

1963

ONE RAND FIFTY CENTS

**A SURVEY
OF
RACE RELATIONS
IN
SOUTH AFRICA**

Compiled by
MURIEL HORRELL assisted by Mary Draper

SOUTH AFRICAN INSTITUTE OF RACE RELATIONS

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NOTE ON PERIOD COVERED

This *Survey* is stated to be for the year 1963. As it was wished to have it published early in January 1964, however, it was impossible to describe certain events that occurred during the last weeks of the year. This will be done in the next issue.

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POLICIES AND ATTITUDES

POLITICAL PARTIES

Nationalist Party

It is difficult to estimate public opinion between elections, but it would appear that in spite of the mounting pressure of world opinion, described later, White right-wing elements (English- as well as Afrikaans-speaking people) are increasingly aligning themselves behind Dr. Verwoerd, who is coming to be looked upon by them as the champion of *White* nationalism rather than of *Afrikaner* nationalism, as in the past. His image, in the minds of many White South Africans, seems to be that of a strong, determined man who will, for the time being at any rate, protect "White" civilization in the southernmost State of Africa against the tide of Pan-Africanism spreading from the north.

During the year under review, in the face of threats to internal security presented by the activities of Poqo, the Spear of the Nation, and other bodies, the Government has taken still further powers to enable it to contain the situation and to restrain outspoken left-wing critics. It has succeeded in re-establishing order: the cost of this in terms of human liberties is described in the pages that follow.

The Government justifies its policy of maintaining White supremacy in the major part of the country by pointing to the progress towards a degree of self-government in the Transkei. The Minister of Bantu Administration and Development has announced, however, that it is not at present the intention to grant other African areas greater powers than those of a Territorial Authority. The Transkeian plan appears to have met with some opposition within the ranks of the Nationalist Party, for groups such as the "Back to Strydom" movement led by Mr. Fritz Smit and the "Save South Africa" organization led by Professor C. F. van der Merwe have been formed. But their influence does not seem to be significant.

The converse to the Transkei Constitution Act was introduced during the year in the form of the Bantu Laws Amendment Bill. It would have reduced all Africans outside the Bantu homelands to the status of temporary sojourners, there as long as their presence was required by the White man. This measure was presented to Parliament in the closing weeks of the Session, and as it became evident that it was going to encounter much opposi-

tion the clauses concerned were shelved; it is not yet clear whether they have been dropped permanently.

The Government has suppressed the latest of a series of waves of unrest.⁽¹⁾ Hundreds of young men have been gaoled for periods of from two to twenty or more years. These men are, however, likely, on release, to be deeply embittered and even more determined than they were previously to continue the struggle against discriminatory legislation. Key figures in the African National Congress and Pan-African Congress have been assisted to escape from the Republic and are in close touch with "liberation" movements in other countries. The crucial question for the future is whether White South Africa can continue indefinitely to pursue present policies in the face of world opposition and ever-growing unrest among her own Non-White peoples.

United Party

During the year under review Sir de Villiers Graaff has elaborated on the United Party's race federation plan.⁽²⁾ He talked of an "orderly advance", commencing with a review of legislation which is discriminatory or which offends the rule of law. In the second stage, he said, the Coloured people of the Cape and Natal would be restored to the common roll. Coloured in the Transkei, Free State, and Transvaal would be represented in the Senate if they so wished, on a separate roll. Africans would be represented by not more than 8 Whites in the Assembly and 6 Whites in the Senate. Discussions would be held with Indians to determine their future political status.

Ultimately a third stage would be embarked upon, involving the establishment of communal councils, one for the White and Coloured groups, one for the Asians, and one or possibly more for the Africans. Each council would control the more intimate affairs of its group, for example local government, education, certain aspects of health services, and matters connected with personal status and succession. Matters of national importance would fall under the purview of a central parliament in which each racial group would be represented "in accordance with the standard of civilization it had reached". In this way White leadership would be maintained and "the most advanced groups would maintain power, though sharing it with the less advanced".

The United Party came in for considerable criticism amongst other opponents of Government policies through its failure to oppose the second reading of the General Law Amendment Bill of 1963, which contained clauses providing for 90-day arrests without

(1) Previous waves of unrest are described in the booklet *Action, Reaction and Counteraction*, published by the Institute of Race Relations in 1963.

(2) *Rand Daily Mail*, 2 November 1962, and *Sunday Times*, 7 April 1963.

trial and for the continued detention, after completion of prison sentences, of persons considered by the Government to be likely, if released, to further the achievement of any of the statutory objects of communism. This led to the resignation of Mr. J. Hamilton Russell, M.P., who represented the Wynberg constituency. At the general election in 1961 he had received 6,311 votes against 1,911 cast for an independent, in a 72.3 per cent poll. At the by-election that followed his resignation from Parliament, Mrs. C. Taylor, of the United Party, received 3,976 votes against 1,825 cast for an independent and 1,561 for a member of the Progressive Party, in a 63.5 per cent poll. Mr. Russell subsequently became a member of the Progressive Party.

In October two right-wing members resigned from the United Party though retaining their seats: they were Senator P. W. J. Groenewald and Mr. H. Odell. Senator Groenewald joined the Nationalist Party.

Progressive Party

The Progressive Party, which, unlike those mentioned above, accepts Non-White members, stands for integration on the basis of a qualified franchise and an entrenched Bill of Rights.^(*) At every opportunity during the past year it has continued to declare that some form of inter-racial State is inevitable in South Africa. Its attitude to Government policies is described in the pages that follow. As will be evident, on more than one occasion its single Parliamentary representative, Mrs. Helen Suzman, was the sole opponent of certain measures proposed by the Government.

Liberal Party

The activities of the non-racial Liberal Party, which believes that the franchise should be extended gradually on the common roll to all adult persons, without any literacy, income or other qualifications, have been impeded by Government action taken against numbers of its leaders. The National President, Mr. Alan Paton, continues to have no passport. Severe banning orders, described later, have been served against Mr. Randolph Vigne, Deputy National President, Mr. Jordan Ngubane, a National Vice-President (now living in Swaziland), and Mr. Peter Hujl, Chairman of the Cape Division and a former editor of *Contact*. Four other leaders have been warned to cease activities that might further the aims of statutory communism.

Four members of the Party, including the Cape Town Vice-Chairman, Mr. Terence Beard, were arrested and held for several

(*) See 1959-60 *Survey*, page 12, and 1962 *Survey*, page 2, for details of this Party's policy.

days in Umtata, under the emergency regulations for the Transkei.⁽⁴⁾

It is reported⁽⁵⁾ that certain evidence relating to "liberals" was placed before the Commission of Inquiry into the Paarl disturbances⁽⁶⁾ when the Commissioner, Mr. Justice Snyman, held a sitting in the Transkei. Mr. J. H. Steyn, Counsel for the S.A. Police and the Department of Bantu Administration and Development, said that information had come into his possession indicating that certain persons who were referred to as liberals had assisted in the subversive activities of Poqo.

There was no cross-examination by Mr. E. L. King, Counsel for the Institute of Race Relations and the Non-Whites of Paarl, because funds raised from voluntary sources were inadequate to allow him to go to the Transkei. At a subsequent sitting in Paarl, however, Mr. King asked that a precise definition of the term "liberal" be given in relation to the context in which it had been used by Mr. Steyn, and that the latter should identify the people to whom he referred and disclose the source and nature of his information.

Mr. Justice Snyman refused these applications. He is reported to have said, "It is true that the name of the Liberal Party has been used . . . but the reference . . . is so wide that it does not involve any individual in that Party. So far as the Party is concerned it is true that this reference to them . . . must be embarrassing and unwelcome to them. But in so far as no names have been mentioned I don't think Mr. King can rightfully ask that that source of information should be disclosed."

Coloured Representation in Parliament

Mr. G. S. P. le Roux, one of the four representatives of Coloured voters in the Cape (Karoo constituency), died in July, and was succeeded by Mr. Graham S. Eden of the United Party. Mr. Eden polled 2,099 votes as against 1,726 polled for a member of the Nationalist Party and 36 for an Independent.

Non-White Organizations

There have been no important developments during the year relating to the aims and activities of the Coloured National Convention, Coloured People's Congress, or other Coloured or Indian bodies.

The emergence and activities of Poqo and the Spear of the Nation are described in a subsequent chapter.

⁽⁴⁾ *Rand Daily Mail*, 11 March.

⁽⁵⁾ *Ibid.*, 4 and 5 March and 26 June.

⁽⁶⁾ Described later

THE CHURCHES**Interdenominational Meetings**

In 1962 the international Theological Education Fund made enquiries as to whether South Africa wished to participate in its programmes for training an indigenous ministry in various countries. As a result a South African Advisory Committee on Theological Institutes was formed, with an inter-church and inter-racial membership, the organizer of this work being Mr. F. J. van Wyk, Assistant Director of the Institute of Race Relations. The committee arranged an inter-racial Theological Institute which was held at Stutterheim during January 1963. Further such institutes are planned.

White and Non-White churchmen from South Africa, of a wide range of denominations, attended a conference at Kampala in May, sponsored by the World Council of Churches, at which plans were made for setting up an All-Africa Conference of Churches to foster greater understanding between established churches and the independent African church movements.

New President of Methodist Church

The Rev. Seth M. Mokitimi is the first African to have been chosen as the leader of a major South African church. In October he was elected president of the Methodist Church, and will take office in mid-1964.

Appeal by Professor Geyser

A description was given in last year's *Survey*^(*) of the conviction of Professor A. S. Geyser on a charge of heresy by a Synodal Commission of the Nederduitsch Hervormde Kerk. Thereafter he was deposed as a minister of that church.

Professor Geyser decided to contest the commission's findings in the Supreme Court. The hearing began in May 1963 but was terminated before the evidence had been completed when the parties reached an agreement, which was made an order of court. The commission's findings were set aside, it undertook to pay all legal costs, and Professor Geyser was reinstated as a minister of the church. Representatives of the commission said that this body's interpretation of his views had been bona fide mistaken.

Pro Veritate

Mention was made last year of the launching in May 1962 of a Christian monthly publication named *Pro Veritate*, with an inter-racial and inter-denominational editorial board. The editor

(*) Page 4.

is the Rev. C. F. Beyers Naudé of the Nederduitse Gereformeerde Kerk. The aim of this paper is to discuss vital problems of the church and the community in the light of the Scriptures and to foster unity in fellowship.

This venture has continued to meet with opposition from members of the Dutch Reformed Churches. It has been called an "integrationalist" and a "propagandist" paper which "strikes at the heart of the (Dutch Reformed) Church".

Christian Institute of Southern Africa

The Dutch Reformed Churches are not members of the Christian Council of South Africa. As has been described in previous issues of this *Survey*, however, they took the lead in calling a series of inter-church and inter-racial conferences which led to the Cottesloe consultations, convened by the World Council of Churches in December 1960.^(*) A statement issued at the conclusion of these consultations reflected the consensus of opinion of delegates: in the nature of the case it did not fully represent the convictions of member churches. *Inter alia* it was maintained in this statement that no one who believes in Jesus Christ should be excluded from any church on the grounds of his colour or race; there was need for more effective consultation between the Government and the leaders accepted by Non-White people; the right to own land wherever he is domiciled and to participate in the government of the country is part of the dignity of all adult men.

Immediately thereafter the delegates from the Nederduitse Hervormde Kerk publicly dissociated themselves from the resolutions passed. The Transvaal and Cape Synods of the Nederduitse Gereformeerde Kerk did so later, and all three churches withdrew from the World Council of Churches. Other Dutch Reformed Churches in South Africa had not been members of this body.

Individual members of the Dutch Reformed Churches continued, however, to support the ecumenical movement. They and many leading representatives of other churches felt convinced that Christians of all the various denominations and races should meet together to try to work out the implications of the Kingdom of God for the peoples of the country. Arising from their discussions the Christian Institute of Southern Africa was established in August 1963, with the aim of uniting Christians on an individual basis and making Christianity more of a living force. A public meeting was held at which an inter-racial and inter-church management board was elected.

This Institute has been condemned by certain leading members of the Dutch Reformed Churches: it has been termed an "anti-apartheid pressure group". In an indirect attack Dr. Verwoerd talked of "people in church organizations who are being

(*) See 1961 *Survey*, page 63.

persuaded to work together in a way that they do not do at the political level".⁽⁹⁾

The position of Director of this Institute was offered to the Rev. C. F. Beyers Naudé, who in April had been elected Moderator of the Southern Transvaal Synod of the Nederduitse Gereformeerde Kerk although certain church members regretted his defence of the Cottesloe resolutions and objected to his editing *Pro Veritate*. Mr. Naudé sought permission from his church to accept the post while retaining his status as a minister; but by majority vote the Examining Commission of the Northern and Southern Transvaal Synods refused this application. Mr. Naudé then announced that he would relinquish his status as a minister. Although his church did not as yet appreciate the need, he wished to serve it in a wider ecumenical context through the Christian Institute. He talked of his church's "purposeful and fear-ridden process of isolation". Many of its ministers, he said, were convinced that great changes in church and race attitudes were needed, but were concealing these convictions because they feared damaging the church, because they feared members were not ready to receive such truths, and because they feared repercussions in their congregations. The choice must be made, Mr. Naudé insisted, between obedience to God and obedience to men.⁽¹⁰⁾

He is appealing to the moderation of the Southern Transvaal Synod against the decision of the Examining Commission.

The Christian Council of South Africa

During the past year there have been encouraging developments in the Christian Council of South Africa, a Council linking 28 churches and missionary societies. Due largely to the initiative of the Council's secretary, the Rev. Basil H. M. Brown, the Council's organization has been brought into line with that of the World Council of Churches. There is now, for instance, a study department and a department for liaison with non-member churches, e.g. the Roman Catholic and the Dutch Reformed Churches. Through the Inter-Church Aid Division of the World Council of Churches and the member churches of the Christian Council considerable financial and other assistance was—and is being—given in drought-stricken areas.

Views Expressed by Certain Church Leaders

During recent months several Anglican Bishops have made outspoken statements on policies which deny fundamental rights to Non-White citizens; and leaders of various churches contributed to a symposium in the *Rand Daily Mail* in October on the role of the Church in the South African situation.

⁽⁹⁾ *Rand Daily Mail* report, 19 August.

⁽¹⁰⁾ *Ibid.*, 23 September.

It is reported⁽¹¹⁾ that at a Nationalist Party meeting the Minister of Foreign Affairs said the time had come to tell the Bishops that it was not in the interests of their church to intervene in South Africa's political issues. Spiritual leaders, of whatever denomination, should confine their attention to the spiritual care of members of their church. The Bishop of Johannesburg was warned that he "would do well to remember what had happened" to Bishop Reeves.

S.A. INSTITUTE OF RACE RELATIONS

Council Meeting, January 1963

As was described in last year's *Survey*,⁽¹²⁾ the Institute planned a conference based on the theme "Human Relations and Communication Today", which was to have been held in January 1963. In spite of an announcement by Dr. Verwoerd that he was opposed to such a conference the organizers decided to go ahead, and numbers of distinguished persons from overseas accepted invitations to attend. But the plans were eventually cancelled after the Secretary for the Interior had been asked to facilitate arrangements for issuing *visas* to these visitors and replied, "The Department is not prepared to assist your Institute in the direction desired. The entry into the Republic of the persons detailed in the enclosure to your letter for the sole purpose of attending the proposed conference cannot therefore be approved . . ." The Institute decided that without the overseas speakers the conference would lose its main purpose and its international character.

A Council meeting on the broad theme "Africa and South Africa" was held instead, authorities on a wide range of subjects being invited to join Council members in the discussions.

The Presidential address, by the Hon. O. D. Schreiner, was entitled "Political Power in South Africa".⁽¹³⁾

The theme papers were:

- "Manpower Resources of Africa", by Prof. J. L. Sadie (RR 11/63)
- "Economic Development in the Newly Independent States of Africa", by Mr. D. A. Etheredge (RR 4/63)
- "Culture Contact in Africa South of the Sahara", by Prof. Eileen J. Krige (RR 12/63)
- "South Africa's Scientific and Technological Contribution to the Rest of Africa", by Mr. W. Marshall Clark (RR 3/63)
- "The Freedom and Function of the Press", by Mr. Horace Flather (RR 13/63)

⁽¹¹⁾ *Rand Daily Mail*, 1 November.

⁽¹²⁾ Page 8.

⁽¹³⁾ This was published by the Institute.

"The Role of Radio and Television in Africa", by Mr. Michael Silver (RR 14/63)

"The Arts in Africa", by Mr. Hugh Tracey (RR 2/63)

Panel discussions took place on the following subjects:

Post-Independence problems in Africa

Tribal loyalties in South Africa

Non-White political movements in South Africa

Can South Africa develop a common culture?

The responsibility of the Press in a multi-racial society

South Africa's under-developed areas

Factors influencing South Africa's productivity

Personnel management and African employees

Effects of South Africa's multi-racial society on arts and writing.

Race relations and sport in South Africa⁽¹⁴⁾

Liberalism vs. Communism

Following a discussion at the Institute's Executive Committee meeting in January it was decided to publish an open letter to Institute members in the February issue of *Race Relations News* dealing with the current campaign against liberalism.

The Government was acutely aware, the Executive Committee stated, that the most trenchant and sustained criticism of its policies emanated from liberal quarters. The Government was, therefore, associating liberalism with communism, presumably believing that it could thus provide itself with a plausible excuse for taking action against liberals. Furthermore this campaign, by employing the technique of the "smear", was calculated to frighten many into disavowing their liberal sympathies or withdrawing their support from liberal bodies such as the Institute of Race Relations.

But liberalism and communism were as antagonistic to each other as fire and water. The communist believed that reforms were a mere palliative and that only a revolution could ensure the emancipation of the masses. He sought to bring about such a revolution by methods of violence and subversion, and, thereafter, to substitute rule by coercion and decree for government by consent of the governed.

The liberal, on the other hand, followed the path of evolutionary advance. He sought, by methods of persuasion and consent, to bring about a stable society in which all human beings would be treated as of equal importance, entitled to the same inalienable rights, liberties, and opportunities.

Liberalism had been widely proved to be a powerful anti-revolutionary force. If the Government of South Africa used its

⁽¹⁴⁾ The main points emerging from panel discussions were outlined in the January issue of *Race Relations News*.

despotic powers to destroy liberalism it would destroy the only force that could defeat communism in the country, and would create the very conditions which favour the advance of communism. Denied access to the democratic process by which grievances are normally redressed, the Non-Whites would have no alternative but to turn to communism—or to the subversive methods with which communism was associated—as the only means of achieving their emancipation. The Government would then have to bear the full responsibility for the disastrous situation which would inevitably ensue.

The Executive Committee concluded, "We who are concerned with the work of the Institute reaffirm our support for liberalism in the conviction that its enduring values will ensure the ultimate triumph of the cause to which we are committed."

BLACK SASH

In October 1963 the Black Sash decided to open its membership to all women in South Africa, regardless of race. It issued a statement saying, "Hitherto membership has been composed of women voters who felt that a White electorate bears the guilt for the discriminatory laws passed in their name.

"We have, however, reached the conclusion that our membership should be open to all the women of South Africa.

"An important factor is the enfranchisement of the women of the Transkei. To have admitted only these new voters and no other Non-White women would have meant the condonation of certain policies abhorrent to the Black Sash."

NEW NON-WHITE ORGANIZATIONS AND THEIR ACTIVITIES

THE SPEAR OF THE NATION

Emergence of this organization

The banning orders issued on the African National Congress and Pan-African Congress, imposed in 1960, were renewed annually until 1962, when the General Law Amendment Act deleted the provision that such orders would remain in force for 12 months only unless they were extended by proclamation.

After the A.N.C. had been banned its former members were widely dispersed. Some of them were serving lengthy gaol sentences. Some were in hiding. Others, like ex-Chief Luthuli, had been served with restrictive banning orders. Still others, for example Oliver Tambo, Robert Resha, Tennyson Makiwane, and Joe Matthews, had left the country.

These leaders began to despair of a peaceful solution. Mr. Nelson Mandela said,⁽¹⁾ "Always we have been conscious of our obligations as citizens to avoid breaches of the law where such breaches can be avoided, to prevent clashes between the authorities and our people where such clashes can be prevented, but nevertheless we have been driven to speak up for what we believe is right and work for it and try to bring about changes which will satisfy our human conscience . . .

"Government violence can do only one thing and that is to breed counter-violence. We have warned repeatedly that . . . ultimately if there is no dawning of sanity on the part of the Government, the dispute between the Government and my people will finish up by being settled in violence and by force. Already there are indications in the country that people, my people, Africans, are turning to deliberate acts of violence and of force against the Government in order to persuade the Government in the only language which this Government shows, by its own behaviour, that it understands."

During 1961 certain ex-A.N.C. leaders who remained in South Africa and were not under banning orders, together with some of those who had left, gathered at a secret meeting place in Bechuanaland to discuss future tactics.

(1) Speech made in court, November 1962, subsequently quoted in the House of Assembly by Mrs. Helen Suzman, M.P., 23 February 1963, Hansard 1, col. 109.

The Minister of Justice subsequently quoted from a monthly news sheet issued by the A.N.C. in Cairo during April 1963,⁽²⁾ which stated that the emphasis was to be on mass political action, with the aim not just of securing the repeal of individual laws, but of liquidating the whole *status quo* and seizing political power: the spirit of revolt against White domination must be raised to new heights. In the atmosphere created by political agitation effective action could be taken by the A.N.C.'s specialized military wing *Umkonto we Sizwe* (the Spear of the Nation). This organization would act, as did the A.N.C., on the basis of scientific analyses of the objective conditions. It would undertake an elementary phase of sabotage and an advanced phase of guerilla warfare.

Attacks on property

Since December 1961 there have been sporadic acts of sabotage in South Africa, some successful and others not. According to anonymous messages received by newspapers many of these acts, in which sophisticated weapons were used, were the work of the Spear of the Nation; but in one or two cases another body called the National Committee for Liberation claimed the responsibility. (It subsequently appeared that these organizations had the same executive committee.) Other attacks on African chiefs or officials or on Whites, and plans for uprisings against Whites in various centres, were alleged to have been instigated by Poqo (described below).

Acts of sabotage that occurred in 1961 and 1962 were described in the previous issue of this *Survey*.⁽³⁾ There have, since, been further instances.

During January 1963 a partially successful attempt was made to disrupt telephone services in the industrial area of Durban; and an unsuccessful attempt to blow up a large petrol tank in Cape Town harbour. An explosion at night caused extensive damage to the offices of a Natal Nationalist newspaper, surrounding buildings, and cars parked nearby. A woman passer-by was injured. An endeavour which failed was made to wreck the building in Pretoria where the treason trial was held.

In February a home made bomb was exploded in a beerhall in Durban, causing slight injuries to three patrons. A telephone booth was blown up in Claremont, Cape Town. Telephone wires were cut near Grahamstown, temporarily disrupting services to other towns. A rail was loosened in a cutting about 17 miles from Johannesburg, causing the derailment of 11 coaches of a mail train: fortunately they tilted against the side of the cutting and no one was seriously injured.

⁽²⁾ Assembly, 12 June, Hansard 20, cols. 7768-9.

⁽³⁾ Pages 25, 53 and 239.

Saboteurs were again busy during March and April. A power supply line was put out of action near King William's Town, interrupting the flow of electricity to four towns for some hours. An explosion shattered a section of the main railway line outside Durban just after a goods train had passed. A railway toolshed was blown up in Johannesburg, and an unsuccessful attempt made to dynamite a signal relay-box. Damage was done to African tax offices in Durban and a neighbouring hotel, and the offices of the Bantu Administration Department in Johannesburg. No further acts of sabotage were reported until June, when an unsuccessful effort was made to set fire to railway trailers in Johannesburg.

The police made numerous arrests in connection with these acts. Some of the alleged principal instigators of sabotage were apprehended on 11 July 1963 in a raid on the home of Mr. Arthur Goldreich in Rivonia, Johannesburg, and were charged later with having instigated 199 acts of sabotage. The indictment against them, and other trials for sabotage, are described later.

Acts of violence continued, however. On 5 August a telephone line at Roodepoort was cut. Five explosions disrupted the Cape Peninsula train services on the early morning of 3 September. Electric signal cables were blown up, and the trains had to be controlled by hand signals. On 24 September an attempt was made to cut the main railway line to Lourenco Marques at a point about seven miles from Pretoria. Signal cables and a junction box were damaged. It was discovered in November that an endeavour had been made to blow up high voltage power lines in the Western Cape. A telephone exchange in Pretoria was damaged in December.

POQO

Emergence of Poqo

According to Mr. Frank Barton, the Cape Town editor of *Drum and Post*,⁽⁴⁾ the P.A.C. leader, Mr. Philip Kgosana, before he left South Africa, said that the march on Parliament in March 1960 had been the Government's last chance to come to terms with legitimate African demands. When the Government refused to negotiate it cast the die for what he described as a bloodbath.

During the second half of 1961, after Mr. Kgosana's flight and while Mr. Robert Sobukwe, President of the P.A.C., was in gaol (he was convicted of incitement in 1960), extremist members of the P.A.C., who are said to have considered these leaders to be too moderate, formed a new movement called Poqo. Mr. Barton said that this was a repetition of what had happened two years earlier when the militant wing of the A.N.C. broke away and formed the P.A.C. because of dissatisfaction with passive tactics.

(4) In evidence given before the Snyman Commission, as reported in the *Star*, 21 March.

By mid-1962, he stated, Poqo had replaced the P.A.C. as the driving force of African nationalism in the Western Cape, although the P.A.C. continued to exist.

Mr. Justice Snyman was appointed as a one-man commission of enquiry into riots that took place in Paarl in November 1962. After hearing numerous witnesses he came to the conclusion⁽⁵⁾ that Poqo was the P.A.C. gone underground: beyond all reasonable doubts it was the same body. Its salute, aims, speakers, and subscriptions were the same, he said.

The word "Poqo" means "only" or "pure", implying that it is a purely African movement working for the African people.

Aims and objectives

Mr. Justice Snyman reported that Poqo planned to overthrow the Government by revolutionary means during 1963 and to create an Africanist socialist democratic state in which only Africans would have any voice. In a subsequent court case Mr. Justice Cillie came to the conclusion⁽⁶⁾ that Poqo intended promoting internal disorder and the indiscriminate killing of Whites.

Mr. Potlako Leballo, who later claimed to be the leader of Poqo, held a Press conference at Maseru in Basutoland during March 1963, at which he expressed the view⁽⁷⁾ that acts of sabotage were useless in the campaign to "liberate" Africans. He disclaimed P.A.C. responsibility for such acts.

In his final report⁽⁸⁾ Mr. Justice Snyman said that Poqo aimed at abolishing the tribal system because under it Poqo members, as men of little or no tribal status, had no hope of attaining leadership. Acts of violence had been directed against chiefs.

It was only amongst the thin upper crust of Poqo members that the full aims of the movement were clearly understood, he found.

Membership and organization

At the Press conference mentioned above Mr. Leballo said that Poqo had 150,000 members. In April 1963 the Basutoland police raided Mr. Leballo's office in Maseru, finding a membership list which was said⁽⁹⁾ to contain 10,000 to 15,000 names (the Basutoland authorities refused to confirm or deny this and did not pass the list to the South African Government). Mr. Justice Snyman was of the opinion that this list was probably not reliable as many names were entered without requiring signatures, and many alleged members had joined under duress. There was little

(5) Interim report as summarized in the *Star*, 21 March, and *Rand Daily Mail* of the following day.

(6) *Rand Daily Mail* report, 3 July.

(7) *Ibid.*, 25 March.

(8) *Star* report, 25 March.

(9) *Rand Daily Mail*, 3, 4 and 6 April.

sign of moral support being given to Poqo by the African population in general, he said. The membership was proportionately not very high throughout the country generally, but certainly included several thousands. There were few in the Transkei. Poqo was strongest in Langa and Nyanga in Cape Town.

In his evidence before the Commission Mr. Barton said that Poqo thrived on local unrest, and the Western Cape was particularly fertile ground because of the strict influx control measures in force there and the threat to remove all Africans. A high proportion of the men in this area were not permitted to have their wives and children with them, which caused deep resentment. Many members were known to him as basically decent men, Mr. Barton continued, who maintained that they were being driven to extremes by the extremity of the times.

Counsel for the Institute of Race Relations and the Non-Whites of Paarl said in his summing up that there had been no avenue by which the law-abiding Africans of that town could approach the authorities. The blandishments of Poqo recruiters offered frustrated men everything to gain and nothing to lose.

Members such as these joined voluntarily; but many others were terrorized into becoming members and, once having joined, into keeping silent about Poqo activities. Mr. Justice Snyman reported that several gruesome murders had been committed to frighten the unwilling and force them to co-operate. Counsel for the police and the Bantu Administration Department said at the enquiry⁽¹⁰⁾ that information taken from arrested members showed that the organization consisted of cells, local branches, 16 regional divisions (each referred to as the Big House), and a headquarters in Johannesburg (the National House). Poqo actions were launched and controlled, too, from an office in Maseru: the precise connection between this office and the Johannesburg headquarters was not known.

Mr. Leballo, in charge of the Maseru office, said in March that Poqo leaders from South Africa slipped to and fro across the border to visit him. Telegrams were sent in code. Earlier, in a Press statement made in London, he said⁽¹¹⁾ he was overseas to seek financial assistance from Afro-Asian and "other friendly nations". Mr. Justice Snyman reported evidence to the effect that R50,000 had been contributed from Ghana. A young woman arrested in May 1963 said in court that she had worked in Maseru as Mr. Leballo's bookkeeper and knew that money had been sent from South Africa, Dar-es-Salaam, Accra, and London.⁽¹²⁾

During April the Minister of Justice read to Members of Parliament a letter he had received from Mr. Justice Snyman,⁽¹³⁾ in which the latter said: "There is a struggle for leadership among

⁽¹⁰⁾ *Star* report, 9 April.

⁽¹¹⁾ *Star*, 16 October 1962.

⁽¹²⁾ *Rand Daily Mail*, 19 July 1963.

⁽¹³⁾ *Assembly*, 24 April, Hansard 13, col. 460a.

potential leaders". Numbers of "the rash acts of violence we have experienced were planned and executed by such undisciplined persons with a view to their own aggrandisement, and in the hope that thereby they would increase their status". Mr. Leballo claimed at his Maseru Press conference that the tragedies at Paarl and the Bashee Bridge (described below) were the results of actions by impatient members who disobeyed orders to wait until they were given a "green light".

Training and weapons

Counsel for the police and the Bantu Administration Department said at the Paarl enquiry that the planning of incidents of violence by Poqo had been weak, and the weapons used usually primitive. There were, however, indications that some members had received instruction in modern methods of sabotage. A number of petrol bombs had been used, for example, at the Bashee River bridge. Similar bombs were used later in other areas.

Several court cases resulted from attempted attacks on Chief Matanzima by such men. In one case, heard at Mqanduli,⁽¹⁴⁾ a witchdoctor described how he was called to a kraal where he found a number of men carrying dangerous weapons. He gave medicine with which to wash their bodies to make them strong for the fight they were to carry out, and cut their foreheads, placing black medicine in the cuts. For this he was paid R30.

A witness in a case heard in Queenstown said⁽¹⁵⁾ that members of his group washed their bodies and were treated for protection against bullets. Cuts were made in his forehead and black powder was rubbed into the cuts. He paid R10 for this protection.

Acts of violence at Langa

At the Paarl enquiry Counsel for the police and the Bantu Administration Department said⁽¹⁶⁾ that because of the nature of the matter Poqo activities in all parts of the Republic could not be revealed at that stage. Nevertheless he could state that the police had reasonable grounds for believing that Poqo was responsible for the following incidents at Langa, Cape Town:

- 17 March 1962—African police sergeant stabbed to death;
- 29 July 1962—African police constable stabbed to death;
- 26 September 1962—African police sergeant murdered;
- 8 February 1963—Murder of a White man collecting debts.

Paarl

The serious rioting that took place in Paarl on the night of 21 November 1962 was described in last year's *Survey*.⁽¹⁷⁾ Mr.

⁽¹⁴⁾ *Rand Daily Mail*, 20 December 1962.

⁽¹⁵⁾ *Star*, 27 February 1963.

⁽¹⁶⁾ *Star*, 9 April.

⁽¹⁷⁾ Page 16.

Justice Snyman was appointed as a one-man commission of enquiry. The Institute of Race Relations appointed Counsel to act for it and for the Non-Whites of Paarl at the enquiry. The background to the riots emerged from evidence led by this Counsel, from his summing-up, and from the Snyman report.

The African townships of Paarl consist of the squalid "emergency" shanty town of Langabuya, where about 400 families live, and Mbekweni, housing about 30 families and 2,000 "single" men: many of the latter are in fact married but, under influx control regulations, either their families have never been allowed to join them or they have been endorsed out of the area. This has caused great resentment. The rioters came from the single quarters: any restraining influence which might have been exercised by the presence of women and children was lacking.

The judge said that impressive and convincing evidence had been given of corrupt practices by the municipal Director of African Affairs, a town councillor, and a senior African clerk in respect of the issuing of entrance permits to work-seekers. The Director had neither the qualifications nor the integrity for such a post, he reported. Officials maintained a petty autocracy; there were complaints of rough handling and assaults by the municipal police and of regular raiding of the barracks at night to check on illegal entrants and rent defaulters. Harsh penalties were imposed for infringements of petty regulations for the barracks. The Advisory Board was completely ineffective; public meetings were disallowed; and to all intents no social or recreational facilities had been provided.

Law-abiding Africans were denied any form of legitimate expression of their grievances, and became utterly frustrated. A fever of hatred spread through the single quarters: the people there were ripe for insurrection. This situation was ready made for Poqo, especially as, shortly before the riots, suspected Poqo members were forced by the headman of the location to move into one block. Reluctance to move was met by force.

Numbers of these men had joined Poqo voluntarily. According to the police it appeared that the membership never exceeded 300; but that by a series of gruesome deeds Poqo succeeded in creating an intense fear among the law-abiding men, thereby gaining a control over the township totally out of proportion to its strength. Several Africans suspected of giving information to the authorities were brutally murdered; and three Coloured women found in the single quarters were hacked to death, apparently because they were causing men to stay away from Poqo meetings. Another woman was dreadfully burned, but lived.

According to evidence given before the Commission, Poqo in the Western Cape had planned a series of risings to take place simultaneously in various Western Province towns; but instructions were given to postpone these.

As a result of police and municipal activities Poqo was on the verge of collapse in Paarl. There was fear and chaos among its leaders. In these circumstances they made a desperate and spur-of-the-moment decision to ignore their instructions and to launch an attack on the police and the Whites of Paarl.

Numbers of Africans who gave evidence at the enquiry were still terrified of Poqo reprisals, appeared wearing balaclava caps showing only their eyes, and were registered anonymously in court records.

After the publication of the Snyman report the Paarl Town Council suspended the municipal Director of African Affairs and urged the Minister to revoke his licence. This was done a few weeks later. The Cape Attorney-General instituted an inquiry into the allegations of corruption.

Second incident at Paarl

Although it had no direct connection with Poqo, it is convenient to make mention at this stage of a second incident that occurred in Paarl on 30 March 1963, for it is clear that an atmosphere of unrest persisted among the Non-White inhabitants.

Apparently two White policemen who were investigating a street accident were surrounded by a crowd of Coloured people. According to the police the Coloured pressed forward, were in an angry mood, and eventually began stoning the policemen, who opened fire, and managed to effect their escape. One Coloured man was shot dead; another died in hospital; and two (including a 10-year-old boy) were wounded. The policemen were slightly injured.

It was reported later that Coloured representatives in Parliament handed to the Minister of Justice seven affidavits from people who had been present at the disturbance, and that their version of the events differed from that of the police. The Minister promised to investigate the matter personally.⁽¹⁸⁾

Actions by Poqo in the Transkei

It appears that from the end of 1962 Poqo elements infiltrated from Langa into the Transkei with the object of reprisals against certain pro-Government chiefs. Mr. Justice Snyman said it seemed that they made use of a movement called *Makuluspan* ("the big organization"), which was originally formed to combat stock theft, to intimidate rural Africans.

According to Counsel for the police at the Paarl enquiry, Headman Gwebindlala Gqoboza was murdered on 19 October 1962 in the St. Marks district.

Several attempts on the life of Chief Kaiser Matanzima

(18) *Star*, 30 March, and *Sunday Times*, 7 April.

followed. A group set out from Langa with this objective in October 1962 but was caught, seven men being committed for trial. On 12 December a serious clash took place on Ntlonze Hill near the chief's Great Place in the Qamata area. An accused in a subsequent court case said⁽¹⁹⁾ that a group of men had come by train from Cape Town via Queenstown. Their leaders gave them rail tickets and instructed them to take home-made weapons. They waited on the hill for other groups coming by later trains. The Commissioner of Police said at the time⁽²⁰⁾ that they were joined by local tribesmen. Hearing of this, a squad of policemen moved up the hill to disperse the Africans, and were attacked with assegais, stones, and firearms. The police opened fire, but were forced to retire when dusk fell and the area became blanketed in mist. Three White policemen were injured, one seriously, and the bodies of seven Africans were found later.

Next morning the police boarded a train approaching Queens-town to search for African passengers reported to be carrying dangerous weapons. They were attacked with pangas and firearms, a White policeman being killed and five other Whites (including two civilians) injured. Three Africans were shot dead in the affray and nine were admitted to hospital: the rest of the band of about 30 fled.

On 14 and 15 December armed Poqo groups numbering 15 and 18 respectively were arrested on trains at Beaufort West and Stormberg. It was assumed that they, too, were on their way to attack Chief Kaiser Matanzima.

The *pro Deo* counsel for the defence at a subsequent trial said that the men concerned had been endorsed out of Cape Town and told to return to their tribal homes in Chief Kaiser Matanzima's area. They feared that they would be beaten up by the chief's bodyguard in a search for Poqo suspects.

According to police evidence,⁽²¹⁾ during January and February of 1963 Poqo members at Mqanduli, Cofimvaba, Kentani and Bityi apparently decided to murder local Whites. The police heard of this and arrested about 155 Africans. Then, on 2 February, five Whites (including a woman and two young girls) were murdered at a road camp near a bridge across the Bashee River.

About a fortnight later Headman Jonginamba Deliwe was killed in the Cofimvaba District. He is reported⁽²²⁾ to have encountered local resistance to land rehabilitation measures and to have requested Chief Kaiser Matanzima's help.

Mr. Justice Snyman said in his preliminary report that by March 1963 both Africans and Whites in the Transkei had become so fearful of Poqo that they were afraid to give information to the authorities or to give evidence in public. From December onward

⁽¹⁹⁾ *Star*, 27 February 1963.

⁽²⁰⁾ *Star*, 13 December, and *Rand Daily Mail*, 14 December 1962.

⁽²¹⁾ *Star*, 9 April. Evidence at Paarl enquiry.

⁽²²⁾ *Star*, 27 February.

large scale police sweeps were organized: trials that resulted are described below. The Divisional Commissioner of Police in the Transkei offered a special award of R50 to any African giving information leading to the arrest and conviction of a Poqo leader or which revealed the existence of a Poqo cell.⁽²³⁾

Other attacks attributed to Poqo

The Prime Minister said on 24 April 1963⁽²⁴⁾ that Mr. Leballo had planned Poqo attacks throughout the Republic for the weekend of 7-8 April, but that the police had acted in time to prevent serious trouble. The information that follows has been compiled from Press reports of subsequent trials.

During that weekend about 15 Africans attacked the charge office at King William's Town, throwing petrol bombs against the walls and a stone through a window. It was alleged in court later that their plans had included the release of certain prisoners and damage to a power station, railway bridge, and school of industries. The police opened fire, injuring one man slightly. On the same evening police surrounded a group of Africans in a bushy area near Duncan Village, East London. Shots were fired by the Africans, the police returned the fire, and an African was slightly injured. It was alleged in court later that they had conspired to commit public violence and murder Whites in East London.

At trials of 73 young Africans in Pretoria the judges stated that the youths had planned a concerted attack on Pretoria for 8 April, including the blowing up of power stations, arson, and murder of Whites. Domestic servants were to have been told to poison the food of their employers. White political prisoners were to be taken dead or alive to Mr. Leballo.

Another judge, summing up at the trial of Africans from Benoni, said that their plans had included the setting alight of petrol dumps and the destruction of railway lines and bridges.

Six Africans from Johannesburg were found guilty of causing an explosion at an ammunition store. It was alleged that their plans included the theft of weapons, the blowing up of a large petrol storage tank, power stations and police stations, and the murder of Whites.

Four men from Germiston were charged with conspiring to possess weapons and explosives, to attack Whites, and to destroy property. At cases in Cape Town it was alleged that one group had planned to attack Whites in the Sea Point area, while others intended stealing firearms, attacking the Wynberg military camp and police headquarters, and killing soldiers and policemen. Eleven men were accused of planning to set fire to the town of Lady Frere and to kill White residents.

⁽²³⁾ *Star*, 21 March.

⁽²⁴⁾ *Assembly*, Hansard 13, col. 4462.

Twelve other Africans from Pretoria were said by a witness to have planned to hold up a truck carrying dynamite to the Premier Mine, murder the driver, and use the explosives in an attack on Whites.

YUI CHUI CHAN

The Commissioner of Police announced in July 1963⁽²⁵⁾ that 10 Non-White persons, allegedly members of a Peking-orientated organization called Yui Chui Chan, had been arrested. Their activities could otherwise have ended in violence and subversion.

The organization was sponsored by China, he said, but no South African Chinese people were involved. It had no apparent links with the A.N.C. or the P.A.C. Some of its African members had been trained in Peking in techniques of subversion.

According to Press reports⁽²⁶⁾ Mr. J. J. Marks, who had fled from South Africa while under extremely severe banning orders, visited Peking in August 1963.

In court proceedings in connection with a case involving Dr. K. G. Abrahams (described below), the Attorney-General of the Cape stated in an affidavit that Dr. Abrahams and others were alleged to have formed an unlawful organization known as the Yui Chui Chan Club (Y.C.C.C.).⁽²⁷⁾

Yui Chui Chan is the leader of the trade union organization of Communist China, and was leader of Peking's delegation to the Afro-Asian solidarity conference held in Tanganyika during February 1963. It has been alleged⁽²⁸⁾ that most of the men belonging to the Y.C.C.C. have connections with the Trotskyite Non-European Unity Movement.

AFRICAN PEOPLE'S DEMOCRATIC UNION OF SOUTHERN AFRICA (APDUSA)

Practically nothing, beyond the fact of its existence, is publicly known about the organization known as Apdusa. It is said that five of the Africans who fled the Republic to Dar-es-Salaam in mid-1963 were Apdusa leaders: they included the president of this organization, Mr. Isaac Tabata. The police seized pamphlets that were being distributed by Coloured and Indian men and women in Pietermaritzburg in September 1963, and six of these people, reported to be Apdusa members, were detained for a short while.⁽²⁹⁾

CAPE PENINSULA STUDENTS' UNION

Mention was made in a court case of another organization, the Cape Peninsula Students' Union (C.P.S.U.), said to be working "for African freedom".

⁽²⁵⁾ *Star*, 15 and 19 July.

⁽²⁶⁾ *Rand Daily Mail*, 5 August.

⁽²⁷⁾ *Ibid.*, 31 August.

⁽²⁸⁾ *Ibid.*, 7 September.

⁽²⁹⁾ *Ibid.*, 10 September.

MEASURES INTRODUCED BY THE GOVERNMENT TO DEAL WITH THE DISORDER

INTERIM REPORT BY MR. JUSTICE SNYMAN

During March 1963, when his inquiry was still in progress, Mr. Justice Snyman became alarmed at the extent of Poqo activities and plans, and submitted an interim report to the Minister of Justice. The State, he considered, ought to take swift action to deal with the situation, and to regain the trust of Africans generally in the State's ability to give them protection.

The judge pointed out⁽¹⁾ that in order to institute successful actions against Poqo members for carrying on the activities of an unlawful organization it was necessary in each individual case for the State to prove that there was a link between Poqo and the banned P.A.C. This caused a waste of time, unnecessary costs, and delays in criminal hearings. He recommended that retrospective legislation should be introduced to overcome this difficulty. He recommended, further, that preparatory examinations be eliminated in certain cases and that special courts be held to speed up action.

Shortly afterwards the Government introduced the General Law Amendment Act of 1963, the terms of which went far beyond the suggestions made by the judge.

The Minister of Justice said⁽²⁾ that this legislation was needed because the police had been operating with obsolete weapons: they were bound to rules and laws that had not been designed for a situation such as that which existed.

GENERAL LAW AMENDMENT ACT, NO. 37 OF 1963

Terms of the Act

a) Unlawful organizations

The Act empowered the President to declare that any organization or group of persons which has been in existence since 7 April 1960 is or was in fact an organization which has been declared unlawful.⁽³⁾ Any act or omission proved in court with

⁽¹⁾ *Rand Daily Mail* report, 22 March.

⁽²⁾ *Assembly*, 24 April, Hansard 13 col. 4648.

⁽³⁾ Under the Suppression of Communism Act of 1950 as amended, the Unlawful Organizations Act of 1960, or the General Law Amendment Act of 1962.

reference to the stated organization will be deemed to have been proved with reference to the unlawful organization concerned.

Should the President declare that subsequent to a stated date any body or movement was in fact an organization which had previously been banned, anyone who at any time thereafter was an office bearer, officer or member of this body or movement will, for the purpose of any criminal proceedings, be deemed to have been an office bearer, officer or member of the banned organization during the period concerned.

No court of law will have jurisdiction to pronounce upon the validity of a proclamation issued by the President in terms of this Section.

The Unlawful Organizations Act provided that certain of the provisions of the Suppression of Communism Act would apply to any organization declared unlawful.⁽⁴⁾ *Inter alia*, anyone who performs or advocates any act or omission calculated to further the objects, aims or activities of an organization declared unlawful was rendered guilty of an offence, liable upon conviction to a sentence of imprisonment of at least a year, but not exceeding ten years.⁽⁵⁾

The General Law Amendment Act of 1963 added that it is an offence to further objects similar to those of a banned organization. The Minister of Justice said⁽⁶⁾ that this clause had been included as a result of the acquittal of Mr. Duma Nokwe and eleven others in 1962.⁽⁷⁾

b) Continued detention after completion of prison sentences

The Act enabled the Minister to take further action against persons sentenced to imprisonment for offences under the Public Safety Act, the Criminal Law Amendment Act of 1953 as amended, the Riotous Assemblies Act, the sabotage clauses of the General Law Amendment Act of 1962, and the new Act itself. It provided that if he is satisfied that such a person is, after his release, likely to further the achievement of any of the statutory objects of communism, the Minister may issue a notice prohibiting the person, after serving his sentence, from absenting himself from a prison for the period during which the notice is in force. Conditions may be imposed.

The Minister accepted an amendment moved by the United Party to the effect that these provisions will lapse on 30 June 1964 but may be extended for periods of 12 months at a time by resolution of both Houses of Parliament.

(4) See 1959-60 *Survey*, page 70.

(5) Penalty as amended in 1962.

(6) Assembly, 24 April 1963, *Hansard* 13 col. 4656.

(7) See 1962 *Survey*, page 3.

He said⁽⁸⁾ that these powers were urgently needed because Mr. R. M. Sobukwe (President of the P.A.C.) would shortly have completed his prison sentence and had undergone no change of heart. His continued detention was necessary for the security of the State. The names of all persons so detained would be tabled in Parliament.

c) Detention for interrogation

The Act provides that a commissioned officer of the police may without warrant arrest or cause to be arrested any person:

- (i) whom he suspects has committed or intends to commit sabotage or any offence under the Suppression of Communism or Unlawful Organizations Acts (e.g. carrying on the activities of a banned organization, furthering the statutory aims of communism, publishing or disseminating a banned publication, failing to comply with the terms of a banning notice, etc.);
- (ii) who in the police officer's opinion is in possession of any information relating to the commission or intended commission of such an offence.

A person so arrested will be detained in custody for interrogation at any place the police officer thinks fit until this person has, in the opinion of the Commissioner of Police, replied satisfactorily to all questions put to him. No one may be detained for more than 90 days on any particular occasion (but a person may be re-arrested immediately on the completion of a period of 90-day detention and then held for a further 90 days, and this process may be repeated). No court of law has the power to order the release of a detained person from custody; but the Minister of Justice may direct that the person be released.

The Bill stated that except with the permission of the Minister of Justice or a commissioned police officer no one shall have access to a person so detained. The Minister accepted an amendment moved by the United Party providing that a detained person shall be visited in private by a magistrate at least once a week. He refused to insert another proposed amendment to the effect that detainees might be visited by legal practitioners.⁽⁹⁾

The Bill originally stated that the State President might from time to time suspend the provisions of this Section of the Act for a definite or an indefinite period. The Minister accepted a United Party amendment, and the Act now provides that this Section will be in operation until 30 June 1964, and for such further periods thereafter not exceeding 12 months at a time as the President may determine by proclamation. Such a proclamation may be issued

⁽⁸⁾ Cols. 4652, 4762.

⁽⁹⁾ Col. 4872.

at any time, even when the Section has ceased to be in operation. The President may by proclamation suspend the operation of the Section or withdraw a previous proclamation issued by him.

When introducing the Bill the Minister said⁽¹⁰⁾ that up to that stage the nucleus of leaders behind subversive movements had not been captured. The new provisions would enable the police to obtain information about these leaders.

d) Detention for twelve days

The Act extended until 1 June 1964 the provision of the Criminal Procedure Act⁽¹¹⁾ which empowers an Attorney-General, if he considers it necessary in the interests of the safety of the public or the maintenance of public order, to issue an order stating that a person arrested on a charge of having committed any offence shall not be released on bail or otherwise for twelve days.

e) Actions performed outside the Republic

It is provided that a resident or former resident of the Republic has committed an offence if, at any place outside South Africa since 26 June 1950:

- (i) he has advocated the achievement by violent or forcible means of any object directed at bringing about any political, industrial, social or economic change within the Republic, or the achievement of any of the statutory objects of communism, by the intervention or with the guidance or assistance of any foreign government, body or institution;
- (ii) he has undergone training or has obtained any information which could be of use in furthering the achievement of any of the objects of communism or of an organization declared unlawful, and fails to prove beyond a reasonable doubt that he did not do so for the purpose of furthering such an object.

The General Law Amendment Act of 1962 provided that any document on the face whereof it appears that a person of a name corresponding to that of an accused person has at any time been outside the Republic shall, on its mere production in any criminal proceedings, be *prima facie* proof that the accused was outside the Republic at such time, if such document is accompanied by a certificate purporting to have been signed by the Secretary for Foreign Affairs to the effect that he is satisfied that such document is of foreign origin.

The 1963 Act added to this by including under the provisions of the previous paragraph any document on the face whereof it

⁽¹⁰⁾ Col. 4854.

⁽¹¹⁾ Act 56 of 1955 as amended in 1961 and 1962.

appears that a person has made any statement outside the Republic.

If an accused is found guilty the death penalty may be imposed. The minimum sentence is five years' imprisonment (whether or not any other penalty is also imposed). This applies to juveniles, too. Sentences may not be suspended.

The Minister said⁽¹²⁾ that people were slipping out of the country to Tanganyika, where they were provided with travel documents and then dispersed to receive training in sabotage at Addis Ababa and places in Egypt, Ghana, and elsewhere. Without the new provisions such persons could be charged only with leaving the country unlawfully: the maximum penalty for this offence was two years' imprisonment. More severe penalties were required.

f) Arrest of persons who leave areas to which they have been confined

The Act increased the powers of the police to arrest persons who leave areas to which they have been confined in terms of banning orders, and to take them back to the areas concerned.

g) Possible refusal of bail

Another provision is that the execution of any sentence imposed in a magistrate's court (except whipping) shall not be suspended when court records are sent for review or an appeal is lodged unless the magistrate considers it fit to allow the convicted person to be released on bail. If the sentence is a fine with the alternative of imprisonment and the magistrate has reason to believe that the convicted person can pay the fine, bail may for this sole reason be refused.

(In criminal cases where the sentence imposed by a magistrate is as much or more than three months' detention, or a fine of R50, or whipping—except in certain circumstances when a male juvenile is sentenced to cuts—the sentence is subject to review by a judge. Convicted persons may in certain circumstances apply for their sentences to be reviewed.)

Magistrates are given wider powers than they possessed previously to impose conditions of bail. As before, convicted persons may appeal to a superior court against the refusal of bail, and may be arrested if they are about to abscond.

The Minister explained this clause by saying⁽¹³⁾ that magistrates already had power to refuse bail before a case was heard, or if an accused was committed for trial after a preparatory examination. In each of these instances the person concerned might later be found innocent, or the Attorney-General might decide not to prosecute. But it was an anomaly in the law that when an accused

⁽¹²⁾ Col. 4653.

⁽¹³⁾ Cols. 4650, 4731.

had been found guilty and the sentence went on review or an appeal was lodged the magistrate was obliged to grant bail, even if he suspected that the person might abscond.

h) Summary trials, and juries

The Act provides that if in the opinion of an Attorney-General danger of interference with or intimidation of witnesses exists, or if he deems it to be in the interests of the safety of the State or in the public interest, he may direct that an accused person be tried summarily in a superior court without a preparatory examination.

Such a trial may be held at any time determined by the Attorney-General, and at any place he determines within the area of jurisdiction of the division of the Supreme Court concerned.

For reasons similar to those given above an Attorney-General may direct that a trial shall take place without a jury.

Joint trials may be held when persons are charged under the Suppression of Communism Act.

The Minister stated,⁽¹⁴⁾ "A difficulty which faces Attorney-Generals in prosecuting persons for Poqo crimes is that the witnesses against the alleged criminals often disappear without a trace; that they are intimidated, assaulted, and even murdered". If it was suspected that this might happen a summary trial would be ordered, if necessary in a special court.

i) Seizure of postal articles

The Post Office Act provides⁽¹⁵⁾ that if there are reasonable grounds for suspecting that any postal article or telegram will afford evidence of the commission of a criminal offence, or is being sent to further the commission of an offence or to enable the detection of an offence to be concealed, the article or telegram shall, on the written request of a public prosecutor, be detained by the postal officials. If the Minister and Postmaster-General so direct it will be handed to the prosecutor.

The new Act makes certain changes. Such an article or telegram will be detained by the officer in charge of the post office through which it passes. The Postmaster-General may bring its detention to the notice of an Attorney-General, and, at the latter's request, cause it to be handed to a public prosecutor.

According to the Minister⁽¹⁶⁾ Mr. Leballo and others in Maseru had been sending telegrams in a simple code to persons in the Republic. In terms of previously existing law the Post Office was bound to deliver these, and, should there be a court case, the

⁽¹⁴⁾ Assembly Hansard 10 cols 3322-3, Hansard 13 col. 4654.

⁽¹⁵⁾ Act 44 of 1958, Section 118.

⁽¹⁶⁾ Col. 4656.

prosecutor could not obtain the original because it had been posted outside the country.

j) Definition of "place"

In a judgment given in December 1962 Mr. Justice Trollip held that a "place", to which a person might be confined under house arrest, did not mean a person's residence, dwelling or house. It meant a unit of space more extensive than or different from this.

The 1963 Act defines "place" as meaning "any place, whether or not it is a public place, and includes any premises, building, dwelling, flat, room, office, shop, structure, vessel, aircraft or vehicle, and any part of a place".

The Minister explained⁽¹⁷⁾ that the authorities required power to forbid persons from boarding vessels or aircraft.

k) Protected places or areas

The Act provides that the Minister may declare any place or area to be a protected place or area if he considers it to be in the public interest or in the interest of the safety of the State to prevent unauthorized persons from being within it. Anyone who enters such an area without the consent of the person in charge or someone acting under his authority will be guilty of an offence, and liable on conviction to imprisonment for a period not exceeding 15 years.

The Minister may order the owner or occupier to ensure that if anyone is allowed to enter the area this consent is in the form of a permit containing such conditions as the Minister may specify. Anyone who fails to comply with such conditions will be guilty of an offence, and liable on conviction to maximum penalties of R500 or six months.

The Minister may order the owner or occupier of a protected place or area, at the latter's own expense and within a specified period, to take stated precautionary measures (including the erection of fences) for safeguarding it, and to erect warning notices. Should the owner or occupier refuse or fail to comply the Minister may cause the required action to be taken, recovering the costs from the owner or occupier. The Minister may without prior notice designate a State official to be, for a stated period, the person in charge of a protected place or area for the purposes of safeguarding it. Such person, together with the assistants he requires, may enter the place or area and take any measures he considers are necessary for safeguarding it. The Government will not be liable for any loss of life, bodily injury, or damage to property caused by measures taken in terms of this paragraph.

(17) Col. 4651.

