. Difficulties arise because parents have a set of expectations deriving from a rural and traditional background which are neither understood nor accepted by their urban children. Parents forfeit the respect of their children because current wage rates frequently prevent them from meeting the very normal material requirements of their children. They forfeit respect if they are illiterate and clearly less versed in urban ways than their urban-reared and sophisticated children. But, above all, they forfeit respect and authority because in a White dominated society (20) they themselves are so clearly lacking in individual dignity. Young male students were especially radical in their views, despising the older generation for accepting the master-servant relationship of White and Black, says the Quotso Report. Parents forfeit respect when they try to train a child to conform to the law when the racially discriminatory nature of much of this self-same law is a plain and evident fact to the child. I wonder if in this respect, I might be allowed to refer to an article written in 1972, but published in March, 1973, in 'Optima'. I have been invited to do an article (30) on Soweto and this was long before the riots.

Your/...

Your Lordship has a copy in front of you, it is marked Annexure 3. -- In passing, may I commend to Your Lordship the photographs, they are simply marvelous. At the top of page 21 I say:

".. they have to rear their children in a society where accepted norms of behaviour are only in the process of crystallisation and one where children have got to be induced to accept the rules and regulations of a racially discriminatory society - a set-up that the increasingly aware generation of young people passionately resents even though they are compelled to submit to it."

(10)

And this whole system whereby people are punished or are subject to criminal sanctions for transgressions like the pass laws which they do not regard as a crime, is playing havoc with the whole idea, the basic ideas of a right and wrong. And the parents lack many of the supportive influences of a sound educational system and the flagrant injustices of certain forms of authority imposed by the State are conducive to the rejection of all authority. The people of Soweto themselves are the main victims of the lawlessness which is evident among certain of the youthful groups of tsotsis and adult criminal gangs. The difficulties of parents throughout the years battled to bring about change by peaceful means, by negotiation, by putting in memoranda and the whole process was outlined, a futile process was outlined earlier this morning by Mr Auerbach, is conducive for making children feel that the ways of the parents are just no good at all and they must take the law into their own hands. In this regard, because there/...

(20)

(30)

there seems no other suitable moment to put it in, may I please be allowed to refer to the Mokgotla or so-called Civil Court. As you are aware, there is a lively debate going on at the moment.

Spelt M-o-k-g-o-t-l-a. -- There is this lively debate proceeding as to whether the sort of tribal court whereby the people administer a rough kind of self-justice, should be legalised in Soweto. Now we were in 1974 put a specific question in this regard by the Department and we did a brief memorandum which I would like to be able to hand in, RR. 47/75 and would read just two brief paragraphs from it. We (11) say here: While a considerable number of the people of Soweto appear to approve of the Mokgotla, this approval seems to derive largely from their fear and helplessness and the grasping at something that might be of some help in reducing crime, especially by restraining juvenile gangs which imperil the lives of ordinary citizens. They assert emphatically that help cannot be obtained from the police, hence, they say, the Mokgotla is better than nothing. We say this: While understanding the ground for this essentially despairing (20) choice, we (that is the Institute) tend to the opinion that the Mokgotla are too potentially dangerous to be countenanced and I think everything that we have seen of late reported in the press supports the view that we have got to try and re-establish law and order by different means and not .. (intervenes)

CHAIRMAN: How does one re-establish it? Apparently there is objection to the police trying to re-establish law and order. -- Well, may I suggest that the police were relieved of some element of the work they are called upon to do, if the (30) pass laws were ~~changed~~ - I am not saying get rid of the pass laws/...

laws because I am not being as unrealistic as that, but if we could follow some of the suggestions that were made in this memo we handed in earlier, we believe that the police would have a more acceptable role to play and would not be called upon to administer the law in such a harsh manner. For instance, may I remind Your Lordship that in the past African women did not carry passes at all, but in the past too, there was a thing called an exemption certificate. Now I am fully aware that if you have to carry in your pocket a little booklet and have to show it to prove that you are exempt, you really (10) are carrying a pass, aren't you? But the fact remains that these exemption certificates, they were called 'the brown book' were enormously valued by those who obtained this status of exemption and I believe that if that could be introduced again and if all people of a certain professional, economic, educational qualifications could qualify for exemption and if to that were attached the freedom of movement, mobility in South Africa, I tend to believe - we only go according to opinion - that this would really make an impact on African opinion and show that there is an earnest desire to (20) improve matters. I think it would simplify the task of the police and allow them some more time to deal with real transgressions and not just statutory offences.

Just to return to the previous point. Could you give me any indication as to when the exemption certificate was abolished? -- I believe, subject to correction, when the so-called abolition of - what was it called.

Of documents. -- Of documents and consolidation - abolition of passes and consolidation of documents was introduced in 1952. (30)

As long ago as that? -- Yes.

Well/...

Well, obviously one would hardly have the Black man asking for a re-issue of an exemption certificate when he is against the pass laws. -- Quite.

Would you think that to have that sort of exemption again might show sufficient interest in removing restrictions which are based on racial grounds only? -- I do not think it is the whole answer by any means.

No, no. -- But I think it would improve. I think even though you would not get many people daring to speak up in support of it, I think many people would avail themselves (10) of it, particularly if they were given mobility, freedom of movement in South Africa. Because at present even a medical doctor, a lawyer, all the other professionals, they have got to qualify for residence in an urban area. If they move, well, maybe they can make sufficient representations to be accepted, but it is an awful process. I have often been called in to try and help in those situations. You see, this would be a very good sort of inducement.