Parliamentary debate

During the Second Reading debate Sir de Villiers Graaff, Leader of the United Party, said⁽¹⁸⁾ that time and time again the Government had asked for increased powers, but ideologies could not be defeated with legislation. His Party had repeatedly pointed out that urban Africans were being given no real stake in the maintenance of law and order and were becoming a fertile seed-bed for the dissemination of foreign ideologies.

The United Party would support the Bill at its Second Reading, Sir de Villiers said, but with great regret. It had previously given the assurance that it would support reasonable legislation which carried out the recommendations in the Snyman report. But it would challenge several of the clauses, which went beyond Mr. Justice Snyman's recommendations, in the Committee stage. (It is mentioned earlier that two amendments were accepted by the Minister as a result.) The United Party voted against certain clauses in the Committee stage but supported the Bill at its Third Reading. The Coloured representatives adopted a similar line.

Only Mrs. Helen Suzman of the Progressive Party voted against the Bill at every stage. In order to fight communism, she said,⁽¹⁹⁾ the Government was taking powers that were found only in totalitarian countries. The Bill undermined fundamental principles of the rule of law; South Africans were being made to sacrifice their civil liberties in order to allow apartheid to flourish. The measure translated emergency regulations into permanent legislation. If the country was in a state of emergency (which she did not believe) the Government should proclaim that such a state of emergency existed and should issue temporary regulations giving it the powers that it required.

Mrs. Suzman talked of the grievances of Non-Whites and said that these must be remedied if subversive activities were to be prevented. Peaceful protests had been suppressed, and inevitably less peaceful methods had then been employed, leading to the present state of affairs. More and more people who were formerly peace-loving would be driven to desperate acts of violence before the final chapters of the struggle in progress were written, she warned. Legislation such as that before the House would bring the day of violence nearer.

The Minister replied⁽²⁰⁾ that it would be most harmful to the country's economy to proclaim a state of emergency, and this was in any case not warranted since no spontaneous rebellion was in progress.

(18) Cols. 4662-70.

(19) Cols. 4671-8.

(20) Col. 4688.

Other protests

Numbers of protest meetings against the Bill were arranged by the Progressive Party, the Black Sash, the National Union of S.A. Students, and others. These bodies, the International Commission of Jurists, trade union organizations, and various other groups issued statements expressing their opposition to the measure.

In its statement⁽²¹⁾ the Institute of Race Relations said: "We now have in South Africa a situation which is the inevitable result of the successive waves of increasingly discriminatory legislation and which the Institute has predicted on many occasions. No government can govern effectively without the consent of those governed; consent has never been sought or given and inexorably events are catching up with our past deeds".

The Institute stated that it did not consider the drastic steps contained in the Bill to be necessary. It was convinced that there was still time for the Government to call a conference of the real leaders of the Non-White peoples to discuss what steps should be taken to calm the passions that had been roused and to develop measures which would correct the situation. If necessary the Institute would take the lead in convening such a conference, but it could not do so without the co-operation of the Government.

Action taken under the Act

Action taken by the Government under the General Law Amendment Act is described in later chapters of this *Survey*.

EXPLOSIVES AMENDMENT ACT, NO. 21 OF 1963

This measure increased the maximum penalties under the principal Act of 1956. A minimum penalty of three years was introduced for persons found guilty of wilfully causing an explosion which endangers life but from which no death results. (Should death result the accused would, of course, be tried on a graver charge.)

CRIMINAL PROCEDURE AMENDMENT BILL

This Bill, as first presented to Parliament, contained clauses which were dropped for the time being following representations from the General Bar Council and consultation with the Bench. The Minister of Justice announced⁽²²⁾ that further consultations would be held during the recess. "At a later stage we may come back to the House with a Bill which can be discussed fully", he said.

⁽²¹⁾ Published in *Race Relations News*, April 1963.

⁽²²⁾ Assembly, 25 June 1963, Hansard 22 col. 8721.

The clauses concerned dealt with confessions and statements by accused persons.

The principal Act provides⁽²³⁾ that a confession that is proved to have been made by an accused, whether in writing or not, shall be admissible in evidence if it is proved to have been made freely and voluntarily by the accused in his sound and sober senses, and without having been unduly influenced thereto, provided that:

- a) if the confession was made to a peace officer (other than a judge or magistrate) it must be confirmed and reduced to writing in the presence of a judge or magistrate; and
- b) if the confession is made at a preparatory examination, the magistrate must warn the accused that he is not obliged to make any statement which may incriminate him.

In terms of the Bill both these provisos were to have been deleted. Furthermore, the Bill provided that a statement made by an accused to a peace officer would be admissible as evidence whether or not the peace officer warned the accused that he was not obliged to say anything or to reply to any question and that anything he said might be used in evidence against him.

GENERAL LAW FURTHER AMENDMENT BILL

This Bill, too, contained a clause that was dropped. It dealt with criminal charges in which it is alleged that persons conspired to commit or aid an offence, or to incite or encourage others to do so. It stated that in such charges it would be unnecessary for the prosecution to state the manner in which the conspiracy, aid, incitement or encouragement took place, or the manner in which any person identified himself therewith.

Such a charge, it was stated, would not be open to objection or to being quashed on the grounds that these particulars were not stated. The court would have no power to order that these particulars should be supplied to any accused.

(Had this clause been enacted the indictment in the Rivonia case, described later, could not have been quashed for the reasons given by the judge.)

DEFENCE AMENDMENT ACT, NO. 77 OF 1963

The Defence Amendment Act provides that the S.A. Defence Force or any portion or member of it may be employed, not only on service in the defence of the Republic, but also on service in the prevention or suppression of internal disorder, the preservation of life, health, or property, the maintenance of essential services, or on such police duties as may be prescribed. If employed on

⁽²³⁾ Section 244 (1) of Act 56 of 1955 as amended.

police duties these persons will have the powers, functions, and indemnities conferred by law on members of the police.

The State President has power under the principal Act to mobilize the whole or any part of the Citizen Force, Reserve, or a Commando for duties such as those described above. The Minister of Defence can do so too, but any such action taken by him must be confirmed by the President within four days. Members of the Citizen Force, Reserve, or a Commando who are on full-time duty or are undergoing training may be used for these duties only on the personal authorization of the Minister.

The Amendment makes it possible for these formalities to be dispensed with in times of emergency. Firstly, members of the Citizen Force, Reserve, or a Commando who are on service or are undergoing training may be ordered by the military authorities to assist the full-time Defence Force in the duties mentioned. No service by such persons in the defence of the Republic shall extend for more than four days beyond the termination of the period during which they would otherwise have been on military duty, and no service in the maintenance of order or on police duties may extend for more than seven days beyond this period. If the disorder has not been suppressed by this time the President will mobilize such units as are considered to be needed.

Secondly, if an urgent situation develops in any magisterial district the local police can call on the most senior Defence Force officer in the area to place at their disposal the services of members of the Defence Force in the district at the time. Such action will remain in force for 24 hours only: within that period the President will mobilize Citizen Force or other units if necessary.

DEVELOPMENTS IN THE DEFENCE AND POLICE FORCES

Expenditure on Defence

In his Budget Speech⁽²⁴⁾ the Minister of Finance said that the sum to be spent on defence in 1963-64 would be R35,000,000 more than in 1962-63. It was made up as follows:

R122,000,000 from Revenue Account;
R 26,111,000 from Loan Account for special equipment;
R 7,000,000 from the surplus in previous years;
R 2,000,000 from schemes for share purchases abroad.

R157,111,000

A responsible government, the Minister added, had also to ensure the country's internal security, thus the Police vote for 1963-64 would be R5,000,000 larger than in the previous year.

⁽²⁴⁾ Assembly, 20 March 1963, Hansard 9 cols. 3054, 3056.

The creation of a Special Equipment Account from loan funds was a departure from the country's normal peacetime policy, he said, but "for South Africa, the present time may almost be regarded as a period of cold war, calling for large expenditures over a relatively short period on expensive defence equipment". The increased vote for defence "is the formidable price we are called upon to pay for our protection from foreign aggression . . . The prospects are that we shall be called upon to pay this premium on our policy of national security on a considerable scale for some years to come".

On another occasion the Minister said⁽²⁵⁾ that the vote of R157,111,000 was about 13.6 per cent of the total State expenditure from Revenue and Loan Accounts. But other countries devoted a higher proportion of their total expenditure to defence: in Australia the proportion was 15 per cent, in Britain 20.9 per cent, in Canada 26.4 per cent, and in the United States 57.5 per cent.

(The South African figures do not, of course, include research in outer space travel, experimentation in strategic naval, aviation, and military equipment and the manufacture of such strategic equipment, and other items on which the Western Powers spend very large sums. According to the United States Information Office in Johannesburg the Federal United States Budget for 1963-64 provided for a total expenditure of \$122,500,000,000. Of this, \$56,000,000,000 (or about 45.7 per cent) was for defence (excluding space projects). About 9 per cent of the defence vote was allocated for military assistance to foreign countries, atomic energy research and related projects.)

Supply of arms to South Africa

Early in 1963 the Afro-Asian bloc, supported by certain other nations, began a campaign for the banning of supplies of arms to South Africa. In May more than 100 Labour and Liberal Members of Parliament in Britain signed a petition calling on Her Majesty's Government to propose to the United Nations that a general embargo should be placed on the export of arms and military equipment to South Africa.⁽²⁶⁾

The United States announced to the Security Council in August that it expected to stop all sales of military equipment to South Africa by the end of 1963. Existing contracts for strategic defence equipment suitable for use against external threats would, however, be honoured. The embargo might be revised if the interests of the world community required the provision of material in a common defence effort.⁽²⁷⁾

⁽²⁵⁾ Assembly, 1 April, Hansard 11 col, 3777.

⁽²⁶⁾ *Rand Daily Mail*, 17 May.

⁽²⁷⁾ *Ibid.*, 3 August.

A few days later, at the proposal of Ghana, Morocco, and the Philippines, the Security Council called on all countries to cease the sale of arms, ammunition of all types, and military vehicles to South Africa. The Secretary-General was asked to report on the response. He stated later that 44 countries had agreed to refuse the sale of arms that could be used to enforce the apartheid policy: a further country did so a few days later. Those who agreed included the United States (subject to the provisos mentioned above), Italy, Belgium, Austria, Holland, the Scandinavian countries, Japan, Israel, Russia, China, India, and numbers of African and other Central European states.

The British Prime Minister announced that Britain would cut off supplies of weapons that could be used for suppression, but would continue to sell equipment that might be required for strategic defence against outside aggression and any arms that it considered were needed for the joint British-South African protection of the shipping route round the Cape, in terms of the Simonstown Agreement.⁽²⁸⁾ France, too, decided that it would supply only material for strategic defence against outside aggression.

At the time of writing Western Germany and Spain, among others, had not announced their decision.

The South African Minister of Defence said that arms and ammunition were already being manufactured in the Republic, and that numbers of overseas arms manufacturers were interested in establishing factories in South Africa.

The Government's import replacement scheme is described in a subsequent chapter.

Expansion of Citizen Force

In 1961 the Government decided to expand the Citizen Force and to give longer and more thorough training to White youths selected by ballot to become members of this force.⁽²⁹⁾ During April 1963⁽³⁰⁾ the Minister of Defence announced that 16,527 youths would be called up that year for nine months' training, as against 10,368 in 1962.

Re-Establishment of the Cape Corps

The Minister stated, too,⁽³¹⁾ that the Cape Corps was to be re-established as from 1 April 1963. During the first year 140 recruits would be accepted, but thereafter the numbers would be increased annually. Members would not serve in combatant capacities. Initially they would be trained as drivers, guards, stretcher

⁽²⁸⁾ *Star*, 8 and 13 August; *Rand Daily Mail*, 8 August and 15 October.

⁽²⁹⁾ See 1961 *Survey*, page 35.

⁽³⁰⁾ *Sunday Times*, 14 April.

⁽³¹⁾ *Assembly*, 19 February, Hansard 5 col. 1576.

bearers, and cooks, and would learn drill and the handling of single shot small arms for self-defence and the protection of government property.

Police Reserve

A Police Reserve, consisting of White volunteers, was established in 1962.⁽²²⁾ The original intention was that it should have 5,000 members, and 1,261 were in training in a part-time capacity at the beginning of 1963, working with experienced members of the force and gaining experience of patrolling and charge office duties.⁽²³⁾

After the commencement of acts of sabotage, however, and especially following the publication of Mr. Justice Snyman's interim report on the activities of Poqo, numbers of home guard movements or civilian protection organizations were formed by private White citizens in various towns—Krugersdorp, Pretoria, Paarl, Cape Town, Rustenburg, Barberton, and others.

Realizing that private forces, however well-intentioned, might create situations that they could not control, the Minister of Justice decided to reorganize the Police Reserve to take in the services of members of these private organizations. Senior police officers attended meetings of the various home guards, pointed out that there was no provision in law for such bodies, and urged members to join the Reserve instead.

The plan that was evolved⁽²⁴⁾ was that four groups would be created. "A" group men would be absorbed into the standing voluntary police reserve and receive normal reservist training. If called up on duty in times of emergency they would be issued with armbands, whistles, and batons; and firearms might be supplied should the district commandant of police consider this necessary.

"B" group men would be trained to defend homes and other private property in the areas where they lived. Group leaders, who must be regular police reservists, would be elected by local members.

Besides these there would be a "C" group consisting of employees of mines, essential municipal and other services, factories, etc. They would be trained, under the command of regular members of the force, to guard vulnerable points at times of emergency. Finally, a "D" group would consist of country reservists.

Numbers of these units have, since, been formed. The strength of the Police Reserve increased from 1,261 at the beginning of the year to 12,000 in July, and the membership has continued to

⁽²²⁾ Regulations for this Reserve were published as G.N. 1016 of 29 June 1962.

⁽²³⁾ Minister of Justice, Assembly 15 February, Hansard 4 col. 1398.

⁽²⁴⁾ Various statements by the Assistant Commissioner in Charge of Police Reserves, e.g. *Star*, 26 February, *Rand Daily Mail*, 8 and 18 April.

mount.⁽³⁵⁾ A booklet entitled *The Police Reservist's Guide* was distributed during May.

Considering that they needed more police protection than was being afforded them in their residential areas, Coloured, Indian, and African citizens in various centres formed "protection societies", "escort committees", or home guards. Again, abuses seemed likely.⁽³⁶⁾ The Minister of Justice announced in April⁽³⁷⁾ that it had been decided to create a Police Reserve for Coloured and Indian men. Members would undergo a thorough course of training, and in times of emergency might be called upon to assist with charge office and beat duties and in the protection of vulnerable points. If there were adequate numbers of volunteers "B" groups might be formed. Consideration would be given to establishing similar African units. The Minister said it was known that a large number of Africans were "prepared, in fact keen, to contribute their share towards police protection and the safety of the State. Their patriotism is appreciated".

⁽³⁵⁾ *Ibid.*, 16 July.

⁽³⁶⁾ The *Natal Mercury* of 18 April carried a report of assaults committed by persons posing as home guards.

⁽³⁷⁾ *Star*, 11 April.

ACTION TAKEN BY THE GOVERNMENT AGAINST PERSONS AND ORGANIZATIONS

BANISHMENT OF AFRICANS

During the year under review the Government has taken action mainly in terms of legislation passed in 1962 and 1963, and few further Africans have been banished from their home areas in terms of Section 5 (1) (b) of the Native Administration Act of 1927.⁽¹⁾

In reply to questions in the Assembly the Minister of Bantu Administration and Development said⁽²⁾ that during the 18 months preceding June 1963, six Africans had been banished, one died, four escaped, three were allowed home conditionally, and in 16 cases the orders were withdrawn. Apparently in mid-June 1963 there were 31 still in banishment.

BANNING ORDERS

POWERS OF THE MINISTER OF JUSTICE

The Suppression of Communism Act of 1950 as amended empowered the Minister of Justice to take action of the nature described below against the following categories of persons:

- (a) persons listed as being members or active supporters of an organization declared unlawful under the Act (the Communist Party);
- (b) persons listed as being members or active supporters of any other organizations deemed unlawful (the A.N.C., P.A.C., C.O.D., and later Poqo, the Spear of the Nation, the Y.C.C.C., and bodies deemed to be carrying on any of the activities of these organizations);
- (c) persons convicted of actions deemed to have furthered the aims of statutory communism;
- (d) persons deemed by the Minister to be promoting any of the aims of communism, or likely to do so, or engaging in activities which may do so.

(1) See 1962 *Survey*, page 19, for the terms of this Section and for action taken under it in 1962. A full account of the system of banishment is given in the Institute's publication *Action, Reaction and Counteraction*.

(2) Assembly 29 January, Hansard 2 col. 382; and 18 June, Hansard 21 col. 8121.

Action of the type described below may be taken against such persons.

1. Persons in these categories and those on whom any banning order has been served may be prohibited from becoming or being members of specified organizations or organizations of a specified nature.
2. Persons in the four categories mentioned may be forbidden to attend gatherings of any kind, including social gatherings, for a specified period. A five-year ban is generally imposed. It is an offence to record, publish, or disseminate any speech, utterance or writing made at any time by persons under this type of ban unless the Minister's consent has been obtained or except for the purposes of proceedings in any court of law. (Certain qualifications subsequently made are described on page 41.)
3. Subject to such exceptions as he may specify, or as he or a magistrate may authorize, the Minister may prohibit persons in the categories mentioned, during a specified period, from being within or absenting themselves from any stated place or area (this allows for the issuing of house arrest orders as well as for notices confining the person concerned to a specified magisterial district, a town, or a suburb thereof). While the prohibition is in force the Minister may also prohibit the person concerned from performing any specified act.

Before deciding to issue a prohibition of this nature the Minister may instruct a magistrate to warn the person concerned to refrain from engaging in any activities calculated to further the achievement of any of the objects of communism.

4. A person whose movements have been restricted may be prohibited from communicating with anyone whose name has been listed or who has been served with a banning order.
5. A person confined to house arrest may be forbidden to receive visitors other than the advocate or attorney managing his affairs, provided this lawyer's name has not been listed or he has not been served with a banning notice.
6. The Minister may require any listed or banned person to report to the officer in charge of a police station at such times and during such period as may be specified.
7. It is an offence for a listed or banned person to change his place of residence or his employment without giving notice forthwith to the officer in charge of a police station.
8. In terms of Government Notice 2130 of 28 December 1962 persons in the four categories mentioned and those on

whom any banning order has been served were prohibited from being members or office-bearers of certain organizations or types of organizations unless with special permission from the Minister of Justice or a magistrate.

Thirty-five organizations were specifically listed, including all the major Non-White political organizations, the S.A. Congress of Trade Unions, the leading Coloured teachers' organizations, and the Civil Rights League. Membership was prohibited, too, of any organization which in any way furthers any of the objects of a body specifically listed; of an unregistered trade union (no African unions can be registered); and of "any organization which in any manner propagates, defends, attacks, criticizes or discusses any form of State, or any principle or policy of the Government of a State, or which in any manner undermines the authority of the Government of a State".

Numbers of trade unionists were forced to resign from their unions, and various trade union organizers lost their means of livelihood.

9. Government Notice 296 of 22 February 1963 prohibited all persons in the categories mentioned above from being office-bearers, officers or members of an organization which in any manner prepares, compiles, prints, publishes or disseminates any publication, or which assists in doing so, unless special permission is given.

As a result of this ruling numbers of journalists lost their jobs.

NUMBERS OF "LISTED" PERSONS

On 16 November 1962 the Minister released to the Press a list of 437 named communists: 129 Whites and 308 Non-Whites. He did not state whether this list was exhaustive. Numbers of the persons listed had been politically inactive for some years, numbers more had left the country, and, according to Press reports, two had died. One of those concerned, Mr. H. Shekwane, had been publicly praised by the Department of Information for his successful running of a small private factory near Pretoria: his name was subsequently removed from the list.

According to incomplete sources of information available to the writer, by October 1963 at least 81 of the named communists had left South Africa.

No lists have been published of persons who may have been listed as members or active supporters of the A.N.C., P.A.C., and bodies deemed to have been continuing their activities.

It was reported on 8 September 1963 that former office-bearers, officers, members, and active supporters of the Congress of Democrats (which was banned in September 1962) had been served with notices giving them a week within which to show cause why

their names should not be included in a new list of "named" persons.

CONVICTIONS UNDER POLITICALLY RESTRICTIVE LEGISLATION

No statistics have been published indicating the total number of persons who have been convicted under politically restrictive legislation. In 1962 the Minister announced⁽⁹⁾ that during the previous year 43 persons had been convicted under the Suppression of Communism Act, 75 under the Riotous Assemblies Act, and 24 under the Public Safety Act.

There have been numbers of convictions during 1963: of persons who had been ordered to report to the police at stated times and who for some reason failed to do so on one occasion or more; of those under house arrest who absented themselves from home without permission; of those who communicated with other banned or listed persons without obtaining authority; of people who absented themselves without permission from a district to which they had been confined; of men and women who attended a gathering in contravention of a banning order; and of listed persons who changed their places of residence without notifying the police. Some of these people left the country while on bail pending appeal against sentences imposed.

A case which received much publicity was that of Mr. Dennis Brutus, president of the South African Non-Racial Olympics Committee (SANROC), an organization founded to combat racial discrimination in sport and to strive for the full national and international recognition of all South African sportsmen. He was charged with having attended a gathering in defiance of a banning order, but while on bail he fled to Swaziland. He held a Federation passport (having been born in Salisbury) with a valid *visa* for transit through Mozambique; and in September 1963 he entered Portuguese territory with the intention of going by sea to try to attend an Olympic Games Committee meeting in Germany. The Portuguese Security Branch arrested him, handing him over to policemen from South Africa who escorted him back to Johannesburg.

Mr. Brutus attempted to escape from the police, but was shot as he ran down the road. He was taken to hospital under police guard, and later to gaol.

The department of the Federal Minister of External Affairs in Salisbury subsequently stated that although Mr. Brutus held a Federal passport he was a South African citizen, having lived permanently in South Africa from a very early age and having consistently laid claim to South African nationality. He was, thus, not entitled to Federal protection or intervention on his behalf.

(9) Assembly, 26 February 1962, Hansard 6 col. 1956.

At the time of writing the legal outcome of Mr. Brutus's case had not been decided.

BANNING ORDERS SERVED

It was mentioned last year⁽⁴⁾ that on 31 July 1962 the Minister released a list of the names of 102 persons who were then in possession of current orders banning them from attending gatherings—52 Whites, 35 Africans, 9 Coloured, and 6 Indians.

Since then and up to the time of writing (3 December 1963) at least 130 names have been added. Most of the prominent Non-White political leaders and numerous White sympathizers are included.

The Minister announced on 3 August 1962 that newspapers might publish evidence, cross-examination, and argument advanced in a court case concerning persons whose names are on the list, provided that this concession is not used to circumvent the intentions of the Act—i.e. to give a platform to banned persons.

Later, on 15 December 1962, he stated⁽⁵⁾ that a speaker in the Senate, House of Assembly, a provincial council, or at the United Nations could quote or refer to a speech, remark, article or statement of a banned person. There was no objection to the publication of reports of such a speech.

A person found in possession of a publication containing a speech or the writings of anyone forbidden to attend meetings did not commit an offence, the Minister continued, provided that the speech or writing was made before 27 June 1962 and that the owner of the publication did not make it available to anyone else.

Public libraries and the libraries of educational institutions could retain such publications and could lend them to their members, but these members could not share them with other members or with their friends.

This dispensation to libraries did not cover books or pamphlets written by or containing statements by banned persons after 27 June 1962 unless special permission had been given for the publication to be issued.

Similar arrangements applied to banned publications.

Some of the banning orders issued prior to the enactment of the General Law Amendment Act of 1962 remain in force, or have been renewed. This Act made it possible for a variety of new orders to be issued.

According to the incomplete sources of information available to the writer, of at least 232 persons in possession of current banning orders as at 3 December 1963:

- All were forbidden to attend political gatherings;
- 66 were also forbidden to attend social gatherings;
- 25 had been served with orders of house arrest;

(4) 1962 *Survey*, page 46.

(5) e.g. *Star*, 15 December 1962.

- 120 were confined to specified magisterial districts;
 28 were also confined to sub-areas, for example a particular township;
 1 was confined to the township where he lives from 8 p.m. to 6 a.m. during the week;
 59 were forbidden to enter any Non-White areas (other than the areas where they lived in the cases of Non-White people);
 51 (mainly trade unionists) were forbidden to enter factories;
 2 were forbidden to enter mine premises;
 4 were prohibited from entering railway premises or harbours;
 4 were forbidden to enter the premises of 35 specified organizations or any other organization which in any way discusses any form of State, any policy of a State, or which in any way undermines the authority of the government of a State.
 All were prohibited from being members of such organizations (unless with special permission);
 All were prohibited from being office-bearers, officers or members of an organization which in any way prepares, publishes or distributes any publication (unless with special permission);
 23 were prohibited from being concerned in any way with the preparation, printing or publication of any newspaper, magazine, pamphlet, book, handbill or poster (unless with special permission);
 19 were forbidden to enter any premises where a publication is produced;
 58 were forbidden to communicate in any way with listed or banned people;
 3 were forbidden to communicate with anyone except members of their families;
 65 were ordered to report daily or weekly to the police;
 26 were forbidden to give lectures or to enter educational institutions;
 2 were forbidden to communicate with a newspaper;
 1 was forbidden to communicate with members of the S.A. Congress of Trade Unions or the Federation of S.A. Women;
 1 was forbidden to enter any court of law except as a petitioner, accused, or witness;
 1 was prohibited from visiting any hospital.
 (There is, of course, overlapping between those figures.)

Numbers of people lost their employment as the result of these banning orders.

ORDERS OF HOUSE ARREST

The orders of house arrest served during 1962 on Mrs. Helen Joseph and certain others were described in the previous issue of this *Survey*.⁽⁶⁾ Further notices have been served since. At the time of writing the full list was:

<i>Name</i>	<i>Period required to remain at home during the week:</i>
Mr. R. I. Arenstein	13 hrs.
Mr. L. G. Bernstein	12 hrs.
Mr. B. P. Bunting	13 hrs.
Mrs. Sonia Bunting	24 hrs.
Mr. C. J. Fazzie	11 hrs., later 24 hrs.
Mrs. Mitta Goeiman	Not publicly stated
Mr. M. A. Harmel	24 hrs.
Mr. P. J. Hodgson	24 hrs.
Mrs. Rica Hodgson	13 hrs.
Mr. N. I. Honono	13 hrs.
Mrs. Helen Joseph	12 hrs.
Mr. A. M. Kathrada	13 hrs.
Mr. Moses Kotane	24 hrs.
Mr. Alex la Guma	24 hrs.
Mr. M. Lekoto	12 hrs.
Mr. Douglas Manquina	Not publicly stated
Mr. J. J. Marks	12 hrs.
Mr. I. D. Maseko	24 hrs.
Mr. Joe Morolong	24 hrs.
Mr. T. T. Nkobi	24 hrs.
Mr. Duma Nokwe	12 hrs.
Mr. Alfred Nzo	24 hrs.
Mr. Walter Sisulu	12 hrs., later 24 hrs.
Mr. J. D. Tarshish	13 hrs.
Mr. C. G. Williams	12½ hrs.

(In all cases the persons concerned were ordered to remain at home over the week-ends and on public holidays.)

At the time of writing 11 of these 24 people had fled from South Africa, 2 had left under exit permits, 2 were on bail pending appeals against sentences for minor infringements of their orders, 2 were serving prison sentences, and 4 had been arrested.

The Minister of Justice said during January 1963⁽⁷⁾ that the relevant legislation did not provide for persons placed under house arrest to be given the opportunity of refuting information on which he had relied before exercising his powers.

⁽⁶⁾ Pages 48, 51, 239.

⁽⁷⁾ Assembly, 22 January, Hansard 1 col. 17.

On 19 December 1962 Mr. P. J. Hodgson applied to the Rand Supreme Court for the setting aside of the 24 hour arrest order which confined him to his small flat. His application succeeded. Mr. Justice Trollip said that in his opinion a "place" to which a person could be confined meant a unit of space more extensive than or different from a person's residence, dwelling or house. He had difficulty in understanding why, if the legislature had intended that a person could be confined to his house, with all the severe consequences, it did not say so explicitly. When a statute was reasonably capable of more than one meaning a court of law would give it the meaning which least interfered with the liberty of the individual. The prohibitions against Mr. Hodgson communicating with other people and receiving visitors were valid only while the main prohibition was in force, thus these, too, must be set aside.^(*)

This judgment was given on 27 February 1963. The Minister of Justice at once noted an appeal to a Full Bench, which was heard on 28 March. Meanwhile some other persons under house arrest in Johannesburg assumed that they could ignore their orders. Mr. Nokwe and Mr. Kotane left the country. Legal opinion in Cape Town and Durban was that the ruling did not apply in areas outside the jurisdiction of the Rand Supreme Court.

The State succeeded in its appeal. Mr. Hodgson was granted leave to appeal to the Appellate Division, but decided not to proceed further when the General Law Amendment Bill of 1963 was introduced, for this contained a much wider definition of "place", which was made retrospective.

Mr. Harmel, Mr. and Mrs. Hodgson, and Mr. Nkobi then fled from South Africa.

WARNINGS OF HOUSE ARREST

At the time of writing at least nine people had been warned that they might be served with orders of house arrest unless they abandoned their political activities.

TRIALS OF CERTAIN AFRICAN LEADERS

After the demonstration against the pass laws, organized by the P.A.C. in March 1960, Mr. Robert Sobukwe, President of the P.A.C., was sentenced to three years' imprisonment for inciting others to support a campaign for the repeal of these laws. His sentence expired on 3 May 1963.

Two days previously the General Law Amendment Act of 1963 became law: as has been stated above one of its provisions enabled the Minister of Justice to order the continued detention of persons who have completed sentences of imprisonment for certain offences in cases where the Minister is satisfied that these

^(*) *Star* report, 27 February.

persons, if released, are likely to further the achievement of any of the statutory objects of communism.

After he had served his sentence Mr. Sobukwe was removed to Robben Island, about three miles out from Cape Town, for further detention. The Minister announced⁽⁹⁾ that he would not be treated as an ordinary prisoner. He would have special food and quarters, more leisure, and freedom of movement within a prescribed area. Newspapers could be supplied to him and he could receive visitors weekly.

Mr. Nelson Mandela, who led the committee that planned demonstrations for the end of May 1961, evaded the police for sixteen months after a warrant had been issued for his arrest. He was eventually discovered and arrested in August 1962, and in November was sentenced to five years' imprisonment for incitement and for having left the country illegally during the period when he was in hiding. As is described in a subsequent chapter, further charges were laid against him later.

Mr. Duma Nokwe, a former Secretary-General of the A.N.C., was arrested in January 1963 on a charge under the Unlawful Organizations Act: it was alleged⁽¹⁰⁾ that a document was found in his possession which urged that the A.N.C. should depart from its policy of non-violence. He was granted bail, and fled from South Africa before his case was heard.

Mr. Walter M. Sisulu, another former Secretary-General of the A.N.C., was sentenced to six years' imprisonment in March 1963 for continuing to further the aims of this organization after it had been banned and for inciting people to join in the "stay-at-home" demonstration at the end of May 1961. He applied for bail pending an appeal against this judgment; but the magistrate refused the application on the ground that other African politicians had fled the country while on bail. Four days later, however, a Supreme Court judge set aside this decision on the ground that according to a 1955 judgment a magistrate had no option but to grant bail pending appeal: his discretion lay only in fixing the amount to be paid.⁽¹¹⁾ The magistrate concerned then granted Mr. Sisulu bail of R6,000, which was immediately paid.

Mr. Sisulu had previously been served with a 12-hour house arrest order: on 3 April 1963 he was placed under 24-hour house arrest and was forbidden to communicate in any way with anyone except members of his family living in his home at Orlando. On 20 April he disappeared: the underground A.N.C. stated in a document sent to the Press⁽¹²⁾ that he would remain in South Africa in hiding to continue his leadership of the organization.

His wife and 17-year-old son were temporarily detained from 20 June under the 90-day detention clause of the General Law

(9) *Rand Daily Mail*, 2 May.

(10) *Star* report, 11 January.

(11) As is described in an earlier chapter, the law was subsequently changed.

(12) *Sunday Times*, 21 April.

Amendment Act of 1963. Four younger children were left for some weeks, with no source of income, in the care of a 14-year-old niece.

It was reported a week later⁽¹³⁾ that Mr. Sisulu's voice had been heard in a pirate broadcast from a station announced to be "Freedom Radio, the broadcasting service of the A.N.C."

Then, as will be described later, on 11 July the police found Mr. Sisulu at the home of Mr. Arthur Goldreich in Johannesburg and arrested him.

ACTION AGAINST POQO

RAID ON POQO IN BASUTOLAND

On 1 April 1963 the Basutoland police raided the P.A.C. office in Maseru and Mr. Leballo's home. A Government spokesman in Maseru is reported⁽¹⁴⁾ to have said that there had been no consultation with the South African authorities in regard to this raid. It was made because the police had received information that Mr. Leballo might be in possession of arms and ammunition and would, if this were the case, be contravening the laws of the territory. Press reports state that 50 rounds of small arms ammunition were found.

It appears that Mr. Leballo saw the police surrounding his office as he approached it, and fled. A warrant was subsequently issued for his arrest on an allegation of incitement to public violence in Basutoland. Eleven men were detained for a few days for questioning: two of them were subsequently charged with obstructing the police. They were apparently ex-P.A.C. leaders who had fled from South Africa. Among the men detained were Elias Ntloedibe, Z. P. Molete, and Elliot Mfafa.

Large numbers of documents were seized, including correspondence with P.A.C. members in South Africa and overseas and the list of P.A.C. members mentioned earlier. Basutoland Government officials said there was no intention whatsoever of handing the detained men or the documents to the South African authorities: the South African Minister of Justice confirmed later that no list of Poqo members had been supplied,⁽¹⁵⁾ and the British Minister of State for the Colonies said in the House of Lords that no P.A.C. members had been sent back to South Africa.⁽¹⁶⁾

It was rumoured during April⁽¹⁷⁾ that during the Easter weekend (13-15 April) a band of 21 young Poqo members had left Johannesburg for Basutoland with the intention of hunting down Mr. Leballo, who they felt had dealt a devastating blow to the organization by making boastful Press statements announcing the

⁽¹³⁾ *Star*, 27 June.

⁽¹⁴⁾ *Rand Daily Mail*, 3 and 4 April, and *Star*, 2 April.

⁽¹⁵⁾ *Assembly*, 24 April, Hansard 13 col. 4646.

⁽¹⁶⁾ *Star*, 26 April.

⁽¹⁷⁾ *Sunday Times*, 21 April.

plans of Poqo. Further rumours were that Mr. Leballo had been kidnapped and murdered. Nothing was heard of his whereabouts until 12 September, after the warrant for his arrest had been withdrawn. He then reappeared in Maseru.⁽¹⁸⁾

Elias Ntloedibe was declared a prohibited immigrant in Basutoland, and left for Bechuanaland. (He is not of Sotho extraction.)

ARREST OF WOMEN CARRYING LETTERS FROM MR. LEBALLO

On 29 March the local police arrested two young African women who had just crossed the border into South Africa from Basutoland. Miss Cynthia Lichaba, who admitted that she had been Mr. Leballo's book-keeper in Maseru, was found to be in possession of about 70 letters from Mr. Leballo to Poqo members in South Africa, which she had intended posting in South Africa itself. It was stated in evidence at subsequent court cases⁽¹⁹⁾ that Mr. Leballo and the members concerned used false names and code words. "The forces of darkness", for example, meant the police, a "dance association", meant a P.A.C. branch, a "jive session" meant a small war, and a "guitar" meant a knife.

Miss Patricia Lethala said she had worked in Maseru for a school principal who was an associate of Mr. Leballo. She had been instructed to hand various documents to a man she would meet in Ladybrand, the nearest South African town.

Both women were found guilty of being members of an unlawful organization and of furthering its aims. Each was sentenced to 18 months' imprisonment.

INTENSIFICATION OF ACTION AGAINST POQO

After the documents had been seized from these women, and when the General Law Amendment Act became law on 1 May 1963, widespread action was taken by the police. Hundreds of Poqo suspects were arrested on specific charges, or were held under the new 90-day detention clause. Their trials are described below.

On 10 May a proclamation was gazetted under the new Act stating that the President was of the opinion that an organization called Poqo had been in existence after 7 April 1960, one called the Dance Association had been in existence after 31 December 1962, and both still existed. The President was satisfied that both bodies were in fact the P.A.C. at all times since they came into existence and so declared them. In terms of an earlier proclamation the P.A.C. had been an unlawful organization since 8 April 1960.

Subsequently, on 12 July, a similar proclamation equated the S.A.A. Football League and the Football Club with the P.A.C.

⁽¹⁸⁾ *Star*, 12 September.

⁽¹⁹⁾ *Rand Daily Mail*, 28 May and 19 July.

The Minister issued a statement to the effect that these were not genuine sporting bodies.⁽²⁰⁾

On 12 June the Minister of Justice said⁽²¹⁾ he could give the assurance that Poqo had been smashed. It might try to stage a come-back, but would not be wise to attempt this.

BANNING OF OTHER ORGANIZATIONS

The Congress of Democrats had been banned earlier, on 14 September 1962.⁽²²⁾

On 10 May 1963⁽²³⁾ the President declared he was satisfied that *Umkonto we Sizwe* and the Spear of the Nation were in fact the banned A.N.C. at all times since they came into existence.

NINETY-DAY ARRESTS

NUMBERS DETAINED

The General Law Amendment Act of 1963 became law on 1 May 1963. Eight days later the police began a series of arrests. For a time they refused information about the persons detained; but on 7 November 1963 the Minister of Justice said⁽²⁴⁾ that 544 persons had by then been held without trial.

Of 265 whose names were made public 4 were persons under house arrest, 9 more were listed communists, 8 not included under the preceding categories were charged with treason in 1957, and 12 others were under various types of banning orders. All the rest were persons against whom no political action had previously been taken.

The Minister said that 151 detainees had been released by 7 November after having, in terms of the Act, made satisfactory statements; 275 had appeared before the courts, five had escaped, one had died, 61 were to be charged, and 51 were still being interrogated.

Slightly different information was given by the Commissioner of Police in a Press Statement on 14 November: he said that 523 persons had been arrested of whom 162 had been released, 305 charged in court, and 56 were still being held.

A matter that gave rise to concern was that at least 18 people were immediately re-arrested at the termination of their first period of 90-days' detention, and 7 of them, including 6 members of the S.A. Congress of Trade Unions, were re-arrested after having been detained for 180 days. One man was re-imprisoned after an interval of several weeks. Another was arrested in June, and formally charged with sabotage on 9 September. On 2 November

⁽²⁰⁾ *Ibid.*, 12 July.

⁽²¹⁾ Assembly Hansard 20 of 1963, col. 7765.

⁽²²⁾ Proclamation 218 of 1962.

⁽²³⁾ Proclamations 93 and 94 of 1963.

⁽²⁴⁾ *Rand Daily Mail*, 8 November.

this charge was withdrawn but he was then re-arrested as a 90-day detainee.

Sir de Villiers Graaff urged the Minister of Justice to give his personal attention to the case of Mr. Loza, the first man to be held for a third term; but the Minister replied that if a detainee refused to give information to the police they had no option but to re-arrest him.⁽²⁵⁾ A few days later, however, Mr. Loza was charged under the Suppression of Communism Act.

CONDITIONS OF DETENTION

According to various reports⁽²⁶⁾ some detainees were kept in solitary confinement and allowed only one hour's exercise a day, during which no talking was allowed. Some mention was made of black-painted cells; but Mrs. Helen Suzman, M.P., who visited the Pretoria Central Gaol, said that the cells in which detainees were kept there had light grey walls, measured about 15ft. by 8ft., and had high, wired fanlights which let in a good amount of light. Each had a sealed sanitary pail, a wooden table and chair, and a bedding roll with blankets on a cement floor.

Many detainees were denied any books other than a Bible, and most were refused writing materials. (Two or three were allowed to continue studying for examinations.) They were given the diet of awaiting-trial prisoners, and might have one meal a day sent from outside. There were some rumours of physical ill-treatment of Non-White detainees, for example the application of electric shocks.

The Minister assured Mrs. Suzman that if cases of physical ill-treatment were brought to his notice he would investigate them immediately. He had already instituted one enquiry, he said.

Mrs Suzman reported that she had pointed out that solitary confinement for 90 days was far in excess of the 30 days allowed by the Geneva Convention for prisoners of war, and suggested that this could be more severe than physical punishment. The Minister replied that it would defeat the object of the 90-day clause if detainees shared cells. Some of them had been allowed visitors. If any of them were to show signs of being mentally affected by their detention a doctor would be called in by the prison authorities, who were experienced men, or by the magistrate after his weekly visit, the Minister said.

A former Chief Justice, Senator H. A. Fagan (United Party), said in a Press interview on 6 November that the threat of being held incommunicado for an indefinite period was to his mind a form of mental torture which should be as abhorrent as third-degree methods.

⁽²⁵⁾ *Ibid.*, 7 November.

⁽²⁶⁾ Numerous Press reports; Defence and Aid Fund circular letter dated 16 August; information given by Mrs. Helen Suzman, M.P. after an interview with the Minister and a visit to the Pretoria Central Gaol, *Rand Daily Mail*, 1 November.

Furthermore, he said, one read of the wives of banned or arrested people being held. "Must we be left to assume that this is done in the expectation of their making disclosures implicating their husbands, although the principle of compelling one spouse to give evidence against the other is foreign to our law?" he asked.

Only closest relatives were told where the detainees were being held, and even they were not always informed promptly when the men were moved from one place of detention to another.

The Minister of Social Welfare and Pensions said in June⁽²⁷⁾ that no special provision for the dependants of detainees was considered necessary. Those in needy circumstances could apply for public assistance, under existing schemes, through social welfare officers, magistrates, or Bantu Affairs officials.

Numbers of the Africans who were detained were dismissed by their employers.

A test case was instituted in October 1963, when the lawyer who had general power of attorney for Mr. A. L. Sachs asked for a court order declaring that the police were not entitled to deprive Mr. Sachs of any of his rights and liberties except to detain him for questioning and to prevent him from having access to other people. In other respects he should be allowed the rights of awaiting-trial prisoners, it was claimed, such as adequate reading and writing materials.

The judge ruled that the section of the Act governing Mr. Sach's detention did not, either expressly or by implication, deprive him of the rights to have a reasonable supply of books and writing material and to be given reasonable periods of exercise daily. An appeal against this judgment was immediately noted by the State.

During November Mr. J. Hamilton Russell, former M.P. for Wynberg, stated that he had evidence of forms of torture to which significant numbers of detainees had been subjected. The Acting Divisional Commissioner of Police for the Western Cape denied that third-degree measures were being used, but suggested that if Mr. Russell had evidence of this he should lay it before the police, when the allegations would be investigated.

Mr. Russell refused to do this, however, unless the ex-detainees concerned were indemnified against further detention as a result of their disclosures. The Attorney-General, the only person who could grant indemnity, said that before making any decision he would have to consider the evidence and the circumstances of each case.

NOTES ON SOME DETAINEES

Two of the detainees, Messrs. Wolf Kodesh and Leon Levy, were given permanent exit permits and escorted by the police to transport leaving for overseas. Two British subjects who later

(27) Assembly, 18 June, Hansard 21 col. 8117.

admitted that they had helped an African to escape to Bechuanaland were sent back home: they were Miss Bridget Mellor and Mr. Eric Stone.

Four detainees escaped from cells in Johannesburg: this escape is described later. The trials of those who were charged in court are mentioned below.

Mr. Looksmart Solwandle Ngudle, who was detained on 19 August, was found hanged in his cell on 5 September. When the inquest opened on 21 October Dr. G. Lowen, Counsel for the widow, asked for a postponement because the relatives wanted time to undertake certain interviews and to obtain medico-legal advice.

Counsel for the State is reported to have said that Mr. Ngudle had been interrogated on a number of occasions, and it had been made clear to him that he was to be brought to trial and what the consequences might be. On the day before his death he gave information to the police that led to other arrests. He apparently then realized that he faced death either by the proper processes of the law or at the hands of his previous associates.

Dr. Lowen submitted that this statement should not have been made, since Mr. Ngudle had not even been charged, let alone found guilty. He said that an advocate who had seen another prisoner was informed that Mr. Ngudle had not committed suicide but had died as the result of torture.

An adjournment was granted. On 25 October the Government banned Mr. Ngudle from attending meetings, which presumably meant that statements made by him during his lifetime could not be quoted except in a court of law or with the Minister's permission.

At the resumed inquest on 31 October Dr. Lowen withdrew from the proceedings. An inquest by a magistrate was not a court, he said, thus he or his witnesses would have no protection if they quoted statements that had at any time been made by Mr. Ngudle. Some of this evidence would have shocked the magistrate. The District Surgeon, who performed the post-mortem, said he was sure that Mr. Ngudle had hanged himself. He found no other injuries. The inquest was then adjourned.

Next day the Department of Justice authorized the production of statements by banned persons at inquest proceedings provided that a platform was not thereby given for the expression of such persons' views.

It was reported on 18 November that two African detainees in the Western Cape, Messrs. T. Tsofso and M. Msingizane, had showed signs of mental derangement, that the district surgeon was summoned, and that after consultation with another doctor he applied for them to be admitted to a mental hospital for observation.

TRIALS

DETENTION WITHOUT TRIAL IN THE TRANSKEI

Many persons have been detained under Proclamations 400 and 413, which enable a Bantu Affairs Commissioner or Commissioned Officer or N.C.O. of the police to arrest without warrant any person in the Transkei suspected of having committed or of intending to commit an offence under the Proclamation or any law, and any persons considered to be in possession of information relating to an offence. Such persons may be held in custody until it is considered that they have fully and truthfully answered all relevant questions put to them, and may meanwhile not consult with a legal adviser unless with the Minister's consent.

The Minister of Justice said in June 1963⁽¹⁾ that 176 persons were then in detention, having been held for varying periods from 7 February 1963 on. One of the men concerned had been detained for five months on a previous occasion.

NUMBERS ARRESTED AND CONVICTED FOR SABOTAGE OR P.A.C. OR A.N.C. ACTIVITIES

On 12 June the Minister announced⁽²⁾ that by then 3,246 Poqo members had been arrested. Of these, 124 had been found guilty of murder, 77 were awaiting trial on this charge, and 17 were charged with attempted murder; 126 had been convicted of sabotage and 511 similar cases were pending; action had been taken against 670 people for furthering the aims of a banned organization, and many other charges had still to be heard.

No detailed information has been released from official sources. In the tables that follow a summary has been made of the results of cases reported in the local Press from the time that the trials for sabotage and Poqo activities began until 3 December 1963: it has been impracticable to check these against court records in numerous widely dispersed centres. Events that gave rise to these trials have in many instances been described in previous chapters. The figures do not include trials of African leaders like Mr. Mandela, nor convictions for contravening banning orders, nor the trials of those who fled the country while awaiting the outcome of appeals.

(1) Assembly, 25 June, Hansard 22 cols. 8711-2.

(2) Assembly, 12 June, Hansard 20 col. 7771.

1. **Murder, sabotage, etc.**

Death sentences	46
Imprisonment for the rest of their natural lives	3
Life imprisonment	3
20-25 years	31
15-19 years	51
10-14 years	53
Up to 10 years	63
Length of sentence not reported	17

2. **Illegal meetings**

1-3 years	32
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3. **Furthering the aims of the P.A.C. or A.N.C.**

8 years	1
5-7 years	82
Up to 5 years	260

4. **Total convictions**

(with the exceptions noted above)	642
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5. **Acquitted or discharged**

... ..	303
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These figures are obviously incomplete. The Defence and Aid Fund in Cape Town intimated on 30 September 1963 that since the beginning of the year its office alone had assisted 537 cases which were concerned mainly with Poqo activities in the Western Cape. Of the 537 persons, 213 had been sentenced to imprisonment, 89 had been fined or were awaiting trial, and 235 had been discharged or found not guilty.

In numbers of cases appeals are pending, and various other trials were in progress at the time of writing. The Defence and Aid Fund reports that lawyers found it difficult to establish the nature of charges and to communicate with the arrested men, often because they were moved about from one gaol to another, groups being split up. After months of delay men were suddenly brought to trial, defending lawyers not receiving timeous notice of trial date and charges. In many cases charges were dropped, or men found not guilty, after the accused had spent four months or more in gaol. Some innocent Africans so released found that they had lost their jobs and were "endorsed out" of the area. Some other people who were acquitted were immediately re-arrested under the 90-day clause.

TRIALS FOR LEAVING THE COUNTRY ILLEGALLY

About 100 people—possibly more—have been arrested for having left the country illegally or for having attempted to do so. Some of them were apprehended in the Federation and handed over to the South African authorities at Beit Bridge.

It appears that at the time of writing not all of these people had yet appeared before the courts. Forty of them, arrested in South Africa or in the Federation just after they had crossed the

border, received sentences of two to three years. Seven others were sentenced to 20 years' imprisonment each: it was stated that they had undergone sabotage training at Da-bra-Zid in Ethiopia to further the objects of the A.N.C.

(These convictions are not included in the totals given above.)

NO AUTOMATIC REMISSION OF SENTENCES FOR POLITICAL PRISONERS

The Minister of Justice announced in February⁽³⁾ that certain groups of persons were excluded from automatic remission of sentences; these included prisoners who had failed to conform to discipline, or had been recaptured after escaping from custody, or had been convicted of offences under the Suppression of Communism Act, the Public Safety Act, the Riotous Assemblies Act, the General Law Amendment Act of 1962, or proclamations issued in terms of these Acts.

TRIAL OF DR. BLAXALL

The Rev. Dr. A. W. Blaxall was charged on four counts under the Suppression of Communism Act: of taking part in or aiding the activities of the P.A.C. and A.N.C. and of being in possession of three copies of *New Age* and a copy of *Fighting Talk*. He pleaded guilty. The prosecutor produced proof that he had administered funds for the P.A.C. and had been in correspondence with African leaders who were outside the country.

During October 1963 he was found guilty on all four counts. The magistrate said that a light sentence would be imposed in view of Dr. Blaxall's age and physical condition and of his long efforts to bring about peace. He was sentenced to two years' four months' imprisonment, all but six months suspended for three years on condition that he did not meanwhile contravene the terms of the Suppression of Communism, Unlawful Organizations or Riotous Assemblies Acts or commit treason.

A specialist thoracic surgeon had said in court that if Dr. Blaxall were forced to serve a prison sentence of more than a few days there would be a strong possibility of fatal physical effects.

After he had been one day in gaol the Minister of Defence ordered his release on parole, the condition of parole being that he should not be found guilty of any criminal offence.

RIVONIA ARRESTS

On 11 July 1963 the police raided the home of Mr. Arthur Goldreich at Rivonia outside Johannesburg and arrested 17 persons, initially under the 90-day clause.

One of them was the A.N.C. leader Mr. Walter Sisulu who, as described elsewhere, was under a 24-hour house arrest order

⁽³⁾ Assembly, 12 February, Hansard 4 col. 1168.

and on bail awaiting an appeal against a six-year sentence for incitement and continuing to be a member of a banned organization. He had been in hiding since 20 April.

Another was the Indian Congress leader Mr. A. M. Kathrada, a listed communist who was under a 13-hour house arrest order, and under a suspended sentence for having left Johannesburg without permission. He had been instructed to report to the police daily but had been in hiding since May.

Two other well-known political figures and listed communists were included: Mr. L. G. Bernstein of the Congress of Democrats, and Mr. Govan Mbeke of the A.N.C. Both were under various banning orders and Mr. Bernstein was also under 12-hour house arrest.

The rest had not previously figured in political trials or banings: they were Mr. and Mrs. Arthur Goldreich, Dr. H. Festenstein, Mr. Dennis Goldberg, Mr. Bob Hepple, and eight others.

The Minister of Justice is reported⁽⁴⁾ to have said that these arrests were a direct result of information received from people held under the 90-day clause.

Mr. Vivian Ezra, who is said to have been the director of the company which owned the house where Mr. Goldreich lived, fled from South Africa.

Mr. Goldreich, officially described as the leading figure in these arrests, escaped from the police cells in Johannesburg on 12 August in the company of Messrs. Harold Wolpe, A. Jassat, and Mosie Moola. An account of their escape is given later.

The home of Mr. and Mrs. Leon Kreeel at Mountain View, Johannesburg, was raided in mid-September. It was reported that they were suspected of having sheltered Mr. Goldreich and Mr. Wolpe and were to be charged with this.

OPENING OF TRIAL OF ALLEGED LEADERS OF THE SPEAR OF THE NATION

On 9 October 1963 eleven men appeared in court in Pretoria on charges of sabotage: most of them had been arrested when the police raided the home of Mr. Arthur Goldreich. It was alleged that seven of them—Messrs. Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeke, Ahmed M. Kathrada, Lionel Bernstein, and Raymond Mahlaba—constituted the High Command, the national executive committee of the National Liberation Movement and the *Umkonto we Sizwe* (Spear of the Nation). With them were Messrs. James Kantor, Elias Matsoaledi, Andrew Mlangeni, and Bob Hepple. The seven were listed separately and as members of an association under the Criminal Procedure Act. Mr. Kantor was listed both in his personal capacity and as a partner with Mr. Harold Wolpe in a legal firm.

(4) *Rand Daily Mail*, 20 July.

They were alleged to have acted in concert with Messrs. Vivian Ezra, Julius First, Arthur J. Goldreich, James J. Habede, Michael Harmel, Percy Hodgson, Ronald Kasrils, Moses Kotane, Arthur Letele, Tennyson Makiwane, John J. Marks, Johannes Modise, George Naicker, Billy Nair, Looksmart S. Ngudle, P. D. Nokwe, Robert Resha, Joe Slovo, Harold Strachan, Oliver Tambo, Ben Turok, Cecil Williams, and Harold Wolpe, and with the Communist Party of South Africa and the A.N.C. (As is described elsewhere in this *Survey*, three of these men were under arrest or serving prison sentences, one had died, and the rest had left the country).

It was alleged in the charge sheet that the accused had conspired with these others in planning a course of conduct during which 199 acts of sabotage were committed in preparation for guerilla warfare in the country and an armed invasion from outside. (The original charge-sheet stated that there had been 222 acts of sabotage.)

The accused asked for a postponement provisionally until 11 November to enable them to prepare their defence; but the judge granted them a period of three weeks—until 29 October.

Counsel for the defence said that for 88 days the accused had been in solitary confinement except for one hour a day during which exercise was allowed. They had not been permitted to talk to anyone except the magistrate and prison officials, and had been subjected to threats. As a result, they were not in a fit state to appear in court. Counsel for the State said that the men would now be treated as ordinary awaiting-trial prisoners and would be able to consult freely with their legal advisers.

When the resumed trial opened before the Judge-President, Mr. Justice de Wet, Mr. A. Fischer, Counsel for nine of the accused men, applied for the indictment to be quashed. The Defence had asked for further particulars to the charges, he said. The alleged acts of sabotage were listed in the further particulars supplied, and the amounts of explosives that the men were alleged to have possessed were stated; but in reply to questions about the manner in which the conspiracy had been formed, the way in which each accused was a member of it, and related matters, Counsel for the State had either furnished no reply or had stated, in effect, that the particulars applied for were either matters of evidence or matters which were within the knowledge of the accused. This pre-supposed that they were guilty. Furthermore, Mr. Fischer said, 156 of the 199 alleged acts of violence were stated to have been committed during a period when Mr. Nelson Mandela, one of the accused, was in gaol.

The Judge-President granted the application for the quashing of the indictment. It was most improper, he said, for the State to have replied that certain matters were within the knowledge of the accused and that, therefore, no further particulars need be

supplied. The information asked for should be supplied: the accused must know the case they had to meet.

Dr. Yutar, the Deputy Attorney-General, offered to hand in his opening address, which, he said, gave the case against each accused, and, within a week, to furnish a summary of the 250 documents he proposed using and of the evidence to be led; but the Judge-President refused to reverse his ruling.

Mr. Bob Hepple was discharged: Dr. Yutar announced that he would appear later as a State witness. However, he and his wife fled from South Africa shortly afterwards.

The rest of the accused were re-arrested and reverted to the status of 90-day detainees while the State redrafted the indictment.

Under the new indictment the ten accused were charged as individuals—reference to an association and to the legal firm was omitted. It was alleged that they had solicited money and recruited people for training with the object of causing a violent revolution in South Africa and assisting units of foreign countries if these should invade the Republic. As a result of their activities 193 acts of sabotage had been committed.

The particulars supplied by the State listed 122 "agents" said to have carried out the acts of sabotage, and 47 men known to the State among 200 to 300 recruited for training for sabotage and guerilla warfare.

An application by the defence for the second indictment to be quashed was dismissed.

CONTROL OF MEETINGS

The increased powers to prohibit gatherings which were granted to the Minister of Justice in 1962 were described in last year's *Survey*.⁽⁵⁾ In terms of these powers he banned the holding of any public gatherings except bona fide religious services on the Grand Parade in Cape Town and on the City Hall steps and the immediately surrounding area in Johannesburg. Magistrates may grant special exemption; and bona fide trading may continue on the Grand Parade.

CONTROL OF ENTRY TO CERTAIN AFRICAN AREAS

Control has been reimposed over the entry to certain African areas: Sekhukhuneland, the Peddie area, Matlala's and Molietsie's locations near Pietersburg, and 68 African-occupied farms in the Northern Transvaal.⁽⁶⁾

⁽⁵⁾ Page 36.

⁽⁶⁾ See 1962 *Survey*, page 16, for a summary of the Government's powers in this regard.

POLITICAL REFUGEES AND ABSENTEES

POSSIBLE NUMBERS

Large numbers of Non-Whites and Whites left South Africa at the time of the 1960 emergency or on their release from terms of detention or imprisonment imposed at that time. Others joined them later, to try to enlist help in their resistance to the South African Government, to avoid arrest or imprisonment, to escape from places of banishment or house arrest, or, according to reports,⁽¹⁾ for training in guerilla warfare and sabotage in countries such as Ethiopia, Tanganyika, Algeria, Egypt, Cuba, China, or Russia. The efflux has been particularly large during 1962 and 1963.

The Minister of Justice said on 12 June 1963⁽²⁾ that since 1960 about 195 leaders or active members or supporters of the A.N.C. and P.A.C. (White and Black) had left the country. This figure may have been an under-estimate, and numbers more have left since the Minister made this statement. Stanley Uys records in the *Sunday Times*⁽³⁾ that in October 1962 the S.A. Broadcasting Corporation reported that 296 people had left; 54 more went immediately afterwards; and since then there has been a steady outflow.

On 26 August 1963 the Commissioner of the S.A. Police stated⁽⁴⁾ that some 200 young Africans had passed through Bechuanaland during the past two months and a further group of nearly 100—21 of them from South-West Africa—were in Francistown awaiting air transport.

A report by Amnesty International made public on 1 November 1963,⁽⁵⁾ stated that according to its estimates 1,200 people from South Africa and South-West Africa had passed through Bechuanaland since the 1960 emergency. In 1963, 491 persons had applied for temporary residence permits in that territory and there were 711 refugees there.

Other refugees went to Basutoland or Swaziland. Many of those who left via Bechuanaland intended going on to Dar-es-Salaam in the first place and then possibly further afield.

ORGANIZATIONS FORMED

Those who have escaped from South Africa include many prominent African leaders, for example Messrs. Oliver Tambo,

(1) e.g. the Commissioner of the S.A. Police, *Star*, 26 August.

(2) *Assembly Hansard* 20 col. 7767.

(3) Issue of 18 August.

(4) *Star* of that date.

(5) *Rand Daily Mail* of that date.

Duma Nokwe, Robert Resha, Tennyson Makiwane, and Joe Matthews of the A.N.C., and Messrs. Peter Malotsi, Nelson Mahono, Matthew Nkoana, and J. D. Nyaoase of the P.A.C.

The A.N.C. and P.A.C.-in-exile formed a S.A. United Front with offices in London, Dar-es-Salaam, and capitals of various African States, but this organization split in 1962. It is reported⁽⁶⁾ that towards the end of 1963 a united front was again established.

SOME NOTABLE ESCAPES IN 1963

It is mentioned earlier that on 12 July 1963 Mr. Arthur Goldreich, Mr. Harold Wolpe, Mr. A. Jassat and Mr. Mosie Moolla escaped from a police cell in Johannesburg. The police offered rewards of R1,000 for information leading to the arrest of any of these men, and detained for interrogation the wives of Mr. Wolpe and Mr. Moolla, and Mr. Wolpe's brother-in-law. The reward was, later, increased.

Messrs. Goldreich and Wolpe hid for some days in Johannesburg, then entered Swaziland disguised as priests, and from there were flown in a light aircraft across South African territory to Bechuanaland. Another aircraft, sent from East Africa to fetch them, was destroyed by fire during the night after it had landed at Francistown. Finally on 8 September a light aircraft was chartered to take them to Tanganyika, from where they left for London. Mr. Jassat and Mr. Moolla, too, contrived to escape to Tanganyika.

During July the police went to Rehoboth in South-West Africa to arrest Dr. Kenneth Abrahams (originally from Cape Town) who was practising there. The police withdrew, however, after the local Baster community had protested vigorously, had sent telegrams to the State President, the Prime Minister, and the Administrator, and had cabled the four major overseas powers. Dr. Abrahams was informed later that the warrant for his arrest would not be exercised as long as he remained at Rehoboth and devoted himself entirely to his work as a medical practitioner, but he escaped to Bechuanaland with three members of the Baster community.

They arrived safely in Ghanzi, across the border, and left by truck for Lobatsi. It was alleged later that the truck was stopped by two civilians from South-West Africa who were accompanied by two South African policemen in mufti; that these men induced Dr. Abrahams and his companions to transfer into their vehicle; and that they were then driven back to South-West Africa, arrested, and, in Dr. Abrahams's case, sent by air to Cape Town.

A few days later, on 27 August, on an application by the relatives of Dr. Abrahams, a Cape Town judge ordered that he be produced before the court on 5 September, and issued a rule *nisi*

⁽⁶⁾ *Contact*, 18 October.

calling on the authorities to show cause why he should not be released and allowed to return to Bechuanaland.

Britain expressed to South Africa its serious concern over the case.

At the request of the Minister of Justice the date of the hearing was anticipated and it was held on 30 August. The Minister said in an affidavit that according to his information no member of the South African police had been involved in the removal of Dr. Abrahams from Bechuanaland. In the interest of good relations with governments of neighbouring states it had been decided to return him to Bechuanaland.

In a supporting affidavit the Attorney-General of the Cape said that charges against Dr. Abrahams included sabotage and an allegation that he and others had formed an unlawful organization known as the Yui Chui Chan Club.

A full Bench of the Supreme Court found that Dr. Abrahams's arrest in South-West Africa had been lawful and that the circumstances of the original capture were irrelevant. His application to be returned to Bechuanaland or to be released and allowed to proceed there was dismissed with costs. (But this did not interfere with the Minister's decision, announced earlier.)

The police stated that the men arrested with Dr. Abrahams would be released and returned to Ghanzi.

Other prominent refugees in Bechuanaland at the same time were Mr. and Mrs. Jack Hodgson, who had been under house arrest in South Africa. They arrived in Lobatsi in June, but were denied permission to remain permanently because they refused to sign an undertaking not to participate in political activities. When their temporary permits expired on 14 August they refused to go, stating that it would be necessary for them to fly to avoid arrest in Rhodesia and that they could not afford the air fare. After several warnings they were brought before a court on 2 September as illegal immigrants. Mr. Hodgson was fined R100 and Mrs. Hodgson was sentenced to R60 or one month. (The fines were paid by the Bechuanaland People's Party.) As notice of appeal was lodged, they were informed that they might remain in Lobatsi until 20 September. On the day after this extended period elapsed the Bechuanaland Government chartered an aircraft to fly them to Tanganyika.

ACTION TAKEN BY THE SOUTH AFRICAN GOVERNMENT

New offences in relation to acts committed outside South Africa

The terms of the General Law Amendment Acts of 1962 and 1963 relating to absence from the Republic are described on page 25. It was, *inter alia*, rendered an offence, retrospective to 26 June 1950, for a resident or former resident of the Republic, while outside the country, to have advocated the bringing about of changes

in South Africa by the intervention of or with the assistance of any foreign government, body or institution, or to have obtained training or information which could be of use in furthering the objects of communism or of an organization deemed unlawful.

If an accused is found guilty the death penalty may be imposed. The minimum sentence is 5 years' imprisonment. Sentences may not be suspended.

Entry of Africans into the Republic

In past years it appeared to be comparatively easy for Africans to leave and to enter the Republic without proper travel documents, but the Aliens Control Act and Native Laws Amendment Act of 1963, described later, rendered it an offence for any African to enter South Africa without a valid travel document issued by his own country.

It has been laid down since that the travel documents of Africans who are authorized merely to visit South Africa will be endorsed at border control posts to the effect that the holders have permission to enter, and stating the purpose and the period of the visit. *Visas* may be required. Africans wishing to enter to take up employment must have prior permission from the South African authorities. Their travel documents will be endorsed to give details of the work they are permitted to do and the employer who may employ them.

Control posts were set up during 1963 at about 36 places where roads or bridges cross the borders between South Africa and neighbouring territories. These supplement previously existing immigration offices.

It will, thus, be far more difficult than in the past for Africans to leave and re-enter the country for political purposes.

Control over South African airspace

The Minister of Transport announced on 13 September 1963⁽⁷⁾ that steps would be taken to ensure that South African aircarrier licences would be withdrawn from holders who transported criminals or refugees. East African Airways, which had operated refugee flights to Francistown, would, from October, be forbidden to operate their flights from Nairobi to Durban and Johannesburg.

Aircraft flying from South Africa to one of the High Commission Territories would have to land at a designated airfield before crossing the border, the Minister continued. Those flying from one of these territories to a destination in South Africa would have to make a first landing, after crossing the border, at a designated airfield. Aircraft intending only to fly over South African territory would be required to land at such an airfield. In the event of an emergency landing the onus of proof that the landing was necessary

⁽⁷⁾ *Star* of that date. The refusal by various states to the north to allow South African aircraft to fly over their territories is described in a later chapter.

would rest with the commander of the aircraft. After landing at a designated airfield a pilot must report to the nearest police officer or other authorized person. No passenger would be allowed to leave the aircraft, and no goods unloaded, without the permission of such an official.

These regulations would not apply to airliners on scheduled flights, military aircraft, and aircraft used by embassies and others who received special dispensation from the National Transport Commission, the Minister said.

Possible trial of fugitives

At a Nationalist Party Congress in the Free State on 11 September 1963 the Minister of Justice announced⁽⁸⁾ that the Government was considering the introduction of legislation which would empower the courts to try fugitive "agitators and saboteurs" in their absence. The Government could not be expected to keep for ever the evidence it possessed. "We should think . . . in terms of imposing fines. They can achieve the same results as confiscation of the property of the refugees," he said.

According to subsequent reports,⁽⁹⁾ however, the Government is planning, instead, to introduce legislation enabling the State to obtain evidence against fugitives and to preserve it for use against them if they should return to South Africa.

ACTION TAKEN IN NEIGHBOURING TERRITORIES

The arrests in Rhodesia of certain refugees from South Africa in November 1962, and the action then taken by the Bechuanaland Administration, was described in last year's *Survey*.⁽¹⁰⁾ Briefly, the men concerned were sent back via Bechuanaland, but were allowed to alight from the train in that territory and were granted temporary permits to remain while they awaited an airlift to Dar-es-Salaam.

In March 1963 a new extradition agreement was concluded between South Africa and the Federation of Rhodesia and Nyasaland.⁽¹¹⁾ With certain provisos surrender will reciprocally be granted in respect of any offence punishable by death or by imprisonment for a period exceeding 6 months (whether or not a fine is imposed as an alternative to imprisonment).

Shortly before this, in January, the Rhodesian authorities arrested 46 Africans as prohibited immigrants and took them by road to Beit Bridge, where they were handed over to the South African authorities. (This route does not pass through British territory.) A further 12 African refugees from the Republic were declared to be prohibited immigrants in Northern Rhodesia in May 1963. Four escaped while being taken to gaol. UNIP (Dr.

⁽⁸⁾ *Star* of that date.

⁽⁹⁾ *Star*, 31 October.

⁽¹⁰⁾ Page 225.

⁽¹¹⁾ Proclamation 44 of 15 March 1963.

Kaunda's United National Independence Party) instituted a test case, successfully applying on a *habeas corpus* writ for one of those in detention to be freed. The Federal Government then released the remaining 7, and it was reported⁽¹²⁾ that these men left for Tanganyika.

It would, thus, appear that South African refugees will be allowed to enter Northern Rhodesia after the dissolution of the Federation. Amnesty International recently recommended the establishment of a centre there which could deal with a sudden rush of up to 100,000 refugees if another crisis such as the 1960 one occurred.

But people wishing to escape will still have to find some means of getting to Northern Rhodesia. South Africa has set up control posts along its borders and those of South-West Africa, at places where roads and bridges exist. Southern Rhodesia is reported⁽¹³⁾ to be establishing 5 police posts along its 180-mile border with Bechuanaland. Refugees in Basutoland and Swaziland will find it difficult to leave following the imposition of control over South African airspace. The border directly between Bechuanaland and Northern Rhodesia is only a few miles long—this very short strip of river is about 50 miles to the west of the Victoria Falls.

It was stipulated in an Act passed in Britain in 1962 that fugitives in the High Commission Territories whose offences had been of a political nature would not be returned to South Africa; but several Africans who came from the Republic have been declared prohibited immigrants in these territories.

A Foreign Subversive Organizations Bill was introduced in the Southern Rhodesian Parliament in 1963 rendering it an offence for anyone while in that country to engage in activities which were hostile to "friendly" states named in the Government Gazette. The Minister of Law and Order said that the Southern Rhodesian Government would like to ask governments of friendly states to forbid the setting-up of governments-in-exile in their territories, and it would be only right that if Southern Rhodesia were asked it could reciprocate.⁽¹⁴⁾ The maximum penalty under the Bill was 5 years' imprisonment.

The activities of refugees in the High Commission Territories are more strictly controlled than in the past. In July the British authorities gazetted a Prevention of Violence Abroad Proclamation, which rendered it an offence for people in Basutoland and Swaziland to plan to bring about or incite violence against persons or property outside these territories. These provisions applied only to actions relating to crimes punishable under the laws of Basutoland or Swaziland, respectively, and not to offences punishable, for example, exclusively in South Africa. Maximum penalties are R1,000 or 3 years' imprisonment.

(12) *Rand Daily Mail*, 5 June.

(13) *Star*, 26 August.

(14) *Rand Daily Mail* report, 27 July.

On the day after the impending control over South Africa's airspace was announced a party of African refugees overflowed South Africa from Basutoland to Bechuanaland. They were immediately declared prohibited immigrants in the latter territory on the ground that they had no visible means of support and did not appear to be bona fide political refugees, as they had come from Basutoland. They were sent back to that territory.

At the time of writing an Immigration Bill, reported⁽¹⁵⁾ to be mainly of a consolidating nature, was shortly to be considered by the Legislative Council of Bechuanaland. It provided that aliens and persons not in possession of travel documents would not be allowed to enter the territory without the permission of an immigration officer. Persons without means of support or with prison records might be deemed to be prohibited immigrants, and in no circumstances would such people be allowed to enter or live in Bechuanaland. Provision was made for deportation and for the searching of aircraft, cars, or other vehicles arriving from outside. It would be an offence to aid unlawful entry or to harbour a prohibited immigrant. Maximum penalties were R200 or 3 months.

A Prevention of Violence Abroad Bill was introduced in Bechuanaland a few weeks later. In terms of this it would be an offence to conspire in the territory, or to incite others, to commit acts of violence in other countries if such acts are offences there or in Bechuanaland itself. Maximum penalties suggested are a fine of R1,000, or three years' imprisonment, or both.

The measures described above, taken in South Africa and neighbouring territories, make it clear that it is becoming increasingly difficult for refugees to leave the Republic, and for those already in the High Commission Territories to participate in the activities of various Non-White organizations in South Africa.

"LIBERATION" MOVEMENT

At the "Summit Conference" held in Addis Ababa during May 1963 the 30 heads of states present adopted an All-African Charter. They pledged themselves, *inter alia*, to eradicate all forms of colonialism from Africa, and agreed to send a delegation of Foreign Ministers to the United Nations to inform the Security Council of the "explosive situation" in South Africa.

It was decided to set up an African Liberation Committee consisting of representatives of nine states, and that each country would contribute 1 per cent of its budget to a liberation fund, to be administered by a central office in Dar-es-Salaam.

According to subsequent reports⁽¹⁶⁾ the Liberation Committee decided that none of its funds would be allocated to the A.N.C. or the P.A.C. until they had formed a united front. As is mentioned earlier, they are said now to have done so.

(15) *Star*, 24 October.

(16) Stanley Uys in the *Sunday Times*, 26 August.

CONTROL OF PUBLICATIONS

BANNING OF PUBLICATIONS

The Suppression of Communism Act of 1950 empowered the Minister of the Interior to ban any periodical (including a newspaper) if he considers that it promotes the spread of communism, is published by an unlawful organization, or serves mainly to express the views of such an organization or views calculated to further the achievement of any of the objects of communism.

A left-wing periodical named *The Guardian* was banned in 1952, but the group of journalists concerned had registered various other names of periodicals in terms of the Newspaper and Imprint Act of 1934. Immediately after *The Guardian* was banned a paper called *Advance* was issued. When this, in turn, was banned, a periodical named *New Age* appeared.

An amendment to the Suppression of Communism Act made in 1962 prevented a newspaper from registering under more than one name by providing that unless special exemption is given any registration will lapse unless the paper concerned is published at least once a month. No new newspaper may be registered unless the proprietor deposits with the Minister of the Interior such amount, not exceeding R20,000, as the Minister may determine, or unless the Minister certifies that he has no reason to believe that it will at any time be necessary for him to prohibit the paper. In practice a deposit has, since, not often been required: two new Progressive Party papers have been registered without being asked for this.

A journal entitled *Fighting Talk* was banned on 1 March 1963, and *New Age* was banned in November 1962. Before the amendment to the Act had been made, however, the editor and a leading member of the staff of *New Age* had registered another paper called *Spark*, thus did not need to deposit a sum determined by the Minister. This new paper was then published weekly.

SILENCING OF A JOURNAL BY ADMINISTRATIVE MEANS

Government Notice No. 296 of February 1963 prohibited certain categories of persons from being office-bearers, officers or members of an organization which in any manner prepares, compiles, prints, publishes or disseminates any newspaper, magazine, pamphlet, book, handbill or poster, or which assists in doing so, unless special permission is given. The categories of persons concerned are those whose names have been listed, or who have been

convicted under the Suppression of Communism Act, or who were office-bearers or members of a banned organization, or on whom banning orders have been served. Journalists affected by this Government Notice had to resign from organizations that issued publications, but could continue their careers as individual contributors to journals.

But a week later certain of them, including the key members of the staff of *Spark*, were issued with individual notices prohibiting them from being on premises where a publication is prepared, compiled, printed or published, and from preparing any matter for publication or assisting in any way in bringing out a publication. *Spark* was then forced to close.

A CASE IN WHICH THE LEGISLATION WAS INEFFECTIVE

A journal entitled *The New African* applied for registration in December 1962, and was informed by the Secretary for the Interior that a deposit of R10,000 would be required. Those responsible then withdrew their application and decided to publish the journal once every five weeks instead of monthly, thus taking advantage of the fact that the Newspaper and Imprint Act applies only to periodicals which appear monthly or more frequently.

PREVIOUS CONTROL OVER MATERIAL THAT MAY BE PUBLISHED

Various Acts, for example the Suppression of Communism Act of 1950 as amended, the Riotous Assemblies Act of 1930 as amended, the Post Office Act of 1958, and the Prisons Act of 1959, prohibit the publication of material likely to undermine the security of the State or to engender feelings of hostility between Black and White, and material which constitutes contempt of court or of Parliament, reveals information about prisons, or is defamatory. No indecent, obscene or blasphemous literature may be sent through the post.

Various provincial ordinances which were in force in 1960 rendered it an offence to distribute literature which is profane, indecent or offensive. The Customs Act of 1955 prohibited the importation of goods which are indecent, obscene, or on any ground whatsoever objectionable. A Board of Censors was appointed to decide whether or not publications produced overseas fell into these categories.

In 1960 the Government introduced a Publications and Entertainments Bill which went considerably further than the terms of the measures mentioned above.

PRESS CODE OF THE S.A. NEWSPAPER PRESS UNION

This Bill, in amended form, finally became law in 1963, but in the meanwhile the S.A. Newspaper Press Union (the association

of newspaper proprietors) drew up its own code of conduct. Individual employers may decide whether or not to accept it. A Board of Reference is provided for, composed of two managerial nominees under the chairmanship of a retired judge. Its function is to try to ensure that reports are accurate and not offensive to decency. Editors or journalists who are considered to have infringed the code may be reprimanded by the Board, and such reprimand will be published in other papers.

The final clause of the Code (No. 3 (d)) states, "While the press retains its traditional right of criticism, comment should take cognisance of the complex racial problems of South Africa, the general good, and the safety of the country and its peoples".

Not all newspaper proprietors accepted the code, or did so willingly. The Board of Directors of S.A. Associated Newspapers Ltd. did so under protest and took note of the fact that it had the right to withdraw later if it considered this necessary. It stated, "While the concept of self-discipline by the Press is acceptable, the Board believes that political pressure has given rise to the establishment of the Board of Reference, particularly as Clause 3 (d) of the Code has political implications".⁽¹⁾

The S.A. Society of Journalists has consistently refused to subscribe to the Code, on the grounds that it was adopted as a result of Government pressure, that it would tend to inhibit the freedom of the Press, and that newspapermen were not consulted when it was drawn up.⁽²⁾

Since the Press Board of Reference was established in July 1962 it has dealt with several complaints, all of a political nature. The complaints were to the effect that the Press Code had been contravened in the following ways:

- (a) A newspaper is said to have alleged that the Ministry of Information dictated the news policy of the S.A. Broadcasting Corporation. The Press Board rejected this complaint because it arose before the Board was constituted.
- (b) A complaint was made against the *Star*, which published a letter alleging that the courts were not always as severe when Whites were convicted of violence against Non-Whites as when Non-Whites were the aggressors. The Board rejected the complaint, deciding that the letter did not exceed a certain latitude permissible in newspaper correspondence columns and that the complainant could have written a letter contradicting the allegation, but failed to do so.
- (c) It was complained that an incorrect report was made in the *Sunday Times* of what was alleged to have been said at a Nationalist Party head committee meeting in the Transvaal. The finding was that the report was incorrect,

⁽¹⁾ *Rand Daily Mail* report, 8 February.

⁽²⁾ *Ibid.*, 16 July.

but that the information had been supplied by three Nationalist Parliamentarians and published in the bona fide belief that it was true, and that the editor of the newspaper should have made further enquiries before subsequently publishing a footnote to a denial of the report.

The board's finding that the information had been supplied by three Nationalist Party Parliamentarians was challenged in Parliament, and at the time of writing the matter was the subject of a new complaint.

- (d) Views expressed by a political columnist of the *Sunday Express* were alleged to have infringed the Code. The Board found that the article contained overstatements and unfair comment and that the newspaper failed in its duty to avoid this violation of the Code.
- (e) A complaint was made about the way in which *Die Transvaler* reported a political speech. It was found that the report digressed from the required standard of newspaper practice as laid down in the Code, and that it was not objective, but an unfair mixture of comment and news.
- (f) Another complaint, against *Dagbreek en Sondagnuus*, was that it attributed to the wrong organization a political demonstration shown in a picture it published. This organization, the Black Sash, wrote to the editor pointing out the mistake, but its letter was not published until three weeks had elapsed. The board found that the caption to the picture was incorrect; that this should have become evident to the editor when he received the letter; and that, after making enquiries if he so wished, he should then at the earliest opportunity have published a correction and an apology to the Black Sash.

PUBLICATIONS AND ENTERTAINMENTS ACT, No. 26 OF 1963

Terms of the Act

The 1962 draft of the Publications and Entertainments Bill was summarized in last year's *Survey*.⁽³⁾ A revised Bill, published in 1963, extended the right of appeal to the courts against decisions of the Publications Control Board, and made certain other changes, for example in regard to the institution of prosecutions and the maximum sentence for a first conviction.

The terms of the Act, in its final form, are summarized below.

(a) Publications Control Board

A Publications Control Board is to be established to examine any publication or film submitted to it under the Act, and to make

(3) Page 59.

enquiries about any entertainment which is alleged to be undesirable, or which the Board has reason to believe may be undesirable.

This Board will have not less than nine members, appointed by the Minister of the Interior, of whom at least six must be persons having special knowledge of art, language, literature, or the administration of justice. Two of these six persons will be designated by the Minister as chairman and vice-chairman, respectively. The Board will reach its decisions in private, and need not hear evidence.

The Board may appoint expert committees to report to it on particular publications, films or entertainments. Such a committee will consist of a member of the Board as chairman and at least two other persons selected from a panel of persons designated by the Minister.

(b) **Control of publications**

For the purposes of the Act a "publication" is defined as:

- (a) any newspaper not published by a member of the Newspaper Press Union (as this Union has its own Press Code), and
- (b) any book, periodical, poster, writing, duplicated or typed material, drawing, photograph, sound recording, etc. made public.

A publication will be deemed undesirable, *inter alia*, if it or any part of it is indecent, obscene, offensive, harmful to public morals, blasphemous, offensive to the religious convictions of any section of the inhabitants of the Republic, brings any section of the inhabitants into ridicule or contempt, is harmful to the relations between any sections, or is prejudicial to the safety of the State, the general welfare, or peace and good order. (The inclusion of the words "or any part of it", italicised above, means that a work will not be judged "as a whole": many artists consider that this violates a fundamental principle of art.)

Specified persons or institutions may be exempted by the Board from these provisions; and they will not be applicable in proceedings of courts of law, nor in publications of a bona fide technical, scientific, professional or religious nature.

If in any legal proceedings the question arises as to whether any publication is indecent, offensive, harmful to public morals, etc., it will be deemed so to be (irrespective of the purpose of the person producing it) if in the opinion of the court it is likely to disgust or corrupt the minds of people likely to see it, or deals in an improper manner with matters subversive of morality.

It is rendered an offence to publish or produce an undesirable publication, to distribute or display a publication which has in a prosecution been found to be undesirable, or is deemed to be undesirable by the Board (this decision not having been set aside

by the courts). It is also an offence to import a publication after this has been prohibited by the Board, or, except under permit, to import a publication with a paper back in cases where the net selling price to the importer is 50 cents or less.

Prosecutions will be instituted only on the instruction of the Attorney-General.

The Board will have power at the request of any person to examine any publication and to state whether or not in its opinion the publication is undesirable. Persons making such a request will have to pay a prescribed fee (except for those to whom any function has been assigned under this Act or the Customs Act, or who are investigating offences under these Acts). Decisions of the Board must be published in the *Gazette*.

The Board may, by notice in the *Gazette*, prohibit the importation, except under permit, of publications which are issued by specified publishers, or which are of a particular class of works published by a specified publisher, or which deal with any specified subject, if in its opinion these are or are likely to be undesirable. Permits may be granted for specified periods granting exemption from such a prohibition, or allowing the importation of paper back books costing 50 cents or less which are of a particular class or are issued by specified publishers.

Persons who are aggrieved by a decision of the Board may appeal within 30 days to the courts of law, which may confirm, vary or set aside the Board's decision.

(c) Control of films

No one may publicly show a film which has not been approved by the Board; but the Board may exempt any particular film or class thereof. It may approve a film subject to the condition that it be shown only to persons of a specified group, race, or class, or only after specified portions have been excised.

It will not approve any film which in its opinion, *inter alia*, depicts matter which prejudicially affects the safety of the State, may have the effect of disturbing the peace or prejudicing the general welfare, is offensive to decency, may offend the religious convictions of any section of the inhabitants, brings any section into ridicule or contempt, harms relations between any section, or tends to propagate or promote communism as defined in the Suppression of Communism Act.

It may also disapprove of films which depict in an offensive way the President, armed forces, public characters, crime, lust, etc., or depict controversial or international politics, scenes of violence involving White and Non-White persons, or the intermingling of White and Non-White persons.

Anyone who is aggrieved by a decision of the Board about a film may within 30 days, on payment of the prescribed fee, appeal

to the Minister of the Interior, whose decision will be final and not subject to appeal to the courts.

(d) Control of public entertainments

A "public entertainment" is defined as including any entertainment at any place to which admission is obtained by virtue of membership of any association of persons, or for any consideration, or any contribution to any fund.

The Board may prohibit any such entertainment if it is satisfied that this may have the effect of giving offence to religious convictions or bringing any section into ridicule, or is contrary to the public interest or harmful to morals. It will be an offence to give a prohibited entertainment.

Anyone in charge of a place where a film is being exhibited or public entertainment given must on demand admit any policeman or other person who produces written authority for admission.

Aggrieved persons may appeal within 30 days from decisions of the Board to the courts of law.

(e) Penalties for any offence under the Act

First conviction—Fine of not less than R300 or more than R500, or imprisonment not exceeding six months, or both.

Second conviction—Fine of not less than R1,000 or more than R2,000, or imprisonment not exceeding six months, or both.

Third or subsequent conviction—Fine of not less than R2,000, or imprisonment not less than six months, or both.

Parliamentary debate

When the Bill was introduced in the Assembly the United Party moved, without success, that it be read that day six months.⁽⁴⁾

There were prolonged debates on the definition of an "undesirable" publication. Amendments which failed to gain acceptance were introduced by the Progressive and the United Parties. The Minister said⁽⁵⁾ that "undesirability" is a relative concept, hence the definition in the Bill would have to be of a nature that might be regarded as vague. Interested parties would know where they stood after the first few court judgments had been given: magistrates would soon be able to bring a simple set of rules and penalties into being.

Mr. R. B. Durrant (United Party) expressed the view that existing statutory provisions were adequate to prevent the distribution of indecent or offensive material. He feared that if artists, writers, and thinkers knew that a Government-appointed board

⁽⁴⁾ Assembly, 29 January, Hansard 2 col. 401.

⁽⁵⁾ Col. 399.

was empowered to exercise its opinion in regard to the desirability of their works they would be stifled. Such a development would lead to intellectual bankruptcy. Citizens should be free to examine conflicting views and to exercise their own judgment in choosing between these views; to search out the truth for themselves. They did not want to be treated like children and told what they might read and, therefore, how they should think.⁽⁶⁾

Mrs H. Suzman (Progressive Party) added⁽⁷⁾ that an examination of the list of imported books banned by the existing Board of Censors disclosed that it was not only indecent or morally offensive material that had been vetoed, but also some publications considered as modern classics and others which were political or sociological, or which discussed African affairs. There was no reason to believe that the Publications Control Board would act differently in assessing publications; and this new board would have the power to consider locally produced as well as imported material. There were justifiable grounds for fear that publications which criticized political actions of the Government would be banned, Mrs. Suzman maintained. The Minister subsequently stated⁽⁸⁾ that the Bill was designed to combat indecency, blasphemy, and communistic propaganda.

Several speakers pointed out that appeals to the courts against decisions by the Board would be expensive undertakings.

Members of the Progressive and the United Parties urged⁽⁹⁾ the deletion of the clause prohibiting the importation of paper back books costing 50 cents or less, except under permit. This, they said, might prevent distributors from obtaining copies of many valuable educational and cultural publications produced in cheap editions. The Deputy Minister replied⁽¹⁰⁾ that 90 per cent of the indecent or offensive imported material came in the form of inexpensive paper-backs. It had proved impossible for customs officials to examine copies of each of these cheaper publications, very large numbers of which were imported. He agreed that an appeal to the courts was expensive, but maintained that if the Board should prove to be unreasonable, and if the courts ruled against it on several occasions, a norm would be established on which the Board could operate.

Other protests against the Bill

Numbers of organizations and individuals protested against the Bill, and later, the Act, the most striking being a Declaration of Principles signed by 130 South African writers and 55 painters and sculptors, and presented to the Minister of the Interior. They said, *inter alia*, "Nowhere does this law provide that the nature

(6) Cols. 410-2.

(7) Col. 461.

(8) Col. 536.

(9) Cols. 1548, 1554.

(10) Cols. 1557-60.

and intent of a literary work should be considered as a criterion of judgment. We consider this law to be in conflict with the most fundamental principle of art—that each work should be judged as a whole. We are deeply alarmed for the future of creative effort in this country. Above all, writers who must publish inside the country are liable to be forced either into silence or superficiality—with fatal consequences especially for Afrikaans literature.”⁽¹¹⁾

Referring to the Minister's remarks about the intent of the Bill the Hon. O. D. Schreiner, President of the Institute of Race Relations, pointed out that the Board and the courts would rely, not on what the Minister had said, but on the wording of the Act. The vague definition of “undesirable” was likely, thus, to have an inhibiting effect on writers and artists.⁽¹²⁾

APPOINTMENT OF THE PUBLICATIONS CONTROL BOARD

The Minister later announced the composition of the Publications Control Board, which would function as from 1 November. Its members are:

- Prof. G. Dekker (Chairman)—University of Potchefstroom.
- Mr. A. J. van Wyk (Vice-Chairman)—Regional Magistrate, Cape Town.
- Prof. T. T. Cloete—University of Potchefstroom.
- Prof. T. H. Endemann—University College of the North.
- Prof. A. P. Grove—University of Pretoria.
- Prof. C. J. D. Harvey—University of Stellenbosch.
- Mr. N. J. le Roux—Former School Inspector.
- Prof. A. H. Murray—University of Cape Town.
- Prof. H. van der Merwe Scholtz—University of Pretoria.
- Mr. J. G. Sulton—Former Chief Magistrate.
- Mrs. J. P. Theron—Music Teacher.

⁽¹¹⁾ *Rand Daily Mail*, 26 April.

⁽¹²⁾ *Ibid.*, 7 February.

THE POPULATION OF SOUTH AFRICA, AND MEASURES TO DETER INTERMINGLING

POPULATION CENSUS, 1960

During the past year the Bureau of Census and Statistics has published a series of reports giving actual population figures in 1960 and estimates, based on systematic samples, of the numbers who are economically active, of industrial divisions, incomes, age groups, etc. Reference will be made to these estimates in subsequent chapters.

The actual population figures for 1960 extracted from Reports Nos. 1, 2 and 5, and adjusted from figures given in the October issue of the *Bulletin of Statistics*, were as follows: ⁽¹⁾

	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>	<i>All groups</i>
Population	3,088,492	1,509,258	477,125	10,927,922	16,002,797
Percentages of total	19.3	9.4	3.0	68.3	100.0
Urban: Numbers	2,581,731	1,031,063	397,101	3,471,233	7,481,128
Percentage of population group	83.6	68.3	83.2	31.8	46.7
Rural: Numbers	506,761	478,195	80,024	7,456,689	8,521,669
Percentage of population group	16.4	31.7	16.8	68.2	53.3

There has been an increasing trend towards urbanization amongst all groups, as the following figures show:

	<i>Percentage urban</i>			
	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
1936	67.9	57.2	71.7	18.9
1946	74.6	60.9	71.2	23.6
1951	79.0	66.2	77.6	26.7
1960	83.6	68.3	83.2	31.8

⁽¹⁾ Percentages calculated by the writer.

The population of the 11 largest urban areas in 1960, with more than 100,000 people, was:

	<i>Total</i>				
	<i>Whites</i>	<i>Non-Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Johannesburg	413,153	739,372	59,467	28,993	650,912
Cape Town	305,155	502,056	417,881	8,975	75,200
Durban	196,398	485,094	27,082	236,477	221,535
Pretoria	207,202	215,388	7,452	8,046	199,890
Port Elizabeth	94,931	195,762	68,332	4,247	123,183
Germiston	86,314	128,079	4,194	2,389	121,496
Bloemfontein	63,046	82,227	6,281	2	75,944
Springs	38,217	103,726	1,545	1,384	100,797
Benoni	41,992	98,798	5,566	2,996	90,236
Pietermaritzburg	40,065	88,533	5,715	26,827	55,991
East London	49,295	66,761	8,431	1,727	56,603

The published census reports have so far given no breakdown of the rural population, but it is of interest to compare the figures given above with those contained in the *Report on Agricultural and Pastoral Production for 1959-1960*.⁽²⁾ In this report statistics are given for the number of persons on farms in June 1960. The comparison is as follows:

<i>Rural population</i>	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Population census	506,761	478,195	80,024	7,456,689
Agricultural census				
Total	417,945	572,470	53,630	7,450,832
Farms of Whites, Coloured and Asians:	417,945	572,470	53,630	3,410,647
African farms	—	—	—	4,040,185

One could not expect these figures to agree, for the population census was taken in September 1960 and the agriculture census in June 1960. The definition of a rural area in the census report probably does not coincide with the definition of rural land holdings in the agricultural report. Moreover the farm population, according to agricultural census figures, excludes contractors and their employees and, presumably, people living in small villages.

The agricultural census includes occasional and seasonal workers. Many Coloured workers employed in this way migrate between the towns and the farms at different seasons of the year.

The value of this comparison, however, is that it gives some idea of the distribution of Africans as between urban areas, farms of Whites, and the Reserves. The figures indicate that in 1960 the *de facto* distribution was approximately as follows:

Urban areas...	...	...	31.8%
Farms of Whites ...	...	...	31.2%
African Reserves ...	...	...	37.0%

(2) R.P. 10/63. Totals and percentages calculated by the writer.

Many of the Africans shown as being present in urban areas or on farms of Whites were, of course, migrant workers.

HOME LANGUAGES

According to sample tabulation figures published by the Bureau of Census and Statistics,⁽²⁾ based on systematic samples with random starting points consisting of 10 per cent of each of the groups concerned, the home languages of the Whites, Coloured, and Asians in 1960 were:

	<i>Percentages of total population</i>		
	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>
English and Afrikaans	1.4	0.9	0.3
English	37.3	10.2	13.5
Afrikaans	58.0	88.6	1.5
Other	3.3	0.3	84.7

POPULATION REGISTRATION

In terms of Proclamation 268 and Government Notice 1722 of 26 October 1962 it became obligatory for Whites, Coloured, and Asians to have identity cards and for African women to possess reference books as from 1 February 1963. When that date arrived, however, the authorities had still not issued these cards to large numbers of people who had applied for them; and many had not submitted applications.

The Minister of the Interior said on 12 February⁽⁴⁾ that, of those who had by then applied, there were about 781 undecided "borderline" cases in the White/Coloured group and about 20,832 in the Coloured/African group.

Later, on 14 May⁽⁵⁾ he gave the following information:

	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>
Identity cards issued to 2 May 1963	2,282,254	777,245	199,295
Outstanding applications	16,300	141,400	43,000

The backlog was being rapidly reduced, the Minister said. About 22,000 cards were being issued per week. He furnished no estimate of the numbers of people who had not submitted applications.

The Minister gave the assurance⁽⁶⁾ that persons already classified as White would not be reclassified as a result of the new definition contained in the Amendment Act of 1962⁽⁷⁾ unless an objection to the classification was received from a member of the public.

⁽²⁾ Reports Nos. 1 and 2.

⁽⁴⁾ Assembly Hansard 4 col. 1152.

⁽⁵⁾ Assembly Hansard 16 cols. 6035-6.

⁽⁶⁾ Col. 6037.

⁽⁷⁾ See 1962 *Survey*, page 70.

It would appear that officials are handling "borderline" cases with tact and sympathy: Mr. George Golding of the Coloured People's National Union has complained,⁽⁹⁾ in fact, that the Coloured group is being depleted by the classification of many of its fairer-skinned members as White.

But cases of heartbreak still occur and families are still being divided as a result of population registration. Numbers of people who have for years been living as Whites have been afraid to apply for identity cards in case they find themselves classified as Coloured, which would mean a complete change in their social environment and the loss of the privileges that White status gives. There have been cases⁽⁹⁾ in which one member of a family, darker-skinned than the rest, has been too frightened to apply in case he or she prejudiced the position of the other members. Marriages have been postponed for years in some such cases.

"Borderline" parents who have been negotiating for classification as Whites have sometimes kept their children away from school for considerable periods as they do not wish to send them to Non-White schools and, while there is uncertainty, the White schools may not be prepared to accept these children. It is reported⁽¹⁰⁾ that a deputation from the Cape School Board discussed problems such as these with the Superintendent of Education for the Province.

IMMORALITY

The Immorality Act, too, is still giving rise to instances of what would seem unnecessary humiliation and of apparent inequity. Large numbers of people who are prosecuted are discharged or found not guilty. Statistics for 1960 were given in last year's *Survey*.⁽¹¹⁾ Prosecutions and convictions under the Act in 1961 were:⁽¹²⁾

	<i>Charged</i>	<i>Convicted</i>
Whites	425	200
Coloured	191	95
Asians	4	1
Africans	181	93
	<hr/>	<hr/>
	801	389
	<hr/>	<hr/>

There are still cases in which a Non-White woman is sentenced to imprisonment whereas the White man, partner to the alleged act, is acquitted or given a suspended sentence. Early in 1963, for example, an African woman, who stated in court that her White

⁽⁹⁾ *Star*, 25 April.

⁽⁹⁾ e.g. *Sunday Times* report, 3 February.

⁽¹⁰⁾ *Rand Daily Mail*, 7 February.

⁽¹¹⁾ Page 74.

⁽¹²⁾ Minister of Justice, Assembly 5 February, Hansard 3 col. 745.

employer had forced her to be intimate with him, was found guilty of immorality and was sentenced to six months' imprisonment. The man, who was tried later, was sentenced to a year's imprisonment, but because his wife was an invalid, they were in poor circumstances, and he was the only person who could attend to her, his sentence was suspended for three years. The woman was then released, but she had already served 33 days' imprisonment.⁽¹³⁾

APARTHEID IN SCIENTIFIC AND PROFESSIONAL ORGANIZATIONS

When opening a conference of the S.A. Library Association during November 1962 the Minister of Education, Arts and Science announced that the Government expected scientific and professional organizations to comply with its policy of having separate branches for the various racial groups. The Library Association decided to comply: it would accept no further Non-White members, and would allow the existing 11 Non-Whites to retain membership only until their own societies had been established.⁽¹⁴⁾

Some weeks later letters were sent by the Minister to 11 scientific bodies that receive Government subsidies informing them that they were expected to provide for separate Non-White societies, amending their constitutions if necessary to make this possible. The Non-White bodies could affiliate to the national societies and could send representatives to specific executive meetings. In this way channels could be created for the exchange of views, and for knowledge gained at congresses and conferences of White scientists to be transmitted to Non-Whites. The Government did not intend introducing legislation in regard to the matter, the Minister said; but unless the organizations concerned complied with this policy they would not continue to qualify for financial assistance.⁽¹⁵⁾

The bodies concerned were the:

- Entomological Society of S.A.
- Royal Society of S.A.
- Nutrition Society of Southern Africa.
- Geological Society of S.A.
- S.A. Geographical Society.
- S.A. Society for the Advancement of Science.
- S.A. Biological Society.
- S.A. Archaeological Society.
- Zoological Society of S.A.
- Ornithological Society of S.A.
- Tree Society of S.A.

⁽¹³⁾ *Rand Daily Mail*, 6 April, and *Star*, 10 April.

⁽¹⁴⁾ *Star*, 7 November 1962, and *Sunday Times*, 24 February.

⁽¹⁵⁾ Report by the Minister of Justice, Assembly 5 March, Hansard 7 cols. 2140-1.

In a subsequent report to the Assembly the Minister of Justice said it was not known how many Non-White members these societies had.

The attitudes of professional and other scientific bodies have not been announced: i.e. organizations such as the Medical Association of S.A., Institute of S.A. Architects, S.A. Institute of Electrical Engineers, S.A. Institution of Mechanical Engineering, S.A. Chemical Institute, S.A. Institute of Mining and Metallurgy, Institute of Land Surveyors, and numbers more. The constitutions of some of these organizations are governed by private Acts of Parliament which contain no colour-bar.

According to a Press report⁽¹⁴⁾ 13 leading scientific and technical societies which form the Kelvin House group had about 12,000 White members in early 1963, but only eight Non-Whites, four of them Chinese. The fields of interests of these Non-Whites differed and they were far too few in number to establish separate organizations.

The Minister is reported to have said in his letter⁽¹⁵⁾ that as there were 266 Non-Whites with scientific degrees there was room for a Non-White scientific society.

MULTI-RACIAL RECEPTIONS

In view of the South African Government's attitude to multi-racial functions the British Ambassador decided to arrange two receptions in Cape Town to celebrate the official birthday of the Queen on 21 April 1963. An official reception was held in the morning for Government representatives, heads of diplomatic missions, and certain others, all White. In the afternoon there was a garden-party to which civic dignitaries and leading members of the community were invited, with no regard to race. South Africa's Minister of Foreign Affairs attended the morning reception.

British Consuls in other cities of the Republic held multi-racial receptions. According to reports, the South African Government officials and Nationalist Provincial and City Councillors invited did not attend.

During June it became known that the United States Ambassador was planning to make similar arrangements for two receptions on Independence Day, 4 July, all-White in the morning and multi-racial in the afternoon. The Minister of Foreign Affairs is reported⁽¹⁶⁾ to have sent a circular to the Diplomatic Corps advising embassies to discontinue morning receptions, which were often the cause of "considerable inconvenience"; but it is understood the Ambassador replied that as invitations had already gone out and a number of acceptances had been received the morning reception could not be cancelled. No representative of the South African Government attended this (all-White) morning reception.

⁽¹⁴⁾ *Rand Daily Mail*, 25 February.

⁽¹⁵⁾ *Ibid.*

⁽¹⁶⁾ *Rand Daily Mail*, 18 June and 6 July.

THE AFRICAN RESERVES

PLANS FOR SELF-GOVERNMENT IN THE TRANSKEI

FIRST DRAFT OF TRANSKEI CONSTITUTION BILL

The purpose of the Transkei Constitution Bill, introduced in the Assembly in January 1963, was to grant a limited form of self-government to the Transkei. It provided, *inter alia*, that the official language should be Xhosa, but that English, Afrikaans, and Sesotho should be recognized for governmental, legislative, judicial, and administrative purposes.

Speaking on behalf of the United Party, Sir de Villiers Graaff⁽¹⁾ opposed the motion of the Minister of Bantu Administration and Development that leave be given to introduce the Bill. He said that his Party was not opposed to the granting to the Africans of the Transkei of a large measure of control of their own affairs, "more particularly those more intimate subjects which affect them personally". Nevertheless he objected to the Bill on various grounds, chief of which was that it was, he maintained, the first step towards the fragmentation of the Republic into separate independent states.

CONSTITUTIONAL ISSUE

After the Bill had been read a first time it was pointed out by the United Party that the clause stating that the official language of the Transkei should be Xhosa might conflict with the entrenched Section 108 of the Republic of South Africa Constitution Act of 1961, which provides that English and Afrikaans shall be the official languages of the Republic, shall be treated on a footing of equality, and shall possess and enjoy equal freedom, rights, and privileges.

This Section can be amended only at a Joint Sitting of both Houses, and the amendment must be passed by a two-thirds majority of members at the third reading.

The Government then decided to introduce, at a Joint Sitting, a new measure dealing with the official languages in all African areas that may be granted powers of self-government.

(1) Assembly, 28 January 1963, Hansard 2 col. 281.

CONSTITUTION AMENDMENT ACT, No. 9 of 1963**Terms of the Act**

The Amendment Act states that, notwithstanding the entrenched clause of the Constitution Act, an Act of Parliament which declares a Bantu area to be a self-governing area may provide for the recognition of one or more Bantu languages for any or all of the following purposes:

- (a) as an additional official language or as additional official languages of that area; or
- (b) for use in that area for official purposes prescribed by or under that Act;

and may contain provisions authorizing the use of any such Bantu language outside that area for prescribed purposes connected with the affairs of the area, and subject to such conditions as may be stated.

As will be described below, the Bill originally included a sub-clause (c), which was deleted. This stated that an Act creating a self-governing Bantu area might provide for the use of a Bantu language as the sole language in that area in prescribed circumstances and for limited purposes.

Parliamentary debate

When introducing the Bill at its Second Reading before a Joint Sitting the Prime Minister emphasized⁽²⁾ that the Transkei would remain part of the Republic. In this area, he continued, the home language of most of the people was Xhosa, but Sesotho was spoken in districts near the Basutoland border such as Matatiele and Mount Fletcher. It would, thus, be necessary to provide for the use of both these languages. Furthermore, their use outside the area for specified purposes should be authorized. Contracts and certificates drawn up in Xhosa in the Transkei must be made valid outside that area. If a case instituted in a Transkeian court went on appeal to the Appellate Division in Bloemfontein it might be necessary for documents drawn up in Xhosa to be used.

Mrs. H. Suzman said⁽³⁾ that the Progressive Party was strongly opposed to the Bill. In this measure and the Transkei Constitution Bill Africans were being offered limited self-government and their own language rights in the Reserves in exchange for the sacrifice of any rights which they could enjoy as citizens in the rest of the Republic. The Progressives believed, rather, that the Republic should be one multi-racial country with two official languages, English and Afrikaans. If the Africans wished to continue speak-

(2) Hansard 1 of Joint Sitting, cols. 7, 15-17.

(3) Cols. 32-39.

ing and developing their own languages there would be nothing to prevent this; but Africans were fully aware that English was the language most used in modern communications throughout the world, and that their chances of economic advancement in the Republic were bound up with their knowledge of English and Afrikaans.

Sir de Villiers Graaff⁽⁴⁾ elaborated on his previous arguments against the Bill, and said that the United Party would support it on two conditions only: firstly, that sub-clause (c), described above, was deleted, and secondly, that the measure was re-phrased in such a way that its provisions would be applicable to a race federation.⁽⁵⁾

The Prime Minister replied⁽⁶⁾ that he could not meet the United Party's second condition. There was a fundamental clash between Government policy and the United Party's race federation plan.

"We on the Government side," the Prime Minister continued, "do not believe as they do that out of people so different, with cultures so far apart, each with his own language, one can create one multi-racial and multi-lingual nation . . . All that the Opposition will achieve . . . is a so-called nation in which the Black man and presumably his languages ultimately too will dominate the White man . . . One must let (each racial group) have their own rights, separated from one another . . . then, as neighbours, you can build up friendship."

There had been some doubt as to whether the Government would be able to muster a two-thirds majority of votes at the third reading: illness among a few of its supporters might have prevented this. During the Committee Stage the Prime Minister announced⁽⁷⁾ that if all those present would guarantee that the Report Stage could be taken that same day (and thus, the Third Reading on the following day) he would drop sub-clause (c), which would be administratively useful but was not essential.

Sir de Villiers accepted this condition but said,⁽⁸⁾ "I am sorry it has been done in this way; it is not the usual method in this House."

The Government required 143 votes at the Third Reading and obtained 146: 64 votes were cast against the Bill, and four members were absent.

(4) Cols. 22, 25, 27.

(5) See 1961 *Survey*, page 16, for the United Party's race federation plan.

(6) Col. 70.

(7) Col. 92.

(8) Col. 104.

TRANSKEI CONSTITUTION ACT, No. 48 of 1963**Terms of the Act****1. Purpose**

The Act provides for the creation of a Transkeian Government designed to:

- (a) maintain law and order and ensure justice;
- (b) promote the well-being of the territory and its people;
- (c) protect and develop their own culture;
- (d) preserve the ideals of religion, civilization, and democracy.

2. Territory and area

The Transkei is to become a separate territory. By the "Transkei" is meant the areas under the jurisdiction of the existing nine regional authorities (the towns and predominantly "White" farming areas such as those in the Mount Currie and Matatiele districts and the "White" area of Port St. Johns—the only harbour—are excluded). With the approval of the Republican Parliament and the Transkeian Legislative Assembly the State President may declare that any Bantu area shall be included in or be excised from the Transkei. If any area is excised land of at least equal value must be substituted.

After consideration of a report of a committee appointed by the Minister of Bantu Administration and Development the State President may zone areas or portions of areas under the jurisdiction of existing municipalities or other local authorities in the Transkei for occupation or ownership by Africans. Separate African local authorities may then be established for these areas, but will have to administer them subject to conditions stipulated by the local authority formerly in control.

3. Flag, Anthem and Official Languages

The Transkei will have its own flag, to be flown side-by-side with the Republican flag on official buildings, and its own National Anthem—'*Nkosi Sikelel' i-Afrika*.

Subject to the relevant provisions of the Constitution Act, Xhosa will be recognized as an additional official language of the Transkei, and Sesotho may also be used for governmental, legislative, judicial, and administrative purposes and such other official purposes as the Cabinet may determine.

The use of Xhosa and Sesotho anywhere in the Republic outside the Transkei may be authorized by the State President for purposes connected with the affairs of this territory and subject to such conditions as may be specified.

4. Citizens

The citizens of the Transkei (Africans only) will include all Africans who were born in the Transkei or who have been legally domiciled there for at least five years, those outside who speak any dialect of Cape Nguni and owe no allegiance to any other African homeland, and Sesotho-speaking persons who are members of tribes resident in the Transkei.

Citizens of the Transkei will not be treated as "foreign Africans" when they are in the Republic.

5. Legislative Assembly

There will be a Legislative Assembly consisting of the 4 Paramount Chiefs (or representatives appointed by them), 60 chiefs, and 45 elected members. At no time may the number of chiefs in the Assembly be increased. Elected members must be citizens, over the age of 21 years, and registered voters in the electoral division they represent.

Members will lose their seats if they cease to qualify, or resign, or fail for a whole ordinary session to attend sittings of the Assembly without its special leave.

The Assembly will normally be elected for a period of five years. Annual sessions will be held. Its members will elect a chairman and deputy chairman.

6. Franchise

All qualified citizens of the Transkei who are over the age of 21 years (or 18 years if they are tax-payers) will have the franchise. The electoral divisions will be the regional authority areas.

No-one may be a voter if he has been convicted of treason or murder; or for at least three years after he has completed any period of imprisonment imposed by the courts without the option of a fine; or, if he has been detained in a work colony, for at least three years after his release; or, if he has been convicted under laws regulating franchise, for the period during which he has been declared incapable of being registered; or if he has been declared to be of unsound mind.

7. Cabinet

The Cabinet, to be elected by members of the Assembly from amongst their ranks, will at first consist of a Chief Minister who will also be Minister of Finance, and five other Ministers holding the portfolios of Justice; the Interior; Education; Agriculture and Forestry; and Roads and Works.

Provision is made for the enlargement of the Cabinet to include three more Ministers.

8. Powers of Assembly

The Republican Parliament will retain control over defence; military units; external affairs; the entry and control of any police force of the Republic charged with the maintenance of internal security and the public peace; postal, telephone, telegraph, and radio services; railways, harbours, national roads, and civil aviation; immigration; currency; public loans and banking; customs and excise; and the Transkeian constitution.

To the Transkeian government will gradually be transferred control of its budget; the protection of life and of property; the maintenance of law and order; the control of magistrates' and inferior courts which deal with matters affecting Africans only; the control of such personnel of the police force as are transferred to the Transkeian government's service; the control of land settlement, agriculture, soil conservation, veterinary services, irrigation, forestry, administration of estates, African local government institutions, education, welfare services, registration of births, marriages, and deaths, licensing (other than of arms and ammunition), registration of voters, roads and bridges other than national ones, road traffic, labour (excluding matters dealt with under the Workmen's Compensation or Unemployment Insurance Acts), markets and pounds, and any other matters which the State President may decide are of a local nature.

All laws passed by the Assembly in relation to these matters will require the State President's assent. He may refer legislation back to the Assembly for further consideration.

The Assembly may amend or repeal Republican laws which deal with matters transferred to its control in so far as these relate to such matters and apply to citizens of the Transkei. No Acts of Parliament or Provincial Ordinances (other than those relating to income taxes, taxes on profits, or estate or succession duty) which deal with matters transferred to the control of the Legislative Assembly will apply to citizens of the Transkei.

Land and other public property owned by the Republican Government, the Cape Provincial Administration, or the S.A. Native Trust, and held by them in connection with powers to be transferred to the Transkeian government, will become the property of that government subject to such reservations as may be determined.

9. Revenue Fund

A Transkeian Revenue Fund is to be created. Into this will be paid all taxes, levies, and rates paid by Transkeian citizens or private companies in which citizens have a controlling interest, fees deriving from the administration of matters assigned to the Legislative Assembly, an annual grant from the Republic equal to its expenditure in the year preceding the date of transfer on matters

the administration of which is transferred, and such an additional sum as may be voted by the Republican Parliament.

Before the Republican Parliament considers this matter, the estimates of expenditure of the Transkeian Legislative Assembly will be scrutinized by the Republican Ministers of Bantu Administration and Development and of Finance.

For the time being the accounts of the Transkeian Government and its subsidiary bodies will be examined by the Republican Controller and Auditor-General.

10. Law Courts

Existing courts will be retained, although control of those which deal with matters affecting Africans may be assigned to the Transkeian Government. No magistrates' courts or Bantu Affairs Commissioners' courts may be established or disestablished in "White Spots", and no judicial officers may be appointed there, without the consent of the Republican Minister of Bantu Administration and Development. Courts established by the Transkeian Government under its own legislation may not have higher powers of jurisdiction than those of an ordinary magistrate's court in the Republic.