DR YUTAR: M'Lord, I hand in as EXHIBIT 286 this document headed "Mokgotla or so-called civic courts". Right, we (20) will continue then.

MR AUERBACH: May I make a comment on this issue that Dr Hellmann is discussing? It seems to me that if there is any substance in the promises made internationally about moving away from racial discrimination, it should, with respect, not be beyond the ingenuity of our legal people to devise a system of identity document, both their carrying - both their possession and their production that would be the same for all groups in South Africa. It seems to me that this would be a very tangible step forward and I despair about something like (30) being asked - our Institute having been asked to make suggestion

in this regard almost 4 years ago and nothing having happened about it. It seems to me that similar possession and production of identity documents is something that could be done if, I would submit, the will of the authorities do it with their - and I think it would make a very significant contribution to better race relations.

DR YUTAR: Dr Hellmann, "I remember reading some of these documents, also proposal by the Institute that if such a proposal was introduced and made available to all races, that they be allowed not to carry the document with them, but to be (10) required to produce them within 7 days at a particular place. I think that is also one of your proposals.

DR HELLMANN: Thank you very much for bringing this up.

Now do we go on to page? -- Page 16.

Poverty. -- We deal here with some - we give here some figures relative to the income and the large measure of poverty that still prevails in Soweto and I should think the other Sowetos of South Africa, despite the fact of which we are gladly aware that there have been considerable increases in a number of occupations. We produce here with the per- (20) mission, the result of a household income survey of 258 African households in Johannesburg, which was on a strictly random sample, a methodology, which was conducted by Markinor African Syndicate in March, last year. You will notice from this table that 43% of these households live below the household subsistence level of R130 a month, which was defined by Professor Potgieter who carried out these surveys, as a crude and wholly theoretical measure, not a norm but a guide line which covers a certain basic tax, household equipment. It does not cover requirements or tax or household equipment, education. (30)

Now, if you were to add those things and have what would start

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as a reasonable level, you would need just on R200 a month, that is last year. Since then of course there has been a marked increase in the cost of living. The main point we are making is that 43% ^{are below} / the household subsistence level and only just over 19% are above the household effective level, which is a more acceptable measure. I mean they are both highly theoretical. And poverty is just one of the factors with which the people in Soweto today, the people in the slums in Johannesburg in the past, the Black people in general, the African people, have to battle extraordinarily hard and (10) this makes it very difficult to raise a family as it should be. I am not suggesting that this Commission as a matter of fact or any Commission could just overcome this problem. There are no easy solutions, particularly in a country like ours where you have one large section living very much on a subsistence level, but it is, I think somewhat encouraging to find that the recognition of the need to try and reduce the awful yawning gap between White and Black pay, a gap which exists in considerable dimensions even where qualifications are equal, that there is recognition of the need to work actively at reducing that (20) gap and are trying to raise the level of productivity. May I pass now to the local authority. The main point we are making here is that the new administrative system which became operative in 1973 when the - when government policy, dividing the country up into 22 Bantu Administration Boards came into effect, that this was not welcomed by the people, they did not like the idea and as a matter of fact, very many of us, the Institute included, regretted this new - the introduction of this new system. It had one advantage in that it allowed a larger but still a limited degree of mobility for (30) Africans, whereas in the past if a man working in Johannesburg found/...

of the .. (inaudible) .. change.

Yes, it is merely to avoid the possible thought that you strive for change merely because it is change. But if you strive for improvement because it is merely improvement, you are still on the right side. -- Yes, it is improvement that we want. I wonder if I might just read out this last bit. We say that the lack of any voice in the decisions which affect them, is one of the major grievances of the people of Soweto and must be recognised as one of the contributory causes to the general state of disaffection prevailing in Soweto. (10) We do emphasise that these words 'general state of disaffection' were not used lightly and were put down after very careful consideration because there is a very great deal of dissatisfaction which is verging on disaffection. They are aware of the impotence of the Urban Bantu Council and the fact that its only function is to serve as an advisory body, and, moreover, that its advice is frequently ignored. The disregard in which the Urban Bantu Council is held is reflected in the low polls, 18% and 16% respectively of the electoral rolls, at the last two Council elections, in the inability of the Council (20) both to attract to its service many of the educated and experienced Africans in Soweto best equipped to render service and in its failure to maintain the interests of its existing members, with the result that even a quorum is lacking at some of its committee meetings. The job of an urban Bantu Councillor has little to commend it. It has no real import and, far from commanding the respect of the community as a whole, it is treated with derision by many of the educated elite and certainly by the Black Consciousness exponents whose views are gaining wider currency especially among the younger (30) generation. Inadequate political rights was the main grievance

of/...

of the Std. 9 and 10 subjects of the attitude survey carried out in Soweto by the late and greatly mourned Dr M.L. Edelstein, who published his results in a publication which the Institute printed, called: What Do Young Africans Think? We have noticed with appreciation that a series of meetings - and these I think were referred to this morning - were arranged between the Minister, the members of WRAB and high-ranking officials of both the Department and the Board and Soweto Urban Bantu councillors together with other members of the Soweto leadership. We are also mildly hopeful that the projected changes(10) that are to be introduced in the functions of the Urban Bantu Councils will be improvement, this is definite improvement. We fervently hope that communication and consultation at meaningful levels will be continued once the immediate cause for their inception has fallen away. We hope that we are not going to fall back again as we did after Sharpeville, into a sort of neglect and apathy. After Sharpeville you will remember there was a great mood of hopefulness there was going to be improvements and there were some and then it was all as before again. And we do feel constrained to stress that (20) communication and consultation will be fruitless unless there is a disposition on the part of legislator and administrator alike to embark on a process of change designed to meet the needs and desires of urban Africans and this really means in the first instances recognition of their permanent status and their rightfulness in the places where they live and work, where many of them have been born and where many of them plan to die. If the government does not accept the permanency of urban Africans, fails to grant legal relief from the discriminatory pass laws, and continues to force millions to (30) become foreigners in the places where they live and work,

.. then/...

then it is virtually certain that South Africa is entering a long period of further and increasing civil unrest. Thank you very much for allowing me to speak.