The eventual creation of a High Court with the status of a Provincial Division of the Republican Supreme Court is envisaged; but the right of appeal to the Republican Appellate Division will be retained.

11. Staff

A Transkeian Public Service Commission is to be created, to consist of three persons appointed by the Transkeian Cabinet. Final responsibility for the appointment and dismissal of staff will rest with the Cabinet.

Africans employed in connection with matters under the control of the Transkeian government will be transferred to its service. Europeans employed in connection with such matters will continue to be employees of the Republican government, but may be seconded to the Transkeian government for as long as their services are needed. They will, however, progressively be replaced by Africans.

12. Chiefs, and Bantu Authorities

The existing chieftainship structure will be retained until the State President otherwise approves. All future chiefs (including paramount chiefs) will be designated by regional authorities, according to African law and custom, and subject to confirmation by the State President. He may refer any such designation back to the regional authority for further consideration. He will not

confirm the creation of any new chieftainship except after consideration of a recommendation by the Legislative Assembly.

A paramount chief in his own area will have a status superior to that of the Chief Minister or any Cabinet Minister except in matters relating to the business of the Legislative Assembly.

The Territorial Authority will be dissolved; but regional, district, tribal, and community authorities will be retained unless the system is altered by the Legislative Assembly.

Parliamentary debate on the Transkei Constitution Bill

The United Party again opposed the motion of the Minister of Bantu Administration and Development for leave to introduce the Bill, for the same reasons as it had given in the case of the first draft. Once more it was outvoted on this issue.

In his Second Reading speech⁽⁹⁾ the Minister stated, as the Prime Minister had done earlier, that the Transkei would become a self-governing area *within* the Republic. For external purposes its citizens would still be regarded as citizens of the Republic of South Africa, thus would have the full protection of international law. The Minister pointed out that in many respects the Transkeian Legislative Assembly would have greater powers than those of Provincial Councils in the Republic.

Sir de Villiers Graaff moved⁽¹⁰⁾ that the Bill be read that day six months. He re-emphasized his Party's opposition to a policy which would lead to the ultimate sovereign independence of the Black areas. Once one started abdicating power, he said, one lost control of the timetable.

One would have thought, Sir de Villiers continued, that in existing circumstances any sensible government would follow a policy designed to establish a common loyalty to the Republic, a common ideology opposed to the appeals of pan-Africanism and of Communism. A sane government would cherish every possible point of fruitful contact between the races in order to establish a common patriotism. Instead of doing this the present Government was promoting the establishment of separate states, with separate loyalties.

The Bill, he said, would create not only the opportunities but also the machinery for conflict between the Transkei and the rest of the Republic. He mentioned four possible sources of conflict.

- (a) Friction was possible over boundary disputes.
- (b) The State President's assent to Bills passed by the Transkeian Legislative Assembly would be required. He could refer legislation back for further consideration. What would happen if a Bill was referred back more than once? The Transkei Constitution Bill contained no provision for resolving such a deadlock.

⁽⁹⁾ Assembly, 6 March, 1963 Hansard 7 cols. 2242-5.

⁽¹⁰⁾ Col. 2248-73.

- (c) In terms of the Bill the Legislative Assembly could petition the State President for the dismissal of the Transkeian Cabinet. The Republican Government might conceivably advise the President to refuse such a petition, which would mean the enforced retention of a cabinet which had lost the confidence and support of the Assembly.
- (d) Friction might arise, too, in regard to the size of the amount voted annually by the Republican Parliament to augment the revenue of the Transkei. Difficulties encountered within the Transkei resulting from shortages of funds would be blamed on the Republic.

Would political and racial tensions be made any the less, Sir de Villiers asked, by the artificial creation of a Transkeian citizenship for millions of Bantu who lived outside that territory and had lost any connection with it? These people were to be offered no rights in the country where they lived, and would be turned into exiles. It was unlikely that they would be loyal to South Africa in times of difficulty. Would industrialists thank the Government for transforming a large portion of their labour force into citizens of a foreign country? The Bantu Reserves were likely to become springboards for the liberation of their citizens in the Republic.

What was to be the future of the 600-odd White traders in the Transkei?, Sir de Villiers enquired. The Minister had not stated his policy. The vested interests of these people were unprotected in the Bill.

The Government planned to create a series of economic units, he continued. Certain of these would have the greatest difficulty in surviving.

The Nationalists believed that contact resulted in friction, Sir de Villiers said. The United Party believed the contrary: that it could only lead to better understanding. There were aims, objectives, loyalties which transcended racial differences.

In 1958 the United Party had offered to co-operate with the government of the day in the development of the Reserves; but the present government had made it perfectly clear that it was taking a course of action which rendered impossible any co-operation on limited objectives in Native policy. The United Party did not regard itself as bound by the promises of ultimate independence which had been made by the Nationalists. It believed that there was still some hope of keeping South Africa together as one integral whole and maintaining the loyalty and patriotism of all the people for one Republic of South Africa.

Mrs. H. Suzman of the Progressive Party pointed out⁽¹¹⁾ that existing repressive measures such as the pass laws, banishment without trial, the prohibition of interdicts, etc., would remain in force.

(11) Coln. 2283-9.

The towns of the Transkei—the main centres of economic life—were excluded from the area of jurisdiction of the Transkei government, she said. Far too little was being spent on the necessary infrastructure for the economic development of the Reserves—railways, roads, power stations. But no amount of money could enable these areas to compete with industrial South Africa, where the real resources of the country lay. The Reserves were desperately poor areas, and the real solution to this poverty was to remove the surplus population, and not to put people back, as was the Government's policy. The real solution was to do away with discrimination in educational and employment opportunities throughout the country.

Statement by the Institute of Race Relations

On 12 February 1963, following the publication of the first draft of the Transkei Constitution Bill, the Institute of Race Relations issued a statement expressing its views.⁽¹²⁾

An analysis of the Bill, it stated, made it quite clear that "self-government" meant a limited degree of local autonomy with the emphasis on problems of local concern. In the case of Africans resident in the Transkei, a vote for a government with such limited powers would not be a satisfactory substitute for a direct vote for the Central Government, to which the Transkei Legislative Assembly would remain subordinate.

Far less would a vote for a "heartland" government compensate Transkeian citizens living outside the Transkei for the lack of a vote for the government of the Republic, the decisions of which so vitally affected the quality of their daily lives. These people were expected to be satisfied with the exercise of what amounted to a postal vote for the government of an area in which they did not live.

The creation of these allegedly self-governing areas would, thus, not solve political problems. Nor would it solve the problems of landlessness, over-population, unemployment, and inefficient agriculture in the Reserves. The economy of the Republic would remain one inter-dependent whole, and only by its all-over expansion would the burden of poverty in the Reserves be lightened.

Even if it were regarded as an essay in a limited form of local government (as it in fact was), the Institute continued, the proposed Transkei constitution had abnormal features, such as the inclusion of African voters living outside the geographic area, the exclusion of Whites and Coloured resident in the Transkei, and the excision of urban areas from the authority of the Transkei government. The over-riding weight given to traditional authority in the composition of the Legislative Assembly was regretted.

(12) RR. 27/63.

VIEWS OF TRANSKEIAN AFRICANS

Leading chiefs

The three most prominent chiefs in the Transkei are Chief Kaiser Matanzima, Paramount Chief Victor Poto, and Paramount Chief Sabata Dalindyebo.

For some years prior to 1958 there had been internal dissension amongst the Thembu people which culminated in disagreement over the Bantu Authorities system. In that year the Government decided to divide the people. The Thembu in the western part of their area, near Umtata, remained under Paramount Chief Sabata Dalindyebo; but Kaiser Matanzima was appointed chief of the Emigrant Thembu in the eastern part of the Transkei near to Queenstown. The latter is a capable man, in his early forties, a B.A. and a qualified attorney. For three years in succession he has been elected chairman of the Transkeian Territorial Authority. Matanzima supports the Government's policy. In a Press statement made in March 1963⁽¹²⁾ he said that whereas the United Party and the Progressive Party both wanted to retain White domination, the Nationalists had made "an honest offer of race separation", an offer that would enable Africans to govern themselves. The policy of separate development was the only practicable way of solving racial conflicts in South Africa, he maintained.

Matanzima opposes the view, held by certain others, that Whites resident in the Transkei should have the right to sit in its Legislative Assembly. At a meeting in East London he said⁽¹⁴⁾ that this was inconceivable in view of the fact that Africans were denied representation in the White Parliament. He has also opposed suggestions that the number of elected members in the Legislative Assembly should be increased. At the same meeting he said that this might be deemed desirable at some future time, but if the traditional leaders were removed at present there would be a bid for leadership resulting in chaos.

He caused considerable disconcertion by saying, in the Press statement quoted above, that "Britishers" knew that the White man had no claim to the land between the Fish River (which has its mouth between East London and Port Elizabeth) and Zululand. Two days later a statement by the Prime Minister was read in the House of Assembly.⁽¹⁵⁾ Chief Matanzima had been provoked into making this statement, Dr. Verwoerd said, by certain accusations that chiefs were open to bribery and corruption. It was to be regretted that the chief had spoken as he had.

"There can be no question whatsoever", Dr. Verwoerd continued, "of the whole territory between the Fish River and Zululand becoming a Bantu homeland. The existing division in White and

⁽¹²⁾ *Star*, 11 March and *Rand Daily Mail*, 12 March.

⁽¹⁴⁾ *Star* report, 26 August.

⁽¹⁵⁾ By the Minister of Lands, 15 March, Hansard 8 col. 2807.

Black areas will be maintained . . . Any additions to the latter would have to be in terms of the commitments in the 1936 legislation,⁽¹⁶⁾ and any exchange in the interest of consolidation would need mutual agreement and (would) therefore be of benefit to both".

The attempted attacks on Chief Matanzima's life by members of Poqo from Cape Town are described elsewhere in this Survey.

Paramount Chief Victor Poto, of Western Pondoland (stretching between Umtata and Port St. Johns) is an older man, in his early sixties, with more political experience than any other Transkeian chief: he was a member of the Natives Representative Council. He said, in earlier Press interviews,⁽¹⁷⁾ that he strongly opposes the system in terms of which chiefs will automatically be members of the Legislative Assembly: they should, instead, form an Upper House of Review. All members of the Assembly should be elected on a democratic basis, he considers. There are many educated people who would like to have an effective voice in the government of the territory, but in terms of the Transkeian Constitution they would be denied this because the chiefs would have automatic control, he said. The policy of giving chiefs control over the lives of the people had led to the formation of subversive groups. Such movements would be crushed only when there was general satisfaction with conditions. (At a later stage he elaborated on his policy, as is described below.)

For the time being he would accept the Transkeian Constitution, Paramount Chief Poto continued, but he trusted that once the new Assembly had proved it could legislate in a responsible manner it might be able to convince the South African Government that changes were desirable.

Paramount Chief Sabata Dalindyebo, of Thembuland (between the areas of Chief Matanzima and Paramount Chief Poto), is in his thirties. In a Press statement made in January 1963⁽¹⁸⁾ he said that he and his followers "seek freedom from laws which separate us from our fellow-South Africans. We seek a State in which the colour of a man's skin plays no part in his civic rights . . . in which White and Black can live and work together in mutual respect". He has stated his views that all members of the Legislative Assembly should be elected, and that all those who live in the Transkei, irrespective of race, should have the right to vote and to stand for election to this body.⁽¹⁹⁾

Before the Transkei Constitution Bill was presented to Parliament Paramount Chief Sabata urged the Minister to amend it in accordance with these principles, which, he said, were supported by the vast majority of his people.

⁽¹⁶⁾ Native Trust and Land Act of 1936.

⁽¹⁷⁾ *Rand Daily Mail*, 28 August and *Star*, 1 and 2 October 1963.

⁽¹⁸⁾ *Rand Daily Mail*, 25 January.

⁽¹⁹⁾ e.g. at Session of Territorial Authority held in December 1962, *Rand Daily Mail*, 12 December 1962.

He has received backing from Paramount Chief Poto's son, Chief Tutor Ndamase, and from Thembu tribesmen in Cape Town as well as in the Transkei itself. A Transkeian Western Cape Action Committee was formed at Langa, Cape Town, and sought an interview with the Minister of Bantu Administration and Development to request that a referendum be held on the question of self-rule for African areas and the proposed machinery for this. The Minister refused to meet the delegation: he said⁽²⁰⁾ he had reason to believe that "certain Europeans and other subversive elements" were associated with the Action Committee.

Proceedings at the Session of the Transkeian Territorial Authority in December 1962

The draft Transkei Constitution Bill was presented to the Transkeian Territorial Authority at its Session from 11 to 13 December 1962.

This Authority (which held its final Session in May 1963) consisted of all the members of the 9 regional authorities. Each regional authority was made up of all the local chiefs, one member elected by each district authority in the area, one member of each district authority appointed by the Department of Bantu Administration and Development, and one further member appointed by the chairman of the regional authority. The Department had the right to cancel any appointment.

District authorities, in turn, were composed of all the chiefs in the area, 4 members appointed by heads of tribal authorities (who are generally chiefs), 2 members appointed by the Department, and 2 appointed by tax-payers.

As will be described later, the composition of these bodies is to be altered; but it is clear that in 1963 chiefs (who receive allowances from the Government) and the Department of Bantu Administration and Development were almost entirely responsible for selecting the members of the Territorial Authority. Its membership in 1963 included the 4 Paramount Chiefs, 56 chiefs, 1 sub-chief, 41 headmen, and 17 commoners.

On the first day of the Session in December 1962 Paramount Chief Sabata, supported by Chief Tutor Ndamase and a few others, expressed his opposition to the proposed constitution for the reasons given above. His alternative proposals were, however, unacceptable to the very large majority of the members. A motion that all the members of the Legislative Assembly should be elected was defeated by 42 to 11 votes; and a further motion that there should be equal numbers of chiefs and elected members was supported by 43 persons and opposed by 48. Finally the draft constitution was adopted with 4 dissentient votes.⁽²¹⁾ Thereafter, as is described above, it was presented to Parliament.

⁽²⁰⁾ Assembly, 10 May 1963, Hansard 15 col. 5783.

⁽²¹⁾ From reports in *Rand Daily Mail and Star* of 12, 13, and 14 December 1962.

REGULATIONS FOR REGISTRATION OF VOTERS AND CONDUCT OF ELECTIONS

Draft regulations for the registration of voters and the conduct of elections for the 45 members to be elected to the Legislative Assembly were presented to the Transkeian Territorial Authority at its final Session in May 1963.

They provided for 9 constituencies, corresponding with the 9 regional authority areas. The onus was placed on Transkeian citizens to register as voters by appearing personally before a Bantu Affairs Commissioner or Magistrate and producing their reference books, which would be endorsed to the effect that the holder was a registered voter in a stated constituency. In the case of an urban African the constituency would be decided upon in accordance with his place of birth, or the tribe or group to which he belonged or with which he was habitually or linguistically associated.

The 45 seats would be divided between the 9 constituencies in proportion to the numbers of registered voters in these areas. Each voter would have as many votes as there were seats allocated to the constituency in which he was registered. Any number of candidates could stand for election, but a candidate could be nominated only in the constituency where he was registered as a voter.

The voting procedure laid down was similar to that applicable for South African Parliamentary elections except that there would be no postal votes. Illiterates would be able to ask the presiding officer to cast their votes according to their directions. Polling booths would be established at convenient places throughout the Republic, and voters would have to establish their identity by producing their reference books.

Candidates with clear-cut victories would be returned. If, for any remaining seats, some candidates had equal numbers of votes, the chief returning officer would decide the result by lottery.

The Territorial Authority adopted the draft regulations. One or two speakers urged that a candidate should be allowed to stand in any constituency, but a motion to this effect received only 9 votes.

REGULATIONS FOR THE CONTROL OF POLITICAL ACTIVITIES, AND THEIR EFFECTS

The special regulations for the administration of the Transkeian Territories gazetted in terms of Proclamations 400 and 413 of 1960 were described in detail in an earlier volume of this *Survey*.⁽²²⁾ Most of these regulations remained in force at the time of writing, and it appeared that certain of them might inhibit the free conduct of elections. For instance the regulations contain the following clauses.

(22) 1961 *Survey*, page 43.

1. With certain exceptions (e.g. church services, etc.) no meeting or gathering of more than 10 Africans may be held unless special permission is given. Conditions may be imposed.
2. It is an offence to make any statement or perform any action likely to have the effect of interfering with the authority of the State, one of its officials, or a chief or headman; to boycott official meetings; and for an African to treat a chief or headman with disrespect.
3. Persons suspected of committing an offence under the regulations or any law, or of intending to do so, or of possessing information about an offence, may be arrested without warrant and held in custody until the police or prison authorities are satisfied that they have fully and truthfully answered all relevant questions put to them. They may not consult with a legal adviser unless with the consent of the Minister of Bantu Administration and Development.
4. The Minister may prohibit any person from entering or being in the Transkei, or from leaving it.
5. Maximum penalties for offences under the regulations are a fine of R600, or three years' imprisonment, or both, or imprisonment without the option of a fine.

(Recent legislation, described elsewhere in this *Survey*, providing for banning orders, 90-day arrests, etc., applied in the Transkei as well as in the rest of South Africa.)

Paramount Chief Sabata, Chief Douglas Ndamase and others urged that Proclamations 400 and 413 be withdrawn or at least suspended during the elections; but numerous other chiefs were apparently not in favour of this, and the Government did not agree to do so. It would appear that some chiefs were still afraid of attacks by members of subversive organizations.

The Chief Bantu Affairs Commissioner for the Transkei said at the Session of the Territorial Authority in May 1963 that the question of freedom to hold election meetings would be referred to the Department. Subsequently, in a Press statement,⁽²²⁾ the Minister announced that any political party taking part would be able to hold election meetings freely, and no limit would be placed on the numbers who might attend such meetings. But the Emergency Regulations would be retained in order "to check agitators . . . from inciting the Bantu".

The country was, however, still left in doubt as to whether or not opponents of Government policies would have full freedom to put their views to the electorate, without fear of prosecution or detention. This, apparently, did have an inhibiting effect on numbers of educated "school" Africans, who stand for full partici-

(22) c.f. *Sunday Times*, 7 July.

pation in the government of South Africa as a whole rather than local self-government under chiefs. Many such persons appear to have considered, during the early stages, that active participation in the elections would be tantamount to the acceptance of the apartheid machinery.

Paramount Chief Victor Poto and Chief Kaiser Matanzima were allowed full freedom to tour areas where their followers lived and to address them; but, apparently through mismanagement, Paramount Chief Sabata was denied permission to address a meeting of his followers at a mine compound in Johannesburg. He was deeply annoyed, too, he said, when a Johannesburg policeman demanded to see his "passport". At meetings he addressed subsequently he criticised the Government's plan for the Transkei and left it to his people to decide for themselves whether or not to register as voters. Sabata adheres firmly to the true traditional tribal democracy in terms of which a chief is the embodiment of his people and does not impose his will upon them. He appeared genuinely to believe that the Thembu want multi-racialism rather than African domination.

The Liberal Party decided not to put up candidates for the elections, but Mr. Hammington Majija, a member of this Party, decided to campaign on his own account. He spoke at one or two meetings in the Transkei, expressing firm opposition to the Government's policy of separate development. He then apparently went into hiding to avoid possible action by the authorities that would prevent him from standing for election. Just before nomination day, however, a series of banning orders was pinned to the door of his house in Cape Town, prohibiting him for five years from leaving the Cape Town and Wynberg magisterial areas, from attending any gatherings, from being in any Non-White area other than the township where he lives, from being on the premises of any of a large number of specified organizations, premises of any educational institution, or premises where any publication is prepared or published, from preparing or helping to prepare any matter for publication, from entering a harbour, and from giving any educational instruction. He was, thus, prevented from standing for election, and furthermore, had to give up his job on the staff of the periodical *Contact*.

Leonard Mdingi, secretary of the People's Party and a candidate in the election, was arrested in Durban and held under the 90-day clause. The aims of this party are described below.

CLARIFICATION OF ISSUES

The Minister is reported to have said on 17 October,⁽²⁴⁾ "The only great difference between the two leaders—Paramount Chief Victor Poto and Chief Kaiser Matanzima—is that Poto wants the

(24) *Rand Daily Mail*, of that date.

chiefs in the Transkei to form a special house of review—a Senate. Matanzima wishes the chiefs to be automatically members of the Assembly so they can play an active part in the government of their people.

“I think it would be most unwise if the chiefs did not play this active part. But it is a matter for the people of the Transkei to decide for themselves. Although I think such a change in the constitution would not be in the interests of the Transkei, we would not oppose it if it was wanted by the majority”.

During the weeks that followed, however, both these chiefs made further statements. In his election manifesto Chief Matanzima reiterated his contention that additional land formerly occupied by Africans in the Eastern Cape and Southern Natal should be added to the Transkei, and that the Transkeian Government should gradually take over all “White spots” within the territory. He advocated the establishment of African military units in the Transkei. Such plans are clearly contrary to Government policies.

In a Press interview given on 14 November Paramount Chief Victor Poto indicated that he was in favour of giving the vote to the White citizens of the Transkei. He would work for full independence for the territory, and after this had been achieved a policy of multi-racialism would be introduced. Numbers of candidates for election (including four from Chief Matanzima’s area) declared their belief in multi-racialism. However, in a Press statement on 8 November the Minister made it clear that such a policy was entirely unacceptable to the Government, for it would not be in accordance with the plans for developing Bantu states.

REGISTRATION OF VOTERS AND ALLOCATION OF SEATS

Offices were open at convenient points throughout the country between 17 June and 17 August for the registration of voters.

It was reported⁽²⁵⁾ that 880,425 persons registered, 466,187 of them being women. They were estimated to constitute 90 per cent or more of the total number eligible. Of these voters, about 610,000 were in the Transkei and 270,000 outside.

The 45 elected seats were then allocated between the 9 electoral divisions in accordance with the number of registered voters in each. The result was:

(25) *Star*, 6 September and 1 and 2 October, and *Bantu*, October.

<i>Regional authority</i>	<i>Head</i>	<i>No. of Seats</i>
<i>East Griqualand</i>		
Umzimkulu	Chief Morris Msingapantsi	2
Maluti	Chief Neo Sibi	4
Emboland	Chief Strachan W. Makaula	5
<i>Pondoland</i>		
Qaukeni	Paramount Chief Botha M. Sigcau	8
Nyanda	Paramount Chief Victor Poto	4
<i>Thembuland</i>		
Dalindyebo	Paramount Chief Sabata Dalindyebo	7
Emigrant Thembuland	Chief Kaiser Matanzima	4
<i>Transkei proper</i>		
Gealeka	Paramount Chief Zwelindumile Sigcau	7
Fingo	Chief Douglas Ngeongolo	4

The distribution of seats is more-or-less as might have been anticipated from a study of population census figures (which, however, exclude Xhosa away from the Transkei and include minor children). It appears that there may have been an especially large rate of registration of voters in Chief Matanzima's area and a proportionally fairly low one in the area of Paramount Chief Botha Sigcau. The attitude taken by Paramount Chief Sabata does not seem to have resulted in a low rate of registration in Thembuland proper.

NOMINATIONS AND ATTITUDES

On nomination day, 2 October, 180 candidates offered themselves for election. They reflected⁽²⁶⁾ a wide cross-section of the population, including headmen, peasant farmers, retired teachers, businessmen, two women, and at least eight men from urban areas.

South Africa's multi-racial parties, the Liberals and the Progressives, did not sponsor any candidates (although, as has been mentioned above, Mr. Hammington Majija of the Liberal Party had intended standing privately).

A People's Party was formed, with its main strength in East Pondoland (Paramount Chief Botha Sigcau's area), and is said⁽²⁷⁾ to stand for full independence for the Transkei, multi-racialism there, and a system of one-man-one-vote in the neighbouring Republic of South Africa.

In at least two of the constituencies groups were formed to contest all the seats on a common platform. A group in Western Pondoland is reported⁽²⁸⁾ to have campaigned, with the backing of the Nyanda Regional Authority, for the alteration of the constitution along the lines proposed by Paramount Chief Poto. They sought no assistance from outside influences, they said. A further group chosen at a meeting of 400 Thembu upheld Paramount Chief Sabata's views and his support for Paramount Chief Poto for the office of Chief Minister of the new government.⁽²⁹⁾ In both these

⁽²⁶⁾ *Gazette*, 1 November.

⁽²⁷⁾ *Star*, 26 August.

⁽²⁸⁾ *Rand Daily Mail*, 8 October.

⁽²⁹⁾ *Star*, 30 September.

constituencies, however, other candidates, besides those advocating the opinions of their respective chiefs, stood for election. A Xhosa National Association on the Witwatersrand sponsored certain candidates of its own.

The main political division that had emerged by nomination day was that between the supporters of Paramount Chief Victor Poto and those of Chief Kaiser Matanzima in the forthcoming contest for the post of Chief Minister.

After visiting the Transkei in May 1963 the Director of the Institute of Race Relations reported⁽²⁹⁾ that the feudal structure of society in that territory appeared to have inhibited the emergence of political parties.

ELECTION RESULTS

After the results of the elections had been announced Paramount Chief Victor Poto claimed that he had the support of 38 of the 45 elected members. Chief Matanzima is reported to have conceded at least 35 seats. It was evident that an overwhelming majority of the electorate had voted for candidates supporting Poto's policies.

But when the Chief Minister was elected in a closed session of the new Assembly, where the chiefs as well as the popularly elected members voted, the picture changed. Matanzima was elected Chief Minister by 54 votes to 49. There were 2 spoilt papers, 1 chief had just died, 1 was ill, 1 away, and 1 abstained from voting.

Assuming that Poto's claim is justified it would appear that the voting may have been as follows:

	<i>Matanzima</i>	<i>Poto</i>
Chiefs	47	11
Elected members ...	7	38

In any event it was clear that the voting of large numbers of chiefs had not been in accordance with the expressed wishes of their people. Traditional chiefs such as Paramount Chief Sabata Dalindyebo and Chief Gatsha Buthelezi have on numerous occasions pointed out that the function of chiefs has always been to express the will of their tribesmen. It seems that in these elections the traditional system of tribal democracy was discredited.

At the time of writing the allegiance of the 6 members whose votes were not included was not known, and it seemed that Matanzima might encounter difficulty in obtaining a workable majority. In any event the whole character of politics in the Transkei appeared likely to change radically. It was reported that

⁽²⁹⁾ *Race Relations News*, June.

both Poto and Matanzima were considering forming political parties.

One woman was elected to the Assembly: Miss Lillian Twetwa, an ex-teacher.

A nominee of the Poto group, Mr. O. J. Busakwe, was elected Chairman of the Assembly. On the other hand Chief P. Josana, nominated by the Matanzima group, was elected Deputy Chairman. Appointed officials are Mr. L. H. D. Mbuli as Secretary of the Assembly, Mr. W. V. R. Daweti as Assistant Secretary, and Mr. S. S. Mkateni as Sergeant-at-Arms.

REORGANIZATION OF CIVIL SERVICE

As is mentioned above, the Transkei is to have its own Public Service. Certain White officials, in the service of the Republic, may be seconded temporarily to the Transkeian administration for as long as their services are required.

The office of the Chief Bantu Affairs Commissioner has been terminated in spite of a unanimous request by the Territorial Authority that the services of the existing incumbent, Mr. V. M. P. Leibbrandt, should for the time being be retained.

It was officially announced during August 1963 that six Whites had been appointed as temporary administrative heads of Departments that were to be handed over in 1964 to the Transkeian Government. They are:

Mr. J. H. T. Mills — Secretary of the Department of Finance;

Mr. J. H. Meyer — Secretary of the Department of Justice;

Mr. R. A. Midgley — Secretary of the Department of the Interior;

Mr. I. J. M. van Rooyen — Secretary of the Department of Education;

Mr. S. W. Pienaar — Secretary of the Department of Agriculture and Forestry;

Mr. W. A. Grabe — Secretary of the Department of Roads and Works.

The Minister said⁽¹⁾ that initially about 1,900 of the 2,476 civil service posts in the territory would be filled by Africans. It would be the task of the 576 Whites to train Africans to take over as soon as possible. Besides these positions, the Minister added, there were 4,740 posts for African teachers in the Transkei.

SALARY SCALES

Salary scales to be introduced when the new administration takes over were gazetted on 15 November. Examples of annual scales are as follows:

Paramount Chiefs—R4,000;

Chief Minister—R4,000 (if a Paramount Chief or Chief is elected as Chief Minister he will not be paid his ordinary salary in addition);

(1) *Star*, 16 August.

- Other Ministers—R3,400;
 Members of the Legislative Assembly—R800 (chiefs will, in addition, receive the allowances mentioned below);
 Chairman and Deputy Chairman of the Legislative Assembly—Special sessional bonus of R600 and R300 respectively in addition to their normal salaries. (If a Paramount Chief is appointed to such office he will not receive this bonus);
 Other members of the Legislative Assembly (except if provided with official accommodation in Umtata)—Special sessional allowance of R4 a day;
 Head of Public Service Commission and 2 members—R1,200 and R800 respectively, plus R4 a day for every day spent away from home on official duty;
 Secretaries of Departments—R3,120;
 Mandatories appointed to assist chiefs who are elected as Ministers—up to R600, as decided by the Transkeian Cabinet;
 Chiefs—Amounts ranging from R176 for chiefs in control of up to 1,000 taxpayers to R448 for chiefs who have 9,001 and more taxpayers (except that 5 senior chiefs will receive larger amounts);
 Other employees—Examples of the starting points of salaries are R108 for labourers; R660 for works foremen; R1,140 for senior agricultural officers; and R2,280 for principal magistrates. A Grade I Clerk will be paid on the scale $R720 \times R60$ —R1,380.

EMPLOYMENT IN THE TRANSKEI

The Minister has said⁽³²⁾ that the numbers of Africans in paid employment in the Transkei in 1962 were:

	<i>Urban</i>	<i>Rural</i>
Government Departments ...	1,277	3,975
Building industry	497	3
Other industries	237	422
Commerce	2,856	1,642
Hotels	792	250
Domestic service	5,687	2,954

Those employed by Government Departments include large numbers engaged on building dams (about 1,000 Africans and 100 Whites are constructing the new Lubisi dam in the Qamata area, for example), fencing contractors, road-makers, workers in timber mills, plantations and agriculture, as well as junior administrative personnel. Twenty posts have been created for Agricultural Officers Grade I, who are replacing White foremen at equal rates of pay. There are also posts for 27 Agricultural Officers Grade II and

⁽³²⁾ Assembly, 28 May, Hansard 18 col. 6772.

200 agricultural demonstrators and assistants. At the time of writing numbers of these posts had not yet been filled.

There are possibly nearly 480,000 adult male Transkeian citizens, and a small minority only can make an adequate living off the land. The rest, and many women, must find paid employment. It is clear from the figures quoted above that opportunities within the territory are at present very limited. The Deputy Minister of Bantu Administration and Development said in March 1963⁽³³⁾ that about 115,000 Transkeian Africans were recruited annually for work outside the territory in the mining industry, between 28,000 and 30,000 for work on White farms, and more than 1,000 for other industries. These workers earned more than R3,000,000 a year, of which more than two-thirds was sent or taken back to the Transkei.

In 1963 there was a considerable amount of unemployment in the territory, and widespread poverty. Numbers of people were returning after having been endorsed out of the Western Cape, but according to reports even more were being granted permits to return to take up specified employment.

The progress being made in agricultural reform is dealt with later in this *Survey*.

FINANCING OF NEW ADMINISTRATION

It is mentioned on page 85 that part of the revenue of the Transkeian Revenue Fund will be all taxes, levies, and rates paid by Transkeian citizens or private companies in which citizens have a controlling interest.

The Republican Government will pay the costs of bringing the new administration into being.

The Minister has said⁽³⁴⁾ that in 1962 Africans in the Transkei paid a total of R628,669 in taxes, and it was estimated that a further amount of R550,000 had been paid by Transkeian citizens resident outside the territory. No comprehensive estimates of the costs of running the new administration have yet been published; but an amount of R400,000 was voted in the Additional Estimates of Expenditure from Revenue Account to cover the period until 31 March 1964.

It is calculated (*Bantu*, September) that on the basis of past expenditure the cost of education alone in the Transkei in 1963-64 will be about R3,600,000.

THE FUTURE OF WHITES AND COLOURED IN THE TRANSKEI

The Minister of Bantu Administration and Development gave information to Members of Parliament about the White and

(33) Assembly, 18 March, Hansard 9 col. 2962.

(34) *Rand Daily Mail* reports, 12 and 14 June.

Coloured residents of areas of the Transkei that would fall under the African government (i.e. excluding the towns).⁽⁶⁵⁾

In the Bantu areas of the Transkei in 1963, he said, there were 3,323 White people, including 1,326 men, of whom 660 were traders and about 26 were farmers. Of the traders, 581 had title to their land and the remaining 79 had been granted permission for occupation. The total area owned by Whites was 3,870 morgen.

There were 2,550 Coloured in the Bantu areas (314 men, 364 women, and 1,872 children). Seventeen of the men were traders and 6 farmers; 116 owned fixed property, but in 112 cases this consisted only of residential sites.

According to preliminary figures for the 1960 census there were 14,011 Whites and 10,327 Coloured in the Transkei (excluding the "White" magisterial district of Mount Currie). If those living in the "White" parts of Matatiele and Umzimkulu are excluded the totals might approximate to 11,800 Whites and 8,850 Coloured. Subtracting the numbers stated by the Minister to be living in Bantu areas it would, thus, appear that there may be about 8,500 Whites and 6,000 Coloured living in "White" spots (mainly towns) which form enclaves in the Bantu areas.

The Chief Bantu Affairs Commissioner for the Transkei is reported to have said⁽⁶⁶⁾ that in 1963 there were almost 1,200 White traders in the Transkei. Again working from the Minister's figures it would appear that 660 of these were in the Bantu areas and 540 in towns forming "White" spots.

Relationships between the Whites and the Africans are said to have been cordial; but it is worthy of note that there appears to be no venue in the capital town of Umtata where inter-racial public meetings can be held. A tea room for Whites only adjoins the Transkeian Territorial Authority buildings. It is reported⁽⁶⁷⁾ that in June 1963 the Umtata Town Council resolved "that because separate facilities in the way of hall accommodation are provided for the Non-European sections of the community the Town Hall be reserved exclusively for the use of Europeans, provided that the council in its discretion and subject to such conditions as it may deem to be necessary in each case may permit European organizations to use Non-European talent for the entertainment of European audiences".

In June 1962, at the request of White traders (members of the Transkeian Territories Civic Association), the Prime Minister agreed to appoint the (Hekroodt) Commission of Enquiry to investigate the problems of Whites in the Transkei. Later, in May 1963⁽⁶⁸⁾ the Commission's terms of reference were extended: it was instructed to consider also the "reasonable problems" of the Coloured, in proposed African self-governing areas and in areas

⁽⁶⁵⁾ Assembly, 3 April, Hansard 11 cols. 3947-8.

⁽⁶⁶⁾ *Star*, 17 April.

⁽⁶⁷⁾ *Star*, 14 June.

⁽⁶⁸⁾ G.N. 754 of 24 May.

to remain White, and to make recommendations as to the manner whereby the Government of the Republic could render assistance to them by financial and/or other means in overcoming such problems. At the time of writing the Commission's report had not been made public.

The White traders became deeply concerned when they learned that licensing would fall under the control of the Transkeian Government. Members of the Civic Association are reported⁽³⁷⁾ to have accused the Government of sacrificing them in the interests of its development plan and to have urged that they should be promised full compensation in the event of the renewal of their licences being refused.

A Liaison Committee of leading White citizens was formed to negotiate with the Government. It is reported⁽⁴⁰⁾ that following an interview the Minister of Bantu Administration and Development sent a letter to this Committee in which he said that Whites in the Transkei must for many years have known that the interests of the Bantu would be paramount in Bantu areas. The Government had repeatedly stated that White traders in the Black man's territory had entered into a passing phase.

After the granting of self-government, the Minister continued, White traders in White spots of the Transkei would still be living in an integral part of the Republic and would be subject to its laws. Those in Bantu territory would have to observe the laws of that territory in matters over which the Transkeian Legislative Assembly exercised control. But they would remain citizens of the Republic and could have their problems raised with Republican Government Departments or in its Parliament.

Soon after this, in the statement quoted earlier,⁽⁴¹⁾ which was deprecated by the Prime Minister, Chief Kaiser Matanzima said that when the Legislative Assembly was established it would do away with the "radius rule", which debarred Africans from opening a trading station within two miles of an established one. (A five-mile radius rule operates in the case of Whites in the territory.) These rules were introduced in order to prevent over-trading; but the Chief maintained that they had resulted in the refusal of licences to numerous Africans.

A few days later the Qaukeni Regional Authority (Eastern Pondoland) dissociated itself from this statement and announced that it would oppose any move that would cause hardship for the Whites of the Transkei.⁽⁴²⁾

The Civic Association angered Africans by asking in a Press statement⁽⁴³⁾ that White traders in Bantu areas, as well as those in the towns, should remain full citizens of the Republic "until

⁽³⁷⁾ *Rand Daily Mail*, 27 February.

⁽⁴⁰⁾ *Sunday Times*, 3 March.

⁽⁴¹⁾ *Star* report, 11 March.

⁽⁴²⁾ *Ibid.*, 27 March.

⁽⁴³⁾ *Ibid.*, 10 April.

such time as the Transkeian Government proves itself capable of administering its own affairs and the Bantu have proved themselves capable of governing the Transkei". The Chief Bantu Affairs Commissioner met members of the Association and pointed out⁽⁴⁴⁾ that in spite of the assistance available through the Bantu Investment Corporation African traders as yet presented no threat to Whites, for in most cases they lacked the necessary capital and experience. There were only about 350 African traders in the territory as against almost 1,200 Whites, he said.

It is reported⁽⁴⁵⁾ that the Railway authorities have offered employment at the Cape Town docks to Coloured men living in rural areas of the Transkei, this offer including accommodation in Cape Town and free transport for their families. The apparent intention is that those who accept the offer will replace Africans.

BANTU AUTHORITIES IN THE TRANSKEI

In terms of Proclamation 144 of 1963 the constitutions of Bantu regional and tribal or community authorities in the Transkei were altered to give commoners somewhat more representation and to allow of greater flexibility. The composition of such bodies in other areas remains unchanged.⁽⁴⁶⁾

As before, the head of a regional authority will be the paramount chief if there is one in the area, or his deputy, otherwise the chief of the area. Should there be more than one local chief the authority will nominate one of them to be head, subject to the approval of the State President. Should there be no local chief the authority will nominate a headman.

Again as before, all chiefs in the area will be members of the authority, and the head will appoint one member. Each Bantu Affairs Commissioner will appoint a member; previously such appointed persons had to be members of district authorities, but this is no longer essential. In terms of the earlier constitution each district authority appointed one of its members to the regional authority. The new regulations alter this arrangement: there will, instead, be one member from each district elected by representatives of taxpayers on tribal or community authorities from amongst themselves.

Parliament has been empowered to determine the ratio between the members of tribal or community authorities to be appointed by the head of this authority, the general taxpayers, and the Bantu Affairs Commissioner, respectively. This ratio was previously a fixed one.

⁽⁴⁴⁾ *Ibid.*, 17 April.

⁽⁴⁵⁾ *Ibid.*, 16 October.

⁽⁴⁶⁾ See 1958-59 *Survey*, pages 54 *et seq.*, for the composition and powers of Bantu Authorities.

JONGILIZWE COLLEGE

The Jongilizwe College, established in 1960, adjoins the agricultural college at Tsolo in the Transkei. Its principal is responsible to the Cabinet and to a Board in Umtata on which the Departments of Bantu Administration and Development and Bantu Education are represented. Early in 1963 there was a staff of 3 Whites and 5 Africans, and 90 pupils, but it was planned to increase the enrolment very considerably.

Sons of chiefs in the Transkei and Ciskei, and of chiefs' councillors, may enrol for a preliminary 3-year post-Standard VI course, during which they study the usual school subjects together with an introduction to Bantu administration and law. Those who obtain at least a 50 per cent aggregate in the final examination may proceed to a further 2-year course, taking the syllabus of the Joint Matriculation Board and also studying Bantu administration, traditional and common law, statutory law in South Africa and adjoining countries, policies of other African territories, and commercial arithmetic.

A 2-year diploma course is then available, the entrance qualification being matriculation. At this stage commoners are accepted, the object being to provide competition for sons of chiefs and councillors as well as to train future administrative personnel. Students continue their study of languages and do the practical work of the office of a Bantu Affairs Commissioner up to the stage of an assistant magistrate. On qualifying they are offered posts as clerks.

Alternatively, matriculated students may take a 1-year university entrance course.

Students receive lecture notes on subjects such as Bantu administration and law which they may take to the examinations, for the emphasis is not on learning by rote but on the practical application of knowledge. They are encouraged to interest themselves in world affairs: newspapers reflecting various shades of opinion from overseas countries as well as South Africa are provided. They are taught etiquette, how to conduct meetings and keep books and minutes, and the need for agricultural reform. Discipline is strict.

ALLOWANCES PAID TO CERTAIN CHIEFS

The Minister of Bantu Administration and Development said in the Assembly during April⁽⁴⁷⁾ that the allowances paid to chiefs were determined in accordance with each chief's status, and taking into account outstanding merit or achievements in the performance

(47) 2 April, Hansard 11 col. 3871.

of his duties. The allowances paid in 1963 to the leading chiefs in the Transkei were:

<i>Chief</i>	<i>Tribe</i>	<i>Amount</i>
Paramount Chief B. Sigcau ...	East Pondo ...	R3,000
Paramount Chief V. Poto ...	West Pondo ...	R3,000
Paramount Chief Z. Sigcau ...	Gcaleka ...	R3,000
Paramount Chief S. Dalindyebo	Thembu ...	R3,000
Chief K. Matanzima	Emigrant Thembu	R2,000
Chief W. Makaula	Baca	R 600
Chief D. Ndamase	West Pondo ...	R 600
Chief S. F. Zibi	Hlubi	R 480

As mentioned on page 99 new salary scales are to be introduced in 1964.

BANTU AUTHORITIES AND CHIEFS IN OTHER AREAS

ALLOWANCES PAID TO LEADING CHIEFS

Allowances paid in 1963 to some leading chiefs in areas other than the Transkei were:

<i>Chief</i>	<i>Tribe</i>	<i>Headquarters</i>	<i>Amount</i>
Paramount Chief C. Bhekezulu	Zulu	Nongoma	R4,436
Paramount Chief A. V. Sandile	Xhosa	King William's Town	R3,000
Chief M. Sekhukhune	Bapedi	Sekhukhuneland	R1,200
Chief J. Mabandhla	Bhele	Victoria East	R1,100
Chief G. Buthelezi	Buthelezi	Mahlabatini	R1,000
Chief P. Zulu	Madhlatazi	Nongoma	R 650
Chief T. M. Ramakgopa	Batlokoa	Groot Spelonken	R 600
Chief H. Makapan	Bagatla	Hammanskraal	R 600
Chief P. Mpetu	Venda	Louis Trichardt	R 600
Chief F. Maserumule	Koni	Groblersdal	R 600
Chief L. M. Mangope	Bahurutshe	Groot Marico	R 600
Chief W. Mota	Batlokoa	Witzieshoek	R 480
Chief J. M. Mamietja	Koni	Tzaneen	R 480
Chief P. M. Shilubana	Bankuna	Tzaneen	R 480
Chief M. Tembe	Tembe	Ingwavuma	R 275

In the official Estimates of Expenditure from Revenue Account for 1963-64⁽¹⁾ an amount of R273,200 was voted for allowances to 566 chiefs and 1,234 headmen (including those in the Transkei). An additional sum of R7,000 was set aside for the promotion of efficiency of chiefs.

NO SELF-GOVERNMENT TO BE GRANTED IN THE NEAR FUTURE IN AREAS OTHER THAN THE TRANSKEI

It was announced by the Minister on 21 June⁽²⁾ that the Government was not at that stage planning to grant powers of self-government in any African area other than the Transkei.

BANTU AUTHORITIES SO FAR ESTABLISHED

The Minister said⁽³⁾ that at the end of 1962 the number of Bantu Authorities that had been established (including those in the Transkei) were:

- 6 territorial authorities (including the Transkeian Territorial Authority);
- 57 regional authorities;

⁽¹⁾ R.P. 8/1963 pages 126-135.

⁽²⁾ Hansard 21 col. 8518.

⁽³⁾ Assembly, 10 June, Hansard 17 col. 4129.

26 district authorities (all in the Transkei);
427 tribal or community authorities.

Since then three new regional authorities and five tribal authorities have been established.

Territorial and regional authorities in areas other than the Transkei are as listed below.

Ciskei

- Ciskeian Territorial Authority (Xhosa and S. Sotho)
Khotla La Sechaba-Bandle le Sizwe Regional Authority (Herschel)
Hewu Regional Authority (Queenstown)
Dikene Regional Authority (Victoria East)
Keiskammahoek Regional Authority (Keiskammahoek)
Middledrift Regional Authority (Middledrift)
King William's Town Regional Authority
Ngqushwa Regional Authority ((Peddie)
Ndlambe Regional Authority (East London)

Western Areas

- Tswana Territorial Authority (mainly Tswana but also Ndebele and Xhosa groups)
Pilanesberg Regional Authority (Rustenburg)
Hurutshe Regional Authority (Marico)
Ditshobotla Regional Authority (Lichtenburg, Ventersdorp, Delareyville)
Barolong Regional Authority (Mafeking)
Huhudi Bechwana Regional Authority (Vryburg)
Taung Regional Authority (Taung and Barkly West)
Seokama Dichaba Regional Authority (Kuruman)
Batlhaping Regional Authority (Herbert)
Bakgatla Ndebele Regional Authority (Hammanskraal)

Northern Areas

- Lebowa Territorial Authority (mainly N. Sotho but also N. Ndebele)
Naphuna Regional Authority (Letaba)
Ndebele Regional Authority (Potgietersrus)
Polokwane Regional Authority (Pietersburg)
Kibi Regional Authority (Pietersburg)
Leolo Regional Authority (Lydenburg)
Nebo Regional Authority (Groblersdal)
- Matshangana Territorial Authority (Tsonga)
Malamulele Regional Authority (Sibasa)
Ndlopfu-Shangaan Regional Authority (Letaba)
Bakuna Regional Authority (Letaba)

Mokwēna-Tshangana-Nhlanganu Regional Authority (Pilgrims Rest)

Thoho Ya Ndou Territorial Authority (Venda and N. Sotho)
 Ramabulana Regional Authority (Soutpansberg)
 Vhembe Regional Authority (Sibasa)
 Balobedu-Pedi Regional Authority (Letaba)
 Groot-Spelonke Regional Authority (Letaba)

There are numbers of other regional authorities which, according to official reports, have not yet been grouped under territorial authorities. These are:

Northern Areas

Mapulana Regional Authority (Pilgrims Rest)
 Barolong Regional Authority (Bronkhorstspuit)
 Nkomazi Regional Authority (Barberton)
 Simdlangentsha Regional Authority (Piet Retief)

Free State

Mopeli Regional Authority (Witzieshoek)
 Ba-Tlhokoa Regional Authority (Witzieshoek)
 Barolong Regional Authority (Thaba 'Nchu)

Natal and Zululand

Ingwavuma Regional Authority (Ingwavuma)
 Lindindlela Regional Authority (Ubombo)
 Nongoma Regional Authority (Nongoma)
 Inkanyezi Regional Authority (Eshowe)
 Mehlwesiziwe Regional Authority (Mtunzini)
 Ndlovu Regional Authority (Mapumulo)
 Vulindlela Regional Authority (Pietermaritzburg)
 Vulamehlo Regional Authority (Umzinto)
 Ukukanyakufikile Regional Authority (Port Shepstone)
 Kanya Masekwakithi Regional Authority (Ixopo)

A few tribal authorities are acting also as regional authorities. Some tribal authorities have not yet been grouped under regional authorities: at least 13 in the Transvaal and 24 in Natal.

It is clear that the Bantu Authorities system is as yet incomplete. There are no territorial authorities for the Zulu, Southern Sotho, and Swazi peoples. Considerable numbers of tribes have not accepted the system, for example in the Glen Grey area of the Cape, the Bapedi area of the Northern Transvaal, and scattered parts of Natal such as Mahlabatini, Ndwedwe, Estcourt, Hlabisa, Msinga, Melmoth, and Paulpietersburg. In other districts of Natal some chiefs have set up Bantu Authorities while others reject the system.

**MEETING IN ZULULAND TO CONSIDER THE BANTU
AUTHORITIES SYSTEM**

Paramount Chief Cyprian Bhekezulu summoned about 200 Zulu chiefs and headmen to meet him at his Great Place at Nongoma on 27 March 1963 to discuss the Bantu Authorities system, with a view to the possible establishment of a Zulu Territorial Authority. The Government provided transport and tents. In his opening address the Paramount Chief said that, while it was not compulsory to accept the system, it would be useful to have a body through which the views of the Zulu nation could be expressed.

Chairman of the meeting was Chief Gatsha Buthelezi, cousin of the Paramount Chief, and head of the Buthelezi tribe at Mahlabatini which by tradition supplied the "prime minister" for the nation.

Chief Buthelezi expressed the view that the chiefs were not competent to make a decision. Their function was to express the wishes and aspirations of their people. On an important issue such as that before the meeting the people should be consulted—those in urban areas as well as those in the Reserves, he said. A majority of the chiefs supported Chief Buthelezi's views in spite of the Paramount Chief's patent wish that the meeting should decide there and then to accept the Bantu Authorities system.

There appeared to be a general feeling that if a Zulu nation was created it should embrace the whole of Zululand, including existing White farming lands, White "corridors", Crown land in the north, etc. According to the Government's plan the proposed territorial authority area would be a patchwork of scattered African areas surrounded by White-owned land.

The Minister of Bantu Administration and Development said subsequently⁽⁴⁾ that Zulu chiefs would be free to consult with their people in the cities as well as in the Reserves. He added later⁽⁵⁾ that consideration was being given to the establishment of two or even three territorial authorities, rather than one, for the Zulu people.

(4) Assembly, 30 May, 18 col. 7041.

(5) *Rand Daily Mail*, 17 October.

DEVELOPMENT OF THE RESERVES

EXTENT OF THE RESERVES

The Reserves consist, firstly, of the scheduled areas which are, in the main, the areas occupied by Africans at the time when the Natives Land Act of 1913 was passed (there have been certain changes). The exact extent of these areas is not accurately known because much of the land has never been properly surveyed, but they measure approximately 10,729,500 morgen.

Secondly, between 1913 and 1936 Africans acquired about 1,440,137 morgen in areas recommended by various commissions for "release" to them.

The Native Trust and Land Act of 1936 provided that 7½ million morgen of land (the released areas) should gradually be added to the Reserves. According to the Minister of Bantu Administration and Development⁽¹⁾ 5,065,593 morgen had been acquired by the end of 1962, of which 40 per cent had been purchased by the S.A. Native Trust, 24 per cent was land originally owned by the State which had since been vested in the Trust, and 6 per cent had been purchased by Africans. The outstanding balance to be added to the Reserves was 2,184,407 morgen.

It has for long been Government policy that Africans should be removed from Black spots, i.e., farms owned by Africans in predominantly White farming areas. The Tomlinson Commission⁽²⁾ stated that at the end of March 1953 these Black spots were 188,660 morgen in extent, and that additional land, besides the balance of the 7½ million morgen, would have to be found for the resettlement of the people living in these areas. According to the Minister of Bantu Administration and Development⁽³⁾ the area of the Black spots before the removal scheme began was 182,000 morgen. Accepting the lower figure, it would appear that the outstanding balance to be added to the Reserves should be increased by at least this amount and, at the end of 1962, was thus 2,366,407 morgen.

This point appears to be particularly important in view of the fact that much of the land acquired by the Trust in recent years had been used for the resettlement of Africans moved from Black spots.

(1) Assembly, 10 June, Hansard 17 cols. 4128-9.

(2) U.G. 61/1955, pages 45-6.

(3) Senate, 10 June, Hansard 17 col. 4127.

The law makes no provision for the acquisition of still further land for the resettlement of so-called squatters on State-owned land or on the farms of Whites, but it would seem that in justice such provision should be made. There are thousands of African families who have lived for generations under tribal conditions in such areas. The farm-squatting system is gradually being eliminated, and Africans are being ordered to leave State land which is required for State purposes or is sold to Whites (for example the land in Northern Zululand which is to be irrigated after the completion of the Jozini dam at Pongolapoort). In such cases the Department tries to place the men in employment through labour bureaux; but even if employment is available the men are often unable to take their families with them.

Inhabitants of some of the smaller isolated Reserves are gradually being moved to land adjoining larger Bantu areas; but this has no effect on the land purchasing programme since it is a consolidation of the scheduled areas.

The locality of the full 7½ million morgen promised in 1936 was not specified in the relevant Act: only 6,729,853 morgen were demarcated in the schedule to the Act.⁽⁴⁾ Consequently the Trust has when possible been buying White farms which border on scheduled or released areas: this has caused resentment among neighbouring Whites.

At its Session in 1962 the Transkeian Territorial Authority asked that its area be increased by the addition of the "White" districts of Elliot, Maclear, Mount Currie, and Indwe. The Government rejected this request.

REMOVAL OF BLACK SPOTS

Conflicting information about the removal of Black spots was given in the Senate by the Minister of Bantu Administration and Development on June 10 and by the Minister of the Interior on 21 June 1963.⁽⁵⁾ According to the former statement there were originally 469 Black spots, 182,000 morgen in extent. By the end of 1962 there were 351 left, measuring 106,824 morgen.

The Minister of the Interior said that the Black spots still to be removed were:

	<i>Number</i>	<i>Area (Morgen)</i>
Natal	238	69,976
Transvaal	43	33,268
Cape	153	46,106
Free State	4	7,787
	<hr/> 438	<hr/> 157,137

⁽⁴⁾ Minister of Bantu Education, Assembly 9 June 1959, Hansard 10 cols. 7549-52.

⁽⁵⁾ Senate Hansard 17 col. 4127, Hansard 18 col. 4862.

He added that during 1962 and the first half of 1963 removals had been effected in the following districts:

- Cape: Cathcart, Indwe, Mafeking, Komgha, Matatiele, Humansdorp, Maclear, Elliot;
 Transvaal: Brits, Lichtenburg, Middelburg, Rustenburg, Soutpansberg, Groblersdal, Ventersdorp, Klerksdorp;
 Natal: Vryheid, Alfred, Kliprivier.

Resistance has been encountered in some areas. Even when an alternative site is offered which is larger and better watered than the existing one, and certain compensation is offered for improvements which cannot be removed, people may prefer to remain in their traditional homes. In October 1963, for example, a group of Bapedi under Arthur Mampuru refused to leave the Hlakudi location near Groblersdal and move to land adjoining a Reserve some 60 miles to the north. Chieftain Mampuru was found guilty of defying an order to move, and was fined R10 (or 20 days). It appeared at the time of writing that if his followers persisted in their attitude and the Department was adamant each tax-paying tribesman would have to be charged separately in court—and there were about 660 of them.⁽⁶⁾

Removal schemes from Besterspruit and other areas near towns are described later.

FINANCING OF FIVE-YEAR PLAN FOR DEVELOPING RESERVES

The Government's 5-year plan for the development of the Reserves was outlined in the 1962 issue of this *Survey*.⁽⁷⁾ It made provision for the expenditure of R114,342,269 during the period 1961-2 to 1965-6. In reply to a question in the Assembly in February⁽⁸⁾ the Deputy Minister of Bantu Administration and Development gave information relating to the expenditure in 1961-62:

	R
Town development and other buildings ...	2,667,858
Irrigation and water supplies	758,456
Afforestation	1,505,452
Soil conservation	1,337,104
Dipping tanks	38,297
Fibre development	122,652
Trust projects	242,440
Sugar cane development	12,675
Equipment	1,014,203
	R7,699,137

⁽⁶⁾ *Rand Daily Mail* report, 16 October.

⁽⁷⁾ Page 96.

⁽⁸⁾ Assembly 12 February, Hansard 4 cols. 1165-6.

The Estimates for 1963-64 provide for a total amount of R45,786,000 to be made available to the Department of Bantu Administration and Development, of which R20,190,000 (including R9,100,000 for pensions and ex-gratia payments to needy Bantu) is from Revenue and R25,596,000 is from Loan Account.⁽⁹⁾ As compared with 1962-63 there is a decrease of R6,745,000 on Revenue Account and an increase of R15,072,000 on Loan Account, giving a net increase on the two accounts of R8,327,000.

The grant-in-aid to the S.A. Native Trust Fund (which is included in these two accounts) is R26,150,000 for 1963-64, as compared with R20,480,000 in the previous year. Furthermore, there is a carry-over of R5 million from the 1962-63 grant-in-aid to the Trust Fund, which was not spent in that year.

AGRICULTURE IN THE RESERVES

Except for short articles in *Bantu* dealing with specific projects the Department has in recent years published very little information about its agricultural development schemes, and this is a pity, for excellent work is being done. The officials recognize that agricultural reform is the first priority for the general development of the Reserves.

In the Transkei, for example, betterment schemes, which some years ago were bitterly opposed in many areas, are now widely accepted. Officials are planning the successive stabilization, reclamation, and then rehabilitation of about 300,000 morgen a year. African contractors erected 2,200 miles of fencing in 1962 and the rate of this work is to be increased. The grass recovers very rapidly if grazing camps are rested in turn, and as the reclamation work proceeds the grazing area needed per beast is being steadily reduced.

In order not to antagonise the peasant farmers officials are not forcing the pace—in spite of their full awareness that the poverty of the territory calls for rapid reform. No reclamation work is undertaken in the remaining areas where the people are still opposed to this. If, when a location is replanned, its inhabitants insist that they should all receive arable plots of equal size, such an arrangement is accepted. But when the people are agreeable the present plan is to try gradually, in consultation with the chief or headman, to allocate economic plots to people likely to become good full-time farmers, and to assign smaller plots or merely garden plots to the rest, hoping that the latter will eventually be absorbed in other forms of economic activity. An economic plot in the Umtata area is considered to be 5 morgen of arable land and grazing for 10 cattle units. Certificates of occupation are granted which have clauses relating to the beneficial use of the land. If a man fails to comply with stated conditions he loses his

⁽⁹⁾ Estimates, R.P. 1 and 50 of 1963, p. 126; and R.P. 8 and 50 of 1963, p. 79.

plot and must move to a village settlement; but if he succeeds his son can inherit it. Freehold title will be granted at a later stage, when inefficient farmers have been moved off the land.

As has been pointed out by Professor Hobart Houghton,⁽¹⁰⁾ effective land reform will be a slow process, and the task is a vast and intricate one. It seems, he said, that almost two-thirds of the present population in the Reserves (perhaps 450,000 families) and all natural increase will have to find employment in secondary and tertiary activities.

Irrigation schemes are being extended, but far more are needed. Mention has been made in previous issues of this *Survey* of the Dinglydale scheme near Pilgrims Rest, Shimbo at Sibasa, Coetzeesdraai and other schemes near Groblersdal, the irrigation settlement at Taung, and small schemes in the Transkei. The Jozini dam at Pongolapoort, when completed, will make it possible to irrigate large tracts of land in Northern Zululand that will be owned mainly by Whites, but certain African areas may benefit too.

The Msinga scheme in Natal, which includes irrigation settlements at Tugela Ferry, Mooi River, and Keates Drift, is being modernized. The farmers grow vegetables on one-eighth acre plots, or, on larger plots averaging about 2 acres, crops such as groundnuts, lucerne, or cereals. Altogether there were 1,708 cultivated plots in early 1963. Smaller schemes exist in other parts of Natal, for example the Mapumulo and Paulpietersburg districts; and the Bulwane River is to be used to irrigate land in Nongoma.⁽¹¹⁾

Two new schemes are being developed in the Transkei, one on St. Marks Flats. The second will take some years to complete but it is hoped will eventually cater for 2,500 families in intensive irrigation settlements on land below the Lubisi Dam, which is now being constructed in the Qamata district about 40 miles from Queenstown.

Strict regulations for the control of irrigation schemes in Bantu areas were issued in terms of Proclamation No. 5 of 11 January 1963.

Afforestation projects are being developed on the Zululand coastal plain, in the Sibasa area of the Northern Transvaal, in various parts of the Transkei, and elsewhere. Publicity was given during the year⁽¹²⁾ to the Tate Vondo plantations near Sibasa. The first commercial trees were planted there 12 years ago, and since then more than one square mile has been planted each year. So far only the thinned-out trees are sold; but when the scheme is in full production about 1,500,000 cubic feet of timber will be marketed annually. The 500 African employees live with their families in rural villages nearby.

Fibre plantations are being extended in various parts of Natal

⁽¹⁰⁾ See 1962 *Survey* page 98.

⁽¹¹⁾ *Bantu*, April.

⁽¹²⁾ *Bantu*, February.

and Zululand, the Northern Transvaal, and the Transkei. At the Chloe farm in the Northern Transvaal, for example, sisal plantations are being extended at the rate of 1,000 morgen annually. Only about 10 per cent of the plants have as yet matured sufficiently to be cropped, but already 10 tons of fibre are sent each month to a Durban firm for processing. Profits are ploughed back into the general development of the Reserves. The S.A. Native Trust, which at present administers the plantations, plans eventually to hand them over to Bantu Authorities.⁽¹³⁾

Sugar plantations in Natal are being expanded, too. The yield in African areas in 1961-62 was 218,737 tons, to a gross value of R917,362.⁽¹⁴⁾

A course for African Survey Assistants has been started at the Vlaktefontein Technical School near Pretoria (now known as Mamelodi).

MINING

A company called Lebowa Enterprises (Pty) Ltd., with African directors, has been set up in an African area adjoining Pietersburg to carry on mining, drilling, and mechanical farm cultivation activities. It was almost immediately awarded a Government tender for boreholes to be drilled in the Sekhukhuneland area. It hopes, later, to undertake mining: there are reported to be resources of magnesite, corundum, iron, lime, andalusite, and sillimanite in the Lebowa Territorial Authority's area.

COMMERCE AND INDUSTRY IN THE RESERVES

The Minister of Bantu Administration and Development announced in June⁽¹⁵⁾ that the proportion of trading sites in Bantu areas granted to Africans was steadily increasing. He gave the following figures:

	<i>Total number of trading sites granted</i>	<i>Percentage granted to Africans</i>	<i>Percentage granted to Non-Africans</i>
To 1948	5,063	59	41
1949-1960	1,348	94	6
1961-1962	274	99	1

Government Notice 328 of 1 March 1963, issued in terms of the Native Laws Amendment Act of 1962⁽¹⁶⁾ empowered the Bantu Investment Corporation to assist African businessmen in towns of the Transkei and in certain small towns, surrounded by African areas, in the Ciskei, Middledrift for example. In 1961-62 the accounts of this Corporation showed a deficit, which amounted to

⁽¹³⁾ *Ibid.*

⁽¹⁴⁾ *Ibid.*, April.

⁽¹⁵⁾ Senate, 10 June, Hansard 17 col. 4126.

⁽¹⁶⁾ See 1962 *Survey* page 103.

R54,823. This was attributed to doubtful debts and the provision of training and guidance. The share capital, contributed by the S.A. Native Trust, was R2,000,000.⁽¹⁷⁾ On behalf of the Department of Bantu Administration and Development the Minister of Labour said in February⁽¹⁸⁾ that since the inception of the Corporation (in 1960) Africans had deposited R497,265 and withdrawn R68,860.

Information about loans granted by the Corporation in 1961 and 1962 was given by the Deputy Minister of Bantu Administration and Development:⁽¹⁹⁾

	<i>Financial year</i> 1961-62		<i>April to</i> <i>December 1962</i>	
	<i>No. of</i>	<i>Total</i>	<i>No. of</i>	<i>Total</i>
	<i>loans</i>	<i>amount</i>	<i>loans</i>	<i>amount</i>
Extension of existing businesses	65	R163,039	85	R94,502
Establishment of new businesses	20	R23,611	23	R82,761

An African-owned and controlled company, the Ikahene Finance Corporation, was established in 1963 to distribute bulk supplies of coal to African traders in the area to the north and east of Pretoria. It has an initial capital of R200,000.⁽²⁰⁾

Small-scale home industries are being established by the Corporation at Hammanskraal, Umtata, Sibasa, and Numbi near the Kruger National Park. Hildmond Weavers, near Umtata, is producing curtaining, upholstery, rugs, and table linen made from mohair and cotton.

The Vulindlele furniture factory near Umtata has extended its activities to include the manufacture of pre-fabricated houses.

As rural townships are developed there are increasing opportunities for African building contractors, brick-makers, and transport operators.

Apart from these projects there appears to have been very little industrial development in the Reserves in 1963.

SECONDARY INDUSTRY ON THE BORDERS OF THE RESERVES

A detailed account of the policy for the development of border industries was given in the 1962 volume of this *Survey*.⁽²¹⁾

In February 1963, the Minister of Economic Affairs tabled in Parliament the 1962 report of the Permanent Committee for the location of industry and the development of border areas. The committee stated that during the year it had received 69 applications from industrialists for financial assistance in the establishment or expansion of concerns in border areas. Of these, 18 had been rejected, one had been withdrawn, 37 were under consideration, and 13 had been approved. In five of the approved cases alone loans

⁽¹⁷⁾ Report in *Star*, 13 February.

⁽¹⁸⁾ Senate, 26 February, Hansard 6 col. 1149.

⁽¹⁹⁾ Assembly, 1 February, Hansard 2 col. 610.

⁽²⁰⁾ *Star*, 22 August.

⁽²¹⁾ Page 106.

totalling about R5,000,000 were involved. Two industries had been granted wage concessions, and seven had been given tax concessions (totalling about R26,000) on investments. The water supply for one undertaking had been augmented. The steps taken had led to the direct additional employment of some 1,850 Africans—a 50 per cent increase over the previous 18 months. Perhaps three times as many Africans had found employment in the areas concerned in activities such as construction, commerce, and the provision of services.⁽⁷²⁾

Besides this direct assistance granted to industrialists the Industrial Development Corporation had spent large sums on the development of industrial stands, the committee stated.

The committee elaborated on a statement by the Minister of Economic Affairs made in December 1962.⁽⁷³⁾ The Government is to provide R45,000,000 over a ten-year period to promote the development of textile industries in border areas. Of this, R20,000,000 is allocated for the purchase of land, development of industrial townships and housing schemes, and the erection of factory buildings to be leased to industrialists with the option of purchase. Rentals will be nominal for the first five years and, thereafter, will be based on the cost of the land and buildings. The remaining R25,000,000 is set aside for financial assistance to industrialists for the purchase of machinery and plant. Assistance may be given with the training of labour; income tax concessions may be granted on investments; and tariff protection will be provided. It is anticipated that these schemes will result in the direct additional employment of 3,000 Whites and between 25,000 and 30,000 Africans. They are part of an import replacement scheme, described in a subsequent chapter.

The Minister of Finance said in his Budget Speech⁽⁷⁴⁾ that R5,000,000 would be provided from Loan Account in 1963-64 for the development of border areas. This is, presumably, the first instalment of the sum mentioned above.

Commenting on these figures, the *Rand Daily Mail* said on 21 February 1963 it appeared that a capital outlay of R1,500, over 10 years, would be required to create employment for each African worker in new textile industries. The costs at Hammarsdale (described below) were even higher—apparently between R2,300 and R3,000 per man. The expenditure of vast sums would, thus, be necessary to build up an industrial economy in and around the Reserves which would make any appreciable difference to the existing employment pattern.

Dr. A. J. Visser is reported⁽⁷⁵⁾ to have said at a conference of the S.A. Bureau of Racial Affairs held in June 1963 that so far

(72) *Star*, 19 February and *Rand Daily Mail*, 20 February.

(73) *Rand Daily Mail*, 21 December 1962.

(74) *Assembly*, 20 March, Hansard 9 cols. 3054.

(75) *Star*, 10 June.

only about 56,000 Africans in and near the Reserves were employed in secondary industries.

The main areas where border industries are so far being developed are Rosslyn, about 12 miles north-west of Pretoria; an area to the north of East London; and Hammarsdale, Newcastle, and Pietermaritzburg in Natal.

The Government lent money to the Peri-Urban Areas Health Board for the development of industrial sites at Rosslyn; the Industrial Development Corporation is erecting factory buildings for lease or sale, including a flatted building to accommodate small industrialists; and the Department of Bantu Administration and Development is employing Africans to build the Garankuwa township where about 1,500 houses are already available. A cement factory and a concrete pipe factory have been opened at Rosslyn, and a button factory and mining industry machine factory are nearing completion. Other applications have been received. By mid-1963 about 500 African factory workers were employed.

A large new factory has been built at Arnoldton, about 10 miles north of East London, by the Cyril Lord organization, which is transferring there some 320 Lancashire cotton mill technicians and their families, and will employ African labour for the less skilled jobs. The Africans will be housed in the township of Mdantsane, being erected by the Department of Bantu Administration and Development. The Department of Housing is building about 50 houses for White families; and a preliminary two months' training scheme for African workers has been provided by the Department of Bantu Education. Eventually all the Africans from the established African townships of East London will be moved to Mdantsane.

Near Newcastle in Natal is an industrial complex where the African Metal Corporation (Amcor), the Falkirk Iron Company, and other industries are established, near the coal mines. This is considered to be a border area, for there is an African Reserve nearby. The industrial area lies between this Reserve and Newcastle. The Department of Bantu Administration and Development is employing African contractors to build the village of Duckponds within the Reserve, about 2½ miles from the industrial area, to house factory and mining employees and, later, all the Africans now living in Newcastle location. They will cycle to work or make use of African-owned buses. Residents of Black spots around Newcastle will eventually be moved to Duckponds, too. The original contracts were for 850 houses but about 5,000 may ultimately be provided.⁽²⁶⁾

Pietermaritzburg has been declared another border area where industrialists will qualify for special concessions. The Government has decided to consolidate the Edendale and Swartkop locations, in African territory nearby, to add additional land, and to establish

⁽²⁶⁾ *Bantu*, November 1962.

there the Imbali housing scheme. Africans now living in the municipal township of Sobantu, on the other side of Pietermaritzburg, will eventually have to move to Imbali.

An industrial complex called Elangeni Estate has been laid out by the Industrial Development Corporation at Hammarsdale, between Durban and Pietermaritzburg. A clothing factory was already operating there, and five new factories, representing a capital investment of R2,830,000, are in production. The Corporation hopes to attract others. About 2,000 Africans were employed in the area towards the end of 1963. Accommodation for the workers is being provided in a township in a new released area nearby. Another border industrial area is being developed at Cato Ridge.

Pietersburg, too, is being developed as a border area. It already has an industrial township at Annandale. On the further side, about three miles from the town, an African township is to be developed adjoining Molietzies Location, on land recently purchased by the S.A. Native Trust. Again the inhabitants of the existing municipal African location, together with those in a freehold township nearby, will gradually be moved to this new township.

RURAL TOWNSHIPS AND VILLAGES

The Minister of Bantu Administration and Development announced in June 1963⁽²⁷⁾ that by then about 10,000 houses had been built in townships and villages in the Reserves. The Government's five-year plan, commenced in 1961-62, provides for 90,155 dwellings in 33 villages. It is intended that further development should take place thereafter.

These rural townships and villages fall into several categories.

(a) Townships to serve border industries, irrigation schemes, etc.

Short descriptions have been given above of:

- Garankuwa township near Pretoria;
- Mdantsane township near East London;
- Duckponds near Newcastle;
- Imbali township near Pietermaritzburg;
- Township near Hammarsdale;
- Molietzie township near Pietersburg.

Besides these there is the long-established township of Zwelitsha, serving the Good Hope Textile Mills near King William's Town. Other townships, being built or planned near industrial ventures, are:⁽²⁸⁾

⁽²⁷⁾ Senate, 10 June, Hansard 17 col. 4124.

⁽²⁸⁾ Much of the information in the paragraphs that follow has been obtained from a paper given by Professor J. H. Moolman at a conference of the S.A. Bureau of Racial Affairs on 3 October.

- Phalaborwa, to serve the developing copper and associated industries there;
- Mogabeni, serving the S.A. Cellulose Corporation near Umkomaas;
- Mandeni, serving the S.A. Paper and Pulp Industry near the mouth of the Tugela on the north coast of Natal;
- Tulamahase, in the Eastern Transvaal, and Shilola, near Whittlesea in the Eastern Cape, which will accommodate workers on irrigation schemes.

(b) **Townships near urban centres**

A second category of new townships includes those being built in Reserves near established urban centres. In some cases (e.g. Umlazi near Durban) they will supplement existing housing schemes. In other cases the Government intends moving to these townships the Africans at present living in municipal locations. Such townships include:

- Mahwelereng in the Vaaltyn Reserve near Potgietersrus (600 houses already built);
- Tlabane near Rustenburg;
- Kuruman;
- Vryburg;
- White River.

(c) **Townships near administrative or educational centres**

Townships in a third category are at places where growth is expected to take place. They include:

- Township at Sibasa in the Northern Transvaal. The Vendlan Trading Company, an African concern, is established there;
- Nankweng near the University College of the North at Turfloop;
- Ngwalezana near the University College of Zululand, at Empangeni;
- Nkowakowa for the Tsonga at Tzaneen;
- Lenyenye for the Northern Sotho at Tzaneen;
- Township in the Duiwelskloof area;
- Mayekgora near Taungs.

(d) **Rural villages**

Other villages, listed in last year's *Survey*⁽²⁹⁾ have at present no economic foundation but serve merely as dormitories for the families of landless migrant labourers. The Department hopes that in the course of time commercial and small industrial undertakings

will be established; but at present the residents are mainly dependent on remittances sent by absent workers.

It is of interest that plans for such villages have been abandoned in the Transkei. Officials there consider that it is undesirable to congregate in one area numbers of young wives separated from their husbands and deprived of the moral support of their families. Instead, the dependants of absent workers are allowed to remain in the residential areas of planned rural locations, thus preserving family ties. It is hoped that it may be possible for the children as they grow up to be absorbed in other avenues.

Regulations for control

Regulations for the administration and control of townships in Bantu areas were published in terms of Proclamation 293 of 16 November 1962.

THE FUTURE OF THE HIGH COMMISSION TERRITORIES

At a Nationalist Party meeting on 3 September 1963 Dr. Verwoerd proposed⁽¹⁾ that Britain should allow South Africa to suggest to the inhabitants that South Africa should act as the guardian of the High Commission Territories. They would be allowed to develop to independence along the lines being followed in the Transkei, as African governed states. Britain was trying to make them multi-racial, but multi-racialism had failed everywhere, Dr. Verwoerd maintained. Because the economy of the territories was so strongly linked with that of the Republic, South Africa could lead them to independence and economic prosperity more quickly than Britain could. Moreover, such an arrangement would make it possible to link groups of Africans in South Africa with their true homelands, enabling them to participate in self-government. Whites in the territories would be able to exercise their political rights within the Republic.

Adjacent areas in the Republic in which Africans of the same ethnic groups lived could be consolidated with the High Commission Territories, Dr. Verwoerd continued. Where desirable South Africa would help the Africans of these territories to regain presently White-occupied land by purchase or exchange. Economic development could be planned and financed in co-ordination with that of the Republic. As the territories became independent they would be linked with the Republic and with African states such as the Transkei in consultative political and economic bodies.

If this offer were made directly to the inhabitants of the territories and they rejected it, Dr. Verwoerd said, that would be an end to the matter. They could go their own way of ever increasing isolation from the Republic. There was no intention of annexing them.

⁽¹⁾ *Rand Daily Mail* report, 4 and 5 September.

OTHER AFRICAN AFFAIRS

BANTU LAWS AMENDMENT ACT, No. 76 OF 1963

BACKGROUND

A draft Bantu Laws Amendment Bill was published in February 1963, and representations were invited. As is described later, large numbers of organizations submitted comments. Thereafter, in May, a Bill was presented to Parliament: certain changes had been made in an attempt to meet some of the criticism, but the broad principles were unaltered. This Bill was dropped after it had been read a First Time. Finally, in June, the Government introduced an abridged version which became law. The Deputy Minister of Bantu Administration and Development said⁽¹⁾ that because the Session was shortly coming to an end and Parliament still had a heavy programme the Government would confine itself for the present to matters of an urgent nature "required for policy and administration".

The draft Bill and the first Bill are summarized later. They were, apparently, designed as the counterpart of the Transkei Constitution Act and related legislation providing for increased powers of local self-government in the African Reserves. Their whole motive was to augment and reinforce measures for the control of the presence and employment of Africans in the rest of South Africa.

The measure that became law is described first.

BANTU LAWS AMENDMENT ACT

1. Compulsory residence in an African area

The Natives (Urban Areas) Act, No. 25 of 1945 as amended, provided⁽²⁾ that whenever the Governor-General deems it expedient he may declare that all Africans in an urban area, other than those exempted, (see paragraph below) shall live in a location, African village or hostel.

The new Act broadens this provision, making it automatically applicable to all urban areas. It states, in effect, that any unexempted African who lives in the "White" part of a town may be required:

- (a) to take up residence in a location, African village or hostel in which accommodation is available for him (this need

⁽¹⁾ Assembly, 17 June, Hansard 21 col. 7994.

⁽²⁾ Section 9 (1).

not necessarily be situated in the urban area concerned. Africans who work in Kempton Park, for example, may be required to live at Tembisa, nearby, which is controlled by the Germiston municipality); or

- (b) to take up residence in a Reserve if there is no place within the local location, village or hostel in which he can conveniently be accommodated having regard to his place of employment, or if the Reserve is near to his place of employment. (Africans who work in Durban, for example, may be required to live in the housing scheme in the Umlazi Reserve.)

Those exempted from these provisions are:

- (a) (as previously) registered owners of immovable property in the town itself, which property is valued for rating purposes at at least R150, and their dependants, as long as these people reside on the property concerned. A new stipulation excludes from this exemption those who are prohibited under the Group Areas Act or any other law from owning or occupying the property;
- (b) (as previously) those living in areas declared by the Minister to be areas predominantly occupied by Africans;
- (c) (as previously) those living on licensed premises (compounds, flats, hotels, etc.). In terms of earlier legislation the wives and children of workers living in married quarters provided by industrial employers needed licences to be accommodated there; the new Act rendered this unnecessary;
- (d) certain domestic servants (see paragraph 2 below);
- (e) others who may be exempted. In terms of previous law an urban local authority was empowered to exempt any other African, but such exemption might be cancelled by the Minister after consultation with the local authority and after an enquiry by the Bantu Affairs Commissioner, at which the African concerned was entitled to be heard. The new Act provides that such further exemptions may be granted only by the Minister after consultation with the local authority.

It was previously an offence for an employer or an African to contravene the provisions of the law relating to compulsory residence in an African area. In terms of the new Act, it is also an offence for an African living in servants' quarters to share these quarters with another African unless he has the permission of the owner or occupier of the house, flats, etc.

In all cases the onus of proof is on the accused.

The Deputy Minister said⁽³⁾ that according to the police there were about 20,000 unlawful "bed and breakfast" Africans living

⁽³⁾ Hansard 21 col. 8005.

in the back yards of houses in Johannesburg. Householders had possessed no powers to prevent this, and municipal inspectors had been unable to take action unless they could prove in court that the visitor was regularly accommodated on the premises concerned. For these reasons presumptions in regard to presence on such premises were being introduced.

2. Domestic Servants

The new Act provides that not more than one full-time African domestic servant per private householder will be exempt from living in an African location, village or hostel, unless the local authority licenses a particular householder to accommodate more than one servant. (At the time of writing this provision had not yet been brought into effect.)

At a later stage the Minister, acting at the request of the local authority concerned or on his own initiative, may declare that even this exemption will be cancelled in any urban area or portion thereof. The Minister must take into account the availability of accommodation in an African residential area. Again, exceptions may be made under licence from the local authority.

The Deputy Minister said⁽⁴⁾ that about 85 per cent of the domestic servants of Johannesburg lived on their employers' premises, an average of 0.93 per household. Equivalent percentages were 66 per cent in Pretoria, 54 per cent in Vanderbijlpark, and 94 per cent in Welkom. If these people returned home to the African townships at night they would be able to live normal family lives and enjoy the amenities provided there, he added.

Mrs. Helen Suzman, M.P., pointed out⁽⁵⁾ that about 22,800 of the 76,000 domestic servants working in private houses or flats in Johannesburg were men. Many of those forced to move to African townships would be unable to lead normal family lives, for under influx control regulations their wives might not be allowed to join them. There were some 7,700 families on the waiting list for houses in Johannesburg and this list was by no means exhaustive: it would be foolish to add to this backlog. Transport facilities for the commuters were already inadequate: already about 112,000⁽⁶⁾ travelled daily by train between Johannesburg and the South-Western townships and another 16,684 came by bus between the city and Alexandra Township. Average cash wages for domestic servants in Johannesburg ranged from R14 to R45 for men (average R18 to R20) and from R10 to R35 for women (average R16). People paid at such rates could certainly not afford to pay for rent and transport: their wages would have to be almost doubled to enable them to meet living costs. A monthly train ticket cost

(4) Cols. 8002-3.

(5) Cols. 8049-53.

(6) This number has, since, increased to about 140,000. The question of transport facilities is dealt with in a subsequent chapter.

R1.72 on average, or R2.50 to the furthest townships. Most commuters would have to pay bus fares at either end. Numbers of employers would probably refuse to increase wages to compensate for these additional expenses: they knew their servants were tied to them, for most of the servants would be endorsed out of the city if they left their employment.

3. "Locations in the Sky"

The Urban Areas Act previously provided⁽⁷⁾ that no owner of land or premises in "White" parts of a town (e.g. of flats, hotels, etc.) may permit more than five Africans to reside there at any one time unless consent is given by the Minister or an officer designated by him, after consultation with the local authority concerned. If a local authority so requests power to grant such consent may be delegated to it, but this power may at any time be withdrawn.

The 1963 measure added that conditions for consent may be laid down, and that the consent may be withdrawn at any time.

According to the Deputy Minister,⁽⁸⁾ in 1961 there were 23,976 African men and 10,630 women living on 4,222 licensed premises in Johannesburg.

4. Entry into urban African areas

It is stated in the Urban Areas Act⁽⁹⁾ that no person shall enter or remain in any African urban location, village or hostel without the permission of the officer in charge.

The new Act stated that no person *other than an African* may do so. It added that an authorized officer may summarily eject from a location, village or hostel any person whose presence therein is considered by him to be undesirable.

5. Right of partners to customary unions to claim damages

In terms of the 1963 Act a partner to a customary union is entitled to claim damages for loss of support from any person who unlawfully causes the death of the other partner to such union or is legally liable in respect thereof. (Africans married under the common law could previously claim such damages.)

These provisions cover the terms of private members' motions introduced by Mr. M. L. Mitchell of the United Party in 1962 and by Mr. J. P. Cope of the Progressive Party in 1960. Neither motion succeeded at the time.

(7) Section 9 (3 *bis*) (a).

(8) Col. 8003.

(9) Section 9 (9) (b).

6. Powers of urban local authorities

The Act empowered the Minister to make standard regulations on matters which are normally dealt with by local authorities, and to publish these for the guidance of local authorities. If the Minister considers it advisable to do so he may, after reference to the local authority concerned and to the Administrator, declare that any or all of the regulations made by him shall apply in an area he specifies, to the exclusion of other regulations dealing with the same matters. His regulations will then be deemed to have been made by the local authority concerned.⁽¹⁰⁾

The Minister may require a local authority to submit a report on any occurrence or on any aspect of the administration of the Urban Areas or Native Labour Regulation Acts, or regulations issued thereunder, and copies of resolutions taken on the matters concerned. If he calls for copies of resolutions, no resolution of a class stated in the Minister's notice may be acted upon until approved by the Minister. He may insist that a resolution be amended before he approves it.⁽¹¹⁾

7. Urban Bantu Councils

The Act provides that urban Bantu councils must exercise any powers assigned to them on behalf of and subject to the directions of the local authority concerned. Such assignments of powers may be withdrawn by the local authority after consultation with the Administrator and with the Minister's concurrence.

The Minister may declare that any urban Bantu Council shall cease to exist if, after consultation with the urban local authority concerned, he deems this to be in the public interest. Should he do so a new urban Bantu council will thereupon be established.

Qualifications may be prescribed for members to be elected to serve on such councils. (Under the previously existing law the Minister must approve of the candidature of selected members.)

Foreign Africans may not serve on these councils or take part in elections.⁽¹²⁾

8. Foreign Africans

Provisions of the new Act relating to foreign Africans are described later.

9. New released areas

The following were declared released areas:

- (a) White-owned land near Cato Ridge, required for the establishment of an African township to serve a new "border" industrial area;

⁽¹⁰⁾ Amendment to Section 38 of the Urban Areas Act.

⁽¹¹⁾ Amendment to Section 41 of the Urban Areas Act.

⁽¹²⁾ Amendments to Sections 2, 3, 4 and 10 of the Urban Bantu Councils Act, 1961.

- (b) White and Indian-owned land at Hammarsdale, occupied mainly by Africans, required for an African township;
- (c) African-owned land at Clermont, adjoining the Inanda reserve, required for an African housing scheme;
- (d) land in the Klip River and Dundee areas, required as compensating land for purposes of the removal of "Black spots";
- (e) primarily White-owned land constituting a "White spot" in the Nqutu district;
- (f) land in the Rustenburg district required to consolidate African areas there;
- (g) land in the Brits district required for an African township.

PREVIOUS DRAFTS OF THE BILL

Provisions of the original draft Bill and of the first Bill that were omitted from the new measure are described below.

1. Proposed powers to be given to the Minister

The previous drafts of the Bill proposed entirely new principles in labour relations. It was suggested that the Minister of Bantu Administration and Development should have power to make determinations:

- (i) stipulating the maximum number of Africans who may be employed in any area, class of employment, or industrial stand or township; or
- (ii) stipulating the proportion which African labour must have to any other labour in any area, class of employment, industrial township or stand; or
- (iii) prohibiting the employment of Africans, or further Africans, in any area, class of employment, industrial township or portion thereof.

Before making such a determination the Minister was required to:

- (a) take into consideration the availability of labour other than African labour;
- (b) consult the local authority concerned, if any;
- (c) consult the Ministers of Labour and Economic Affairs (this was added when the draft Bill was revised);
- (d) give at least one month's notice in the *Gazette* of his intention to make such a determination (added when the Bill was revised).

The Minister was to be empowered, too, to prescribe areas in respect of which no recruiting licences may be issued.

In terms of the Urban Areas Act the Governor-General may declare any urban area, or any area in which there is a large

number of Africans, to be a proclaimed area. It was proposed in the draft Bill that the Minister should have the power (after consultation with the local authority concerned, if any) to declare *any* area outside the African Reserves to be a prescribed area. Every urban area and other proclaimed area would be deemed to be a prescribed area.

2. Africans who qualify to remain in prescribed areas

Africans who qualified to remain in prescribed areas in terms of Section 10 (1) (a) or (b) of the Urban Areas Act (i.e. having been born there and resided there uninterruptedly, or worked there uninterruptedly for long periods without being convicted of serious offences) would, if they lost their jobs, be offered suitable work in the prescribed area concerned *or in any other area*. (If they accepted work outside they would forfeit their right to live in their home town.)

Provisions relating to the wives, unmarried daughters, and minor sons of Africans who qualify to remain in an area under Section 10 (1) (a) or (b) are dealt with later.

The period during which an African had worked in the mining industry *or in any other industry or class of employment specified by the Minister* after consultation with the local authority concerned should not be taken into consideration for the purposes of Section 10 (1) (b)—i.e. length of lawful residence in a prescribed area.

The measures contained further threats to the security of Africans who qualify under Section 10 (1) (a) or (b) and their families.

- (a) It was proposed that they should have to obtain permission from the labour bureau to enter or to remain in employment. At present they do not need such permission.
- (b) They could be refused employment if this would contravene the terms of a determination made by the Minister (see paragraph 1), or if it was deemed not to be in the public interest that their contracts of service should continue (see paragraph 4), and might then be required to leave the area.
- (c) They might be included in a list of names of persons deemed to be surplus to labour requirements; but those born in the area would be removed only after all the others who, in the Minister's opinion, were surplus had left.

3. Officers appointed by the Minister in urban areas

The Urban Areas Act provides⁽¹³⁾ that the Minister may appoint officers who are expected, in consultation with the local authority concerned, to enquire into any matter affecting the well-being of Africans which comes to their notice. It is laid down

⁽¹³⁾ Section 22 (3).

that they shall at all reasonable times have the power to inspect any location, African village, hostel, or other premises where Africans are accommodated.

According to the draft Bill, as amended, before making such an inspection the officer would have to consult the urban local authority. These officers would be able, with the local authority's permission, to attend any council or committee meetings at which matters relating to Bantu administration were to be discussed, and to take part in the discussion, but would have no vote. They would be empowered, after consultation with the local authority, to convene or address meetings of advisory boards or urban Bantu councils. Furthermore, they would have the right to investigate any or all aspects of the administration by the local authority of the Urban Areas or Native Labour Regulation Acts or regulations issued thereunder.

In terms of existing law the Government-appointed officers are expected, when necessary, to send a written report to the Minister, who must send a copy to the local authority concerned. In terms of the draft Bill it would no longer have been obligatory for the Minister to do so.

4. Employment

In terms of the Bill, the Minister was to be empowered to rule that any or all of the powers and functions of a municipal labour officer should be exercised by the district labour officer. Regional labour commissioners were to be authorized to require that a decision of a municipal or district labour officer be submitted to a Chief Bantu Affairs Commissioner for review, and might, meanwhile, suspend its operation.

The Bill stated that, with the agreement of the Secretary for Bantu Administration and Development, a district or municipal labour officer might refuse to sanction the employment or continued employment of an African if, *inter alia*, he was satisfied that the contract of service concerned was not in the interest of either the employee or the employer or both or in the public interest.

The Government proposed to delete a sub-Section of the Urban Areas Act⁽¹⁴⁾ which provides that, except for Africans who were originally permitted to be in an urban or proclaimed area for a specific period, permission to return shall not be refused if he is returning after an absence of not more than 12 months to take up employment with his previous employer in the same class of work in which he was last engaged before leaving.

5. Documents required by African women wishing to enter employment

An African woman wishing to enter an urban or proclaimed area to take up employment must at present have a permit from

⁽¹⁴⁾ Section 10 (1) *bis*.

the employment officer in the district where she normally lives and, if she is under 21 years of age, the consent of her parent or guardian.

The draft Bill, as amended, stated that she would also need certificates of approval from the Bantu Affairs Commissioner in the urban or proclaimed area to which she wished to go and from the urban local authority there, the latter certificate declaring that accommodation was available for her. All women, and not only minors, would need the consent of their husbands or guardians.

6. Visits by women to their husbands or fathers in towns

Local authorities were apparently to lose their existing power to allow African women to visit their husbands (or if unmarried, their fathers) for stated periods provided that the men concerned have been continuously employed in the area for at least two years.⁽¹⁵⁾

7. Married quarters

It was stated in the Bill that no married quarters for workers might be provided by an employer unless he had obtained the Minister's approval.

8. Africans deemed to be "idle" or "undesirable"

The Bill extended the grounds on which Africans may be deemed to be "idle" or "undesirable", and may then be ordered to leave an urban or proclaimed area.⁽¹⁶⁾

9. Curfew regulations

At present Africans have to obtain individual exemption from curfew regulations. It was proposed that the Minister should be able to exempt specified classes of Africans.

10. African traders in urban areas

The Urban Areas Act provides ⁽¹⁷⁾ that the Governor-General may empower a local authority in a proclaimed area to prohibit any male African from working as a casual labourer or on his own account in any business or other remunerative activity unless the local authority has licensed him to do so for a stated period, and he has paid the necessary licence fees.

In terms of the Bill no African would be allowed to carry on any trade or business in urban or proclaimed areas except with the permission of the Minister or an official authorized thereto by him, and conditions might be imposed. No new licence or certifi-

⁽¹⁵⁾ Section 23 of Urban Areas Act.

⁽¹⁶⁾ Section 29.

⁽¹⁷⁾ Section 23 (1) (g).

cate for carrying on a trade or business might be issued unless the Minister's permission had been granted.

It is at present within the competence of local authorities to let sites to Africans for trading or business purposes in African locations or villages. In terms of the Bill no such site might be let unless with the Minister's permission and subject to such conditions as he might determine.

The Bill also stated that if an African carried on any trade or business without the Minister's permission, or contrary to conditions that had been imposed, any authorized officer might seize any vehicle or moveable article or structure that the African used for the purposes of his work and cause these to be retained until an order of court was made in regard to them. Perishable articles might be disposed of by the authorized officer without such an order. If any articles were subsequently returned to the African he would have to pay such demurrage and other storage and removal charges as might be prescribed.

Furthermore, if an African was convicted for a second or subsequent time of carrying on any trade or business without the necessary permission the court might declare that any vehicle or moveable article or structure that he used for the purposes of his work should be forfeited to the State.

11. Control of activities of "pass consultants"

It was proposed in the Bill that it should be rendered an offence for anyone other than a practising attorney or advocate to accept any money or reward for assisting an African in matters relating to influx control, the obtaining of employment, the issuing of reference books and the making of entries in these books, and related matters.

12. White farming areas

The Native Trust and Land Act⁽¹⁸⁾ provides for the establishment of labour tenant control boards, composed of local farmers, to determine the number of labour tenants who may be employed by individual farmers in the area.

In terms of the Bill the Minister was to be empowered, should he consider it in the public interest to do so, to transform a labour tenant control board into a labour control board, with jurisdiction in respect of all Africans employed in farming operations or as domestic servants on farms. He would have the power, too, to declare that as from a stated date no further labour tenants' contracts might be entered into in respect of specified land, or that no labour tenants should be employed on specified land.

⁽¹⁸⁾ Act 18 of 1936 as amended, Sections 28-31.

Control boards would not have the power to sanction the employment of labour tenants on farms where they were not employed when the Act came into force. Labour tenants must be over the age of 15 years (no age limit is at present specified) and must themselves render service to the farmer.

The Minister was to be empowered to instruct a farmer to reduce the number of squatters on a labour farm to a number determined by a labour tenant control board or equivalent body (e.g. a divisional council in the Cape).

The Bill contained a provision enabling the Minister to prohibit the congregation of Africans on land if he considered:

- (a) their congregation, or the situation of the accommodation provided for them, or their presence in any area traversed by them for the purpose of congregating, was causing a nuisance to residents in the vicinity; or
- (b) it was undesirable, having regard to the locality of the land, that Africans should congregate thereon.

No such prohibition would apply with reference to any meeting, assembly or gathering connected exclusively with any church or other religious service or church function. (This clause was included when the draft Bill was amended.)

SOME COMMENTS ON THE DRAFT BILL

The Institute of Race Relations prepared a summary of the first draft Bill⁽¹⁹⁾ and sent a memorandum to the Secretary for Bantu Administration and Development.⁽²⁰⁾ It arranged a meeting to discuss the measure, inviting representatives of large numbers of organizations. Later it prepared summaries of the revised Bill⁽²¹⁾ and of the version that subsequently became law.⁽²²⁾

In its memorandum the Institute pointed out that the Bill, as originally drafted, would enable the Minister of Bantu Administration and Development to usurp the functions of the Department of Labour, and would give him complete autocratic control over the supply and distribution of African labour, throughout the Republic. Industrialists and businessmen would be unable to plan for the future with any degree of confidence. It would be within the Minister's power to force all industry in a particular area, or a particular type of industry, or a particular employer, to cease operations.

By controlling the distribution of African labour the Minister of Bantu Administration and Development would be able to determine the location of industry, thus bypassing completely other Government Departments and statutory bodies functioning under them.

⁽¹⁹⁾ RR 32/63.

⁽²⁰⁾ RR 35/63.

⁽²¹⁾ RR 77/63.

⁽²²⁾ RR 83/63.

By making his decisions in the light of the availability of labour other than Bantu labour the Minister of Bantu Administration and Development would in effect be able to reserve work for persons of a certain race: Coloured people in the Western Cape, for example.

The Institute strongly deprecated clauses which would cause the further breakup of African family life; which would abolish all security of continued residence for Africans who in terms of existing law qualified to remain in urban areas; which placed further obstacles in the way of women wishing to enter employment; which imposed further restrictions on the activities of African businessmen outside the Reserves; which interfered with the rights of householders and domestic servants to make suitable mutual arrangements for accommodation and would increase the living costs of domestic servants; and which curtailed the powers of local authorities and of urban Bantu councils.

It welcomed the relaxation of restrictions on the entry of Africans to urban African townships and the proposed control of activities of "pass consultants". (The provisions relating to the right of partners to customary unions to claim damages were introduced at a later stage: the Institute had for long urged that such a step be taken.)

In conclusion the Institute pointed out that if the Bill was passed it would mean that all Africans throughout the area outside the Reserves were to be treated as foreigners and as interchangeable pawns, there solely to serve the interests of the White man, instead of as human beings with human aspirations, who had every moral right, equal to that of the White residents, to remain where they were.

A combined memorandum was submitted to the Department by some of the largest employers' organizations in the country—the Association of Chambers of Commerce, Federated Chamber of Industries, Steel and Engineering Industries' Federation, National Federation of Building Trade Employers, and Motor Industry Employers' Association. Severe criticism was expressed of the clauses designed to give the Government sweeping powers to control the movement of labour and the presence of Africans in urban areas. The lack of provision for consultation with employers was deplored, as was the suggestion that the security of residence of urbanized Africans should be undermined. The employers questioned the ability of the Government to make important and far-reaching decisions about the supply of labour, particularly in the absence of adequate statistical information. Harmful and possibly irreparable effects on commerce and industry might result from action taken.⁽²³⁾

Critical memoranda were submitted, too, by various City Councils (including Johannesburg and Cape Town), the Christian

⁽²³⁾ *Rand Daily Mail*, 22 March.

Council of South Africa, the Black Sash, the Civil Rights League, the Liberal Party, the S.A. Congress of Trade Unions, and numbers of other organizations. The Christian Council, for example, stated that the Bill interfered arbitrarily with a number of fundamental human rights and completely disregarded human values.

**BETTER ADMINISTRATION OF DESIGNATED AREAS ACT,
No. 51 OF 1963**

According to an Explanatory Memorandum issued with the Better Administration of Designated Areas Bill, in terms of previous law it was not competent for the Government to declare an area where Africans had acquired interest in land to be an urban location. No real administering or controlling authority could be set up in such areas. The new Act has made this possible.

The Act provides that whenever the State President deems it expedient to do so he may (with the concurrence of the local authority concerned, if any) declare any area outside a Reserve where Africans have an interest in land to be a designated area. Three types of designated areas are contemplated:

- (a) part of an urban area, for example the Fingo Village at Grahamstown;
- (b) an area under the jurisdiction of a body which has been declared an urban local authority under the Natives (Urban Areas) Act, for example a Divisional Council in the Cape, the Natal Local Health Commission, and the Transvaal Peri-Urban Areas Health Board (Alexandra Township is one such area);
- (c) any other area outside a Reserve, for example the portion of Evaton which has not been declared a released area.

The local authority which will administer the Act will be the urban local authority concerned in the first case mentioned above, the body vested with the powers of an urban local authority for the area in the second case, and otherwise the Bantu Affairs Commissioner.

The State President may declare that this local authority shall apply, in the designated area, the provisions of legislation relating to Africans in urban areas and regulations issued thereunder, for example the Natives (Urban Areas) Act, the Group Areas Act, the Housing Act, the Native Services Levy Act, the Native Labour Regulation Act, the Urban Bantu Councils Act, the Native Building Workers Act, and the Bantu Beer Act.

In terms of the Housing Act, a local authority may, with the approval of the Minister, borrow money, grant housing loans, and construct and sell or let dwellings. If the Minister gives written consent it may purchase, expropriate or otherwise acquire any land which it requires for the purpose of constructing thereon an approved dwelling or housing scheme. According to the Explanatory Memorandum the Minister will not approve of expropriation

unless he is satisfied that the local authority is unable to purchase land it requires on reasonable terms and that no other suitable land is available.

A Bantu revenue account will be opened for each designated area. The local authority will have power to make regulations on specified matters. As is already the position under the Urban Areas Act such regulations require the approval of the Administrator and the Minister, and the latter may vary them or set them aside.

Documentary proof of the right to be in such an area shall not be refused to persons who on the date that the area was proclaimed a designated area were owners of land there, bona fide dependants usually residing with owners, or those living there and qualified to remain under Section 10 (1) (a), (b) or (c) of the Urban Areas Act.

In prescribing tariffs for rents and services, due regard shall be had to the cost of providing accommodation for educational purposes.

Penalties for non-payment of charges within a reasonable time may be laid down, including provision for the ejection of residents and their families other than residents who are registered owners of land.

Regulations may provide for the prohibition, restriction or control of meetings; but no meeting may be prohibited except with the special approval of the Bantu Affairs Commissioner after reference to the police and the official of the local authority who is concerned with Bantu administration; and then only if reasonable grounds exist for believing that the holding of the meeting may lead to a breach of the peace, cause serious injury to property, obstruct traffic, or interfere with the convenience of the public.

The Deputy Minister announced⁽²⁴⁾ that the Act would be applied to Alexandra Township first. There was no intention of immediate action so far as the Fingo location was concerned, he added.

Developments at Alexandra Township are described in a letter chapter.

THE PASS LAWS

CONVICTIONS UNDER THE PASS LAWS

The number of convictions under the pass laws and influx control regulations rose steadily until 1959. Then, after Sharpeville, the Commissioner of the S.A. Police gave instructions⁽²⁵⁾ that the reference book system was to be administered in such a way that law-abiding Africans would have nothing to fear. After that the number of convictions dropped, but it has since again risen each

⁽²⁴⁾ Cols. 4992, 5113.

⁽²⁵⁾ Press statement, 12 August 1960.

year. The total numbers of convictions in recent years have been: ⁽²⁶⁾

1951—232,420	1957—365,911
1952—264,324	1958—396,836
1953—288,439	1959—413,639
1954—314,208	1960—340,958
1955—337,604	1961—375,417
1956—356,812	1962—384,497

The Department of Justice provided Mrs. Helen Suzman, M.P., with a break-down of the total for 1962, as follows:

<i>Offence</i>	<i>No. of convictions</i>
Failure to show reference book on demand, or reference book imperfectly completed	125,356
Being in locations, mission stations or Reserves without permission	93,695
Non-production of tax receipts on demand	54,237
Seeking work without permission, or entering or remaining in urban areas for more than 72 hours without permission	40,320
Non-possession of night passes	37,960
Foreign Africans unlawfully entering urban areas	13,774
Non-possession of permit to undertake a journey	9,026
Unlawfully entering Trust territory	6,091
Contravention of squatters' laws	1,186
South African citizens entering urban areas without permission	1,060
Offences under Natal Code of Native Law	814
Unlawfully returning to urban areas after being removed therefrom	355
Performing illegal dances which could lead to violence ...	4
Other offences	619
	384,497

It appears from Press statements by the Commissioner of the S.A. Police that the police are responsible for a fairly low proportion of the arrests. Large numbers of prosecutions are instituted by local authorities, officials of the Department of Bantu Administration and Development, and others who are responsible for administering the laws and regulations. Among the reasons for the rise in the number of convictions in recent years may be the extension of labour regulations to include women and the steady

⁽²⁶⁾ From *Union Statistics for Fifty Years*: Minister of Justice, Assembly 9 February 1960, Hansard 3 col. 838, and Assembly 8 February 1963, Hansard 3 col. 984; and figures supplied to Mrs. H. Suzman, M.P., by the Department of Justice.

increase in the number of "proclaimed" areas, in which influx control operates.

AFRICANS ENDORSED OUT OF OR REFUSED PERMISSION TO ENTER URBAN AREAS

Unfortunately no overall figures are available showing the number of Africans who are endorsed out of or refused permission to enter urban areas. Two examples only are available.

The Minister of Bantu Administration and Development said in the Assembly⁽²⁷⁾ that 2,135 men and 846 women were endorsed out of the Western Cape in 1962; and that during the same year 4,254 women and 677 children were endorsed out of the Johannesburg municipal area. These women, he added, had entered without the necessary permission.

ENTRY OF WIVES OF MEN WHO QUALIFY TO REMAIN IN URBAN AREAS

As Section 10 (1) of the Natives (Urban Areas) Act now stands, an African man or woman qualifies to remain permanently in an urban area:

- (a) if he or she has resided there continuously since birth; or
- (b) if he or she has worked there continuously for one employer for 10 years; or has lived there continuously and lawfully for 15 years and has thereafter continued to reside there and is not employed elsewhere; and if during either period or thereafter he or she has not been sentenced to a fine exceeding R100 or imprisonment for a period exceeding 6 months.

In terms of sub-section (c), the wife, unmarried daughter, or son under the age of 18 of a man who qualifies to remain under (a) or (b) also qualifies to remain if she or he ordinarily resides with this man. Sub-section (d) gives local authorities the discretionary power to admit Africans who are not workseekers (workseekers are dealt with through municipal and district labour bureaux).

A clause of the original draft of the Bantu Laws Amendment Bill which was dropped proposed that to the words "ordinarily resides", quoted above, should be added "within the prescribed area". The second draft stated that in order to qualify, the wife, daughter or minor son must have entered the area lawfully and must ordinarily reside with the man in the prescribed area. Furthermore, it was suggested that all applications for permits to enter an urban area should be dealt with by labour bureaux. These clauses, too, were not proceeded with. (It appears that in practice the same municipal office at present often handles applications from workseekers and from persons who are not seeking work.)

(27) 1 February 1963, Hansard 2 col. 630; and 5 February 1963, Hansard 3 col. 744.

The words "ordinarily resides" have been interpreted in different ways by the various local authorities in the exercise of their discretionary powers, particularly in the cases of wives applying to join husbands who qualify under (a) or (b). It would appear that the wife of a newly married man is unlikely to have been ordinarily resident with him in the past, thus the first consideration is whether or not the local authority allocates them accommodation where they can reside together. If the wife was not living in the same town before the marriage she will then require permits to enter.

If a man becomes qualified under (b) and is already married his wife will presumably have been waiting in some other area for him to become qualified. The interpretation of "ordinarily resident" in such cases appears to differ in various municipal areas. However, irrespective of how this term is interpreted it would seem that in practice the overriding consideration is whether or not the local authority in the town where the man works is prepared to grant them accommodation where they can live together. If accommodation is made available the woman will then require various permits, from the local authority and from Bantu Affairs Departmental officials, to enable her to move lawfully to the town concerned.

PLAN TO REMOVE AFRICANS FROM THE WESTERN CAPE

In September the Secretary for Coloured Affairs announced⁽²⁸⁾ that local committees were being appointed in districts throughout the Western Cape to assist with the replacement of Coloured labour for that of Africans. They would assist the Standing Cabinet Committee and the Inter-Departmental Committee which were already considering this matter. Magistrates would convene the first meetings of these committees, which would consist of members nominated by divisional councils, municipalities, farmers' associations, and chambers of commerce and industries.

In a speech to the Afrikaanse Sakekamer⁽²⁹⁾ the Prime Minister re-emphasized that the policy of removing Africans from the Western Cape would not be allowed to wreck the region's economy.

According to statements by the Secretary for Coloured Affairs and the Minister of Bantu Administration and Development⁽³⁰⁾ the "Western Cape" is defined as roughly the area south of the Orange River and west of a line running from between Humansdorp and Port Elizabeth (the latter area is excluded) north through Pearston, Middelburg, Colesberg, Hopetown, and Prieska. The boundary lies considerably further to the east than the "Eiselen Line" suggested in 1955.

The Minister said that there were about 250,000 Africans in the Western Cape. It is mentioned earlier that 2,135 men and 846

⁽²⁸⁾ e.g. *Rand Daily Mail*, 24 September.

⁽²⁹⁾ *Star*, 20 April.

⁽³⁰⁾ Assembly, 29 May, Hansard 18 cols. 6854-5.

women were endorsed out of the area in 1962: no statistics are available indicating the areas to which they were sent, but most of them were probably ordered to go to the Ciskei or the Transkei. On arrival a very small minority may find work locally, some may spend a period with relatives, but many enter into fresh contracts for work outside immediately an opportunity occurs. Such people are forced to spend considerable sums on travelling.

No statistics have been published relating to the Ciskei; but the Department of Bantu Administration and Development has provided information about the recruitment of labour from the Transkei. The Deputy Minister said⁽¹³⁾ that about 115,000 Africans are recruited there annually for work on mines, between 28,000 and 30,000 for work on White farms, and more than 1,000 for other industries.

On a subsequent occasion he gave figures showing the numbers of Africans from the Transkei who had been placed through the Government labour bureaux (only), as follows:

1961

	Western Cape	Namaqua- land	Placed in Eastern Cape	Witwaters- rand	Free State	Natal
Agriculture . . .	338	-	-	-	-	-
Manufacturing . .	274	-	-	449	-	-
Miscellaneous . .	54	-	67	-	4	21
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	666	-	67	449	4	21
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

1962

Agriculture . . .	596	-	-	-	-	-
Manufacturing . .	146	-	-	363	-	-
Government de- partments . . .	150	-	-	-	-	-
Miscellaneous . .	-	-	27	-	7	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	892	-	27	363	7	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

**1 January to 31 March
1963**

Agriculture . . .	936	-	-	-	-	-
Manufacturing . .	268	-	-	10	50	-
Mining	-	75	-	-	-	-
Government de- partments . . .	250	-	-	-	-	-
Miscellaneous . .	129	-	4	26	-	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,583	75	4	36	50	-
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

(13) Assembly, 18 March, Hansard 9 cols. 2962.

The Railway Administration is offering work at the Cape Town docks to Coloured men from the rural areas of the Transkei, with the apparent intention that they should replace Africans.

Men who are established urban dwellers, having lived in towns of the Western Cape for years, are sent back to the Transkei or Ciskei if they lose their jobs. This happened to numbers of Poqo suspects who were discharged or acquitted after spending some time in gaol while their cases were investigated and then found that their employers had dismissed them. They may return, but as migrants who are allowed in on fixed contracts only. This is causing a gradual change in the nature of the labour force.

A large proportion of the migrant workers consists of men who are separated from their families. In reply to a question in the Assembly⁽²²⁾ the Minister said that of 18,311 men housed in bachelor quarters at Langa, Cape Town, 12,390 were married.

Numbers of those who are endorsed out have nowhere where they can legally live. Illustrative case histories were given in the issue of *Drum* for July 1963. A man sent away from Cape Town, for example, may have been born in another town but has forfeited his right to live there by working elsewhere. Such men have no land rights in the Reserves, and are not welcomed there by the chiefs, whose areas are already overcrowded. They find it difficult to obtain work in rural areas of the Western Cape. Many people in this predicament are living in towns in hiding from the police.

The story was told of a man who was endorsed out of Paarl in 1954 but disobeyed the order because he did not know where to go. Soon afterwards he was arrested, and his wife has not seen him since. Presumably he was sent away on his release from gaol and the couple lost touch with one another.

The case of Mrs. Jackson Mapheele aroused much public concern. She and her husband were married by Christian rites in Herschel, but some years ago the husband found work in a textile mill in Paarl. She joined him there in 1959, and as no family accommodation was available she lived without official permission in a room at Langabuya location, while he had accommodation in bachelor quarters at Mbekweni, visiting her when he could. Early in 1963 they had one small child and were expecting another baby.

Mrs. Mapheele was ordered to leave but did not know where to go since she had no relatives or close friends left at Herschel. She was then convicted of being illegally in Paarl. Appeals were made first to the Supreme Court and then to the Appellate Division; but were dismissed. During the proceedings she had a miscarriage. The Judge-President of the Cape is reported to have referred to "the absurdities of this country" which gave rise to a situation in which a married woman was prohibited from living with her husband; and 250 residents of Paarl signed a petition asking that she be allowed to remain. The Minister twice granted

(22) 25 January 1963, Hansard 1 col. 198.

Mrs. Mapheele a reprieve, but she was finally ordered to return to Herschel by 20 December. Her husband was offered work there.⁽³²⁾

It is ironical that the latest report of the Department of Social Welfare and Pensions states, "It is an established fact that the degree of welfare of a state and community bears a direct relation to the condition of family life in that state. As far as South Africa is concerned this is an opportune time to direct attention to the family as the primary institution on which our future depends".⁽³⁴⁾

FOREIGN AFRICANS

PREVIOUS LEGISLATION AND REGULATIONS

In May 1963 the Institute of Race Relations published a full summary of legislation and administrative arrangements relating to foreign Africans in South Africa.⁽³⁵⁾ Since then there have been certain further developments.

In terms of the Admission of Persons to the Union Regulation Act of 1913 as amended, anyone entering South Africa who is not legally domiciled there, who in the opinion of the passport control officer is of the age of 16 years or over, and who fails to produce an unexpired passport or other document of identity of a class recognized by the Minister, shall be deemed a prohibited person. It is an offence for a prohibited person to enter the country without as soon as practicable thereafter appearing before a passport control officer. If he is refused permission to be in the country it is then an offence for him to remain.