You now hand in also as EXHIBIT 287 that copy of OPTIMA. I have no further questions to ask this witness, M'Lord.

CHAIRMAN: Then the Commission thanks you for your evidence and appreciates the toll and labour which went into preparing your evidence.

Dr Yutar, what is the position? It does not seem as if all the witnesses will finish their - you have got (10) two more witnesses?

DR YUTAR: Just two more. The third one, Miss Blignaut, will just be in effect handing in two documents.

CHAIRMAN: Because I believe the others come from Cape Town, don't they?

DR YUTAR: Professor Pollak, yes, but I think we will finish Professor Pollak by this afternoon. Miss Blignaut, you are the next witness and I think I have introduced you already as the research assistant on the staff of the South African Institute of Race Relations. Now you have prepared (20) two reports. One is headed Document B, that is RR. 119/76, which records the events of 1976 which culminated in the riots of June, 1976, and you point out this chronology is based largely on newspaper reports. And then you have prepared what you have called an Addendum to this and that is RR. 21/77 which takes up the story from June, 1976, to February, 1977. Now we propose by way of start, to hand in both these documents as exhibits. The first one will be EXHIBIT 288 and the Addendum will be EXHIBIT 289. Now, as I have indicated to you, this will be handed in and will be co-related with the day to (30) day, hour to hour record that we have not only from newspaper reports/...

reports, but from witnesses. Now, you would like to comment on one or two of these incidents, don't you?

MISS BLIGNAUT: Actually I have very little to add. I would simply like to draw your attention to the fact that on several occasions the Minister of Bantu Education, the Minister of Police and the Deputy Minister of Bantu Education all stated that the high schools which had initiated the march on the 16th June were not affected by the language ruling and the implication was that therefore the language question was not really so important. I think that one should remember - (10) and I refer you to page 9 of RR. 119/76. On the 13th June Mr T.W. Kambule, principal of Orlando High School, was quoted in the Weekend World:

"If teachers in the junior high schools accept or are forced to use Afrikaans then the Government will have a good case in forcing Afrikaans as the medium of instruction in high schools."

So I think that not only this, but also the fact that the high school pupils, many of them had friends, brothers and (20) sisters that were in the primary schools affected by this ruling and obviously had great sympathy for their cause. I think that this is particularly important to remember when the members of the high schools actually initiated this march and I think that Mrs Pearlman, who has had very close contact with the people of Soweto, might like to add something on this matter.

CHAIRMAN: I think that what was said was something in the nature that the 7 schools that initiated the first march, only two of them had Afrikaans. -- That is correct, yes. (30)

Had Afrikaans as a medium. Yes, do you wish to add something/...

something?

MRS PEARLMAN: I would just like to point out very briefly that the high schools among the young people, there was a very real fear that with the specification in the regional circular that the J.C. 50-50 ruling would be implemented from 1976, which would then be, in terms of Mr Kambule's remark, be carried forward. Also I would like to point out that even at this stage, in certain inspectorates there was already this problem of not only in the primary school that Mr Auerbach mentioned, but frequently I have come across this problem of books (10) that were issued free by the Department being in the language that the Department had laid down rather than the language of choice of the school at the J.C. level.

DR YUTAR: Well, M'Lord, that disposes of Miss Blignaut and Mrs Pearlman for the time being. M'Lord, may I, these are exhibits and they will then be co-related together with our other day to day records that we have. We come now, last but not least to Professor Pollak from Cape Town and he is a member of the National Executive and also Professor Emeritus with the Department of Sociology of Natal University, (20) presently stationed in Cape Town.

PROF. POLLAK: Yes.

DR YUTAR: Now you have prepared too some bulky documents and we are going to deal with them in this order. We start off with the document marked RR/ - that is Race Relations - /CW - that is Cape Western - 10/76. -- This document deals with the causes of unrest in African townships and the Coloured areas and starting first with the African townships, the first part, I, deals with the grievances of the school children. I do not intend to read this document, because when you were in (30) Cape Town, you took extensive evidence both by Dr Elsworth

and/...

and by the Regional Director, Mr Owens, on this and an annexure which I have as Annexure A, was dealt with by Dr Elsworth, the views of some of the African scholars on their recommendations on education. This has been thoroughly canvassed in Cape Town and with your leave, I do not think it is necessary for me to go over this again.