The Aliens Act of 1937 provides that no alien may enter South Africa for permanent residence unless in the opinion of the Immigrants Selection Board he is likely to become readily assimilated with the European inhabitants. No alien may enter for a temporary visit unless he has a temporary permit which indicates the purpose, period, and conditions of his residence.

African mine workers are unaffected by these measures. They enter into contracts of service and are returned home on the completion of these contracts. In the past other Africans entering the country to seek work have usually not been in possession of travel documents issued by their own countries, as is required under the Admission of Persons to the Union Regulation Act; but this was condoned as long as they reported as soon as possible to a Bantu Affairs Commissioner, when, on payment of the stipulated fee of 50 cents, they might be issued with temporary conditional immigration permits, allowing them to seek work.

In terms of regulations issued under the Natives (Abolition of Passes and Co-Ordination of Documents) Act of 1952, Africans

⁽³²⁾ Reports in *Rand Daily Mail*, 20 June and 2 July, *Star*, 31 August, and *Rand Daily Mail*, 8 November.

⁽³⁴⁾ *Star* report, 7 March.

⁽³⁵⁾ RR 68/63.

from the High Commission Territories also required reference books similar to those provided for Africans born in South Africa. Those born in other territories required identity documents giving full personal particulars and information about the holder's employment.

Amendments to the Natives (Urban Areas) Act made in 1937, 1955, and 1958 laid down that no foreign African might enter, be, or remain in an urban or proclaimed area without the written permission of the Secretary for Bantu Administration and Development, granted with the concurrence of the local authority concerned. In general such permits are granted only to men employed as agricultural labourers on small-holdings in proclaimed peri-urban areas.

In 1956 the Minister announced that foreign Africans in rural and urban areas of the Cape south of the Orange River could remain in their existing employment in order to earn their fare home, but must go as soon as that employment came to an end.

The South African Citizenship Act of 1949 as amended provides for the naturalization of aliens; but, according to a recent statement by an official,⁽²⁶⁾ it was never the intention of the legislature to make provision for Black immigrants.

NUMBERS OF FOREIGN AFRICANS IN SOUTH AFRICA

According to the Froneman Committee of Inquiry there were 836,000 foreign Africans in South Africa in September 1960, their numbers being made up as follows:

312,344	recruited labourers on the mines;
337,656	men working elsewhere;
186,000	women and dependants.
<hr/>	
836,000	
<hr/>	

The Minister of Bantu Administration and Development said later⁽²⁷⁾ that at the end of June 1961 the numbers were:

263,691	recruited labourers on mines served by the Witwatersrand Native Labour Association;
46,646	on other mines;
53,281	registered labourers in urban areas;
420,000	in rural areas, excluding mines.
<hr/>	
783,618	
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The Froneman Committee stated that there were 505,000 economically inactive African citizens of South Africa, 300,000 of

⁽²⁶⁾ *Rand Daily Mail*, 7 August.

⁽²⁷⁾ Senate, 10 June, Hansard 17 col. 4137.

them in rural areas and the Reserves. Not all the latter were work-seekers. Those who were work-seekers should wherever possible replace foreign Africans, the Committee recommended. Unemployed Indians should be used to replace foreign Africans in Natal. It was realized, however, that mining and agriculture would find it increasingly difficult to attract indigenous labour.

ALIENS CONTROL ACT, No. 30 of 1963

The Aliens Control Act increased the penalties which may be imposed when any prohibited person or alien is found to have entered South Africa without obtaining the documents and permits he is required to have. If convicted he is liable to a maximum penalty of six months' imprisonment. He may then be deported, but if he is sent away before any term of imprisonment imposed has expired this sentence of imprisonment will thereupon be terminated. Foreign Africans who do not possess the required documents may also be detained and deported without being charged in court.

While in detention pending deportation such a person may be held "in such custody as may be prescribed by regulation". The Deputy Minister of the Interior explained⁽²⁸⁾ that the purpose of this amendment was to enable the authorities to give detained persons work to do. It was unsatisfactory for them to be left in camps with nothing to keep them occupied, he said.

BANTU LAWS AMENDMENT ACT, No. 76 of 1963

Certain provisions of this Act have been described earlier. It dealt, too, with foreign Africans.

1. As from 30 June 1963 it was rendered obligatory for a foreign African entering South Africa to have a passport, permit, document of identity or travel document issued to him by his own country.

If permission to enter is granted this document will be endorsed by a passport control officer or other officer authorized thereto by the Minister, authorizing the African's presence in a stated area for a purpose and period which will be indicated.

Foreign Africans who were already in South Africa on 30 June 1963 must obtain passports or travel documents from their home countries before 31 December 1965.

These provisions will not apply to Africans who are recruited for defined periods for work in gold, coal or uranium mines, or in any other industry or class of employment specified by the Minister after consultation with the urban local authority concerned.

⁽²⁸⁾ Assembly, 17 April, Hansard 12 cols. 4171-3.

The passports or travel documents described above will take the place of temporary immigration permits and reference books or identity documents that were previously issued in South Africa.

2. The Act imposes control over the presence of foreign Africans in rural areas. It lays down that no foreign African may enter, be, or remain in any part of any district outside an urban or proclaimed area, nor may anyone employ or continue to employ him there, without the written permission of the Secretary for Bantu Administration and Development or a person authorized thereto by him, who may impose such conditions as he may deem fit.

Maximum penalties for a first conviction under these provisions are R50 or 3 months' imprisonment. For a second or subsequent conviction for a like offence in the same area within two years the maximum penalties are R50 or 3 months' or both or imprisonment without the option of a fine. The court may order that a convicted African be removed to his home, and the employer may be ordered to pay the costs of removal. The onus of proof of his innocence will rest on the African or the employer as the case may be.

ADMINISTRATIVE ARRANGEMENTS

During April 1963 the Minister of Foreign Affairs gave further details of the policy that was to be applied in regard to the employment of foreign Africans.⁽³⁹⁾ He was referring specifically to those from the High Commission Territories, but the arrangements affect other foreign Africans too.

About 36 border control points are being set up, to supplement previously existing immigration offices, at places where roads or bridges cross the borders dividing South Africa and South-West Africa from neighbouring territories. Those on the more frequently used routes are staffed by immigration officials, and the rest by the police. Fences being erected on the Swaziland and Bechuanaland borders to prevent the introduction of animal diseases assist, too, in the control of movement of persons across the borders.

The travel documents of Africans who are authorized merely to visit South Africa are endorsed at border control posts to the effect that the holders have permission to enter, and stating the purpose and the period of the visit. *Visas* may be required. Non-Whites wishing to enter to take up employment must have prior permission from the South African authorities. Their travel documents will be endorsed to give details of the work they are permitted to do and the employer who may employ them.

⁽³⁹⁾ Statement published by the Department of Information, Circular 126/63 (K) of 29 April. Also see statement by the Minister of the Interior, Assembly Hansard 16, cols. 6069-70, correspondence by the Institute of Race Relations with the Department, etc.

In no case may a foreign African be employed for more than two years. After this, or on termination of his contract if it is ended before two years, he must return to his home country, and may then re-apply for work in South Africa. If Africans from the High Commission Territories who were lawfully in South Africa before 1 July 1963 lose their jobs they may be placed in other work provided they hold travel documents and if indigenous Africans are not available. Otherwise they are to be repatriated. The contracts of other foreign Africans are not being renewed if there is local labour to replace these men.

Employers are guilty of an offence if they fail to register contracts of service or employ foreign Africans who are not in possession of the documents that they are required to have. On entering into a service contract every employer will have to undertake to return the worker to his home or to the railway or road transport station nearest his home when the contract is terminated.

The procedure followed by the mining industry for the recruitment of labour is not affected except that the workers must be routed through the control posts and must possess valid travel documents.

The travel documents of Africans who live near the borders and cross frequently to do shopping may be endorsed to the effect that for a period of six months they are authorized to do so.

Foreign Africans already employed in South Africa are expected to save towards their return fares. If, when they are ordered to leave, they have insufficient money the South African Government bears the remaining costs. In cases where the men are legally married to women in the Republic (customary unions are recognized for this purpose) the wives and children normally accompany them to their countries of origin, when necessary also at State expense.

Men from distant territories who are returned by sea, Tanganyikans for example, are sent to a camp at Nigel while enquiries are made via the British Embassy as to whether their credentials are in order and whether the Tanganyikan Government is prepared to accept them back. If so, the South African Government pays the fares. If they have wives and families in the Republic these people are, if necessary, given poor relief while the men are at Nigel.

The arrangements described above are of fairly recent origin, decided upon to speed up the machinery for the repatriation of foreign Africans. Before they were introduced numerous cases of hardship occurred when men were ordered to leave South Africa and did not possess the means to do so.⁽⁴⁰⁾ Severe penalties are still imposed when men disobey removal orders or enter urban areas without permission.

Three depots are being established on the borders of the High Commission Territories to accommodate Africans from these

⁽⁴⁰⁾ See 1962 Survey pages 113 *et seq.*, and RR 68/1963.

territories who are found to be illegally in South Africa while negotiations are in progress for their return. The depots, to be staffed by officials of the Department of Bantu Administration and Development (not the Prisons Department) are at Ficksburg for Basutoland, Mahamba for Swaziland, and Ramathlebama for Bechuanaland.

FURTHER RECOMMENDATIONS BY FRONEMAN COMMITTEE

Some of the recommendations made by the Froneman Committee have been adopted and are included in the arrangements described above. Further recommendations were:

- (a) that the repatriation of foreign African women and children should be undertaken immediately by an inter-departmental committee;
- (b) that the admission of foreign children to educational institutions in South Africa should cease.⁽⁴¹⁾

RIGHTS OF AFRICAN WOMEN

The Department intends publishing regulations relating to the registration of customary unions and their dissolution, but at the time of writing this had not yet been done. No Departmental committee had yet been appointed to investigate the rights and status of African women.⁽⁴²⁾

URBAN BANTU COUNCILS

The first urban Bantu councils were set up during November 1963 at Thabong township in Welkom and Daveyton in Benoni.⁽⁴³⁾

AFRICAN BUSINESSMEN IN TOWNS

BANTU LAWS AMENDMENT BILL

Provisions of the Bantu Laws Amendment Bill which were designed to restrict the opportunities of African traders in "White" areas, but were not proceeded with in 1963, have been described above.⁽⁴⁴⁾

DEPARTMENTAL CIRCULAR, FEBRUARY 1963

Other restrictions were, however, imposed in terms of Circular Minute No. A 12/1—A 8/1 issued to local authorities on 14 February 1963 by the Department of Bantu Administration and Development. It was stated that trading by Africans in White areas (including urban African townships) is "not an inherent

⁽⁴¹⁾ *Rand Daily Mail* report, 25 January.

⁽⁴²⁾ See 1962 Survey, page 116.

⁽⁴³⁾ *South African Digest*, 7 November.

⁽⁴⁴⁾ See page 132.

primary opportunity" for them. It is the Department's desire that African businessmen should establish themselves, rather, in the Bantu homelands. Those wishing to transfer businesses to such areas are entitled to apply for financial assistance to the Bantu Investment Corporation.

The main provisions of the circular follow.

1. Africans will not be allowed to trade in an urban area outside an urban African township. No further Africans must be licensed to trade in such areas as pedlars, hawkers, or speculators in livestock or produce. Where such licences have already been granted endeavours must be made to restrict the activities of the holders to African residential areas.
2. Where, owing to distance or other factors, it is necessary to grant trading rights in urban African townships such rights must be granted to Africans only. But the Government's over-riding policy is not to allow an increase in the number of Africans in such townships who are not in paid employment. Therefore when it is possible without undue inconvenience to satisfy the needs of township residents from existing businesses in the towns no reason exists for the establishment of trading concerns in the townships. This policy applies mainly in cases where the townships are small and are not far removed from the towns.
3. If it is necessary to provide trading facilities in the townships the trading rights must be granted only to those who qualify to remain in the area concerned under Section 10 (1) (a) or (b) of the Urban Areas Act. No foreign African may be granted such rights.
4. The carrying on of more than one business, whether of the same type or not, by the same African may not be allowed, not even in different African townships in the same urban area.
5. No business which does not confine itself to the provision of daily essential domestic necessities must be established. New licences for dry-cleaners, garages, and petrol filling stations, for example, should not be granted. Persons already holding such licences can continue to operate until "the opportunity arises to close" the concerns or to persuade the owners to move to a Bantu homeland.
6. The establishment of African companies or partnerships must not be allowed in urban townships. Existing companies must not be permitted to take over or open further businesses there. Nor must African-controlled financial institutions, industries, or wholesale concerns be allowed in such areas.
7. Africans granted trading rights must not be permitted to erect their own buildings. All buildings necessary for trading purposes must be erected by the local authority for lease to Africans at economic rentals.

8. The showing of films for entertainment in urban African townships must in future be undertaken by the local authority only. Other bodies already authorized to do so may for the time being continue.

COMMENTS ON THIS CIRCULAR

Leading African businessmen pointed out that there was as yet little buying power in townships being developed in the Reserves. The *Star* commented⁽⁴⁵⁾ that traders who moved to such areas would be cut off from their richer customers who would then have to buy from Whites "and thus give the lie to the whole separatist propaganda", i.e. that Africans would be allowed full opportunities of progress within their own communities.

The African townships serving the larger cities are generally some distance away, and the local authorities in some of these cities have been most perturbed. The Johannesburg City Council, for example, sought an interview with Government representatives. It pointed out⁽⁴⁶⁾ that the various suburbs of Soweto (the main African residential area) were 10 to 17 miles out of town and occupied 25 square miles. The needs of the 350,000 inhabitants must be adequately met, and this could best be done by giving encouragement to successful African businessmen. There was, it considered, an undeniable case for the establishment of dry-cleaning depots, filling stations, and garages in Soweto. Africans living there owned more than 3,500 motor vehicles and 775 motor cycles.

Mr. Quintin Whyte, Director of the Institute of Race Relations, pointed out⁽⁴⁷⁾ that the terms of the circular represented a complete reversal of Government policy. In 1956, when the Institute expressed its concern that Africans had been debarred from occupying trading premises in urban areas outside African townships, the then Secretary for Native Affairs replied that "henceforth the Bantu will be obtaining an exclusive monopoly to cater for his own people in the separate self-contained areas set aside for them". The Secretary defined these areas to include municipal locations, villages, and hostels.

During November a deputation of 44 members of the African Chamber of Commerce was granted an interview with the Deputy Minister of Bantu Administration and Development. It is reported⁽⁴⁸⁾ that the Deputy Minister told them that African traders would be restricted to one trading stand each in urban areas, but they could hold more than one licence for businesses to be conducted on this stand. Those wishing to have factories or garages would have to go to the Reserves, however.

(45) 16 April.

(46) *Star* report, 18 September.

(47) RR 57/63.

(48) *Rand Daily Mail*, 19 November.

NUMBERS OF AFRICAN BUSINESSES

The Minister of Information said in the Assembly⁽⁴⁹⁾ that in 1962 there were 4,576 African businesses in the African homelands and 7,850 in urban African townships.

SOME RESTRICTIONS SO FAR APPLIED

In October 1963 five African-owned commercial colleges and two driving schools which had been operating in the central part of Johannesburg received notice from the Department that they would have to close by the end of the year. The municipality was informed that such schools should not be established permanently in the African townships either.⁽⁵⁰⁾

During April the Roodepoort Municipality ruled that African photographers (other than Press photographers) would not be permitted to take photographs in the "White" part of its town.⁽⁵¹⁾

The Pretoria City Council, which intends building two hotels for Africans in the townships of Mamelodi and Atteridgeville, enquired whether these might be leased to African entrepreneurs, but the Department replied that the Council must run the hotels itself.⁽⁵²⁾

(49) 23 April. Hansard 13 col. 4536.

(50) *Rand Daily Mail*, 4 October.

(51) *Ibid.*, 5 April.

(52) *Ibid.*, 23 May.

RURAL COLOURED AREAS

COLOURED RESERVES

Descriptions were given in previous issues of this *Survey*⁽¹⁾ of the Coloured reserves and mission stations, which are scattered areas, mainly in the Northern and Western Cape, with a total area of approximately 2,000,000 morgen. According to the Report of the Department of Coloured Affairs for 1959-1961, which was issued during the year under review, as at the end of 1961 these areas had a population of 31,106, of whom 6,534 were registered occupiers. There were 3,485 permanent dwellings.

In terms of the Preservation of Coloured Areas Act of 1961 any area which by April 1961 had been granted to or set aside for Coloured people, or which was a traditionally or locally acknowledged Coloured area mainly occupied or owned by them, may be brought under the legislation relating to Coloured areas. During 1963 three new areas were incorporated in consequence of this legislation: Cystergrond in the division of Paarl, Oppermansgronde in the districts of Jacobsdal and Fauresmith, and Haarlem in the division of Uniondale.

The official Estimates of Expenditure from Revenue Account⁽²⁾ provided for totals of R421,700 (instead of R173,200 as in the previous year) to be spent on the development of Coloured reserves, mission stations, and settlement areas.

COLOURED DEVELOPMENT CORPORATION AMENDMENT ACT, No. 12 of 1963

The Coloured Development Corporation, set up in 1962⁽³⁾ was established to encourage and promote the advancement of Coloured people in the fields of industry, trade, and finance in Coloured group areas, mission stations, and reserves.

The Amendment Act enabled the Corporation to promote the advancement of Coloured people in Coloured areas in the fields of mining, fishing, and any other activities which may be stipulated by Proclamation.

RURAL COLOURED AREAS ACT, No. 24 of 1963

This Act repealed the Preservation of Coloured Areas Act of 1961, the Coloured Persons Communal Reserves Act of 1961, and the Mission Stations and Communal Reserves Act of 1909. It

(1) 1961, page 140; 1962, page 127.

(2) R.P. 1/1963 page 261.

(3) See 1962 *Survey*, page 126.

deals with existing Coloured reserves and with areas which may be proclaimed as reserves.

The Coloured reserves are to be replanned, and registered occupiers will then be able to purchase agricultural lots or residential stands, and to lease grazing areas. The title deeds or leases granted will be subject to conditions relating to beneficial use.

Occupiers will elect advisory boards. At a later stage (unless these exist already) boards of management will be established, initially with 6 elected and 3 appointed members under the chairmanship of a person designated by the Minister. Finally the Minister may direct that all the members shall be elected. These boards will have stated powers of local self-government; but the Minister may direct them to make or repeal stated regulations on matters within their competence, and he will retain power to make regulations on various matters including the control or prohibition of meetings, qualifications of voters, collection and utilization of rates, conditions relating to land ownership, etc.

If rates are in arrear the board of management may call upon the person concerned within one month to pay the sum owing plus interest on it. Should he fail to do so he will be guilty of an offence and liable to a fine not exceeding R25. If a convicted person still fails within the following six months to pay or to make suitable arrangements for payment the rates may be recovered by the seizure and sale of his movable property.

Betterment works will be undertaken out of moneys appropriated by Parliament, but the boards of management may be called upon to repay up to 10 per cent of the costs.

PROPOSED COLOURED VILLAGES IN WHITE FARMING AREAS

In an endeavour to promote the use of Coloured rather than of African labour on farms of the Western Cape and to counteract migration to the cities the Department of Coloured Affairs plans to encourage Divisional Councils to borrow money from the Department of Housing with which to provide economic or sub-economic housing for Coloured farm workers in villages within reach of their places of employment. The dwellings will be let directly to the workers (and not through their employers), so that these workers will be free to change their places of employment if they so decide. But farmers may obtain individual loans for the provision of accommodation on their properties for their own employees.

Rudimentary basic facilities only will be provided for a start, but the villages will be properly planned, with sites for schools which can also be used as community centres, health centres, and creches. If creches were available, the Department stated, women would be released to do seasonal work on the farms.⁽⁴⁾

(4) Official circular 86/1963 (K) of 23 March.

COLOURED PEOPLE LIVING IN AFRICAN RESERVES

The future of Coloured people living in African reserves has given cause for concern. The position of those in the Transkei is dealt with in an earlier chapter; but there are considerable numbers of Coloured peasant families living in African areas in the Kuruman District and elsewhere. There has, so far, been no official statement as to their future.

OTHER COLOURED AND ASIAN AFFAIRS

COLOURED AND ASIAN MUNICIPAL VOTE

LOCAL GOVERNING BODIES IN COLOURED AND ASIAN GROUP AREAS

As described in last year's *Survey*⁽¹⁾ a 1962 amendment to the Group Areas Act empowered the Minister of Community Development after consultation with the Administrator of the Province concerned to establish consultative or management committees in any Indian or Coloured group area, or areas. (Until this amendment, the Minister had to act with the concurrence of the Administrator.)

During the Parliamentary debate Opposition members contended that these provisions were a breach of the powers of provincial councils since, under the Constitution, provincial councils were empowered, with the State President's consent, to make ordinances dealing with municipal institutions, and Parliament could not abolish or abridge these powers except by petition of the Council concerned. However, the Speaker of the House of Assembly and the President of the Senate both ruled that Parliament was the sovereign legislative authority and that provincial councils did not possess the exclusive right to legislate in regard to municipal institutions.

Whatever the legal position, the Government has proceeded by asking the four provinces to introduce provincial ordinances.

In September 1962 the Minister attended a conference of Administrators on the subject. In February he reported that three of the four provinces were proceeding actively, but that no progress had been made in Natal.

The position in Natal, and the steps that have been taken by the other provinces in implementing the system, are described below.

Natal

A letter⁽²⁾ from the Administrator to the Minister in January stated that draft legislation framed by the Government was being investigated by the Province, but that it appeared that due to legal and practical difficulties the aims of the Government would not be achieved in Natal by the legislation. A special committee had

(1) Page 122 *et seq.*

(2) Assembly, 5 February, Hansard 3 cols. 746 *et seq.*

been appointed to investigate the matter further. Commenting in the Assembly, the Minister⁽³⁾ said that "if this unsatisfactory state of affairs continues, the steps to proceed with the matter in Natal can no longer be left with the provincial authorities". The Administrator announced⁽⁴⁾ in September that a draft ordinance had been framed and had been sent to the Ministry of Community Development. It envisaged two main phases in the establishment of Non-White local authorities, i.e. local affairs committees and separate Non-White local authorities "as against mere committees". In the first phase much could be done to train responsible Non-Whites in local government, but the establishment of Non-White local authorities (the second phase) would of necessity take time.

Cape Province

The Cape Ordinance in this connection (No. 6/1963) was passed early in the year. A report⁽⁵⁾ in October stated that the Administrator of the Cape had asked the Cape Town City Council's general purposes committee to consider the early formation of management committees for Coloured people in the areas of Athlone-Duinefontein, Kensington and Wittebome-Wynberg. No details are yet known.

Orange Free State

A draft Ordinance and regulations have been prepared by the Orange Free State Provincial Council, but have not yet been passed. The first group areas proclamations for the Orange Free State were not made until 1963.

Transvaal

A provincial ordinance was passed by the Transvaal in December 1962 (No. 22/1962). In May the Administrator announced that five Non-White committees had been approved by the Transvaal Provincial Executive, and that other committees would thereafter be set up. The committees approved were:

- (1) a management committee for Coloured people in the five proclaimed Coloured group areas in the west of Johannesburg (i.e. Bosmont, Coronationville, Western Township, Newclare, Riverlea);
- (2) a consultative committee for Indians at Lenasia (outside the municipal area of Johannesburg);
- (3) a consultative committee for Coloured people at Eersterus, Pretoria;
- (4) a consultative committee for Indian people at Laudium, Pretoria;

⁽³⁾ *Ibid.*

⁽⁴⁾ *Natal Mercury*, 13 September.

⁽⁵⁾ *Report from South Africa*, October.

- (5) a consultative committee for Coloured people at Alabama, Klerksdorp.

The Johannesburg City Council, in considering the application of the system to Coloured areas in Johannesburg, studied a set of suggested regulations framed by the Director of Local Government of the Province, and introduced a number of modifications "to suit the requirements of Coloureds living in the municipal area . . .".⁽⁶⁾ It decided, after discussion, that there should be one committee for all five proclaimed Coloured group areas in the city (Noordgesig is not a proclaimed area) and that it should be a management committee from the outset. It would, however, continue to recognize local residents' associations in various areas, as it had done in the past, but these would not form part of the new system. The Coloured management committee would be set up within a year from September 1963 and would initially consist of 5 appointed members (2 nominated by the Minister, 2 by the Province and 1 by the City Council). Succeeding committees which would hold office for one year would consist of 15 persons (12 elected by the Coloured community and 1 nominee each of the Government, the Province and the City Council). Voters would be persons over 21 years of age owning or occupying property of a certain value. Neither the City Council nor any of its committees would decide on any matter relating to the Coloured community specified in the regulations without first considering the committee's recommendations. Regulations giving effect to the above have been approved by the City Council and forwarded to the Province for ratification, but at the time of writing in November had not yet been promulgated.

Information concerning the implementation of the system in other areas of the Transvaal is not at present available, with the exception of Klerksdorp where it was reported⁽⁷⁾ that the committee for Alabama was to be inaugurated on 15 October.

PRESENT COLOURED MUNICIPAL VOTE

As mentioned in last year's *Survey*,⁽⁸⁾ the Minister said in the Assembly that the rights of Coloured persons who were already registered as municipal voters at the date when a management committee was established would not be affected so long as they retained their qualifications but that the expansion of Coloured and Asian municipal franchise rights would have to be limited to their own group areas.

Non-white candidates fared unexpectedly well in the municipal elections in Cape Town and Paarl in September. There are now 7 Non-White members of the Cape Town City Council compared with 6 on the previous council, the highest number of Non-White

⁽⁶⁾ *Rand Daily Mail*, 18 September.

⁽⁷⁾ *Star*, 4 October.

⁽⁸⁾ Page 123.

councillors in Cape Town's history.⁽⁹⁾ In Paarl, the 2 Non-White candidates were defeated but they polled more votes than had been expected and it was believed that a number of White citizens voted for the Non-White candidates.⁽¹⁰⁾

No new Coloured municipal voters have been able to register in Natal since the Separate Representation of Voters Act came into force in May 1956 because the relevant provincial ordinance provides that all municipal voters must be either registered as Parliamentary voters or entitled to be so registered.

⁽⁹⁾ *Sunday Times*, 8 September.

⁽¹⁰⁾ *Ibid.*

INDIAN AFFAIRS

DEPARTMENT OF INDIAN AFFAIRS

As described in previous issues of the *Survey*,⁽¹⁾ the Department of Indian Affairs was created in 1961. The Minister of Indian Affairs, Mr. W. A. Maree, outlined in the Assembly in May⁽²⁾ some of the main functions of the Department, which was created for the promotion of the interests and the provision of the needs of the Indian community. The Department administered a number of laws specially affecting the Indian community including those relating to immigration, inter-provincial movement, poor relief, registration of births, marriages and deaths, etc.

As from 1 April 1963 the Department had taken over the control and administration of the University College for Indians in Durban; the M. L. Sultan Technical College in Durban with branches in Pietermaritzburg and Stanger; and in terms of the provisions of the Special Education Act No. 9/1948, the administration of the Arthur Blaxall School for the Blind in Durban.

(As mentioned elsewhere,⁽³⁾ the Minister stated in February that his Department had at present no intention of taking over Indian education from the provinces. It had merely taken over from the Department of Education, Arts and Science those institutions for higher education which the latter Department previously controlled. He later expressed⁽⁴⁾ himself as personally in favour of the transfer of Indian education from the provinces to the Central Government.)

All passports and travel documents for Indians were now issued by his Department by virtue of powers delegated by the Department of the Interior, the Minister said. As from 1 April welfare services and pensions for Indians were transferred to the Department of Indian Affairs, including all types of social pensions, poor relief, old aged homes, welfare subsidies, etc. The Minister also listed a number of commissions, committees and boards on which the Department was represented and with which it maintained liaison.

In a debate⁽⁵⁾ on the previous day, the Minister had emphasised "that it is not my function and the function of my Department to lay down policy in respect of the Group Areas Act, nor is it our function to determine the policy in respect of job reservation. My

(1) 1961, page 142; 1962, page 120.

(2) Assembly, 21 May, Hansard 17 cols. 6419 *et seq.*

(3) See chapter on Education.

(4) Assembly, 20 May, Hansard 17 col. 6393.

(5) Col. 6376.

Department is simply the link through which the Indians can make representations to those Departments".

The staff of the Department on 1 April was 120 Whites and 52 Indians, plus a number of persons seconded from the Department of Social Welfare.

PROPOSED INDIAN AFFAIRS COUNCIL

An important change in Government policy concerning Indians was described in last year's *Survey*⁽⁶⁾ when the Minister of Indian Affairs announced that as the repatriation scheme had failed, the Government had no alternative but to regard Indians as permanent inhabitants of the Republic.

As also stated in previous *Surveys*⁽⁷⁾ the Government hopes to set up a central consultative council representing different interest groups among the Indian community which would gradually take over from the Department of Indian Affairs responsibility for certain matters. Spokesmen for the Government have explained that policy in this respect is the same as that for the Coloured community, but have repeatedly stated that Indians will never be granted representation in the central Parliament. This was confirmed by the Minister of Indian Affairs⁽⁸⁾ in May when he stated categorically that "political rights of Indians will be limited to self-government within their own community but there it will end". He explained that the Coloured community was different in that it had previously enjoyed parliamentary representation, and would therefore not now "be deprived of it". Indians, on the other hand, had in the past been offered representation on the same basis as the present representation of Coloureds but had rejected it, so that it would be useless to offer it to them again.

In a speech in May,⁽⁹⁾ the Minister emphasised that it was considered essential that the proposed Council should be representative of all the various interests in the Indian population. For this reason the Government was not being "overhasty" in constituting such a body because it was necessary first of all to make contact with the various sections of the community and to build up goodwill. Previous contacts made had produced "very excellent results" and there was a "growing goodwill" on the part of the Indian community.

The proposed consultative committee has been the subject (*inter alia*) of discussions between certain members of the Indian community and the Government which are described below.

NEGOTIATIONS BETWEEN THE GOVERNMENT AND INDIAN LEADERS

A 12-man deputation of Indians led by Mr. H. E. Joosub of the Pretoria Traders' Association met the Minister of Indian Affairs

(6) Page 120.

(7) 1961, page 141; 1962, page 121.

(8) Assembly, 21 May, Hansard 17 col. 6434.

(9) *Ibid.*, col. 6379.

in Pretoria in May. The Minister was reported⁽¹⁰⁾ to have made various promises to the deputation, as a result of which it was expected that certain concessions would be made including: (a) the setting up of a permanent interdepartmental committee representing the Department of Indian Affairs and the Department of Community Development to hear complaints resulting from the implementation of the Group Areas Act (the deputation had asked for an impartial committee of enquiry); (b) the easing of Group Areas legislation so that Indians whose homes were moved would not necessarily have to give up businesses in White areas; (c) in pursuance of this, 40 Indian traders in the western areas of Johannesburg who had been given notice to move by 30 April would not be prosecuted if their efforts to do so failed although they were expected to move to other suitable areas as soon as possible; (d) representations would be made to exempt Indians in certain trades (e.g. catering), from job reservation restrictions; (e) similar representations would be made regarding the lifting of certain apprenticeship restrictions.

The leader of the deputation is reported to have said afterwards that Indians would have to accept the fact of separate development, no matter how hard it might be. No outsiders could help and the Indian people did not ask for intervention.

The report quoted above also stated that Indian leaders from the Transvaal were now giving "serious consideration" to the establishment of a national consultative body, although it would not necessarily be the type of body proposed by the Government. They believed that a representative body might be formed by expanding Indian commercial organizations to include the different provinces and the various interest groups.

The following week the Minister stated⁽¹¹⁾ that the outcome of the discussions had been completely misrepresented in the report quoted above. The only decision taken was to set up a two-man committee consisting of a representative of his own Department and one from the Department of Community Development. This committee would determine the facts for the information of the Ministers of the two Departments only where there appeared to be bona fide cases of hardship resulting from the application of the Group Areas Act, and only where the information of the Department of Community Development was different from that furnished by the Indians concerned, as happened frequently. He had made it clear that Government policy was inflexible and that all Indian traders would ultimately have to move from White areas. Whilst his Department provided liaison between Indians and other Departments, it was not its function to try to persuade other Departments to abandon their policy or to apply a different policy.

⁽¹⁰⁾ *Sunday Times*, 19 May.

⁽¹¹⁾ Hansard 17 *op. cit.* cols. 6363 *et seq.*

Despite the Minister's denials, the leader of the deputation of Indians claimed⁽¹²⁾ that the Press report concerning the Minister's undertakings was an accurate one.

In August, a group of 15 Indian leaders from different parts of the country met the Prime Minister during his visit to Durban when they were reported⁽¹³⁾ to have asked him to convene a meeting between members of the Cabinet and a representative group of Indians to discuss the problems facing the community. In rejecting the request, the Prime Minister instead appealed to the delegation to co-operate with the Government in the establishment of a national council which would be a "channel for continuous consultation"⁽¹⁴⁾.

This meeting was reported to have been a cordial one, and there was said to be some indication that certain Indian leaders might be prepared to lend support to the proposed consultative council.

Since this meeting, additional Group Areas have been proclaimed⁽¹⁵⁾ in Durban and elsewhere which will result in the further large-scale displacement of the Indian community. This has caused widespread dissatisfaction and opposition to the Government's policy in relation to Indians.

INDIAN LAWS AMENDMENT ACT, No. 68 of 1963

The Indian Laws Amendment Act (No. 68 of 1963) will come into operation at the beginning of 1964, and will remove some of the special legal disabilities attaching to the Indian community which were the subject of Institute representations to the Government outlined in last year's *Survey*.⁽¹⁶⁾ Other legal disabilities of Indians which have not been removed will be described in the section which follows.

Until the new Act was passed there were special and highly complicated laws, many applying only in Natal, relating to marriage and to the registration of births and deaths of Indians, which have given rise to considerable hardship, confusion, litigation and anomaly. Certain laws applied to so-called "Indian immigrants" and other laws to "passenger Indians". ("Indian immigrants" is the term used by laws to describe those Indians who were originally brought out as indentured labourers under various assisted schemes, and "passenger Indians" are those who came from India independently at their own expense. The laws also applied to their descendants.)

For instance, under one law dating back to 1891, certain marriages between "immigrant" and "passenger" Indians could be

⁽¹²⁾ *Sunday Times*, 25 May.

⁽¹³⁾ *Rand Daily Mail*, 28 August.

⁽¹⁴⁾ *Natal Witness*, 11 September.

⁽¹⁵⁾ See page 174.

⁽¹⁶⁾ Page 128.

declared invalid. This gave rise to an enormous amount of litigation involving the property rights of wives and children, and other laws permitting validation in certain circumstances complicated the position still further, so that in some cases it became virtually impossible to decide whether many Indian marriages were valid or not.

The effect of the new Act is that the same laws relating to births, marriages and deaths will in future apply to all Indians, irrespective of whether they are "immigrants" or "passengers". In future, so far as marriages are concerned, all Indians will be permitted to make use either of the provisions of the Marriage Act No. 25 of 1961 which applies to all race groups in the country, or of the Indian Relief Act No. 22 of 1914 which previously only applied to "passenger" Indians. The Act also contains provisions to validate hitherto legally defective marriages in certain instances.

Where they so desire, Indians will (as in the past) still be able to contract unions in accordance with the rites and formalities of their own particular religions. Such unions will, however, from 1 January 1964 become legally valid only from the date on which they are registered. ("Passenger" Indians previously had the right to register retrospective marriages but Indian "immigrants" did not. In future, no Indian marriage can be registered retrospectively.)

In future, Magistrate's Courts will no longer have any jurisdiction in suits for divorce or nullity of certain Indian marriages, and such cases may only be heard by the Supreme Court, as is the case with other races with the exception of Africans. Special provisions relating to adultery, seduction and abduction are repealed and in future the ordinary criminal law of the land will apply in such cases.

Provisions of other Acts applying only in the Transvaal are also repealed, e.g. those providing for the registration of Asian youths between the ages of 8 and 16 years.

A clause in the Indian Relief Act has been retained enabling the Government to pay a small repatriation grant to Indians entitled to a free passage to India. Members of the Opposition asked for this to be deleted, but the Minister, while agreeing that Indians were regarded as a permanent part of the population and that repatriation was no solution, said⁽¹⁷⁾ that this clause would be retained for the benefit of old people who wished to return to live with relatives.

INDIAN DISABILITIES

As described in last year's *Survey*, the Institute in 1962 made representations to the Government urging that a number of legal disabilities applying to the Indian community should be removed.

⁽¹⁷⁾ Assembly, 19 June, Hansard 21 col. 8272.

The Indian Laws Amendment Act described above has removed some of these, but others still remain, including:

- (a) restrictions on the inter-provincial movement of Indians;
- (b) the inability of Indians to adopt surnames;
- (c) prohibition on bringing wives into South Africa or bringing in children born outside the Republic;
- (d) the fact that Indians born in the Native States of India and domiciled in South Africa are neither South African citizens nor citizens of India and are therefore "stateless";
- (e) the payment of pensions and grants to Indians in the magisterial district of Durban at a central office and not through post offices, resulting in hardship, expense and inconvenience.

These and other matters are dealt with more fully in an Institute memorandum on "Legislation Relating to Indians"⁽¹⁾ and in previous issues of this *Survey*.

The Minister of Indian Affairs was reported to have said⁽²⁾ in January that while he had received no representations to allow unemployed Indian waiters in Natal to seek work in other provinces, his Department had given quite a number of Indians permission to move to other areas of the country. He said that this was not a change in policy but was perhaps a "more humane application of the existing Acts". He added "I think it better in the long run to try to create possibilities of employment in areas where they (Indians) are settled than to move them around the country".

A survey of the training, employment and distribution of hotel employees published later in the year by the School of Catering Services of the M. L. Sultan Technical College in Durban recommended that there should be opportunities for the freer movement of qualified catering personnel throughout the country. Restrictions on the movement of Indians aggravated the staff shortage in various parts of the country.

In May, it was reported that 9 Indian waiters and chefs from Durban were the first batch of Indian workers in Natal to be granted one-year employment permits to live and work in the Transvaal. Hitherto, Natal Indians working in the Cape and the Transvaal were given permits renewable every three months which necessitated their travelling to Durban. A spokesman for the M. L. Sultan College described this as a progressive step and said that the utilization of trained Indian staff would have a beneficial effect on the catering industry.

⁽¹⁾ R.R. 146/62.

⁽²⁾ *Natal Daily News*, 9 January.

GROUP AREAS AND HOUSING

LEGISLATION

REMOVAL OF RESTRICTIONS IN TOWNSHIPS AMENDMENT ACT, No. 32 of 1963

This Act widened the powers of the State and of provincial and local authorities to have any restrictive conditions on land (e.g. prohibiting occupation by Non-Whites) removed in cases where the authorities require the land for public purposes.

SLUMS AMENDMENT ACT, No. 55 of 1963

The Slums Amendment Act increased the powers of the Government to ensure that the duties of local authorities under the Slum Clearance Act are carried out.

HOUSING LOAN SCHEMES

LOAN FUNDS

The Minister of Community Development and Housing announced that as from 1 July 1963 there were to be certain changes in the conditions relating to housing loan schemes.⁽¹⁾

Sub-economic schemes

Sub-economic housing schemes are erected by the Department of Housing, or, with the aid of State loans, by local authorities, for the poorer White, Coloured, and Asian families (but no longer for Africans). The income limits qualifying families to rent such houses have been raised, as follows:

<i>Maximum monthly family income</i>	<i>Until 30 June 1963</i>		<i>From 1 July 1963</i>
	<i>Areas where wages in the building industry are controlled</i>	<i>Other areas</i>	<i>All areas</i>
Whites	R60	R50	R80
Coloured	R40	R33	R50
Asians	R40	R33	R50

The Minister said that families with incomes below these figures are already experiencing want, and the rent payable must

⁽¹⁾ Assembly, 7 June, Hansard 19 cols. 7521-4; 18 June, Hansard 21 col. 8122; also Departmental Circular No. 86/63 of 25 March and statement by Secretary for Housing, *Rand Daily Mail*, 22 June.

make the smallest possible inroad on their earnings. If it is necessary to do away with non-essentials such as bathrooms, handbasins, ceilings and wooden floors, this is preferable to increasing their rent. For the very poorest families two-roomed dwellings are provided as a basic unit.

The State makes loan funds available at $\frac{3}{4}$ per cent interest, repayable over 40 years, and itself carries an interest loss of $4\frac{1}{2}$ per cent. This makes it possible for the monthly interest and redemption payments on a loan of R500 to be as low as R1.97.

Unfortunately, the Minister continued, most local authorities charge full economic consumer tariffs for water, electricity, and other municipal services, and in many cases these charges amount to more than the basic rent. He appealed to local authorities to reconsider their policies in this regard.

Economic schemes

Economic housing schemes are being provided for families whose incomes do not exceed R180 a month. The maximum loan is R4,500 per dwelling in areas where wages in the building industry are controlled, otherwise R4,300, and the amortization period is 30 years.

If the dwellings are let, rentals are determined in such a manner that they cover the actual costs of erection plus interest at economic rates: local authorities must make no profit. People who want to buy the houses must make a cash deposit of 5 per cent of the cost of the dwelling concerned or R200—which ever is the lesser—and repay the balance in equal monthly instalments over 30 years.

Individual loan schemes

People who want to erect a home which will not cost more than R5,000 may apply for individual loans. They must make a cash contribution of at least 10 per cent of the cost of the land and proposed dwelling. The maximum loan is R4,500, to be repaid over 30 years at about R26 a month, which includes capital redemption and interest.

Housing Schemes for Africans

The Minister of Bantu Administration and Development gave the information that follows relating to housing schemes for Africans.⁽²⁾ The costs mentioned include the provision of services, he said: in some cases these are installed before the dwellings are built. This is the reason for the high costs at this stage of housing in villages in the Reserves.

Sub-economic schemes for Africans were discontinued after it

(2) Assembly, 11 June, Hansard 20 col. 7623; 18 June, Hansard 21 col. 8527.

proved possible to reduce building costs, he continued. The few such dwellings built in recent years represent the completion of schemes approved before this decision was made.

The upper income limits for African families who qualify to pay sub-economic rentals remain R30 in areas where wages in the building industry are controlled, and elsewhere R25. (The Johannesburg Municipality has fixed the limit at R40, and meets, from its own budget, the difference between amounts received in rent and sums due to the State in interest and capital redemption.) Africans who have family incomes of more than the amounts quoted, if permitted to live in sub-economic dwellings, pay increased rents on a sliding scale.⁽¹⁾ Those living in economic housing schemes pay amounts which, over a period of 30 years, cover the costs of erection of the dwellings, plus interest at economic rates, plus part of the costs of services provided.

The housing units provided for Africans during the past two years, and the costs, are:

	<i>Year</i>	<i>No. of units</i>	<i>Costs</i>
Economic schemes			
Towns	1961-62	26,051	R9,688,145
	1962-63	18,389	R8,843,648
Reserves	1961-62	9,506	R6,268,003
	1962-63	5,808	R5,331,032
Sub-economic schemes			
Towns	1961-62	101	R 410,741
	1962-63	148	R 163,501

GROUP AREAS FOR WHITES, COLOURED, AND ASIANS

JOHANNESBURG

Coloured

During the year under review two comparatively small new Coloured group areas have been proclaimed in Johannesburg. The first is a piece of land between Newlands and the old Western Native Township—this represents a consolidation of the Coloured suburbs in the west of the municipal area. Secondly, Nancefield, an area adjoining Klipriviersoog Estate, and Moonshville have been allocated to Coloured. These are fairly near to the Indian area of Lenasia and the large African area of Soweto, to the south-west of Johannesburg. In 1957 they were zoned for Whites; but

(1) See 1958-59 *Survey*, page 190.

according to a Press report⁽⁴⁾ some of the White owners subsequently urged that the areas be re-proclaimed to enable them to obtain compensation and move elsewhere. According to the Minister of Community Development⁽⁵⁾ and various Press reports, in May 1963 Whites owned 972 properties at Nancefield, of which 290 were unimproved. By then 213 houses were still occupied by Whites; about 30 White families had moved away; and 35 Coloured families were living in the area, 26 of them having moved in since the proclamation in January.

The Department of Community Development is to build 1,973 economic and 3,300 sub-economic dwellings for Coloured at Moonshville,⁽⁶⁾ and is continuing to develop the township of Bosmont, to the west of the main Coloured complex in the west of the municipal area. The Johannesburg City Council is developing the township of Riverlea, where sub-economic as well as economic houses will be available, is replanning Newclare, and intends replanning Western Native Township, nearby: the dwellings in this township, previously occupied by Africans, are at present being used to shelter Coloured families from the worst of the slums and families evicted from other areas.

The Department of Community Development estimated⁽⁷⁾ that in December 1962 there were possibly 9,000 Coloured families who would have to move from parts of the city that had been zoned for Whites. Many hundreds more are very inadequately housed in slums; and about 1,400 families may eventually have to leave Noordgesig and Protea, which are likely to become African areas. Even when fully developed the existing Coloured group areas will be inadequate in size to accommodate all these people.

It is reported⁽⁸⁾ that, by mid-1963, Coloured people were R21,000 in arrear with rentals. Like the Africans and Indians in Johannesburg and other towns the Coloured community is on the whole a poor one, and many families cannot afford to pay the rents charged in new housing schemes.

Indians

The Johannesburg City Council has made repeated representations to the Government for the proclamation of an Indian group area within the municipal boundaries; but the Minister of Community Development has made it clear that Lenasia, between 19 and 22 miles from the centre of the city, will be the only area to be allocated to Johannesburg Indians. He intimated, in August,⁽⁹⁾ that

⁽⁴⁾ *Rand Daily Mail*, 26 January.

⁽⁵⁾ Assembly, 25 May, Hansard 19 cols. 6758-9.

⁽⁶⁾ Departmental Report for period 1 August 1961 to 31 December 1962, R.P. 40/1963.

⁽⁷⁾ *Ibid.*

⁽⁸⁾ *Rand Daily Mail*, 1 July.

⁽⁹⁾ *Rand Daily Mail*, 15 August.

any further proposals on a matter which had been finally decided would be of no avail.

Indians are being permitted to retain trading rights in parts of Fordsburg, Burgersdorp, and Newtown, in the extreme southwest of the business area of the city; but this area is entirely inadequate in size to accommodate traders displaced from other parts of Johannesburg.

The plight of traders in Martindale illustrates the difficulties Indians have experienced. According to a memorandum issued by the Transvaal Indian Congress in February, there were 70 Indian traders in this suburb in 1956, with more than 500 persons dependent on them. Many had been there for more than 40 years. Then the area became a White group area and eviction notices were served on the Indians. Between April 1962 and February 1963, 31 traders left (others were given temporary periods of grace). Of the 31, only 7 had found other trading premises at the end of this period. Eleven were still unemployed, one had died, and the rest were working as shop assistants or in whatever other jobs they could find. Congress estimates that these people had lost R165,000 on sales of properties, stock, and fittings, and on goodwill.

A major blow to Indians in May 1963 was the proclamation of Pageview for Whites. This area, which is in the south of Vrededorp and separated from Fordsburg by the main railway line, was set aside for Non-Whites in 1902 and since then has been one of the main Indian trading areas. Both Houses of Parliament passed resolutions in 1941 granting freehold rights there to Non-Whites. In 1963 there were 4,119 Indians, 59 Chinese, and 1,346 Coloured living in Pageview,⁽¹⁰⁾ many of them (particularly the Coloured) in slum conditions, but others occupying modern, costly houses and shops. There were 177 businesses, supporting about 2,500 people, and dependent on White customers for 90 per cent of their trade. Of the 352 stands, nearly all owned by Indians, 328 were occupied on a leasehold basis.⁽¹¹⁾ The position of owners is to some extent safeguarded through the machinery of the Group Areas Development Act; but that of Indians who have erected shops and houses on leasehold stands gives cause for much concern. Eviction notices may legally be served from May 1964, giving 3 months' notice in respect of residential premises and 12 months' notice in respect of premises used for trade.

About 500 Indian families in other suburbs zoned for Whites, for example Turffontein, Forest Hill, Ferreirastown, La Rochelle, Jeppe, and Bertrams, were during 1963 given 3 months' notice to leave their homes in these areas. Trading rights were, in most cases, not affected for the time being. In many cases the period of notice expired at the beginning of October. A few weeks later

⁽¹⁰⁾ Minister of Community Development, Assembly 7 June, Hansard 19 col. 7512.

⁽¹¹⁾ *Sunday Times*, 2 June.

White landlords of Indian-occupied premises in these suburbs were served with notices warning them that if they allowed disqualified persons to occupy residential accommodation they would be guilty of an offence, and liable on conviction to penalties not exceeding a fine of R400, or 2 years' imprisonment, or both.

The township of Lenasia has been described in previous issues of this *Survey*.⁽¹²⁾ There are still no street lights there, only two tarred and graded roads, no water-borne sewerage, no hospitals or clinics, and no recreational facilities except at the schools. Police protection is inadequate. A post office and telephone exchange have now been provided, but there is no door-to-door delivery of mail.

Some Indians have built expensive, modern homes in the freehold area, and the Department of Community Development is continuing to erect economic, sub-economic, and "row" houses—the last-mentioned being designed for the very poorest people. Indians may buy the economic houses on the terms described earlier in this chapter.

Rents are about R1-85 a month in the "row" houses, R5-11 in the sub-economic, and R13-40 to R16 in the economic—they vary according to whether the dwelling has a bathroom, or merely a shower, or running water in the kitchen only. On top of this there are charges for light and water, which may average R5 a month, and workers must pay for transport into town. The return train fare is 41 cents a day, R1-39 a week, or R5-75 for a monthly ticket.

Many of the wage-earners at Lenasia are waiters, who earn about R30 a month plus tips which may average R10 to R12 a month. Such an income disqualifies them from occupying sub-economic dwellings. If there is more than one wage-earner per family there may be no undue financial embarrassment; but if not a man earning an average of R42 may have to pay R27 a month in rent, light, water, and transport, leaving very little over for clothes and food for his family. At times of illness or temporary unemployment difficulties are accentuated.

In consequence large numbers of families are in arrear with their rents and some of them have been evicted. In such cases they are accommodated in the "row" houses until the back-payments have been met; but meanwhile large families may have to be accommodated in two small rooms, with no space for their furniture.

Many people are unemployed, and some of them find it impossible to raise the 41 cents needed for train fare to go to the Labour Department's offices in town. Repeated visits may be necessary because of the lack of adequate employment opportunities.

Waiters travelling by train have a long walk through unlighted streets to their homes. They may return as late as 1.15 a.m. and then have to leave again early in the morning.

(12) e.g. 1962 *Survey*, page 141.

Much resentment has been caused by the announcement that the Indian High School in Johannesburg is to be closed at the end of 1963. All Indian children living in Fordsburg, Newtown, or other suburbs of Johannesburg who wish to attend a high school will, from 1964, have to travel some 40 miles daily to and from Lenasia.

EAST RAND

As was mentioned in last year's *Survey*,⁽¹³⁾ a group area for the Coloured people of the East Rand is to be developed on the south-west outskirts of Boksburg, and one for Indians to the south of Benoni. These people will take over areas that were in part formerly occupied by Africans who are being moved to new townships further to the south.

According to estimates based on 1960 census figures, about 13,500 Coloured and 7,500 Indians will be required to move as this plan is put into operation.

During 1962 and 1963 most of the East Rand towns, except for the parts described above and certain industrial townships, were proclaimed areas for White ownership and occupation. Such proclamations were issued in 1963 in respect of Germiston, Boksburg, Brakpan, Alberton, and Elsburg in the Germiston area.

Indians are reported⁽¹⁴⁾ to claim that the fathers or grandfathers of some of the present generation settled in the Germiston area before gold was discovered or the town was founded. The community has been moved twice previously, and on the second occasion was promised security of tenure. There are about 65 Indian traders in the town, with stock, book-debts, and goodwill valued at R603,000. Improvements made by Indians on leased land (including homes, shops, schools, and mosques) are said to be worth R64,000.

WEST RAND

A somewhat similar plan is being put into operation on the West Rand. An Indian group area has been proclaimed on undeveloped land to the south-east of Randfontein, and a Coloured group area on the outskirts of Roodepoort. For the rest, the West Rand towns are to be White areas: Africans are being moved from older townships to new ones further to the south: these may, in time, link up with the Johannesburg townships constituting Soweto.

Three temporary concessions are made. The Coloured area of Madubaville, just outside Randfontein, and the Indian residential area of "Lappies" in Roodepoort, are left as "controlled" areas for the time being, in which inter-racial changes in ownership and

(13) Pages 144 and 242.

(14) *Rand Daily Mail*, 12 June.

occupation are subject to permit. The residents will, thus, not have to move out for the time being.

Indians may be allowed to continue trading for a considerable time in two blocks near the Town Hall in Krugersdorp.

PRETORIA

The group areas proclamation for Pretoria was described in the 1957-58 issue of this *Survey*.⁽¹⁵⁾

Indian merchants operating small businesses in suburbs of Pretoria are gradually being given notice to move their living quarters to the Indian group area of Laudium. Some of them have pointed out⁽¹⁶⁾ that this involves paying rent for two properties (the shop, which includes living quarters which will be left vacant, and the new home), and also paying for transport and night-watchmen. Their businesses cannot stand these additional expenses, they maintain.

Mr. Nana Sita's defiance of a removal order is described later in this chapter.

OTHER TRANSVAAL TOWNS

A group area between one and two miles out of town was proclaimed in 1957 for the 40 Indian families (217 persons) of **Nylstroom**. The Indians contested orders to move and were given permits to remain until mid-1963. Meanwhile the Town Council built 15 houses and 10 shops in the Indian group area, and announced that those who could not be accommodated in these could obtain plots to build for themselves.

The Indians were dismayed. They stated that the estimated market value of their properties was R300,000, and the value of stocks, fittings, and goodwill of their businesses about R382,000. Eventually they agreed to move their homes if they were allowed to continue trading in town. The Department of Community Development announced that it would investigate the trading aspect of the matter. In September 1963 the Group Areas Board expropriated 3 centrally situated Indian properties on which 8 shops are situated, these traders supporting 36 employees and 69 dependants:⁽¹⁷⁾ it has not been announced whether or not the businesses will have to be moved.

Group areas were proclaimed in **Coligny** in the Western Transvaal in 1960, the Indian area being about a mile out of town, between the White and the African areas. The Town Council decided at the end of 1962 to build houses and shops in the new area for all the Indian residents: it invited the Indians to help plan these, but they refused.

⁽¹⁵⁾ Page 105.

⁽¹⁶⁾ e.g. *Rand Daily Mail*, 5 December 1962.

⁽¹⁷⁾ *Rand Daily Mail*, 2 July and 25 September.

There are about 400 Indians in **Nelspruit**—in most cases their families were pioneers in the area. They own several profitable businesses; one of them is among the largest and best equipped shops in the town. Group areas were proclaimed in April 1963, the Indian area being to the north of the main railway line (the town is situated to the south). If the shops were moved there trade would undoubtedly suffer.

It was announced by the Department of Community Development in May⁽¹⁸⁾ that "the emphasis will for the time being and as a transition stage be on the separation of residential areas. The Indian trade will, however, in the course of time also have to move".

Group areas for Whites, Coloured, and Indians were proclaimed for **Zeerust** in February 1963. Certain parts of the town were left as controlled areas. The Indian zone includes an area where many of them already live; but the future is insecure for about 12 merchants with stores in the main trading streets.

Other new proclamations are for Whites and Indians at **Potgietersrus**, for Whites, Indians and Coloured at **Bethal**, and for Whites and Indians at **Heidelberg**. In each case the Indians will have to move a mile or more outside town. There are about 30 Coloured families living in the old African township of Heidelberg, many of them unemployed. They have been warned that there is to be no group area for them, they will eventually have to leave the town, and meanwhile they would be well advised to seek employment elsewhere.⁽¹⁹⁾

The whole of the small town of **Ottoshoop** has been proclaimed White, with no provision for the Indians, who own 3 of the 4 shops there.

Group areas for Whites, Indians, and Coloured have been proclaimed in **Barberton**, but this proclamation merely confirms the existing residential and trading pattern.

When a committee of the Group Areas Board visited **Belfast**, **Machadodorp**, and **Dullstroom**, early in 1963, the local authorities urged that a regional group area for Indians be established to serve a number of towns. No decision has been announced.

It was stated in last year's *Survey*⁽²⁰⁾ that the Group Areas Development Board had decided to expropriate certain Indian-owned stands in **Piet Retief**, on one of which the mosque is situated. After the Indians had protested the Secretary for Indian Affairs intimated that they could retain the erf on which the mosque stands.

CAPE TOWN

Proclamations issued in 1957, 1958, and 1961, which established the broad outlines of group areas for Cape Town,⁽²¹⁾ involved

⁽¹⁸⁾ *Rand Daily Mail*, 7 May.

⁽¹⁹⁾ *Ibid.*, 28 February.

⁽²⁰⁾ Page 145.

⁽²¹⁾ See 1961 *Survey*, page 166.

the removal of about 7,500 Whites, 94,200 Coloured, and 4,700 Asians. Several highly controversial areas, notably District Six, were left unzoned, however.

During the past year one of these gaps has been filled: Epping Garden Village has been declared a White group area. It is already occupied exclusively by Whites, but, in terms of the apparent overall plan, should logically have been allocated to Coloured.

PORT ELIZABETH

Some of the gaps in the plan for Port Elizabeth,⁽²²⁾ too, have been filled. The racially mixed areas of Algoa Park and South End have both been allocated to Whites. Indians, Malays, and Coloured people are particularly hard-hit by the decision in regard to South End: according to a Press report⁽²³⁾ there may be more than 6,500 of them who will have to move from this suburb where, in 1956, they owned about 59 per cent of the properties, including many shops lining the main roads. They have built numbers of schools, churches, temples, mosques, and halls in the area.

Several large meetings of people of all races protested against the Government's decision.

OTHER TOWNS IN THE CAPE

Group areas for White and Coloured have been proclaimed in **Riversdale**, **Plettenberg Bay**, **Colesberg**, **Warrenton**, **Knysna**, and **Porterville**. It appears that in some instances the proclamations in the main confirm an existing pattern, but that in other towns all the Coloured residents will have to move: this is the case, for example, at Plettenberg Bay. **Gordons Bay** has been declared an all-White area. A Coloured group area has been set aside at **Hawston**, and a White group area at **Somerset West**.

Areas in **Richmond** and **Blanco** which were originally zoned for Whites have been re-proclaimed as Coloured areas.

Group areas for Whites, Indians, and Coloured have been demarcated in **Mafeking**: according to Press reports no large-scale population movements will be involved.

DURBAN

Group areas

Previous group areas proclamations for Durban were described in earlier issues of this *Survey*.⁽²⁴⁾ They indicated the general pattern for the city; but certain controversial areas, including the central business area, were left unzoned. Cato Manor, further inland, was allocated to Whites in 1958, but following representations by the City Council the Government decided to reconsider this plan.

⁽²²⁾ See 1961 *Survey*, page 170.

⁽²³⁾ *Star*, 21 June.

⁽²⁴⁾ e.g. 1961 page 175; 1962 page 147.

A proclamation⁽²⁵⁾ issued on 4 October 1963 dealt with Cato Manor and with many (but not all) of the areas that had previously not been zoned.

The general picture that emerges is that the entire central area of the city, except for industrial areas and portions still left as controlled areas, is to be allocated to Whites. They will occupy the region bounded on the east by the coastline from Durban North, past the Bay, to Brighton Beach on the Bluff, and stretching inland from there. There will be large Indian zones to the north and the south with Coloured group areas adjoining them, and the African areas will be still further out to the north and south respectively.

The October proclamation dealt four major blows to the Indian community.

- (a) It is finally decided that Cato Manor, where about 40,000 Indians live, is to be a White area. These Indians have invested very substantial sums there in houses, shops, schools, factories, temples, mosques, a cemetery, a modern crematorium, a cinema, and recreation grounds. Much of the area has been occupied by Indians for some 80 years.
- (b) The cosmopolitan Greyville area (known as Block A/K), is also allocated to Whites. More than 5,000 Indian families are reported to live there, owning about 98 per cent of the properties. The municipal valuation of the Indian owned properties exceeds R2,500,000.⁽²⁶⁾
- (c) An area to the south-west of the municipal market, where some 2,500 Indian families live and own large numbers of shops, is included in the White area.
- (d) Large parts of the main commercial part of the city are zoned for Whites. Included are three small areas at the far end of Pine and West Streets and along Albert Road where a high proportion of the Indian merchants have their businesses. The City Council had recommended that they should retain these blocks. The municipal valuation of their properties is said⁽²⁷⁾ to be just under R1,000,000; but, because of the limited property market available to Indians, many people paid perhaps three times the municipal valuation when properties changed hands in these areas.

There was a major blow for Whites, too. The all-White seaside resort of Isipingo Beach, to the south of Durban, was proclaimed an Indian group area. About 1,800 Whites live there, including many retired people who have invested their life savings in homes. There is a holiday home for the aged in Isipingo, and a new swimming pool and shopping centre have recently been constructed.

⁽²⁵⁾ No. 272.

⁽²⁶⁾ *Natal Mercury*, 5 October.

⁽²⁷⁾ *Ibid.*, 25 September.

Other provisions of the proclamation had the effect of consolidating and enlarging the previously-proclaimed Indian and Coloured group areas.

Some of the predominantly Indian business areas of Durban have for the time being been left as controlled areas. The future of some 30,000 Indians who live in Clairwood is uncertain: this was marked as an industrial area in a map prepared by the Department of Community Development. Included in the part which remains a controlled area is a section of the city where Indian educational institutions such as Sastri College and the M. L. Sultan Technical College, various religious institutions, and numbers of Indian businesses are established. The Acting Secretary for Community Development said in a Press Statement⁽²⁸⁾ that these would be permitted to remain but no further Indian residential development would be allowed. He spoke, too, about the (Non-White) King Edward VIII hospital, which is in an area now proclaimed White. Bona fide patients and non-resident Non-White medical students would not be affected, he said. Resident students could remain under permit until other accommodation was available.

Just before the proclamation was published about 450 Indian families living at Bayhead in the Wentworth area, on the landward side of the Bluff, were served with notices to leave by 31 March 1964 since the Railways Administration, which owns the land, requires this for its own purposes. The majority of the heads of families are market gardeners, and they will find it extremely difficult to make a living elsewhere.⁽²⁹⁾

The Natal Regional Office of the Institute of Race Relations estimates that out of a total Indian population of 231,000 in Durban about 100,000 have been affected by proclamations so far issued. Only some 70,000 are living in areas zoned for Indians. This means that the future of about 61,000 is still unsettled and precarious.

Property values

As has frequently been pointed out by various Indian organizations and by the Institute of Race Relations, group areas proclamations have affected Indians far more gravely than other sections of the population. Firstly, vastly more Indians than Whites are being required to move. Secondly, no compensation is paid to Indian traders for loss of goodwill, and those required to move their businesses will find it difficult to make a living elsewhere.

A third important point is that, despite the machinery of the Group Areas Development Act, the market value of properties rises in areas zoned for Indians, because of the high demand, and falls in previously Non-White areas which are allocated to Whites. This has been illustrated in the Durban area recently.

⁽²⁸⁾ *Ibid.*, 5 October.

⁽²⁹⁾ *Ibid.*, 12 September.

Comparatively high prices are being offered by Indians for White-owned properties at Isipingo Beach. But market values in Cato Manor have fallen disastrously. During August the house of an Indian who had died was offered for sale by the executors. As the Development Board did not exercise its pre-emptive right to buy it, it could be sold only to Whites. The basic value of the house had been fixed at R5,288, its market value was estimated at R7,000, but it fetched only R50. The Development Board is required in such cases to pay 80 per cent of the difference between the selling price and the basic value; but in this instance the estate lost R1,048. The real loss, in terms of the market value, was higher.⁽¹⁰⁾

Protests

Numbers of meetings were held and statements issued to protest against the October proclamation. Press statements were made, for example, by various Indian bodies, White residents of Isipingo, the Institute of Race Relations, and the Black Sash. The Natal Regional Committee of the Institute of Race Relations extended its deepest sympathy to all the Indians and the Whites who had been affected, and called on all people of goodwill to seek appropriate means of expressing their concern.

The Natal Indian Organization wrote to the Prime Minister asking for a judicial commission of inquiry into the effects of the Group Areas Act on Indians in South Africa; and 9 United Party Members of Parliament asked for a judicial commission to investigate all aspects of the administration and implementation of the Act.

The Durban City Council arranged a multi-racial conference to consider the implications of the proclamations.

Housing schemes for Indians

Various housing schemes are in progress to accommodate Indians who will be displaced. The City Council has erected schemes at Springfield-Clare Estate, in the northern Indian zone; and Reservoir Hills, further inland, is being developed by private concerns.

In the southern zone the City Council, with the aid of loan funds, is completing a scheme of about 4,000 dwelling units at Merebank and has commenced a very large scheme for about 20,000 dwellings, many of them sub-economic, at Chatsworth. The Group Areas Development Board is to build a township at Shallcross, inland from Chatsworth. Private companies are laying out townships at Silverglen, Buffelsbosch, and Isipingo.⁽¹¹⁾

⁽¹⁰⁾ *Rand Daily Mail* report, 19 August.

⁽¹¹⁾ From statements by Acting Secretary for Community Development, *Natal Mercury*, 5 October.

OTHER TOWNS IN NATAL

The proclamations for **Pietermaritzburg** have been described in earlier issues of this *Survey*.⁽²²⁾ Briefly, the Coloured and Indian group areas are in the north-east of the city: many members of these groups live there already but about 8,000 persons will have to move from other areas. In October 1963 Mountain Rise was proclaimed an Indian area. This was a logical step in terms of the over-all plan for the city. About 100 White home-owners, a school for Whites, and a Salvation Army boys' home are affected.⁽²³⁾

During the past year group areas for Whites and Indians were proclaimed in **Weenen**, and for Whites, Coloured, and Indians in **Colenso**.

The **Ladysmith** proclamation, gazetted in 1962, involved the eventual removal of all Indian businesses from the main shopping area. The Indians, who hold about half of the trading licences in the town, have, naturally, been most perturbed; but so have the White traders. The latter point out that a general slump in the property market is inevitable if Indian shops have to be vacated and stand empty. Alternatively, if new White businesses are established in the premises, the town will be over-traded.⁽²⁴⁾

ORANGE FREE STATE

During the course of 1963 small Coloured group areas were proclaimed in **Bloemfontein**, **Springfontein**, **Heilbron**, and **Parys**.

REPRESENTATIONS MADE BY INDIANS

In February 1963 the Transvaal Indian Congress issued a memorandum on the effects thus far of the Group Areas Act in the Transvaal. In terms of the figures given more than 78 per cent of the Indians of the Transvaal were liable to eviction in terms of then existing proclamations (and, as is described earlier, there have been numerous further proclamations since).

Congress estimated that the occupational distribution of Transvaal Indians was:⁽²⁵⁾

	<i>Percentage of occupied persons</i>
Traders	40.0
Teachers and other professions	1.9
Hawkers and flower vendors	2.0
Employees in hotels, cinemas, restaurants	8.5
Employees of Indian traders	47.6

(22) 1959-60 page 155; 1961 page 180.

(23) *Sunday Express*, 27 October.

(24) *Natal Mercury*, 10 and 18 September.

(25) Percentages calculated by the writer.

The extent of the dependence of the Indian community on the activities of the Indian traders is clear from these figures. Congress pointed out that few of the traders forced to move could find alternative opportunities in trade, and most other avenues were closed to them. They would lose the goodwill of their businesses and incur very heavy losses on the value of properties, stock, and book debts.

During May a delegation of Indian businessmen led by Mr. H. E. Joosub of Pretoria was granted an interview with the Minister of Indian Affairs to discuss, among other things, the difficulties experienced by Indians under the Group Areas Act.

The Minister said afterwards⁽³⁴⁾ that the Indians had asked for a commission of enquiry into the application of the Act. He could not agree to this; but had undertaken, in consultation with the Minister of Community Development, to arrange for a representative of each department to serve as a fact-finding committee. They would try to determine the facts in cases where Indians indicated bona fide hardship and the data supplied differed from that in the possession of the Department of Community Development. The committee's findings would be for the information only of the two Ministers concerned. He had made it clear, the Minister continued, that all Indians, including traders, would ultimately have to move from proclaimed White group areas.

PASSIVE RESISTANCE

Mr. Nathie

Towards the end of 1962 Mr. S. Nathie, General Secretary of the Transvaal Indian Congress, was sentenced to a year's imprisonment for incitement on having been found guilty of urging a meeting of Indians to resist orders requiring them to move. He was given leave to appeal. Judgment was reserved when the appeal was heard. Severe banning orders were then served on Mr. Nathie.

Mr. Nana Sita

One of the first to defy a removal order was Mr. Nana Sita of Pretoria, a former President of the Congress. For 39 years he had lived and traded in Hercules, a suburb to the west of Pretoria, occupying premises used as his home as well as his shop. He was ordered to vacate the residential premises and move to the Indian group area of Laudium.

Mr. Sita follows Gandhi's philosophy of *Satyagraha*: he decided to disobey the order and face court proceedings; to put up no plea in mitigation of sentence, in spite of age and ill health;

⁽³⁴⁾ Statement issued by the Department of Information on 8 May, Circular 141/63 (K).

and to plead for the most severe sentence that the magistrate was empowered to impose.

In December he was fined R100 or 3 months, and accepted the prison sentence. On his release after 2 months he returned to his home in Hercules, and a few weeks later was again charged with illegal occupation of premises in a White group area. In April he was sentenced to R100 or 6 months', and again chose the gaol sentence as a protest against the Act.

Members of Mr. Sita's family, who live with him in Hercules, appeared in court in April on similar charges. His son, Mr. P. N. Bhoolia, was sentenced to R50 or 50 days, plus 2 months' imprisonment suspended on condition that he vacated the premises before 8 June. He lodged an appeal on the ground that the Pretoria group areas proclamation was *ultra vires*, was granted bail, and the other members of the family were remanded — these are Mr. Sita's wife, daughter-in-law, and three daughters.

Indians of Ventersdorp

Group Areas were proclaimed in Ventersdorp (Western Transvaal) in 1959. The entire town was proclaimed White, and Moosa Park, a strip of land just over 1½ miles out, between a railway line and provincial road, was demarcated as a group area for the town's eleven Indian families. The nearest habitation to this group area was ¼ mile away.

Indians had lived in Ventersdorp for a very long time: the first Indian trader settled there in 1888. They decided to disregard the proclamation.

In 1962 the Town Council built four houses in Moosa Park and then four Indians were ordered to move there with their families — Dr. M. S. Motara, a medical practitioner, and three traders. These men ignored the order, were charged in court, and in November were each sentenced to R100 or 3 months', plus 1 month's imprisonment suspended on condition that they moved within ten days. On appeal the Transvaal Provincial Division upheld the sentence but extended the period within which they must leave to 30 April 1963. It was held that Dr. Motara had not been given adequate notice to vacate the consulting rooms in his dwelling in town, but must move from the residential portion. The fines were paid, and further appeal made to the Appellate Division. This appeal proved unsuccessful.

One of the Indian traders concerned had, meanwhile, left Ventersdorp; but in October 1963 the other three — Dr. Motara, Mr. E. Amodjee, and Mr. B. Lukhoo — surrendered themselves to the police to serve their suspended sentences.

After their release they returned to their homes in the town. A few days later summonses were served on 19 Indians, including these three men, for refusing to leave their businesses and homes.

Then, ten days thereafter, the summonses against all of them except Dr. Motara were withdrawn.

Dr. Naicker

Dr. G. M. Naicker, President of the South African and of the Natal Indian Congresses, lives in the "White" suburb of Berea in Durban. Early in 1963 he was ordered to leave by 31 July or apply for a permit to remain. On principle he made no such application: it was, in any case, unlikely to succeed as other Indians in the area had been refused permits. During May he and his wife were charged in court and each was found guilty and sentenced to R50 or 30 days plus one month's imprisonment suspended on condition that they moved before 11 February 1964.

Dr. Naicker appealed to the Supreme Court, alleging that the Durban group areas proclamation was *ultra vires* because the Governor-General-in-Council had failed to act in good faith. The Government's group areas policy was making life economically and socially intolerable and insupportable for the Asian peoples, he maintained.

Indians in Newclare, Johannesburg

In September 1963 Mr. and Mrs. P. Morar and Mr. L. Parsoot of Newclare were found guilty of failing to comply with an instruction to move to Lenasia. They were sentenced, respectively, to R80 or 80 days, R5 or 10 days, and R50 or 50 days; and the men received additional sentences of 2 months suspended for 2 years provided they were not convicted of a similar offence during this period.

Indians of Carolina

The group area for the Indians of Carolina, called Carolindia, is about a mile to the east of the town. The Town Council, like that of Ventersdorp, built 4 small houses in the Indian area, and some of the Indians were then ordered to go there.

In October 1963 five men were charged in court with failure to do so. Mr. M. I. Dadabhay, aged 85, who had been in Carolina since 1911, said he had applied without success for a permit to remain in his existing home, next to the mosque. His wife was ill, his only remaining interest in life was prayer in the mosque, and it would be difficult for him to come in from Carolindia. He was sentenced to R60 or 60 days, and ordered to move before the end of January 1964.

Sentences of varying severity were passed, too, on the Muslim priest, the primary school principal, a trader, and a sickly man aged 75 years.

All the Indian shops of Carolina were closed for a day in sympathy.

NOTES ON CERTAIN AFRICAN URBAN TOWNSHIPS AND HOUSING SCHEMES

ALEXANDRA TOWNSHIP

Alexandra Township, about 9 miles to the north of central Johannesburg, came into existence in the early years of the century and was recognized as an area where Africans could acquire land in freehold. In 1963 it was the only such area that remained on the Witwatersrand. It became very seriously overcrowded: in 1958 about 98,000 people were living in approximately 1 square mile, with a population density of some 236 per morgen as compared with 61 in the municipal township of Orlando.⁽¹⁾ In February 1958 the Peri-Urban Areas Health Board took over control from the Alexandra Health Committee and planned to create a township of about 30,000 Africans living under family conditions and 15,000, mainly women, accommodated in hostels. There was no suggestion of interference with the rights of standholders.

Influx control was applied very strictly; unemployed men who did not own property were endorsed out; those employed in towns other than Johannesburg were ordered to move to the residential areas serving the towns concerned; and the Bantu Resettlement Board was given the task of rehousing at Meadowlands or Diepkloof (south-west of the city) Africans who were employed in Johannesburg. It was planned that Alexandra Township would cater for standholders and for persons employed in Randburg or in the peri-urban areas to the north of the city.

According to the Deputy Minister of Bantu Administration and Development⁽²⁾ by April 1963 the Resettlement Board had moved 44,700 people, thus reducing the population density to 120 per morgen.

It is mentioned in an earlier chapter that the Better Administration of Designated Areas Act of 1963 gave the Peri-Urban Areas Health Board greater powers of control of the administration of the township.

In reply to questions in the Assembly the Deputy Minister said⁽³⁾ that in April 1963 the population of Alexandra Township consisted of 10,618 married couples, 20,799 children under 18 years of age, 2,939 single adult men and 858 single women. Of the

(1) Deputy Minister of Bantu Administration and Development, Assembly 29 April 1963, Hansard 14 cols. 4990-4.

(2) *Op. cit.*

(3) 19 April, Hansard 12 col. 4339, and statement quoted earlier.

residents, 1,972 owned land in freehold. The Resettlement Board had purchased 472 properties for R1,275,350. (In numbers of cases these properties were sold by Africans who had previously depended on rents paid by tenants. As the tenants were moved out many owners of bonded properties were unable to pay the monthly instalments, the bonds were called up, and the owners were forced to sell.)

During March 1963 the Government announced a plan which represents a complete change of policy.⁽⁴⁾ Over a period of years family accommodation is to be eliminated in Alexandra Township. Eight hostels, each housing 2,500 people, will be built to accommodate "single" men and women employed in Randburg and the peri-urban areas north of the city. Africans living in "locations in the sky" (quarters on the top of blocks of flats) and on the premises of their employers in the northern suburbs of Johannesburg will be moved to the hostels, too. Sportsgrounds and other facilities will be provided. The built-up area will be reduced in size to make possible the creation of buffer strips separating the township from White areas around it.

Families now living at Alexandra Township who want to remain together will have to move to some other township which serves the area where the head of the family is employed.

Owners of property will be given the opportunity of buying plots in the African homelands. In reply to questions in the Assembly⁽⁵⁾ the Deputy Minister said that the standholders include 987 of the Sotho group, 591 of the Nguni, and 394 others. The nearest homeland is about 50 miles away for the Sotho, 250 miles for the Nguni, and 175 miles for the rest.

The Minister announced⁽⁶⁾ that no steps would be taken to expropriate properties at the present stage, although this might be necessary later as land was required for re-planning and if the owners were unwilling to sell.

This plan makes no provision for the families of married Africans working in Randburg or the surrounding peri-urban areas.

The Johannesburg City Council urged the Government to reconsider the decision to eliminate freehold rights and to move families out of the township. It pointed out that tensions arising among people living under abnormal conditions in hostels at Langa and Paarl had led to grave disturbances, and it would be highly unwise to create another township of this nature.⁽⁷⁾

Similar representations were made by the Institute of Race Relations in a memorandum sent to the Minister, the Administrator, all Members of Parliament, and Transvaal Provincial Councillors.⁽⁸⁾

⁽⁴⁾ Press statements by Minister of Bantu Administration and Development and an official of his Department, *Rand Daily Mail*, 26 and 27 March; and statements by Deputy Minister quoted earlier.

⁽⁵⁾ See note (3).

⁽⁶⁾ *Rand Daily Mail*, 7 June.

⁽⁷⁾ *Ibid.*, 27 March and 7 June.

⁽⁸⁾ RR. 55/1963.

Africans cherished their right to freehold tenure in the township, it was stated. The offer of plots in homelands many miles away was certainly no adequate substitute.

If the Government persisted in its plan to force domestic servants to move to African townships, the Institute said, the Government's first care should be to compensate them for the additional expense and physical exertion involved by making it possible for those who were married to live with their families as near as possible to their places of work. In terms of the new plan, however, such Africans employed in the northern suburbs of the city would have to commute some 40 miles daily in overcrowded trains, and then would have to travel by bus at each end of the train journey.

The Institute pointed to the waste involved in the destruction of hundreds upon hundreds of houses of eminently satisfactory standard. There were 15 schools and numbers of long-established social agencies in the township: the work of these agencies (except for certain health services), and their buildings, would become redundant.

Shortly after these representations had been made the Minister said⁽⁹⁾ that it was unnecessary for the Government to reconsider its plan. Its policy in regard to land ownership by the Bantu was well-known. The Deputy Minister added⁽¹⁰⁾ that the Government had never given an assurance that freehold rights and family housing would be maintained at Alexandra Township.

SOWETO

The complex of municipal African townships serving Johannesburg, previously known merely as the South-Western Townships, have now been named Soweto (a term devised from the old name). Soweto is about 26 square miles in area. The City Council has built nearly 58,000 houses there, about 2,000 of them during the past year, and Africans have themselves built a further 2,000 dwellings on leasehold land. Twenty-five further schools have been erected, bringing the total to 110, catering for more than 75,000 children.⁽¹¹⁾

The municipal Non-European Affairs Department states that in July 1962 there were 352,058 Africans living in the townships constituting Soweto, and 93,259 in the adjoining Diepkloof and Meadowlands which are administered by the Bantu Resettlement Board.

A double carriage-way with a cycle track is planned to link Soweto directly with Johannesburg: Africans travelling by bus, car or bicycle at present have to use the congested Main Reef Road or Potchefstroom Road.

⁽⁹⁾ *Rand Daily Mail*, 7 June.

⁽¹⁰⁾ *Assembly*, 29 April, Hansard 14 col. 5100.

⁽¹¹⁾ *Rand Daily Mail*, 9 October; *Star*, 15 April.

It is estimated that about 140,000 African workers travel by train each weekday between Soweto and Johannesburg, and this number will increase rapidly as domestic servants and further families from Alexandra Township are moved to the area. About 70 trains are used to transport these people. Because of the rush at peak hours many passengers ride on buffers or hang on to the outside of carriages: as a result some 150 lives are lost annually in accidents.⁽¹²⁾

PRETORIA

The development of the "border" village of Garankuwa, to the north of Pretoria, is described on page 119. There is no room for further expansion in Atteridgeville, to the west of the city, but housing schemes are being extended at Mamelodi (formerly known as Vlakfontein), to the east. About 9,000 houses are now occupied in this township. The City Council is continuing to buy up African-owned properties in the "Black spot" areas of Lady Selborne, Eastwood, Riverside, and Highlands, which have been declared White group areas.

WESTERN CAPE

Although the Government hopes eventually to remove Africans from the Western Cape, loan funds are still being made available for African housing schemes there. Should the Government's policy succeed these dwellings could be converted for use by Coloured.

During 1962, 1,125 dwellings and hostel units were built in Cape Town, the Stellenbosch Divisional Council area, Ceres, and Upington. Further schemes are planned for Cape Town, Hermanus, Paarl, Upington, and Robertson.⁽¹³⁾

The Cape Town municipal township on the Cape Flats, previously known as Nyanga West, has been renamed Guguleto.

DURBAN

The housing schemes for Africans being developed at Kwa Mashu, to the north of Durban, and at Umlazi, to the south, were described in the 1961 volume of this *Survey*.⁽¹⁴⁾

The houses at Umlazi are of a better quality than those at Kwa Mashu, yet the rents are lower. There are a number of reasons for this. The Umlazi scheme is being built on land that belonged to the S.A. Native Trust, while the City Council had to pay R1,420,000 for the ground at Kwa Mashu. The Trust, which administers Umlazi, is said to obtain building loans at a lower rate of interest than the Council is able to do, and does not charge all overheads against the scheme.⁽¹⁵⁾

⁽¹²⁾ *Star* report, 21 October.

⁽¹³⁾ Deputy Minister of Bantu Administration and Development, Assembly 12 February, Hansard 4 cols. 1155-6.

⁽¹⁴⁾ Page 179.

⁽¹⁵⁾ *Natal Mercury*, 20 September.

The City Council debits all costs involved against the Kwa Mashu township, and on this basis the account shows a loss. The Council has been considering whether to subsidize the account from general rates, or to raise the rents. The second course of action would cause great discontent: already very many African families are in arrear with their monthly payments. A third way of solving the Council's difficulties has been mooted, that is, to persuade the Government Department of Bantu Administration and Development to take over responsibility for the township. If a strip of intervening land measuring 825 acres were purchased Kwa Mashu could be linked with the Inanda African Reserve and could be regarded as part of a "homeland".⁽¹⁶⁾ Africans might then be allowed to purchase erven, as they can already do at Umlazi.

A train service, transporting about 60,000 workers daily, now operates between Kwa Mashu and the city. The buses have been withdrawn.⁽¹⁷⁾

The Cato Manor removal scheme is progressing as new housing becomes available. By April 1963, 13,539 African families had been moved to one or other of the new townships. About 5,085 families were then still living in shacks at Cato Manor.⁽¹⁸⁾

Clermont at Pinetown, which adjoins the Inanda Reserve, was declared a released area in terms of the Bantu Laws Amendment Act of 1963. About 2,000 Africans have homes there, and freehold rights are available. The Government intends establishing a new township in the area.⁽¹⁹⁾

VRYHEID

In 1909 a farm on the outskirts of Vryheid was divided into plots, most of which were bought by Africans. By 1963 there were 3,553 Africans and a few Whites and Coloured living in this area, which was called Besterspruit. About 400 African families owned plots there, and the rest were tenants. The housing ranged from good brick dwellings with iron roofs to tin or wattle-and-daub shacks.

This area was declared a Black spot. Government spokesmen said that it was unhygienic, with no sewerage or rubbish removal and inadequate supplies of water, and that as there was no control undesirable characters gathered there.

In February 1963 the Government decided to move the people at once, although no alternative housing was available. Observers saw no reason for the haste. Land-owners were offered $\frac{1}{2}$ acre plots at a place called Mondhlo in a Reserve in the Nqutu district, 25 miles from Vryheid by road (although a shorter route exists across private farms). Tenants who worked in Vryheid were sent

⁽¹⁶⁾ *Ibid.*, 16 October.

⁽¹⁷⁾ *Bantu*, March.

⁽¹⁸⁾ *Natal Mercury*, 18 April.

⁽¹⁹⁾ *Ibid.*, 14 October.

to the African township there; and others were accommodated in a closer settlement scheme in the Reserve. The Government paid compensation to property-owners, gave a bag of maize to families who had unharvested crops, and provided transport.

There were 1,963 people who were moved to the Vryheid township, where tents had been erected to provide temporary shelter. Families could rent as many tents as they wished, paying R1 a month for the first and 75 cents for each additional one. The municipality provided water and toilet facilities; but cooking had to be done in the open—some people erected tin shelters to protect their fires from the rain. About 300 wooden prefabricated huts were ordered into which the people were moved as soon as possible, and the Town Council made urgent plans to build 400 new dwellings in the township.

The 1,590 Africans moved to Mondhlo had to live in tents at first, too, but they were expected to provide their own permanent homes. The Government supplied poles to serve as frameworks for walls and thatched roofs. Observers who visited the area queried whether the compensation paid to those with the better homes at Besterspruit had been adequate, since the price of bricks and other building materials had risen considerably.

Many, if not most, of the heads of families who went to Mondhlo are dependent on wages earned in Vryheid; and the move entailed increased living costs, since the bus fare to town and back amounts to 50 cents daily. Some said they would be forced to live in bachelor quarters in Vryheid, going home at weekends only. A school has been provided at Mondhlo.⁽²⁰⁾

Some weeks later 35 African families who were living at the Kambula Anglican Mission near Vryheid, in dwellings provided by the mission, were ordered to move to Mondhlo.⁽²¹⁾

CHARLESTOWN

Charlestown, which is about 3 miles from Volksrust on the main road to Durban, has been declared another Black spot. Numbers of Africans own land in freehold there. The Minister of Bantu Administration and Development announced on 19 April⁽²²⁾ that all these Africans would have to leave, and would be paid compensation on the market values of their properties.

Those wishing to acquire alternative property could do so at Duckponds, the Minister said. (This is a township being developed in an African Reserve to accommodate, among others, Africans who work in Newcastle. It is about 6 miles from Newcastle and 40 miles from Charlestown.) Land-owners or tenants who worked

(20) Account compiled from reports by the Minister and Deputy Minister of Bantu Administration and Development, Assembly, Hansard 5 col. 1774, Hansard 8 cols. 2817-8, Hansard 14 col. 5003; also from a report by the Natal Regional Organizer of the Institute of Race Relations and various Press reports.

(21) *Rand Daily Mail*, 26 April.

(22) Assembly, Hansard 12 cols. 4353-4.

in Charlestown, Volksrust, or other towns and did not want to move to Duckponds could go, instead, to the Bantu residential areas of the towns concerned, the Minister continued.

ESTCOURT

The Government plans that in places where there are African Reserves fairly near to towns, the Africans working in these towns should be moved out to new villages in the Reserves. Duckponds, for example, will serve Newcastle. The Minister said in March⁽²³⁾ that the development of Estcourt location had been frozen because a township was to be established in a Bantu homeland nearby.

⁽²³⁾ Assembly, 15 March, Hansard 8 col. 2816.

EMPLOYMENT

GENERAL ECONOMIC SITUATION

NATIONAL INCOME

South Africa's national income for 1961 and 1962 was:⁽¹⁾

	1961	1962 (Provisional figures)
Total national income	R4,791,000,000	R5,004,000,000
Less sums due to other countries	R 437,000,000	R 403,000,000
Net national income	R4,354,000,000	R4,601,000,000

IMPORT REPLACEMENT SCHEME

Details are given on page 118 of the Government's plan to stimulate the expansion of the textile industry in "border" areas, near to African Reserves. An amount of R45,000,000 will be provided over a ten-year period to buy land, develop industrial townships and housing schemes, build factories for sale or lease to industrialists, and make loans to industrialists for the purchase of machinery and plant.

This is part of an Import Replacement Scheme designed to make South Africa more self-sufficient in the fields of textile, chemical, metal, and engineering production.

It is reported⁽²⁾ that the second stage of this plan is linked with the policy of producing more military equipment within the country.

SHORTAGE OF SKILLED MANPOWER

REPORTS ON STANDARDS OF WHITE WORKERS

The Council for Scientific and Industrial Research investigated the educational standards and ambitions of White youths who registered for Citizen Force training in 1954. In its 1962 report the Council predicted a serious shortage of White men capable of filling posts that require qualifications higher than matriculation. Between 22 and 25 per cent of the male White population may be needed for such posts, it stated; but only about one in five was trying to qualify for them.⁽³⁾

(1) *Official Bulletin of Statistics*, April.

(2) *Star*, 13 August.

(3) *Star*, 2 and 3 April.

In a paper given at a conference of the Southern Transvaal Regional Development Association Dr. D. J. Gouws, Director of the National Institute for Personnel Research, said⁽⁴⁾ that almost a quarter of the White male labour force in the Pretoria, Witwatersrand and Vereeniging areas had only a Standard VI or lower qualification. Only about a quarter of the artisans had progressed further than Standard VIII. In the United States, by comparison, 40 per cent of the craftsmen and foremen and 31 per cent of the operatives had the equivalent of Standard X or above. Similarly, people in the managerial, professional, and technical groups in the Southern Transvaal had, on average, considerably lower qualifications than workers in corresponding groups in the United States. As a result many people were appointed or promoted who lacked the necessary qualifications, and additional posts would be available if there were men to fill them. The shortage of personnel was particularly acute in the fields of physics and mathematics.

RECOMMENDATIONS BY ECONOMIC ADVISORY COUNCIL AND PRIME MINISTER'S REPLY

The Prime Minister issued a statement during August, following a meeting of the Economic Advisory Council. This Council, he said, had arrived at the conclusion that unless extra efforts were made to supplement the available trained manpower the future economic development of the country would be seriously hampered, which would be to the detriment of all its population groups.

The Council recommended that endeavours should be made to train still more Whites for skilled work in various fields; that the rate of immigration should be stepped up; and that greater use should be made, in the right ways and places, of trained Non-White manpower. Deliberate efforts should be made to extend the employment of Coloured and Indians, especially in the Western Cape and Natal respectively, in occupations where there was a shortage of trained workers. More employment opportunities must be created for the Bantu in the border industries and homelands.

The Prime Minister then commented on these recommendations. The Department of Education, Arts and Science, he said, was investigating the socio-economic background of the Coloured and Asians in order to give the Departments of Coloured and of Indian Affairs, among others, a clearer picture of the training and employment of these people. It was hoped that more and better employment opportunities for them would result.

The Prime Minister added that where effect is given to the policy of making more efficient use of trained Non-White manpower "it has to be applied in such a manner that it does not endanger the livelihood of the trained White workers and also does not lead to mixed employment".

⁽⁴⁾ *Star*, 17 May.

APPRENTICES

A report of the Natal Technical College⁽⁵⁾ disclosed that of 822 apprentices enrolled in 1962 only 70 per cent had reached Standard VI or VII. (Standard VI is normally required but a lesser qualification may be accepted for the simpler trades). Because of this it was estimated that more than half would fail their technical tests. But in certain trades it was unnecessary for apprentices to pass examinations: they automatically became journeymen when their contractual time expired.

Commenting on this report the Director of the Witwatersrand Technical College said⁽⁶⁾ that the average standard of admission to apprenticeship was now rarely above Standard VII. Boys with higher qualifications were not entering the trades: instead they were accepting jobs which were better paid at the start but did not offer the same opportunities in the long run. He considered that the indifference shown by 60 to 70 per cent of apprentices would persist until it was made impossible to achieve journeyman status without passing a qualifying examination.

APPRENTICESHIP AMENDMENT ACT, No. 46 OF 1963

The Apprenticeship Amendment Act did not entirely remedy this situation. It was designed to improve administration and to empower the Minister of Labour, on the recommendation of the National Apprenticeship Board after consultation with apprenticeship committees, to prescribe certain conditions of training.

The Deputy Minister gave examples⁽⁷⁾ of the improvements that were in mind. The usual period of apprenticeship in the more skilled trades is 5 years; but at present boys who have passed a trade theory test may apply to undergo trade tests at the end of their 4th year, and if they are successful they are granted artisan status at once. Lads who passed a technical matriculation before becoming indentured may apply still earlier.

It was suggested, the Deputy Minister said, that boys with a technical matriculation should be allowed to take trade tests after 2½ years, and those with a technical junior certificate after 3 years.

At present apprentices have to attend technical classes in their employer's time for the first 2 years, except that if within this period they pass certain subjects in the National Technical Certificate II examination they are not obliged to continue. (This examination is equivalent to the academic pre-matriculation Standard IX test.) Many lads who succeed in passing the required subjects discontinue their studies, while many others attend classes for 2 years without passing any examination.

It had been suggested, the Deputy Minister said, that attendance in the employer's time after the first year should be dependent

⁽⁵⁾ *Rand Daily Mail*, 15 April.

⁽⁶⁾ *Star*, 10 April.

⁽⁷⁾ *Assembly*, 19 April, Hansard 12 cols. 4372-8.

on a satisfactory report from the technical college. If satisfactory progress had been made a boy could continue to attend theoretical classes in working hours even after he had obtained the minimum qualification. If not, he would have to attend for a second year in his own time. Should he by then not have passed even the N.T.C. I examination (equivalent to Standard VIII) he would discontinue theoretical studies as he was unlikely to benefit from these.

Under existing arrangements an apprentice is automatically granted artisan status at the end of the period of apprenticeship (usually 5 years) whether or not he has passed any theoretical or trade tests.

The intention was, the Deputy Minister said, that there should be a compulsory trade test at the end of 5 years. Lads who failed this test would have to continue their apprenticeship for a 6th year, during which period they could apply to be re-tested. If they had still not passed at the end of the 6th year they would gain artisan status through passage of time: it was necessary to give an opportunity in life to those with below-average intelligence. Their apprenticeship contracts would not indicate that they had failed to pass an examination; but consideration might be given to the issuing of two different types of certificates.

Conditions of service would be rendered more attractive; and boys registering as apprentices might be required to undergo aptitude tests. The qualification for admission to apprenticeship might be raised to Standard VII.

It is understood that White trade unionists have objected to certain of these proposals. At the time of writing the Department of Labour was considering representations received from various quarters before drawing up regulations under the new Act.

POTENTIAL ABILITIES OF WHITE CHILDREN

The Minister of Education, Arts and Science announced in May^(*) that an interdepartmental committee was to make a survey of the potential abilities of White school pupils, how to direct this potential into the right channels, and the facilities required for the task. It was hoped that this survey would throw light on possible shortcomings in school education and the problems of failures at universities.

JOB RESERVATION

PREVIOUS JOB RESERVATION DETERMINATIONS

Job reservation determinations promulgated by the end of 1962 were described in last year's *Survey*.^(*) They relate to the clothing industry; the building industry in urban areas (excluding African townships) of the Transvaal and Free State; skilled work

(*) *Star*, 16 May.

(*) Page 153.

in the wholesale meat trade on the Witwatersrand and in Pretoria; the driving of buses in Cape Town, of heavy vehicles on the Free State goldfields and of vehicles in the cleansing departments in Durban and Springs; the posts of firemen and traffic policemen in Cape Town; and the operation of lifts of certain types in Johannesburg, Pretoria, and Bloemfontein.

It was mentioned last year that certain exemptions had been granted from the determination which reserves for Whites skilled work in the building industry in Transvaal and Free State towns (other than in African townships). Employers in the Transvaal and in Bloemfontein were allowed to permit Non-Whites to drive light vehicles provided they paid them at the same wages as Whites received for this work; and wage rates were increased. Furthermore, it was made possible for Coloured-artisans to be employed in the building trade in their group areas. (The Native Building Workers' Act of 1951 had provided for the employment of African artisans in African townships.)

In March 1963 the magisterial district of Kroonstad was exempted from the terms of this determination. A little later Mr. P. Sanders, a member of the National Council of Coloured Affairs, urged the Department of Labour to permit the employment of Coloured artisans in "White" areas of the Free State, since there was a reported shortage of skilled White workers; but the Department refused. Coloured artisans there and in the Transvaal may work only in their own group areas, or for private people, outside the building industry, in White areas; but in the latter case they may not employ others to assist them.⁽¹⁰⁾

The Minister of Labour reported⁽¹¹⁾ that 12 Africans were replaced by Whites as a result of the decision to reserve for the latter group the work of driving sanitary vehicles in Springs. Ten of these men were discharged, but all found other employment. The reservation for Whites of the job of driving heavy vehicles on the Free State goldfields had affected about 34 Non-Whites: the statistics were incomplete.

The proclamation dealing with drivers and conductors of buses in Cape Town had affected 177 Coloured persons, the Minister continued; but none of them lost their jobs because in terms of the determination this work is not wholly reserved for Whites; up to 16 per cent of the employees may be Coloured.

On another occasion⁽¹²⁾ the Minister said that the proclamation dealing with abattoirs and the wholesale meat trade on the Witwatersrand and in Pretoria had been requested by the S.A. Meat Trade Union because certain firms were threatening to replace White labour by Africans at lower rates of pay. One or two Africans had already been engaged, for example as drivers of heavy vehicles.

⁽¹⁰⁾ *Natal Mercury*, 11 October.

⁽¹¹⁾ Senate, 5 March, Hansard 7 col. 1272.

⁽¹²⁾ Senate, 7 February, Hansard 3 col. 404.

It would appear that these job reservation determinations have not thrown large numbers of Non-Whites out of work; but they certainly have blocked certain avenues for further Non-White advancement. The same thing has been done in another way: several determinations have been suspended, or draft measures have been abandoned, when employers agreed to raise the wage-rates for jobs in which Whites feared Non-White penetration.

NEW DETERMINATIONS

No. 13, dealing with the building industry in the Cape and Natal

This highly complicated measure deals with building trades in which mainly Whites are employed in urban areas of the Cape and Natal where industrial council agreements affecting the trade are in operation. Such work, which varies from area to area, is reserved for Whites; except that Coloured and Indians who were already employed in the trades concerned on 9 November 1962 may continue in such employment.

Coloured, Indian, and African building workers may work in all trades in the industry within their own group areas and in peri-urban areas, rural areas, and any towns where wages in the building industry are not controlled.

This determination became effective from 13 May 1963. So far as the Western Cape is concerned it allowed Coloured artisans to continue in the trades of bricklaying, plastering, painting, plumbing, and joinery (other than joinery in a workshop); but reserved for Whites the trades of stone and marble masonry, letter cutting and stone decorating, joinery or wood machining in a workshop, electrical wiring, and shop, office, and bank fitting.

The Minister of Labour explained his reasons for this allocation of work by giving the following figures showing the then distribution of employment in these trades in the Western Cape as between White and Coloured artisans:⁽¹³⁾

Western Cape: Percentages of total number of artisans employed

	White	Coloured
Bricklaying	1	99
Plastering	1	99
Carpentry	1	99
Painting	2	98
Plumbing	40	60
Joinery	85	15
Wood Machining	85	15
Shop Fitting	95	5
Electrical Wiring	95	5
Masonry	98	2

⁽¹³⁾ Assembly, 3 June, Hansard 19 cols. 7118-9.

Again, while Coloured artisans employed as at 9 November 1962 in the trades which are reserved for Whites in the areas concerned will not lose their jobs, avenues for Coloured progress are blocked.

The pattern is different in other urban areas of the Cape and Natal where wages are controlled in terms of industrial council agreements. Shop and office fitting, electric wiring, and joinery are reserved for Whites in all these areas; carpentry is reserved for Whites in Natal; Whites only may do plastering in Natal and East London; and plumbing is reserved for Whites in Natal, Port Elizabeth, Queenstown, and Grahamstown.

Coloured apprentices indentured before 13 May 1963 in a trade reserved for Whites in any of the areas concerned may complete their apprenticeship and then accept work in such an area. Coloured apprentices may be indentured in these areas after 13 May 1963; but on completion of their apprenticeship they will have to seek work elsewhere.⁽¹⁴⁾

Mrs. Helen Suzman, M.P. (Progressive Party) talked⁽¹⁵⁾ of "the incredible muddle" that was going to result when contractors undertook work in different areas, since the racial group of artisans they might employ in the various trades differed from town to town. She said that employers in these areas would hesitate about taking on new Coloured apprentices in trades reserved for Whites, knowing that they would not be able to employ them as journeymen on the completion of their training.

The Minister of Indian Affairs pointed out⁽¹⁶⁾ that White contractors building large housing schemes for Indians in places like Chatsworth, Durban, would be able to employ Indian artisans. He mentioned, however, that they might subsequently encounter difficulties in regard to the composition of their labour force when they undertook contracts in other areas.

No. 14, dealing with certain barmen in Natal

As from July 1963 the work of barmen was reserved for Whites in White public bars in Durban and Pietermaritzburg, including bars in restaurants, hotels, theatres, and at sports grounds, but not including bar lounges.⁽¹⁷⁾

The Minister of Indian Affairs said⁽¹⁸⁾ that this determination had been made because a number of hotels and bar owners were threatening to employ Africans rather than Whites. In cases where Indians were employed the Department of Labour would normally grant exemption from the terms of the determination.

⁽¹⁴⁾ From statements by the Minister of Labour in the Senate, Hansard 3 col. 405; Hansard 4 cols. 603-5; Hansard 7 col. 1272.

⁽¹⁵⁾ Assembly, 4 June, Hansard 19 cols. 7216-7.

⁽¹⁶⁾ Assembly, 20 May, Hansard 17 cols. 6435-6.

⁽¹⁷⁾ Government Notice 84 of 18 January.

⁽¹⁸⁾ See note 10.

INVESTIGATIONS IN PROGRESS

The investigations in progress include:

1. whether measures should be taken to protect White persons against Non-White competition in the driving of heavy motor vehicles in certain industries in towns of the Transvaal and Free State;
2. whether measures should be taken to protect Whites and Coloured from competition by other races in:
 - (a) the motor assembly industry;
 - (b) the operating of machinery used for road construction, levelling of ground, or removal of earth in the Transvaal, Free State and Natal;
3. whether measures should be taken to protect employees generally against inter-racial competition in:
 - (a) motor transport driving in Durban;
 - (b) the footwear industry;
 - (c) the furniture industry;
4. whether measures should be taken to protect Coloured and Indian workers against African competition in:
 - (a) the laundry, dry cleaning, and dyeing trade in the Western Cape and Natal;
 - (b) the liquor and catering trade in the Western Cape and Natal;
 - (c) occupations in private hotels and boarding houses in the Western Cape and Natal.

OCCUPATIONS OF THE POPULATION

INDUSTRIAL DIVISIONS

During 1963 the Bureau of Census and Statistics has published a series of reports on the 1960 census, based on systematic samples with random starting points consisting of 10 per cent of the White, Coloured, and Asian groups and 5 per cent of the Africans.

Its figures for industrial divisions show persons engaged in particular industries (e.g. mining), irrespective of their occupation (e.g. manager, clerk, etc.). The percentages of economically active people in each group, of the age of 15 years and over, engaged in the various industries were:

<i>Industrial division</i>	<i>Whites Percentages</i>	<i>Coloured Percentages</i>	<i>Asians Percentages</i>	<i>Africans Percentages</i>	<i>All groups Numbers</i>
Agriculture, forestry, fishing ...	10.1	21.7	7.6	37.4	1,697,526
Mining, quarrying	5.5	0.8	0.4	13.9	605,976
Manufacturing ...	20.1	17.7	26.2	8.3	679,074
Construction ...	6.3	7.2	1.6	4.2	278,371
Electricity, gas, water, and sanitary services ...	0.9	0.5	0.2	0.7	38,639
Commerce and finance ...	20.5	7.0	21.8	4.1	457,901
Transport, storage, communication .	10.7	3.0	3.1	1.8	213,982
Services ...	22.1	25.7	17.7	21.0	1,227,960
Unspecified and those presumably unemployed ...	3.7	16.3	21.4	8.6	492,341
Total	99.9	99.9	100.0	100.0	5,691,770
Total economically active ...	1,140,469	548,282	125,820	3,877,199	5,691,770
Total population ⁽¹⁾	3,088,492	1,509,258	477,125	10,907,789	15,982,664
Economically active as percentage of total population .	36.9	36.3	26.4	35.5	35.6

OCCUPATION GROUPS

Other tables published show the occupations of persons aged 15 years and over. The numbers indicated as being economically active differ from those in the preceding table because the system adopted for classifying persons whose census returns were vague differed in the two cases.

(1) The figure for the total African population was revised later: see page 74.

<i>Occupation group</i>	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Professional and technical ...	132,546	13,830	5,124	48,714
Administrative, executive, managerial	57,003	1,210	2,568	4,796
Clerical	280,838	8,166	8,199	19,472
Salesworkers	98,560	10,569	22,355	28,473
Farmers, fishermen, lumbermen, farm labourers	115,765	126,093	10,061	1,480,762
Miners and quarrymen	31,633	3,287	182	524,716
Transport and communications Craftsmen, production process workers, and labourers not included elsewhere	272,580	191,818	37,143	725,100
Service, sport, and recreation workers	58,087	117,112	13,914	720,593
Unspecified	23,162	57,804	18,853	269,429
Total economically active	1,142,821	551,750	125,890	3,886,457

The figure indicating the number of Africans who are economically active does not include migrants temporarily in the Reserves; and that showing the number of African farmers and farm labourers does not include peasant farmers in African areas.

EMPLOYMENT IN VARIOUS SECTORS OF THE ECONOMY

AGRICULTURE

According to the agricultural census taken in June 1960⁽²⁾ the farm population was then as follows:

<i>Farms of Whites, Coloured, and Asians</i>	<i>White</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Holders and members of their households	352,840	21,640	22,248	—
Regular farm employees	7,695	99,111	6,305	637,646
Domestic servants	83	26,382	465	130,018
Other employees, squatters and their dependants	55,837	334,572	23,883	2,144,085
Occasional and seasonal workers	1,490	90,765	729	498,898
Totals	417,945	572,470	53,630	3,410,647
<i>African farms</i>	—	—	—	4,040,185
Combined Totals	417,945	572,470	53,630	7,450,832

Contractors and their employees are not included.

According to a sample tabulation by the Bureau of Census and Statistics⁽³⁾ based on the population census taken in September 1960, 1,414,226 Africans were then engaged in agricultural and livestock production in White areas.⁽⁴⁾

The agricultural census shows that in June 1960 White farmers had allocated 2,040,729 morgen (about 1.9 per cent of the total

(2) R.P. 10/1963.

(3) Sample Tabulation No. 5, 1963.

(4) This figure relates to the industrial division.

area of their land holdings) on which African employees and labour tenants could grow crops or graze their own stock.

The land usage in the Reserves was shown as follows:

		<i>Morgen</i>
Cultivated land	... ..	2,349,752
Permanent crops	... ..	22,598
Wood or forest	... ..	592,444
Artificial pasture	... ..	1,080
Natural pasture	... ..	13,058,692
Other land	... ..	476,563
Total	... ..	16,501,129

The total area is smaller than the area of the Reserves, described on page 111, possibly because land used for towns and villages and other public purposes and by mission societies is excluded.

No information about wages paid on farms has been published recently.

During September White civic leaders and farmers and Coloured farm workers in Robertson, Cape, met in a conference to discuss possible improvements in conditions for farm labourers and their families.⁽⁵⁾

MINING

According to the *Bulletin of Statistics* the average numbers of persons employed in mining in 1962, and the average annual *per capita* cash wages paid, were:

	<i>Persons</i>	<i>Average annual per capita wage</i>
Whites	64,932	R2,434
Coloured	3,850	} R 410
Asians	470	}
Africans	538,581	R 148
	607,833	

The value of accommodation, food, medical attention, and certain other benefits provided for Non-White workers is not included.

An official of the Chamber of Mines said in June⁽⁶⁾ that the minimum cash wage for an African underground worker is 30 cents a shift. Experienced workers and boss-boys earn R1-06 a shift and more. Bonuses, overtime, and Sunday work can add from 2 cents to 10 cents a shift. Allowing for an average of 26 shifts per month this would mean that cash wages for African under-

⁽⁵⁾ *Rand Daily Mail*, 24 September.

⁽⁶⁾ *Star*, 27 June.

ground workers range from R93-60 to R330-72 a year, plus possible additional amounts ranging from R6-24 to R31-20. Surface workers are paid at slightly lower rates.

A description was given in last year's *Survey*⁽⁷⁾ of the experiments conducted on mines of the Anglo American Corporation to determine how Africans could be given increased recognition for exercising higher skills, and to examine whether, by use of efficiency methods, the number of workers employed could be reduced and the wage levels of the rest raised. Mr. H. F. Oppenheimer, chairman of this Corporation, is reported⁽⁸⁾ to have said that the basic wages of African mineworkers in most of the mines of the group had been increased by 15 to 20 per cent over the past 2 years. He acknowledged that this was not enough.

The percentage of African mineworkers who are recruited from within South Africa's borders increased between 1961 and 1962. The African labour employed by members and contractors of the Witwatersrand Native Labour Association (which recruits a high proportion of the labourers employed in gold mines and certain collieries) was as follows as at 31 December of the years stated:⁽⁹⁾

Territory	1961		1962	
	Number	Percentage	Number	Percentage
South Africa	150,924	36.46	157,328	38.79
High Commission Territories	73,615	17.78	80,645	19.88
East Coast	100,240	24.22	99,138	24.44
Tropical Territories	89,149	21.54	68,518	16.89
	<hr/> 413,928	<hr/> 100.00	<hr/> 405,629	<hr/> 100.00

Two Africans, Messrs. Ngelene Thelani and Marcos Salvador, have been awarded the highest decorations ever given to miners in South Africa for the gallantry they showed in going to the rescue of a White miner at a time when they knew that a charge was due to explode near him. They were each awarded the Chamber of Mines Bronze Medal (the "Miners' V.C."), the Red Cross Society's Conspicuous Aid Medal, an inscribed watch, and R200 in cash.

MANUFACTURING

The *Bulletin of Statistics* provides the following information about average numbers employed in manufacturing in 1962, and average annual *per capita* wages:

	Persons	Average annual per capita wage
Whites	213,300	R1,953
Coloured and Asians ...	129,400	R 602
Africans	359,300	R 392
	<hr/> 702,000	

(7) Page 166.

(8) *Star*, 27 June.

(9) Annual reports of the W.N.L.A.

The number of Africans employed decreased between 1960 and 1961, but since then has risen steadily, reaching a total of 380,700 in June 1963. In that month 223,500 Whites, 98,700 Coloured, and 40,100 Asians were engaged in manufacturing.

Average wages have increased from year to year for members of all groups.⁽¹⁰⁾ According to the collated returns of a questionnaire circulated to constituent chambers by the Federated Chambers of Industries, during the year 1962-63 there was a rise of 4.9 per cent in African wages in industry. This figure did not take fringe benefits to the workers into account.⁽¹¹⁾

In an address given at the fifth annual general meeting of the Bantu Wage and Productivity Association in October, Mr. Harry Goldberg, Chairman of the Association, said that in the four and a half years 1958 to mid-1963 average African wages in secondary industry, at current prices, increased by just over 6 per cent per annum. Real wages, at constant prices, increased by a little more than 4 per cent. The productivity index per African worker rose from 100.0 in 1957 to 131.9 in 1962, or at about 6 per cent per annum. Mr. Goldberg paid tribute to the Association's Director, Mr. E. R. Silberbauer, for his work in encouraging employers to raise wages and in helping them to improve efficiency and productivity.

Dr. Anton Rupert, head of the Rembrandt Tobacco group, announced in October that a minimum wage of R2 a day was to be introduced for all workers in his group. This example has, since, been followed by numbers of other concerns.

Further firms have included Non-White employees in their pension schemes, often on a non-contributory basis. This subject is dealt with in a subsequent chapter.

The Bantu Wage and Productivity Association ran courses of fifteen lectures in Port Elizabeth, Johannesburg, and Durban during 1963 designed to help business executives to understand their African employees, to improve efficiency, and to establish a thorough understanding between the management and the workers so that the latter will identify themselves with the achievements of the firms concerned.⁽¹²⁾

CONSTRUCTION

Average employment statistics for 1962 were:⁽¹³⁾

	<i>Persons</i>	<i>Average annual per capita wage</i>
Whites	22,400	R1,989
Coloured and Asians ...	11,200	R 800
Africans	72,700	R 365
	<hr/> 106,300	

⁽¹⁰⁾ *cf* 1962 Survey, page 159.

⁽¹¹⁾ *Rand Daily Mail*, 6 November.

⁽¹²⁾ *Race Relations News*, April.

⁽¹³⁾ *Bulletin of Statistics*, *op. cit.*

Skilled African building workers, who may be employed only in African townships or Reserves, naturally earn more than do labourers in "White" urban areas. In terms of a new determination gazetted on 5 July their cost-of-living allowances were consolidated with basic wages and they were granted wage increases ranging from 5 cents to 92½ cents a week. Ordinary hours of work may not exceed 45 per week, and they may not do more than 10 hours' overtime a week, being paid for this at least 1½ times the ordinary wage rate.