CHAIRMAN: Nothing further has happened which has affected what you wanted to say here? -- Yes, I do think I should make reference to this. Dr Hellmann drew attention to the fact that at the end of December, 1976, the Minister of Bantu Administration and Education issued a circular indicating some very considerable improvements which would be effected in the Bantu Education system and I have seen the Regional Director Mr Owens about it and I would like to say that in the Western Cape six improvements will be effected, all of which are matters which were criticised in both our documents and that of Dr Elsworth. Would you like me to just mention these? (10)

Yes, could you just mention them? -- The first is the issue of free textbooks in Forms 4 and 5, that is Stds. 9 and 10, this year from 7 to 10 next year and throughout the system in 1980. I would, however, like to indicate that this is free textbooks; it does not cover free setwork books, nor does it cover free stationery. I asked the Regional Director if he would kindly give me an estimate of what the costs would be to scholars in Std. 9 and 10 of stationery and textbooks - I beg your pardon - stationery and setwork books and the figure given by Mr Owens was some R30 added to which was a R10 examination fee for the senior certificate. That includes the textbooks, the stationery, the R2 school fee and the extra R10, the examination fee. It does not - repeat not - include the cost of school uniform. The second very important (20)

point/...

point is that a new state high school is to be built at government expense in the coming year and it is to commence as soon as the situation has settled down in Cape Town. Mr Owens told me something which has not been publicised and I do not know if I am at liberty to pass it on to the Commission.

CHAIRMAN: I will ask the press not to publish it. -- If the press would not publish it. He indicated to me that when this new high school is provided, it will be possible to appoint White teachers to teach in those subjects for which African teachers have not the necessary qualifications. We (10) consider this a very important thing and in fact it is one of the recommendations that appears in our Cape Western memo.

I remember that in Cape Town there was a particular objection to White teachers in Coloured schools. -- Well, I heard that evidence which was given before you, but I think that the African scholars themselves, in that memorandum, Appendix A, made that point that they would very much like it because for instance at Fizekha High School the two key subjects, Mathematics and Physics, are certainly not Physics, are not included and therefore none of the youngsters who (20) were educated at Fizekha are eligible to be accepted for a course in medicine and they are very, very anxious indeed to have an extension of courses which can only be really offered if the teachers are available and there is a notorious shortage of African graduates with physics as a major, who are in the teaching service and that is why it has not been offered as a course so far.

In any event, it would be White teachers in those cases where other teachers who can teach the particular subject, are not available. -- Yes. (30)

DR YUTAR: M'Lord, Mr Auerbach would like to say something on this/...

this matter too.

MR AUERBACH: Merely for your information, a similar arrangement is apparently to be made in Soweto and presumably possibly elsewhere as well. It has been publicly announced that in certain schools, I am not certain whether they are existing or still to be built in Soweto, it has been announced by the Regional Director, Mr Strydom, that there will be an opportunity for White teachers to help where African teachers are not available.

DR HELLMANN: May I just add a word to it. What is, I (10) understand, projected and I have this on very good authority just recently, is that the Department will get together teams of White teachers who will be sent out as to assist the building up .. (bumping against microphones) .. -- I am sorry - I said this does not refer to Cape Town, but certainly as far as the Transvaal is concerned, the Department is hoping to build up teams of White teachers who can be sent in rotation to various of the African schools to try and fill in where there are real gaps in teaching ranks. I do not know, they were doubtful whether this would go into effect this year, but this is (20) the plan of the Department.

CHAIRMAN: I am of the opinion at the moment that somebody suggested that in Cape Town as well. -- Yes, Dr Elsworth suggested that.

Apparently the other matter has been broadcast freely in the Transvaal, so I think perhaps we can lift the ban on the press about your statement. Have you any objection? -- No.

DR YUTAR: Perhaps it could be publicised not only as a change, but as an improvement in the right direction. (LAUGHTER)
I think Mrs Pearlman would like to add something to that. (30)

MRS PEARLMAN: In his statement at the end of the year, the

Minister/...

Minister announced as one of the improvements, that panels of teachers of all races would be set up to assist in the Black schools until such time as adequately trained people of that group would be - that was a categoric official statement.

PROF. POLLAK: The third is the beginning of the implementation of the gradual phasing out of double sessions. A certain percentage of new posts has been reserved for this, will go into effect - the new African school year only starts in March and it is proposed, I am not quite sure of the figure, I think it was 10% of the new posts were for making provision for (10) the phasing out of double sessions.

CHAIRMAN: Yes, there are apparently two forms of double sessions. In one case the teacher also does the double session, but I think that is more or less out already. The other one is where different teachers do the two sessions in one school. -- With respect, in African schools the same teacher takes the two classes.

Well, not in all parts of the country. -- Well, this is the way it works in Cape Town and in Coloured schools double sessions are done by two different teachers. (20)

MR AUERBACH: May I clarify this a little bit. Some of us writing in this field, have attempted to distinguish the two by calling the one platoon system and the other double session system.

CHAIRMAN: That is right. -- The trouble with the double session system is (a) that as Prof. Pollak has pointed out, one teacher handles two classes; (b) that in order to make this possible, the teaching time in those classes is cut from 4,5 hours which is normal in sub A and sub B or grade 1 and grade 2, as it is called in the Transvaal, to 2,75 hours in the first two (30) classes of school; and (c) that according to the 1975 report of/...

of the Bantu Education Department, the double session and not the platoon system, applied to 984 000 African children in sub A and sub B throughout the Republic and the Transkei.

The trouble with both systems being that the school grounds can hardly be used for all the children. -- Yes, this is the problem. Also of course that the parents worry what happens to the little kids in the mornings when they are not at school yet, but the major educational pattern - I am sure Prof. Pollak will agree - in the double session system is, aside from all the other sociological factors and over-crowding, (10) that the teaching time is cut and the teaching time is cut in the essential first two years of school.

Yes, that was the first point you mentioned. And that applies to both systems. -- I do not think so much the platoon system, possibly slightly; I do not think so because it is a new set of teachers and pupils .. (intervenes)

They start later in the day. -- I think it is 12, is it? I am not certain. But at any rate it is not .. (inaudible) .. merely the same expense.

PROF. POLLAK: The next is an industrial training centre (20) is to be constructed in Guguletu. The site has been selected and building is proposed when things have calmed down and settled down on the Western Cape. Now I would like to stress the point that in our memorandum we have pleaded for technical training facilities and this must not be confused with an industrial training centre, which is for the scholars in the upper classes of the primary schools and will give them some familiarity with an industrial set-up and use of simple tools, but they will still be employed as unskilled or at the best semi-skilled workers and will not obtain any training (30) in skills that would enable them to rise into a higher category/...

category. The next is that an adult education centre is to be set up in Cape Town. It is to be taken over from an effort that was voluntarily commenced by Catholic sisters and this also this is to be in Langa and is also to become an official Bantu Education, adult education centre which will enable persons to continue with part-time studies for courses for J.C. and matriculation courses. The final change is that there will be elected school boards and not the boards with nominated members. These are the improvements which are envisaged for the future, which we in the Institute think important and, (10) with respect, which we also think that the Regional Director of Bantu Education in the Cape did not sufficiently publicise. I therefore do not want to go into pages 2 or 3 of my memorandum, but I would like to speak on one aspect which is extremely important and that is the opportunities for school leavers in the Western Cape and this refers to the restrictions placed upon him by the Cape having been decreed a Coloured labour preference area, which means that those who are qualified to live and work in the Cape Town, may not be employed in any capacity whatsoever unless the prospective employer (20) obtains a permit which is issued only if no White or Coloured person is available for the job. Furthermore, an African labour quota is in force which limits any firm from employing more Africans than it did at the end of December, 1968, unless specific authority be granted. These restrictions bear particularly harshly upon adolescents and young adults. On the whole they have attained higher educational standards than have their parents, yet are precluded from making use thereof. In the Cape Western region we have records of a very large number of matriculants who found no employment but as (30) labourers; of qualified women primary school teachers who were

unable/...

unable to obtain teaching positions and were either unemployed or working as domestic servants, chars or 'tea girls'.

CHAIRMAN: Those are Blacks you are referring to now? -- Yes.

Not Coloureds. -- No, these are Blacks. They cannot get any form of employment commensurate with their education because there are a very large number of Coloured school leavers available and therefore the only things, it does not matter if a youngster has got an extremely good Senior Certificate with very excellent symbols, but he cannot get a clerical job because there is Coloured labour available (10) for that particular job and therefore there is virtually nothing for them but unskilled work or at the best semi-skilled work.

DR YUTAR: As the Black Sash put it yesterday, they end up with a messenger's uniform. -- Yes. The same thing applies to university students and we have a large number of highly qualified students with degrees from Fort Hare whose place of origin is Cape Town, who have attained these qualifications and then are unable to obtain any position which makes use of these skills. I do not want to go into too many details. (20) I will quote you the one of a woman who had a B.Sc. Honours Degree. Her two Honours subjects were Geography and Chemistry and she could not get a position. She applied and was told that at Groote Schuur Hospital that as she was an African they could not employ her; had she been Coloured she would have got a laboratory job and the only thing that she was able to get with her skill, was a job as a dishwasher, whereupon we decided this was really too bad to be considered and we administer very substantial bursary schemes in the Western Cape, we have an educational trust, so we granted this girl (30) a second post-graduate bursary to do her Higher Diploma, post graduate/...

graduate diploma in teaching. When she obtained that diploma, there was no vacancy of any of the school boards. Again she could not be employed in Cape Town and she then accepted a position in Fort Elizabeth. I would like to stress that we have been very concerned indeed about the serious position not only for the young persons but also for the adults, how detrimentally they are affected by the Cape being decreed a Coloured labour preference area and in 1973 the Institute of Race Relations made representations to both the Ministers of Labour and of Coloured Relations to review the position (10) and to bring about some modification. We urged that as a second line of defence, although we did not like this very much, but we did put forward as a second line of defence that those Africans with residential rights in Cape Town, either those born there under Section 21(a) or those who had acquired their domicile under 21(b) be exempted from this restriction on the Coloured labour question and that they be allowed to be considered for jobs other than unskilled jobs. This was rejected at the time and in 1976 we again wrote this time to three Departments, the Minister of Bantu Administration (20) and Development, the Minister of Coloured Relations and the Minister of Labour, again putting this point of view, but this time we did not ask that this exemption be granted to those in the Western Cape who had permanent domiciliary rights; we asked for this as a general exemption and we have received last week an unequivocal no to this from the Minister of Bantu Administration and Development and Bantu Education which I would, with your leave, like to hand in.

You hand that in as EXHIBIT 290. I wanted to ask you, if this Coloured labour preference area were to be abolished, (30) what would be the attitude of the Coloured people themselves? ---

Well/...

Well, the attitude of the Coloured people I think it would be like on most things, it would not be an absolute unanimity. There would be a very large number of Coloured persons who I think feel that the Coloured labour preference area is important for their protection. There are others, for instance the Labour Party which hold the majority of seats in the CRC has unequivocally stated in several sessions that they repudiate this, they do not want it; they reject it and that they do not want an artificial protection of this nature.

At the Theron Commission .. (intervenes) (10)

CHAIRMAN: A large number of the members though of that Council are not affected by that particular regulation, isn't that so? -- You mean because they are in professional jobs?

Who does not come from the Western Cape area. -- Yes, well, that may be so. When the Theron Commission undertook its investigations this was canvassed and there was only one of the six Coloured representatives who voted against that and that was Prof. Van der Ross. I think that is all I can say from the evidence I have, that there is a division of opinion.

DR YUTAR: I am going to hand in as EXHIBIT 290 a letter (20) written by the Minister of Bantu Administration. It is addressed to the Director of the Institute of Race Relations, dated 7th February, 1977, but perhaps in view of the fact that you enlarge on this, I should read it out and place it on record. It is addressed to:

"Mr Van Wyk,

Coloured Labour Preference of the Western Cape.

With reference to my letter of the 15th

November, 1976, I wish to advise you that by

directive of the Honourable the Deputy (30)

Minister of Bantu Affairs, that the Western

Cape/...

Cape has been declared a Coloured Labour Preferential Area where Bantu can only be employed if no Coloureds are available and where Bantu labour should gradually be replaced by Coloured labour. Should young Bantu now reach certain qualifications, be permitted to take up employment in posts in the Western Cape, this would lead to the reduction of job opportunities for the Coloured population."

(10)

The point that I raised with you.

"And it is therefore regretted that the Government's labour policy cannot be abolished as suggested by your Institute.

The fact that a Bantu obtains a certain educational qualification in the Western Cape cannot be a determining factor that such Bantu must be employed in that area and it appears that they will have to follow the same procedure as the case is with the White population who have to leave their homes because there are no job opportunities in their hometowns. Even those Whites who attend universities are very seldom employed in the cities where they qualify and have to find employment elsewhere. The Bantu in the Western Cape who are mainly Xhosas will

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therefore/...

therefore have to seek employment in the Ciskei or the Republic of Transkei where their services are required.

Should they be unable to find employment in those homelands, it could be arranged to accommodate them in other centres outside the Western Cape."

Right, would you continue. -- I shall not be dealing with the pages referred to here on influx control, reference books, the difficulties of being able to remain in the Cape and (10) the loss of rights of Section 10(1)(a) and the separation of husbands and wives, that is, I shall not deal with pages 5, 6 and 7 because they have to a large extent been dealt with by Dr Hellmann this afternoon and by the Black Sash yesterday. I need only say that on the whole the rigidities of influx control and the endorsement of women and children out of the area has been very much more rigidly applied in the Western Cape than anywhere else. I would like just here to advise that the Athlone Advice Bureau is run under the joint auspices of the Institute of Race Relations, Cape Western Region (20) and the Black Sash Cape Western Region and if it is of any interest, I have brought the last annual report which specifies a number of detailed cases of the difficulties which have arisen from wives joining husbands; it also relates to a number of problems arising from the current unrest and it also brings up a number of difficulties which are experienced by contract workers. If any more copies of this are available I shall send them from Cape Town because I only brought one with me.

Then I will hand this in as EXHIBIT 291, the Annual (30) Report of the Athlone Advice Office, dated October, 1975,

to/...

to September, 1976. -- I should like to deal on page 7 with housing and would like to point out particularly the gross overcrowding both in Langa, Guguletu and Nyanga. In very, very many of these houses there are three families that are living together, two families as sub-tenants and there are a very large proportion of these houses in which anything up to 20 people are living in a four-roomed house. I need hardly go into the undesirability of this. Now, a very serious cause of hurt and grievance in the Western Cape is that the home ownership scheme which has been extended to Africans in other (10) areas does not apply to the Western Cape because again it is a Coloured labour preference area and there are a very large number of Africans. Langa is one of the very oldest townships, who have been resident in that area two generations or longer and to them it is a tremendous hardship that they are to be deprived of the security of home ownership and in fact they consider theirs is a lot of double discrimination. Firstly the discrimination to which all urban Africans are subject and which Dr Hellmann has discussed fully and secondly, the second set of discriminations by virtue of being resident (20) in the Cape and the Western Cape having been declared a Coloured labour preference area. I do think that this is an extremely important factor because there is nothing as important from the point of view of security and of creating a stable middle-class than the possibility of home ownership and once you have deprived a group of responsible citizens from this and yet make it possible in other areas, it is I think regarded very legitimately as a very serious discrimination. I would like to just go on to the next point of migrant labour, because that has become the subject of some very serious internal (30) frictions between permanent residents and migrant labourers and

I would like to stress the tremendous increase in the number of migrant workers - now called contract workers - between 1966 when the number was 35 000 and 1975 when the number was 120 000. Now, this has been led, I think, in evidence before you many times before and I do not need to stress the tremendous instability that occurs where you have this enormous preponderance of alleged bachelors cheek by jowl in a residential township and where you have this enormous excess male population. It has already before brought about stresses and strains and these stresses and strains evidenced themselves (10) again very, very obviously in the clashes between the migrants and the settled residents from the 6th December, through December, culminating in the slaughter of the 25th and 26th December.

The migrants come mainly from? -- They come mainly from the Ciskei and the Transkei. They are all Xhosas, but a very, very large proportion of them are members of the Amabakha Tribe. I could not give you the tribal affiliations because we have no data on that. I would also like to say, though I haven't got it here, that the conditions under which most of the (20) migrants are housed, are deplorable and certainly in the point of our - from our recommendations, we have recommended that there be a very considerable upgrading in the standard of housing of migrant workers. Their conditions are really in many respects sub-human. They vary, because a very large proportion of them are today accommodated in hostels put up by their employers and what the employers put up, vary from excellent to very indifferent and possibly some of the worst migrant labour accommodation is that provided formerly by the Cape Town City Council and now by the BAAB. Homeland citizenship I do (30) not need to discuss because Dr Hellmann has dealt with it, but

I would merely like to say that the position in Cape Town is tremendously confused and the Athlone Advice Office is dealing with cases daily of Xhosa going home on leave, contract workers, permanently settled ones in Cape Town wanting to visit and there appears to be a great deal of confusion even in the minds of the senior officials in the Bantu Commissioner's Office and in the Bantu Administration Affairs Office. The matter has led to very strong statements by the new Transkei Ambassador Njusani, and I think that this is probably one of the most difficult moments when the thing is highly confused and (10) will probably be straightened out, but I would just like to say that at the present moment there is anything but clarity on what sort of documents or passports or whether you can go home on a visit on a reference book or not. The situation is very confused and it is leading to again tremendous insecurity. I think finally I should mention that on the 19th February, that is 2 or 3 days ago, there was an announcement that increased family housing is to be provided by the Bantu Affairs Administration Board in Langa and they are planning to turn 850 migrant workers' units into accommodation which will (20) provide 1 700 family housing units. This is to be staged in two phases. The dates are not given of the phases, but the first phase would take 383 of these units and convert them into 766 family housing and the second is 467 units to be converted into 934. In the meantime the 13 600 migrant workers are to be transferred from Langa to Guguletu, which will create another problem of having 13 600 additional migrants in a family residential area. I merely want to stress that. This newspaper clipping was only available after my report, otherwise I would have had it photostated. (30)

I hand this in as EXHIBIT 292, an extract - which paper is this/...

this? -- I think it is Cape Times, have I not got 'C.T.' on it?

Yes, Cape Times, dated 19th February, 1977. -- It was also quoted as a very brief reply in Hansard. That is all that I want to speak on the African background causes. I would, with your leave, now like to turn to the general causes of unrest in the Coloured areas and I start on page 9. This document does not purport to give every conceivable cause - every conceivable grievance. We have limited ourselves to such grievances as were felt by a very large proportion of the Coloured population. For that reason for instance there (10) is no reference to the Immorality Act, since that affects a minority. This could have been extended, but we have confined ourselves to what affects the majority of the Coloured population of the Western Cape. I would like to point out that on page 9, that it is very important indeed that we bear in mind that there is no homogeneity among the Coloured population; that there are tremendous differences in socio-economic background and religious affiliations; in standards of living; in values and so on and therefore these various causes which I shall enumerate do not affect each one of these (20) different social and economic classes to the same extent. But what I would like to stress is that all Coloured people, irrespective of their ethnic background or their religious affiliations or their area of residence, or the socio-economic status, are affected by a large number of these and I would not be in a position to give a priority and say I weighed this factor as 60% and another one as 10%. There is no possible statistical quantitative evaluation possible, but we can only say these are the things which have operated and these combined have created the stage of disillusionment, dis- (30) affection, tension and very often despair. I start off with

the/...

the exclusion from decision-making bodies which control all aspects of the lives of the Coloured community and refer to the fact that in the Cape the Coloured male voters were deprived of their franchise rights in 1958 and they were no longer able to participate in the election of members of Parliament or of the Provincial Council from that date onwards. In 1972 they were excluded from exercising the Cape municipal franchise. I would like to point out the exercise of the Cape municipal franchise was a very treasured right and since constitutional government in 1857 and from the time that the municipal (10) elections were constituted, there was an unbroken participation of Coloured members as elected representatives on the City Council and this was a very treasured civic and political right and the exclusion from the parliamentary and provincial franchise I think is very well known to you, but I would like to stress that the municipal one has created a very, very considerable amount of bitterness in the Cape. Now, in addition to these exclusions from these bodies, we have in South Africa a plethora of various boards, all of them - marketing boards, the Group Areas Board, the National (20) and Regional Transportation Boards, the National and Regional Welfare Boards, etc., etc., on which the Coloured persons have no direct representation and these boards are also extremely important in determining policies and the Coloured community have no direct participation in these very important structures. The Theron Commission went into the constitutional arrangements very, very carefully indeed and studied the constitution and the workings of the Coloured Representative Council and the local government committees. It devotes a very considerable part of the report to this and concludes in a majority (30) finding of the report that in respect of both the sphere of Coloured/...

Coloured interest and the sphere of common interests, the Coloured Representative Council has not yet developed into an effective instrument through which the Coloured population can participate and have a say in matters. In regard to local government it was stated 'the system is not creating the necessary capacities to provide adequately for the needs of the Coloured community.' The Commission consequently recommended (a) that the provision be made for satisfactory forms of direct Coloured representation and a direct say for Coloureds at the various levels of government and on the various decision- (10) making bodies; (b) that a commission of experts be appointed to make more detailed proposals in regard to the organisational and statutory adjustments required. A very important fact is that these recommendations were unequivocally rejected by the government in its White Paper and it stated quite clearly that the only direct representation of the Coloured people in parliament, provincial councils and local government institutions was unacceptable to it. At the present moment there is - there has been a Cabinet Committee which has on it representatives of the Coloured Representative Council and of the (20) Indian Nominated Council and there is a parliamentary group - I do not know if it is an official commission - which is itself studying whether alternative constitutional proposals can be made which would not incorporate the Westminster model. But we conclude by saying that for the foreseeable future, the Coloured people will continue to be subjected to legislation and administrative regulations affecting every aspect of their living without any participation in decision-making. The next point is the point of the poverty and here I do not want to read this, I want to summarise because I would like to (30) move on. The Theron Commission did a very detailed survey

of/...

of Coloured income and expenditure and this is in the second paragraph on page 11, headed 'Poverty' and they concluded from this survey that they had undertaken that 30% - 30,1% of the Coloured population - this is in the Republic - lived below the supplementary living level which was then estimated to be R131,46 per month for a family of 5 and R152,90 for a family of six. This is a theoretical minimum involving you know, the use of the best and the cheapest nutritional foods, and it excludes items of expenditures which many householders consider essential. It includes no items of furniture, nor a stove, (10) nor a radio licence, nor any item of expenditure for a postage stamp or a telephone call or for an ambulance for a sick child or any form of recreation and so on. I would like to say this is an austerity standard even though it is called the supplementary household living.

This accords with what Dr Hellmann also said in relation to the Blacks. -- Yes, but we just want to point out that it is a very bare standard of living. And yet 30% of the Coloured population do not attain this. I have endeavoured to give you figures for the Western Cape because our evidence was (20) relating to the Western Cape and the only study that I could find was that of the Bureau of Market Research which was based on 1970 in which, in fact the figures are even worse because that study found that 55% of Coloured householders in Cape Town had an income below the minimum effective level, while 31% fell below the poverty datum line. I do not want to give any further figures; those are the ones that we have been able to give to the best of our ability. Now I would again like to quote from the Theron Commission in that there is a great deal of reference to what we sociologists call the cultural (30) poverty; a self-perpetuating and repetitive cycle from which it/...

it is extraordinarily difficult for the masses to climb. Individuals can climb out of it, but the masses are engulfed in this because not only is there poverty, but it is characterised by high fertility and high mortality, lack of education, broken families, disrupted families, resort to alcohol as an escape, unemployment, idle youth, crime, lack of aspirations and the poor are encapsulated in their own culture of poverty which is a mass phenomenon and requires very considerable community action at uplifting whole communities to make possible and enhancement of the standards of the thousands (10) who are caught in this perpetuating web of this. A very, very large section of the Theron Commission Report is devoted to this and within the last month Prof. Theron and the secretary, Prof. Du Toit, brought out a book on the Theron Commission, a summary of it and Prof. Sampie de Wet has brought out one book just on this whole concept of the mass poverty. So that I would like to say that this is a tremendously vital factor in understanding this phenomenon and which to a very large extent explains why the situation is so much worse in the Cape where you have in greater Cape Town some 55% of the total (20) Coloured population of South Africa encapsulated in this, compared with, say, the population in Cape Town - in Durban or Johannesburg where entirely different socio-economic conditions prevail. I do not think I need pursue this any further. I would like then to move on to education and while this memo has given a great number of facts, I think I need point out only a few to you. I think the first figures that are quoted here, speak for themselves and are figures that are not elsewhere quoted because as a matter of fact I built them up myself from the 1970 census. These are comparative (30) figures of educational achievement of persons over 15 years of/...

of age and they are devastating I think in their implications. I would like to draw your attention to those. I would like to stress that while the educational services in the Coloured Education Department have expanded and a great deal has been done in the last 15 years - and I would like to pay tribute to this, but they have unfortunately not kept pace with the growing demands, nor the adaptations required for a contemporary industrialised society. On the question of per capita expenditure, the disparity is, roughly speaking, 4 to 1, the per capita cost of White education is roughly speaking (10) 4 times that of Coloured and I would like to say that in the old days of the Cape Province, when they administered the Coloured education, the disparity of White to Coloured was 2,5 so it has widened over the last years. I would like to stress particularly the shortage of school accommodation which has resulted in the vast increase in double sessions and despite the fact that a very considerable sum has been spent on increase in school buildings, for instance between 1966 and 1972, 611 new classrooms were built, but unfortunately 429 of these were replacement for schools which were closed (20) under Group Areas and consequently instead of 611 new classrooms, there were less than 200 new ones and this is a thing that is happening all the time. The Group Areas - implementation of the Group Areas bedevils the progress made in other fields because it appears that the priorities are always the removal of people and schools under Group Areas and with the fact that money has to be spent to provide for classrooms which are already existing but which have to be closed because they want to move the population and again I would like to point out that while there have been improvements in the last few (30) years, one of the greatest shortcomings of the Coloured

educational/...

educational system which in some ways is somewhat similar to the African system, is that only a minority - a small minority of the scholars are in the high school. In 1975 only 13,4% of the Coloured pupils were at secondary and high schools. It is much higher than the African position, but it is interesting to note that it is very considerably lower than the Asian position. And that is the great weakness that even today there are just over 3 000 Coloured scholars in Std. 10 and from this handful of 3 000 to 4 000 Coloured scholars, you have got to get all your university students, people going (10) on to posts in teacher training, your technical training people, the people for .. (inaudible) .. clerical jobs. There is this bottle-neck. There just are not enough people with the education to make possible a considerable vertical mobility. I think I will leave that for the present moment. I do not think that I need speak about the disabilities of the University of the Western Cape, because that has also been canvassed in the evidence before you given by Dr Van der Ross. So unless there are any questions on it, I propose not to speak on page 14 on the University of Western Cape. (20)

THE COMMISSION ADJOURNS.