The new minimum wage rates, for men who are paid for 45 hours' work a week for each week of the year, would work out as follows:

	<i>Learner Grade B</i>	<i>Learner Grade A</i>	<i>Skilled Building Worker</i>
(a) Cape Peninsula and Bellville ...	R456.30	R538.20	R702.00
(b) Reef, Pretoria, Vereeniging, Port Elizabeth, Umlazi, Pot- chefstroom, Middelburg, Klerksdorp, Witbank	R386.10	R468.00	R631.80
(c) Pietermaritzburg, Bloemfontein, Kimberley, Kroonstad, East London, Paarl, Somerset West, Stellenbosch, Wellin- ton	R351.00	R432.90	R585.00
(d) Albany, Queenstown, Worcester	R327.60	R397.80	R538.20

If a skilled worker in the Cape Peninsula did, say, 200 hours' overtime during the year he would earn an extra R80.

A survey by the National Institute for Personnel Research on the use of African labour in the building industry in "White" areas revealed that in the 3 years 1950-52 this industry's African wage bill had increased by only about R50 a worker. Minimum wages for labourers employed throughout the year ranged from R488.28 per annum in the Western Cape to R263.12 in some rural towns. It was found that the largest proportion of the workers were paid at minimum rates.⁽¹⁴⁾

COMMERCE

No recent figures are available indicating the numbers of people engaged in commerce and finance. Sample tabulations by the Bureau of Census and Statistics indicate that 233,896 Whites, 38,617 Coloured, 27,484 Asians and 157,904 Africans were in this industrial group in 1960.

The majority of the Africans are labourers, deliverymen, drivers, etc., but according to the sample tabulations, there were 28,473 sales workers. Their classification within this group was not

⁽¹⁴⁾ *Race Relations News*, February, quoting from the *Financial Times* of 25 January.

always clearly indicated, but it was approximately as follows:

	<i>Urban</i>	<i>Rural</i>
Working proprietors	4,426	1,061
Agents or commercial travellers	1,322	500
Shop assistants	15,650	5,514

The Wage Determination governing the rates of pay of workers in the commercial distributive trade was described in the 1961 volume of this *Survey*.⁽¹⁵⁾ The lowest minimum wages payable in Johannesburg and the Western Cape were fixed at R35.75 a month for a male general worker and R28.60 for a woman general worker. In small towns wages are as low as R19.

Many firms pay more than the statutory minima, however. The management of the O.K. Bazaars has announced that as from the beginning of 1964 the minimum wage payable to any of its employees in the main urban centres will be R10 a week. Proportionate increases in pay will be granted in smaller towns. It is reported⁽¹⁶⁾ that about 3,500 employees will benefit. Non-Whites will be included in the company's pension scheme. Woolworths, too, has raised rates of pay during 1963 and has introduced a pension scheme for Non-White employees. Numbers of other firms have taken similar action.

The restrictions by the Government on the activities of independent African traders in urban areas are described on page 148.

Batfair (the Bantu Trade Fair Association) organized trade fairs at Kwa Mashu (Durban), King William's Town, and Hamanskraal during the period July to October. All profits are to be devoted to projects such as holiday camps for African children, bursaries for higher education, training courses for African businessmen and other useful projects.⁽¹⁷⁾ Numbers of manufacturers who hoped to extend the sales of their products among Africans exhibited these at the fairs, and there were displays of homecrafts, cattle parades, fashion shows, recreational events, and sporting contests.

The Department of Bantu Administration and Development ran a short course at Mamelodi (Pretoria) to train Africans to run co-operatives. Twelve applicants were selected for training: a Junior Certificate qualification was required, which excluded others who had applied.⁽¹⁸⁾

RAILWAYS ADMINISTRATION

The average number of employees of the Railways Administration in 1962 was 111,020 Whites, 10,613 Coloured, 672 Asians,

⁽¹⁵⁾ Page 199.

⁽¹⁶⁾ *Sunday Times*, 3 November.

⁽¹⁷⁾ From speech by the chairman of Batfair, Mr. V. R. Atkinson, reported in *Bantu*, October.

⁽¹⁸⁾ *Sunday Times*, 30 June.

and 92,887 Africans.⁽¹⁹⁾ The number of Africans employed decreased between 1960 and 1962, but appears, from figures quoted below, to have risen fairly considerably in the period 1962-63. But in the Cape Western System the policy is wherever possible to replace them by Coloured workers: there the number dropped from 8,464 in 1960 to 6,516 in 1963.⁽²⁰⁾

In reply to a question in the Assembly the Minister of Transport gave the following information about the basic wages being paid to Non-White employees in April 1963:⁽²¹⁾

	Under R30	Monthly basic wage			
		R30-40	R40-50	R50-60	Over R60
African men	62,514	28,935	5,504	1,451	451
" women	46	7	—	—	—
Coloured men	4,941	3,906	2,817	558	134
" women	18	3	—	—	—
Indian men	213	403	74	19	—
" women	2	—	—	—	—

According to these figures, 98,908 Africans, 12,377 Coloured, and 711 Indians were then being employed.

The Minister added that about 15,500 of those earning less than R30 would receive an annual increment during August 1963, bringing their earnings over this amount. Africans and Indians, he said, could as ordinary labourers progress to R36.40 a month, and Coloured labourers to R52.

Working from figures given in the *Bulletin of Statistics* one finds that average *per capita* wages paid by the Railways in 1962 were R1,868 a year to Whites and R325 to Non-Whites (or R155.67 and R27.08 a month respectively).

OTHER GOVERNMENT DEPARTMENTS, PROVINCES, LOCAL AUTHORITIES

Employment statistics extracted from the *Bulletin of Statistics*, representing 1962 averages, are:

	Number of employees			
	Whites	Coloured	Asians	Africans
Post Office	32,775	2,663	72	7,863
Public Service	112,437	11,532	735	113,580
Provincial Administrations	66,948	15,961	5,312	60,499
Local Authorities	50,400	19,000	2,900	111,800

	Average per capita annual wages			
	R1,639	R571	R733	R386
Public Service	R1,639	R571	R733	R386
Provincial Administrations	R1,718	R1,093	R1,057	R253
Local Authorities	R1,486	R 435	R 384	R279

(19) *Bulletin of Statistics*.

(20) Minister of Transport, Assembly 10 May, Hansard 15 col. 5790.

(21) Assembly, 23 April, Hansard 13 col. 4546.

In reply to a question in the Assembly the Minister of the Interior said⁽²²⁾ that wages paid to Non-White employees in the Public Service (excluding the Railways) in April 1963 ranged as follows:

	Monthly wages				
	Under R30	R30-R40	R40-R50	R50-R60	Over R60
African men ...	67,725	6,358	2,873	2,134	7,741
" women ...	3,659	554	157	59	58
Coloured men ...	2,931	1,940	2,144	1,074	1,975
" women ...	282	199	61	23	16
Indian men ...	70	89	113	47	375
" women ...	5	12	41	1	2

As this table indicates, wages for unskilled workers are low. Trained workers in the Public Service, Post Office, and Provincial Administration are, however, able to progress to higher rates of pay. Annual salary scales for African clerks are:⁽²³⁾

African clerk Grade II—R480 x R40—R600 x R60—R1,140
 African clerk Grade I —R720 x R60—R1,380
 Senior African clerk —R1,140 x R60—R1,620

It appears evident, from the average *per capita* annual wages quoted above, that the Provincial Administrations employ a comparatively high proportion of trained Coloured and Indian workers.

The Johannesburg Municipality has again raised the minimum wages payable to its 19,000 African employees. These are now R30.98 a month for unskilled workers and R91.65 for skilled employees. Incentive bonus schemes have been introduced, free medical attention is available, and there is a pension scheme for skilled workers and a gratuity scheme for the unskilled.

THE PROFESSIONS

Conditions of employment for Non-White teachers, and their numbers, are described in the next chapter of this *Survey*.

The Minister of Bantu Administration and Development said in June⁽²⁴⁾ that there were about 100 African medical practitioners in South Africa and about twelve to fifteen more were graduating annually. There were 29 African attorneys and 1 advocate in the Republic. (It is not clear whether or not these figures include at least 6 legally qualified men who have left the country or are in gaol as a result of political activities.)

Solomon Lefakane, the only African who has graduated as a civil engineer in the Republic, worked for a time with the Benoni Municipality but has now left for Swaziland, where far higher rates of pay are available to African professional men.

(22) 26 April, Hansard 13 cols. 4821-2.

(23) *Star*, 27 June.

(24) Senate, 11 June, Hansard 17 col. 4194.

It is extremely difficult for Non-Whites to train as engineers, architects, auditors, and in various other professions because courses of study are not available at the Non-White colleges and they need special Ministerial permission to become full-time students at a university. Furthermore, few White firms are willing to accept them for practical training; this position has eased for engineering students as developmental works are extended in Non-White areas, but is still difficult for others. According to a Press report in May⁽²⁵⁾ two Chinese had recently qualified as accountants and it was believed that an African and an Indian were serving articles. The Public Accountants and Auditors Board had instituted an enquiry into the possible reactions of firms of accountants and their clients to the acceptance of more Non-White articulated clerks.

Courses in pharmacy are now available at the Non-White colleges. In general, students will serve their apprenticeship in the dispensaries of Non-White hospitals; but two Indian youths have been accepted as apprentices by prominent White pharmacists in Durban.⁽²⁶⁾

Dr. R. D. Hendrikse, a Coloured paediatrician from South Africa, who obtained his M.R.C.P. Edinburgh some years ago, has now achieved further distinction by qualifying for his M.R.C.P. London.

Mrs. Dorothy Cornelius, who studied at the University of the Witwatersrand, is the first Non-White citizen of the Republic to obtain the degree of B.A. in Logopaedics. She has been appointed speech therapist to Coloured schools in Johannesburg.

One Coloured nurse, one Indian, and seven Africans recently qualified as Sister Tutors at the Baragwanath Hospital. They are the first Non-Whites to do so. Employment in the nursing profession is dealt with in a subsequent chapter.

WAGE LEVELS

CENSUS FIGURES

In its Report No. 4 the Bureau of Census and Statistics published an analysis of the incomes of the White, Coloured, and Asian sections of the population in 1960, based on a systematic sample with random starting points consisting of 10 per cent of the members of these groups. At the time of writing no such analysis of African incomes had been published.

In the table that follows an extract is given relating to the incomes of men who stated their occupation on their census returns. (Some, but not all, of the unemployed men are included.) The

⁽²⁵⁾ *Sunday Express*, 12 May.

⁽²⁶⁾ *Leader*, 10 May.

figures reflect the percentages of these men who fell into various income groups.

<i>Annual income</i>	<i>Whites</i>	<i>Coloured</i>	<i>Asian</i>
No income	1.2	3.4	3.6
Under R200	1.6	38.5	13.1
R200—	2.9	26.3	27.2
R400—	3.6	11.7	19.8
R600—	5.9	6.4	12.4
R800—	5.1	3.5	6.3
R1,000—	36.9	6.2	11.3
R2,000—	41.3	0.6	3.3
Unspecified	1.5	3.4	3.0
Number of men involved ...	836,357	340,360	97,158

INCOMES OF AFRICANS IN JOHANNESBURG

In an address given on 30 October Mr. Harry Goldberg, Chairman of the Bantu Wage and Productivity Association, said, "In 1958 the average income of Bantu families in Johannesburg townships was estimated by the Association at R34 per month. In 1963 the Bureau of Market Research of the University of South Africa published Research Report No. 6 dealing with 'Income and Expenditure Patterns of Urban Bantu Households in the South-Western Townships of Johannesburg'. The survey on which this report is based indicated an average monthly household income of R58.79. This would suggest that in a period of just under five years Bantu family incomes in Johannesburg have increased by approximately 70 per cent. The number of wage-earners per family has, however, apparently increased to 1.72 in 1963, compared with an estimated 1.33 in 1958, which would indicate that the rise in family income is due as much to the increase of 30 per cent in the average number of workers per family as to the increase of about 30 per cent in average wage, i.e. from R26 to R34.14 per month . . .

"The average monthly income of heads of households is now R42.05 per month. In 45.8 per cent of households the household head is the sole breadwinner, so using a poverty datum line of R46 per month it would appear that a large number of families continue to live in poverty, notwithstanding the substantial progress made over recent years.

"I have in previous years quoted figures for earnings of heads of households in some 12,000 families in certain Johannesburg townships. In 1957 only 40 per cent of these wage-earners received more than R30 per month. The position improved steadily year by year until in 1963 some 92 per cent earned more than R30. This indicates that almost all heads of families have crossed the 'dire poverty line' of R30, but there are still too many, possibly

45 per cent who have not crossed the 'poverty datum line' of R46 per month".

The Johannesburg Municipal Non-European Affairs Department recently estimated the poverty datum line for the average African family in the city to be R48.24 per month.⁽²⁷⁾

PARLIAMENTARY DEBATE ON MINIMUM WAGES

In the Assembly on 22 February Mrs. H. Suzman (Progressive Party) moved,⁽²⁸⁾ "That this House requests the Government to institute a system of minimum wages applicable to all workers with due regard to regional differences in the cost of living and to the value of wages paid in kind, with a view to:

- (a) ensuring that all workers are paid a living wage;
- (b) increasing the internal market; and
- (c) combating malnutrition".

This would not preclude collective bargaining, she said. Her motion was seconded by Mr. C. Barnett (Coloured representative).

Mr. N. G. Eaton (United Party) agreed⁽²⁹⁾ with Mrs. Suzman that African wages were, in general, too low. "The Bantu is earning Black and paying White", he said. But he did not agree with her method of approach to the problem and moved, instead, "That this House requests the Government:

- (a) to set an example to all employers of labour, whether covered by wage regulating machinery or not, by ensuring that all workers employed by the State are paid a living wage; and
- (b) to improve and to utilize existing wage regulating machinery to ensure that workers covered by such regulating machinery are paid a living wage and thus, *inter alia*, increasing internal markets and combating malnutrition".

The Minister of Labour referred to his speech made in the Senate in 1962.⁽³⁰⁾ The Government's policy had not changed, he said. He of course agreed with Mrs. Suzman's basic objective; but considered that the method to adopt should be to bring about selective and systematic wage increases at shorter intervals, enabling industry and commerce to adjust themselves to the changes. Such increases, he agreed, would in themselves help to bring about an improvement in labour productivity.⁽³¹⁾

The debate was then adjourned.

PURCHASING POWER OF AFRICANS

Although wages are low for a large proportion of Africans, collectively the African wage-bill is a large one, and commerce and

⁽²⁷⁾ *Race Relations News*, June.

⁽²⁸⁾ Hansard 5 cols. 1796-1809.

⁽²⁹⁾ Cols. 1827-1833.

⁽³⁰⁾ See 1962 *Survey*, page 156.

⁽³¹⁾ Cols. 1840-4.

industry are increasingly realizing the value of the potential internal African market.

At the opening of the Bantu trade fair at Kwa Mashu, near Durban, Mr. V. R. Atkinson said⁽²²⁾ that Africans spend R800,000,000 a year, or more than R2,000,000 a day.

INCOME TAX PAID BY MEMBERS OF VARIOUS RACIAL GROUPS

The information that follows, relating to the tax year 1961-62, was given by the Minister of Finance on 19 April:⁽²³⁾

	<i>Numbers of persons liable to income tax</i>	<i>Total amounts paid</i>
		<i>R</i>
Whites	887,150	155,795,618
Coloured	103,046	1,670,642
Asians	21,089	1,352,390
Africans	556	44,543

(The very large amounts paid by Africans in general tax and other forms of taxation were described on page 119 of the 1962 *Survey*. Also see page 217 below.)

DIFFICULTIES EXPERIENCED BY JUVENILES

GRAAFF REINET STUDY

In July 1962 the Non-European Welfare Liaison Committee of the National Council of Women in Graaff Reinet investigated whether African children who had left school in that town at the end of 1961, after Standard VI or more senior classes, had been able to find work.

It was discovered that 23 of the 34 boys concerned, and 12 of the 16 girls, were still unemployed. The majority of the boys who had found work were engaged as labourers in the building trade or on the railways. Two who had obtained their Junior Certificate were delivering goods. Their wages were from R13 to R15.77 a month. Domestic service was virtually the only local avenue open to girls.

The Committee emphasised that the young people interviewed formed a small proportion only of the total of unemployed youth in the town. It pointed to the great danger of moral deterioration, and urged that a juvenile affairs committee be created.

⁽²²⁾ *Bantu*, October.

⁽²³⁾ Assembly, Hansard 12 coln. 4351-2.

JOHANNESBURG

The Institute of Race Relations commenced a similar study in Johannesburg in mid-1962. This proved inconclusive for various reasons, the main one being that the research worker left before completing the collection of data.

It was, however, ascertained that of 66 of the African boys who left school in 1961 after Standard VI, VIII, or X, 38 were in employment, four were continuing their studies, and 24 were seeking work. Of 73 girls, 15 were working, three were studying, and 55 were seeking employment. Most of the boys who had found jobs were labourers (14 cases) or clerical or office workers (13). Wages for the boys ranged from R17.73 to about R39.65 a month, the median being about R31.

Few of the African workseekers knew of the existence of the Youth Employment Section set up by the municipal Non-European Affairs Department: they were advised to register without delay. An official of the Department informed the Institute that it was very difficult to find employment for those in possession of the Junior Certificate or Matriculation certificates and for those who had an educational standard below Standard II. Those falling in between were easier to place because most employers required only an ability to read and write.

An official of the Department of Labour said that 592 Coloured and Asian boys and 356 girls had registered for employment in 1962. Of these, only 140 boys and 69 girls were placed during the year. Most of the boys who found work were labourers or clerks, and most of the girls had found employment in the clothing industry. The educational levels of the juveniles who were placed was not stated; but it appeared that 12.9 per cent of the boys who were still seeking employment, and 15.2 per cent of the girls, had at least a Standard VIII qualification.

UNEMPLOYMENT**1960 CENSUS FIGURES**

Sample tabulations by the Bureau of Census and Statistics, based on the 1960 census, have been referred to earlier. Tabulations referring to industrial divisions show that the following numbers of people were unemployed or seeking work in 1960. (Persons over 65 years of age are excluded.)

Whites	...	...	...	41,312
Coloured	...	...	...	89,563
Asians	...	...	...	26,924
Africans	...	...	...	334,542

It is possible that the figures include some persons who were working but did not state in which industrial division they were employed. So far as Africans are concerned they include migrants temporarily in the Reserves.

The sample tabulations indicate that the African population is increasing at a considerably greater rate than is the number in employment.

Figures published by the Department of Labour, showing registered unemployed, are considerably lower; but the Froneman Commission bore out the census figures by stating that in July 1961 there were about 505,000 unemployed Africans (including migrants in the Reserves).

REGISTERED UNEMPLOYED

Figures indicating the numbers of people who have registered for employment and have not been placed, as published in the *Bulletin of Statistics*, are furnished by the Departments of Labour and of Bantu Administration and Development. The latest available figures are:

	Date	Adults	Juveniles	Total
Whites	July 1963	8,750	455	9,205
Coloured and Asians	July 1963	10,429	921	11,350
Africans	May 1963	72,273	6,860	82,133

It is undoubted that these figures do not include all work-seekers. For a variety of reasons many of these people do not register with the Departments concerned.⁽²⁴⁾

Discussing the possibility of replacing African by Coloured labour in the Western Cape, the Minister of Bantu Administration and Development said in May,⁽²⁵⁾ "It is quite absurd to think that the Coloured registered in the labour bureaux include all those who are unemployed".

DURBAN SURVEY OF INDIAN UNEMPLOYMENT

In 1961 a voluntary body, the Durban Indian Unemployment Committee, made funds available for a study of unemployment which was planned by members of the staff of the University of Natal. A random sample of 500 Durban Indian households was selected, consisting of 3,577 persons (about 1 in 60 of the Durban Indian population). Information was collected in January 1962 by Indian students who had been trained as interviewers. January is a month of high employment for Indians. The results of the survey were published by the University's Institute for Social Research.⁽²⁶⁾

It was concluded that about 15,000 adult Indians (about 27.7 per cent of the Indian working population) were unemployed and actively seeking work. Unemployment was particularly marked among people under the age of 25 years and over the age of 56 years; 57 per cent of all those under the age of 19 who wanted

⁽²⁴⁾ See 1962 Survey, page 171.

⁽²⁵⁾ Assembly, 28 May, Hansard 18 col. 6853.

⁽²⁶⁾ *Unemployment Among Indians in Durban, 1962*, by Margo Russell in collaboration with I. K. Allan.

to work were unemployed. The rate was highest among persons of low educational attainment.

Of the unemployed, 23 per cent had never worked, and nearly 30 per cent. had been entirely without work for at least two years (two-thirds of them for more than three years). Only 47 per cent of the Indian working population had been in continuous employment during the period January 1959 to December 1961.

Because so many were unemployed the wages of each of those who did work (averaging R45.76 a month) had to support an average of 5.2 persons.

One-third of those who were unemployed had never contributed to the Unemployment Insurance Fund, and less than 11 per cent were in receipt of unemployment benefits at the time of the survey. The reasons were as follows:

- (a) Persons who had previously worked as casual, seasonal, domestic, or agricultural workers, or as employees of the State, the Railways, or the Provincial Administration, had not been eligible to contribute to the Fund.
- (b) Persons who had never worked had not contributed.
- (c) More than one-quarter of the unemployed had exhausted the benefits available to them during the current year.
- (d) About 8 per cent had contributed but for a variety of reasons had not applied for benefits (e.g. they had lost their cards, resented the attitudes of officials, felt that their time was more usefully spent in searching for employment than in queuing at the offices of the Labour Department, etc.)

The survey revealed a widespread failure to use the Department of Labour as a means of obtaining work, and the inadequacy of the Unemployment Insurance Act to meet a situation of chronic unemployment.

COMMENTS ON THIS SURVEY

The Minister of Indian Affairs said in May 1963⁽¹⁷⁾ that, lacking other sources of information, he had no reason to doubt the figures contained in the report of the University of Natal. He could only try, within the framework of the policy laid down by other Departments (job reservation, etc.) to find avenues of employment.

He was investigating whether special courses could be run at the M.L. Sultan Technical College to train unemployed Indians to do types of work for which employees were required. It was hoped that areas would be demarcated where Indians could start industries: a difficulty here, creating a problem within a problem, was that Indian industrialists generally preferred to employ Africans rather than Indians because African wage-rates were lower.

(17) Assembly, 20 May, Hansard 17 cols. 6377, 6435-7.

The Minister of Labour, on the other hand, said⁽³⁸⁾ that there appeared to be no real evidence for the findings of the survey. The sample had been too small and the information furnished to investigators had been inadequately checked. His Department was not prepared to undertake an investigation: it was up to the work-seekers to register as unemployed. During the previous 10 years about 50,000 Indians had registered, and of these the Department had placed 24,000. New registrations averaged 2,500 a month.

It was true that many Indians did not qualify for unemployment insurance benefits for reasons stated in the report, the Minister continued; but the authors were wrong in saying that all casual workers were excluded. It was only workers employed for less than one working day a week, and those employed for purposes other than the employer's business, who were not eligible. In 1962 an average of 1,166 Indians in Durban received benefits each month.

Shortly after the Minister of Labour had made this statement Professor T. H. Kelly, head of the Department of Commerce at the University of Natal, said at a congress of the Natal Indian Teachers' Society⁽³⁹⁾ that the university's estimate of 15,000 unemployed Durban Indians in January 1962 had been supported by evidence drawn from official sources which became available after the survey had been concluded. There had been some improvement in the position during the past year, but possibly 12,250 were still unemployed—excluding school-leavers who entered the labour market unsuccessfully at the end of 1961. One method of convincing the Minister would be to ensure that all the unemployed did register, he said.

Municipal heads of Departments in Durban recently stated in a report that they believed the question of Indian unemployment in the city merited more effective and dynamic treatment, at a national level, than it appeared to be receiving.

TRADE UNIONS

NUMBERS OF UNIONS RECOGNIZED

The Minister of Labour said in February⁽⁴¹⁾ that the numbers of unions then registered were:

- 95 for Whites only;
- 42 for Coloured and/or Indians only;
- 52 for Whites and Coloured and/or Indians.

There were 56 mixed unions at the end of 1960: four of these have apparently since split into separate unions for Whites and Non-Whites.

⁽³⁸⁾ Assembly, 3 June, Hansard 19 cols. 7109-12.

⁽³⁹⁾ *Natal Mercury*, 18 July.

⁽⁴⁰⁾ *Race Relations News*, October.

⁽⁴¹⁾ Assembly, 19 February, Hansard 5 col. 1591.

The co-ordinating bodies were described in the 1961 volume of this *Survey*.⁽⁴²⁾ Briefly, there are:

- (a) the S.A. Confederation of Labour, with three constituent bodies, on the right wing;
- (b) TUCSA (the Trade Union Council of S.A.) in the centre, which is the largest group. It has maintained liaison with Fofatusa (The Federation of Free African Trade Unions);
- (c) the left-wing Sactu (S.A. Congress of Trade Unions), which allied itself with the A.N.C. and other members of the Congress Group.

Many unions are not affiliated to any of these bodies.

TRADE UNION COUNCIL OF S.A.

Since its formation in 1954 Tucsas has accepted affiliation from registered White, mixed, Coloured and Indian unions. At its congress in 1962 it decided to allow properly constituted African unions to become affiliated too, even though these unions are not officially recognized. An African Affairs Department was then set up, with two African organizers working under the guidance of a White official. By early 1963 five African unions, representing just over 800 workers, had become affiliated.

The Industrial Conciliation Act of 1956 provided that no further mixed unions would be registered and that, unless special exemption is granted, remaining mixed unions must have separate branches and hold separate meetings for their White and Coloured members. Their executive committees must consist of White persons only. An Amendment Act passed in 1959 prohibited mixed congresses or conferences.

Tucsas decided to defy this last provision at its annual congress held in May 1963. The affiliated African unions were invited to send African delegates.

The 1962 congress called on the Government to afford recognition under the Industrial Conciliation Act to properly constituted African unions, and to allow trade union bodies to enrol members without regard to race. A unanimous resolution passed in 1963 stated, "Because it is regarded as essential to protect workers' interests . . . all workers should have the right to membership of unions registered in terms of the Industrial Conciliation Act, or where no registered unions exist, the workers should have the right in terms of law to organize and have their own unions recognized".

It is reported that Tucsas has lost some White support as a result of the decision to admit Africans.

After the congress the largest of the African trade unions, the National Union of Clothing Workers, decided to affiliate to Tucsas. Its members had previously been undecided whether to join this body or Sactu.

⁽⁴²⁾ Page 205.

S.A. CONGRESS OF TRADE UNIONS

Sactu is a predominantly African body, although some powerful Coloured and/or Indian unions and a very small minority of Whites are members. It is reported⁽⁴³⁾ that at the beginning of the year 54 African unions, mostly small ones, were affiliated to it.

During the year its activities have been severely handicapped by the fact that many of its leading officials, at central offices and in affiliated unions, have been forced to resign because of banning orders restricting their activities. In November 35 of its officials or former officials were being held by the police under the 90-day clause, at least five of them for a second term, and six for a third term.

LABOUR UNREST

The Minister of Labour said in February⁽⁴⁴⁾ that there had been far fewer incidents of labour unrest in 1962 than during the previous year. There were no lock-outs, and only 16 strikes, involving two White, four Asian, 66 Coloured, and 400 African workers. Eleven stoppages of work occurred under the Native Labour (Settlement of Disputes) Act, involving 400 African workers; and there were 88 further disputes which, through the assistance of Native Labour Officers, were settled without stoppages of work taking place.

Very few strikes have been reported in 1963. The only really grave troubles took place at the Bata Shoe Factory at Pinetown in Natal, which employs mainly Indians but some Coloured and Africans too. Reports of what occurred are confused; but it appears that when the workers returned after the Christmas break 50 of them were dismissed, including all the executives of the trade union (Durban Branch of the National Union of Leather Workers). All the rest, numbering some 750, then walked out in sympathy. They were threatened with dismissal; but after negotiations had been conducted by the Industrial Council concerned they returned to work about a week later, and soon afterwards the 50 who had been dismissed were reinstated. The President of Tuesa and the National Secretary of the union assisted in the conclusion of this agreement.

A few months later the managing director died and changes were consequently made in the supervisory staffing of the various sections. It was reported in May⁽⁴⁵⁾ that about 16 machines had been damaged and that the police were investigating an allegation of attempted sabotage. The workers stated that nearly 100 employees were dismissed at about this time and that about 600 others were temporarily laid off, the reason given being that a re-organization was in progress.

⁽⁴³⁾ *Rand Daily Mail*, 8 March.

⁽⁴⁴⁾ *Senate*, 7 February, Hansard 3 cols. 402-3.

⁽⁴⁵⁾ *Star*, 10 May.

The only other disturbance of significance that was reported took place at the Langeberg canning factory at Paarl during March. It is reported⁽⁴⁴⁾ that two workers were dismissed and that the rest considered the foreman was to blame and that the dismissals had been unfair. The 668 Coloured and African workers stopped work. Labour Department officials were called in, but the employees refused to discuss the matter with them and demanded direct dealings with the general manager. Following negotiations with him the two men who had been dismissed were reinstated.

⁽⁴⁴⁾ *Contact*, 22 March.

EDUCATION

PRIMARY AND SECONDARY EDUCATION FOR AFRICANS

FINANCING OF BANTU EDUCATION

Costs of Bantu Education

The preliminary estimates of the revenue of the Bantu Education Account for 1963-64 were:⁽¹⁾

	R
Fixed Statutory appropriation from General Revenue	13,000,000
Proceeds of African general tax	7,800,000
Miscellaneous receipts (boarding fees, etc.)	730,000
	R21,530,000

This sum is to be augmented, however. In his Budget Speech on 20 March 1963⁽²⁾ the Minister of Finance said that from 1 April 1963 the full amount collected in African general tax, instead of four-fifths as formerly, would accrue to the Bantu Education Account.

He added that the costs of maintaining the African university colleges were to be a charge on the Consolidated Revenue Fund. A sum of R2,000,000 would be transferred to the Bantu Education Account to cover expenditure up to the end of the financial year 1962-63; a further R1,250,000 would be transferred in respect of the year 1963-64; and thereafter an annual amount not exceeding R1,500,000 would be provided.

It was mentioned in previous issues of this *Survey* that the Government decided that the salaries and expenses of the Minister of Bantu Education and his assistants, and amounts allocated for financial assistance to special schools for handicapped African children, should be a charge on the Consolidated Revenue Fund rather than on the Bantu Education Account. The estimates for these items for the year ending 31 March 1964 are:⁽³⁾

	R
State-aided special schools... ..	192,700
Ministry	36,300
	R229,000

(1) *Estimates of Revenue and Expenditure from the Bantu Education Account, year ending 31 March 1964, R.P. 9/1963.*

(2) *Assembly Hansard 9 of 1963, col. 3060.*

(3) *Estimates of Expenditure to be defrayed from Revenue Account, year ending 31 March 1964, R.P. 1/1963, page 167.*

As a result of the decision to transfer the control of education in the Transkei to the Legislative Assembly of that territory there will be considerable changes in the Bantu Education Account. The method of financing the Transkeian Revenue Fund is described on page 85. At the time of writing the Government had not announced whether part of the Statutory appropriation of R13,000,000 a year for Bantu Education will be paid to the Transkeian Government, nor whether the revenue derived from general taxation will be decreased by a sum equal to the amount paid by Transkeian citizens.

Expenditure from the Bantu Education Account

Preliminary estimates of expenditure from the Bantu Education Account for the year 1963-64 are:⁽⁴⁾

	R
Salaries, wages, and allowances	3,360,000
General administration	981,700
Supplies, services, and maintenance of buildings ...	730,200
Bursaries and loans to pupils	30,100
School feeding	50,000
Subsidies to schools:	
Bantu community schools	14,632,000
Other State-aided schools	2,058,900
Night and continuation classes	1,000
Financial assistance to community schools for capital expenses	350,000
Maintenance of university colleges	1,249,100
Redemption of loans from Loan Account	220,000
	R23,663,000

The amounts originally allocated for subsidies to schools and for salaries will probably have to be increased considerably as a result of the decision, mentioned later, to raise teachers' salaries.

In the estimates given above only R2,800 is allowed for school libraries, and R7,700 for books for pupils. The vote for night and continuation classes has in recent times been reduced each year: it was R44,000 in 1955-56 but is only R1,000 in 1963-64. Expenditure on school feeding has been pruned from R893,686 in 1955-56 to an estimated R50,000 in 1963-64 following the decision to reduce the scope of the scheme and to encourage African communities to spend money on additional teachers rather than on food.

According to estimates by the writer based on official figures⁽⁵⁾ it would appear that by 31 March 1964 the Bantu Educa-

⁽⁴⁾ See note (1).

⁽⁵⁾ See *A Decade of Bantu Education*, by Muriel Horrell, published by the Institute of Race Relations in 1963.

tion Account will owe R6,794,541 to the general Loan Account for sums advanced for capital expenditure. Each year a larger sum is allocated for the redemption of loans. At the time of writing it was not clear whether the Bantu Education Account will have to repay the capital costs of the university colleges, included in the sum mentioned above, which are likely to have amounted to R2,733,000 by 31 March 1964.

Per Capita Expenditure

The *per capita* expenditure on African pupils in State and State-aided schools has declined from R17-99 in 1953 to an estimated R12-46 in 1960-61. No comparable figures relating to the Republic as a whole have been published for children of other racial groups in 1960-61; but in that year net costs per pupil in the Cape were R144-57 for White children and R59-13 for Coloured.⁽⁵⁾

One of the main reasons for the decrease in the *per caput* expenditure on African pupils has been the diversion of considerable proportions of available funds to the maintenance of university colleges. It is possible that the expenditure per pupil will rise now that the costs of maintaining these colleges is to be borne by the Consolidated Revenue Fund.

CONTROL OF EDUCATION IN THE TRANSKEI

There is to be an African Minister of Education in the Transkei, with an African private secretary. For the time being the 19 senior posts in the Departmental head office and inspectorate will be occupied by White officials, with 83 Africans in less senior posts; but the intention is that the Whites should gradually be replaced.

The Department will take over responsibility for eight teacher training colleges, 45 secondary or high schools, two vocational training schools, and about 1,550 primary schools. These institutions have 4,665 African and 45 White teachers, and cater for more than 250,000 pupils.⁽⁶⁾

ADVISORY BOARD FOR BANTU EDUCATION

Government Notice R895 of 21 June made provision for the creation of an Advisory Board for Bantu Education consisting of Africans appointed by the Minister. Seven members are to be selected, in consultation with the territorial or regional authorities concerned, to represent each of the main African language groups; and eight further members will be appointed to represent the interests of university colleges, training and other schools, farm schools, school boards, and churches. The chairman and vice-chairman (who are to be designated by the Minister) and one

⁽⁵⁾ *Report of the Superintendent-General of Education for the Cape, 1961.*

⁽⁶⁾ *Star*, 19 October.

other member, appointed by the board itself, will constitute an executive committee.

The function of the board will be to investigate the educational system, and to "assist in determining the broad principles of sound education for the Bantu, and the co-ordination of the education policy generally with a view to adjusting the system to the character and needs of the Bantu, with due regard to the advisability of maintaining diversity which may be demanded by circumstances". It will advise the Minister on any matter referred to it or any matter it wishes to raise, and it will "endeavour to uphold and promote the prestige of the teaching profession". With the Minister's approval it may co-opt any White or African person to assist in its deliberations, but a person so co-opted will have no vote.

Sub-committees may be appointed, with a member of the board as chairman, to deal with the interests of specific language groups. At the board's request or in consultation with it the Minister may appoint special committees of African experts to consider particular questions; again the chairman of such a committee will be a member of the board.

SCHOOL BOARDS AND COMMITTEES

According to a recently published Departmental report⁽⁴⁾ in 1961 there were 242 school boards, and 254 school committees with powers of boards. They employed 470 secretaries (some secretaries worked for more than one board), and 20,955 teachers. There were then 4,969 school committees.

PRIMARY SCHOOLS

Double sessions in the Sub-Standards

In July 1962 an all-African commission headed by Mr. R. Cingo with two White assessor-members was appointed to enquire into the teaching of languages in the Transkei. In its report⁽⁵⁾ the Commission stated that the system of double sessions in the Sub-Standards, although introduced as a temporary measure, was tending to assume a permanent character. It was educationally unsound, and was undoubtedly a contributory cause to the high wastage in enrolment. Every effort should be made to discontinue the system at an early date.

Automatic promotion up to Standard II

The Commission expressed the view that the system of automatic promotion of pupils until they reached Standard II had led to the lowering of teaching standards. Principals did possess the

⁽⁴⁾ *Annual Report of the Department of Bantu Education for 1961*, R.P. 26/1963.

⁽⁵⁾ *Report of the Commission of Inquiry into the Teaching of the Official Languages and the use of the Mother Tongue as Medium of Instruction in Transkeian Primary Schools*. R.P. 22/1963, Pages 12 and 13.

right to retard weak pupils after obtaining the consent of the circuit inspector, the Commission said: this right should be elucidated and stressed.⁽¹⁰⁾

Special classes for retarded children

One small class for retarded children, catering for 28 pupils, has been started at Orlando, Johannesburg. It is, so far, the only one of its kind.⁽¹¹⁾ The Department has established a psychological section to study retardation.

Introduction of official languages

At present one official language is generally introduced as a subject during an African child's first year at school, and the other six months later. The first language to be introduced is that predominantly used in the district concerned.

The Transkeian Commission considered that the second language is being introduced at too early a stage. It pointed out, furthermore, that as a teacher normally teaches English as well as Afrikaans to her pupils, the children tend to associate both these foreign languages with the same person, which causes confusion. The Commission recommended that the first official language should be introduced during the latter half of the child's first year at school, and the second at the beginning of Standard I. So far as possible these subjects should be taught by different teachers.

The first official language to be introduced should be decided by the school committee and principal in consultation with the circuit inspector, the Commission considered. Parents would, thus, be given a greater say in the subjects their children were taught.⁽¹²⁾

Use of the mother tongue as medium of instruction

Since 1959 the mother tongue has been used as the medium of instruction throughout primary schools.

Departmental committees were established to prepare terminologies for the seven main Bantu languages. Roneoed lists of terms used in primary school subjects have been issued to schools from time to time, and early in 1963 these were consolidated and issued as booklets, together with spelling instructions. The language committees have, since, been dealing with terminologies for secondary school subjects.

It was reported in the *Bantu Education Journal* in February that 90 per cent of the words in the lists issued were original Bantu words. The remaining 10 per cent had been devised by the committees by creating functional terms or by "Bantuizing" Western words.

⁽¹⁰⁾ *Ibid.*, pages 13 and 14.

⁽¹¹⁾ Minister of Bantu Education, Assembly 19 March, Hansard 9 col. 2988.

⁽¹²⁾ Report *op. cit.*, pages 5 and 6.

It appears to be generally agreed that an African child should commence his education through the medium of the mother tongue but at some stage thereafter should change over to using one of the official languages, at any rate in the upper classes and at universities, in order to be able to express precise scientific concepts and Western modes of thought. There are, however, differences of opinion as to the stage at which this change should take place.

The Transkeian Commission was of the opinion⁽¹³⁾ that the case for education through the medium of the mother tongue in the earlier stages was so strong that it could not be challenged. But it rejected the use of the mother tongue as the medium in secondary schools. "If this is ever to come about", the Commission stated, "it must come about as a result of a natural development. The inadequacy of the vocabulary, text books, and reference books is a very real and important obstacle in the way of its introduction as a medium of instruction in the secondary school".

The Commission criticised the existing system of changing the medium suddenly in Form I. It suggested a gradual change after Standard IV, and stressed that only one of the official languages should thereafter become the mother tongue substitute. (At present, wherever suitable arrangements can be made, half the subjects that are not taught through the mother tongue must be taught through the medium of English, and the other half through the medium of Afrikaans.)

The Commission recommended that the official language selected for use should be introduced as the medium of instruction in arithmetic and nature study in Standard V. In Standard VI social studies and health education should be taught through the new medium. Scripture should be taught through the vernacular in all classes; and the medium in the practical subject and music should be optional.

The official language to be introduced as medium of instruction from Standard V, and the question of whether the practical subject and music should be taught through the vernacular or the official language, should be left to the discretion of the school committee and the principal in consultation with the circuit inspector, the Commission considered. It qualified its earlier remarks by adding that a school committee should have the right to demand tuition through the mother tongue as medium up to Standard VI.

The teaching of the official languages

The Commission found⁽¹⁴⁾ that the standards of English and of Afrikaans (except in the initial stages) were very low indeed in Transkeian schools. The requirements of the syllabuses were in

⁽¹³⁾ *Ibid.*, pages 17-20.

⁽¹⁴⁾ *Ibid.*, pages 3 to 10.

no way to blame for this: the main reasons were the low qualifications of teachers and poor and obsolete methods of teaching.

The Commission's recommendations in regard to the training of African teachers are dealt with later. It stated: "Instruction in the official languages would almost certainly be improved by the provision, at any rate as a temporary measure, of well qualified European teachers of English and of Afrikaans in as many Bantu schools as possible whilst special programmes of training in the official languages for Bantu teachers are worked out".

Syllabuses

The Commission said⁽¹⁵⁾ that it "found much evidence of dissatisfaction with the syllabuses in the primary schools on the grounds that too much time was devoted to the practical subjects and religious instruction. It was asserted that an over-emphasis had been made on fitting the child at too early an age for his post-school life, to such an extent that insufficient time was being allocated to the basic skills in the languages and arithmetic".

It recommended that the time devoted to religious instruction, health education, and practical subjects should be reduced, and that more time be spent on learning the official languages and arithmetic.

Radio programmes

The Minister of Bantu Education announced on 20 May⁽¹⁶⁾ that, in order to encourage correct pronunciation and grammar, the Department was planning to supply radio sets to higher primary and post-primary schools, and to have special programmes in the official languages broadcast.

Text books

The Department issues new primary schools with reading books in the official languages and in the vernacular for each class, on the basis of one book per pupil. This number, however, is made up of two series of readers per class, the aim being to offer wider variety of reading material. Each copy is expected to last for four years in the standards and for three years in the sub-standards.

The Transkeian Commission recommended⁽¹⁷⁾ that the pupils encourage pride of ownership and to permit pupils to read on their own at home.

should buy their own books on a 50-50 subsidy basis, in order to

⁽¹⁵⁾ Page 14.

⁽¹⁶⁾ Assembly Hansard 17 col. 6348.

⁽¹⁷⁾ Report, page 15.

CHILDREN FROM COUNTRY AREAS

Many African children whose homes are in the country have in the past spent term-time with relatives or friends in the towns in order to attend schools there. Local authorities were entitled to authorize this if there were no suitable schools in the children's home districts. But early in 1963 the Government notified local authorities that this practice must cease. The only country children who would be allowed to attend urban schools would be those whose homes were near enough for it to be possible for them to travel to and fro daily. In other cases where no suitable schools existed in the home area the children would have to find lodgings in a rural Bantu area or attend boarding schools in such areas.⁽¹⁵⁾

SCHOOL HOSTELS

According to the Departmental report referred to earlier⁽¹⁴⁾ the following school hostels existed at the end of December 1961:

	<i>No. of Hostels</i>	<i>Number of boarders</i>		
		<i>Boys</i>	<i>Girls</i>	<i>Totals</i>
Government-controlled hostels at Government schools ...	24	2,800	2,048	4,848
Church and privately controlled hostels at Government schools	36	1,940	4,478	6,418
Church-controlled hostels at community schools... ..	11	190	387	577
Community and privately controlled hostels at community schools	35	758	1,067	1,825
Hostels at non-subsidized schools	1	—	276	276
Hostels at Roman Catholic schools	29	713	1,156	1,869
	136	6,401	9,412	15,813

SCHOOL LIBRARIES

Subject to certain conditions the Department subsidizes the purchase of school library books on a R1-for-R1 basis (half of the cost must be met from school funds). Under this scheme a maximum subsidy of 2½ cents per pupil is paid in Standard I and II, and 5 cents per pupil in the higher primary and post-primary classes. No primary school may receive more than R20 a year, and no post-primary school more than R50.

⁽¹⁴⁾ *Race Relations News*, March.

⁽¹⁵⁾ R.P. 26/1963, page 16.

The first condition is that funds must be available: as is mentioned earlier only R2,800 was voted for this purpose in 1963-64 (an amount R1,300 smaller than had been made available in the previous year). The funds contributed by the school must be allocated in such a way as to acquire an approximately equal number of books in each of the two official languages and a Bantu language. Circuit inspectors must make sure that the principal has examined the books already in the library and has disposed of those considered unsuitable for schools. There must be adequate storage space and arrangements for supervision.⁽²⁰⁾

Lists of 1,198 recommended library books for secondary and high schools were published in the *Bantu Education Journal* for June 1963. No subsidy will be paid for books not on these lists, and such books may be bought only if the circuit inspector approves.

The Transkeian Commission reported⁽²¹⁾ that it found hardly any libraries in primary schools in that territory. "In secondary and training schools with the exception of the older and well-established institutions the position in regard to libraries can only be described as highly unsatisfactory", it stated. It recommended that considerably higher subsidies should be paid.

The Southern Transvaal Regional Committee of the Institute of Race Relations is continuing to compile, catalogue, and distribute libraries to African schools. Between June 1961, when the scheme was started, and September 1963, 81 libraries were sent out, together with guides to the running of school libraries.

ENROLMENT AND DISTRIBUTION OF PUPILS

Detailed figures relating to enrolment in the various classes from 1955 to 1962 were given in the *Bantu Education Journal* for April 1963.⁽²²⁾ The enrolment in 1962 was as follows:

Sub. A	426,827	Form I	21,730
Sub. B	306,375	Form II	14,594
Std. I	268,278	Form III	10,823
Std. II	203,792		
		Total junior secondary	47,147
Total lower primary	1,205,272		
Std III	153,688	Form IV	2,006
Std. IV	112,103	Form V	968
Std. V	85,466		
Std. VI	71,738	Total senior secondary	2,974
Total higher primary	422,995	Combined totals	1,678,388

⁽²⁰⁾ *Bantu Education Journal*, May 1963.

⁽²¹⁾ Report, page 14.

⁽²²⁾ Also see *A Decade of Bantu Education*, op. cit.

The Minister of Bantu Education said⁽²³⁾ that in March 1962 there were 1,562,843 African children attending State and State-aided schools, and 121,583 enrolled in Church and private schools, giving a total of 1,684,426. The Minister's figures may include student teachers and pupils taking vocational or technical courses.

According to the *Bantu Education Journal* the average annual increases in enrolment over the 8-year period 1955 to 1962 (using the 1955 figures as the base) were:

Primary classes	...	...	8.48 per cent
Standard VI	...	...	13.4 per cent
Junior secondary course	...	...	5.2 per cent
Senior secondary course	...	...	5.5 per cent

Whereas the average increase in primary school enrolment over this period was 8.48 per cent, the *Journal* stated, the annual increase in the African population was 2.53 per cent. Primary education was, thus, expanding at nearly 6 per cent a year. It was estimated that in 1962, 61 per cent of the African children in the seven to 14 years inclusive age group were enrolled in primary classes. (Possibly 62.9 per cent of these children were enrolled in primary and secondary classes.)

The *Journal* compared the figures for Standard VI continuation passes* between 1958 and 1962 with those showing the enrolment in Form I, and came to the conclusion that until 1961 children who qualified and wished (and were financially able) to continue with their education were able to find accommodation in secondary schools. But in 1962 a large number of such children were probably unable to gain admission.

In 1962, 71.8 per cent of the pupils were in lower primary classes, 25.2 per cent in higher primary classes, and 3.0 per cent in secondary classes. The percentage in lower primary schools increased from 72.3 in 1953 to 74.2 in 1958. This was because of the introduction of double sessions in the sub-standards and the system of automatic promotion in force up to Standard II. Since 1958 the distribution of pupils has shown a slight improvement because a proportion of the additional children enrolled in sub-standards in 1955, when the double session system was introduced, is proceeding further upwards in the schools.

EXAMINATION RESULTS

Primary schools

In the *Bantu Education Journal* for April 1963 an analysis was given of the progress made by pupils during the previous five years. It was shown that 56.2 per cent of those in Sub-Standard A had reached Standard II without failing a class. (The remaining 43.8 per cent did not all fail: most of them left school.) 78 per

⁽²³⁾ 5 March, Hansard 7 col. 2129.

*i.e. passes qualifying the pupils to proceed to secondary schools.

cent of the pupils enrolled in Standard II went on to Standard III in higher primary schools, and of these, 53 per cent reached Standard VI by normal progress in four years. Of the children enrolled in Sub-Standard A in 1955, 25.3 per cent reached Standard VI by normal progress in eight years. (Again, numbers left schools at various intermediary stages.)

Standard VI

The *Journal* stated that 62,103 African children wrote the Standard VI examination in 1962. The results were:

	Number	Percentage
1st class pass	5,396	11.4
2nd class pass	23,155	37.2
School leaving certificate ⁽²⁴⁾	23,267	35.7
Total passes	51,818	84.3
Failures	10,285	15.7

The percentages of pupils who passed increased from 79.0 in 1960, to 82.2 in 1961, and again to 84.3 in 1962.

Junior Certificate

According to the same issue of the *Bantu Education Journal* only about 50 per cent of the pupils in Form I passed in 1960, and about 60 per cent of those in Form II passed in 1961.

In 1962, 9,933 African pupils in State and State-aided schools wrote the Junior Certificate examination⁽²⁵⁾ (figures for private schools were not given). The results were:

	Number	Percentage
Passed with distinction	3	0.03
1st class pass	446	4.49
2nd class pass	5,211	52.46
Total passes	5,660	56.98
Failures	4,273	43.02

The percentage of passes from 1959 to 1962 was:

1959 ...	44.3
1960 ...	56.2
1961 ...	54.5
1962 ...	56.9

Percentage pass marks in the official languages between 1959 and 1961 were:⁽²⁶⁾

⁽²⁴⁾ The school leaving certificate does not qualify a pupil to proceed to a secondary school.

⁽²⁵⁾ Taken at the end of Form III.

⁽²⁶⁾ Minister of Bantu Education, Assembly 15 May 1962, Hansard 16 col. 5781.

Year	Percentage passes in official languages		
	English A	English B	Afrikaans
1959	... 42.8	80.7	64.3
1960	... 41.1	91.5	71.7
1961	... 53.2	94.8	65.4

The first candidates who went through primary schools in the mother tongue medium wrote the Junior Certificate examination in 1961. It is too early to determine the effect on their proficiency in the official languages, since the standards of examination papers and of marking may vary from year to year; but a preliminary impression is that examination results in the official languages have not deteriorated.

The Minister of Bantu Education said on 20 May⁽²⁷⁾ that in order to ensure that examination standards compared favourably with those in other education departments he appointed examiners and moderators from the Provincial Education Departments as well as from the Department of Bantu Education.

Matriculation

According to the *Bantu Education Journal* for April, less than half of the pupils in Form IV are promoted to Form V. One reason for this, it was stated, was the lack of adequate selection of the best applicants after the J.C. examinations.

There were 894 African matriculation candidates in 1962 (these statistics apparently include private schools). The results were:

	No.	Percentage
Obtained matriculation exemption ⁽²⁸⁾		
1st class	4	0.4
2nd or 3rd class	142	15.9
Obtained school leaving certificate	216	24.2
Total passes	362	40.5
Failures	532	59.5

The total percentage of passes (all schools) was 29.0 in 1959, 19.0 in 1960, 25.3 in 1961, and 40.5 in 1962.

Reasons for the sharp drop in passes in 1959 and 1960 have been discussed in previous issues of this *Survey*.⁽²⁹⁾

Until 1962, candidates had to pass either English or Afrikaans on the higher grade to qualify for matriculation exemption. It was decided that from 1963 they may obtain such an exemption, entitling them to entrance to a university, if they pass a Bantu language on the A grade and both official languages on the A or the B grade.

⁽²⁷⁾ Assembly Hansard 17 col. 6348.

⁽²⁸⁾ Entitling candidates to enter a university or university college.

⁽²⁹⁾ 1961, page 234, 1962, page 181.

The Transkeian Commission⁽²⁰⁾ welcomed the decision provided that children are not forced to take the official languages on the B grade. There seemed to be an almost unanimous insistence in the Transkei on English A. The Commission said that from the point of view of learning a foreign language the B grade course is more suitable since it stresses language usage rather than literature.

DISTURBANCES AT SCHOOLS

There have, once more, been disturbances at various schools during the year under review. They occurred at Wilberforce, Lovedale, Healdtown, the Botha Sigcau High School, the (Catholic) St. Francis College at Mariannhill, the Mfundisweni hostels of the Faku Institution near Flagstaff, and the (Seventh Day Adventist) Bethal College near Butterworth: this college was temporarily closed. One student was killed in a feud between rival factions at St. Francis College. Altogether 471 pupils were expelled and more than 100 were found guilty in court of public violence, faction fighting, or other crimes.

It appears that in recent years normal disciplinary problems have been aggravated by the mounting spirit of unrest among many Africans in South Africa. Waves of disturbances appear to coincide with periods of marked disquiet in the country generally.⁽²¹⁾

The students expelled in recent years were from high schools or teacher training colleges. Some of them were allowed to apply for admission to other schools, but others were "black listed". The disturbances naturally created much restlessness in the minds of students who remained at the institutions concerned.

All of this influenced examination results: the numbers of candidates were reduced because so many had been expelled, and those who attended institutions where disturbances had occurred had probably not given full attention to their studies. In many cases their schooling had been interrupted.

PRIMARY AND SECONDARY EDUCATION FOR COLOURED AND ASIAN CHILDREN

COLOURED PERSONS EDUCATION ACT, No. 47 of 1963

Terms of the Act

The Coloured Persons Education Act provides that the control of education for Coloured persons will be vested in a Division of Education within the Department of Coloured Affairs. This Division, from the date of commencement of the Act, will take over all

⁽²⁰⁾ Report, page 4.

⁽²¹⁾ See *A Decade of Bantu Education*, *op. cit.* for further details of these waves of unrest.

Coloured schools previously controlled by Provincial Administrations, and all vocational and special schools and part-time classes for Coloured that previously fell under other Government Departments. The Minister of Coloured Affairs is empowered to set up new educational institutions.

No one may manage a private school at which more than 14 Coloured pupils are enrolled unless the school is registered with the Department and complies with prescribed requirements. The maximum penalties on conviction for contravening this provision are a fine of R100 or 6 months' imprisonment. The Minister is empowered to make grants-in-aid to private colleges, schools, continuation classes, and nursery schools.

After consultation with the Minister of Finance and with the governing body of a State-aided educational institution, the Minister of Coloured Affairs may by notice in the *Gazette* transfer the management and control of the institution to his Department.

If the Minister is satisfied that adequate school accommodation is available he may declare that regular attendance shall be compulsory for every Coloured person belonging to an age group and resident in an area specified.

The Act contains provisions for the conditions of service and for the control of Coloured teachers. Detailed definitions of misconduct are included. It will, *inter alia*, be regarded as misconduct if a teacher is a member of any party-political or other organization to which the Minister, by notice in the *Gazette*, declares that teachers may not belong, or if a teacher furthers the objects of such an organization, takes an active part in party-political matters, or encourages resistance against the laws of the State. It will also be deemed to be misconduct if a teacher publicly criticises the administration of any department, office, or institution of State, unless this is done at a meeting of a teachers' association that is recognized by the Minister.

If a teacher is accused of misconduct he is to be given the opportunity of replying to the accusation. Unless he admits guilt an enquiry will be held by a person appointed by the Department. The teacher may appeal to the Minister against the findings reached at the enquiry, the Minister's decision being final. Penalties which may be imposed by the Minister include a caution or reprimand, transfer to another post, a fine not exceeding R200, or dismissal.

Provision is made for the establishment of an Education Council for Coloured Persons consisting of an officer of the Department serving in an advisory capacity and not less than 8 Coloured persons appointed by the State President. If suitable persons are available at least one member will be selected from each province. The State President will designate one of the members as chairman. This Council will advise the Minister on any educational matter referred to it, or which it wishes to bring to the Minister's attention, or which it may investigate with the Minister's approval.

It may establish committees. Any negotiations between this Council and the National Advisory Education Council (which deals with the education of Whites) must take place through the Ministers concerned.

The Minister may make regulations, *inter alia*, for the medium of instruction. Should any doubt exist as to a child's home language the parents will have the right of final decision.

Parliamentary debate

When introducing the Bill at its Second Reading the Minister of Coloured Affairs said⁽¹⁾ that there had been wide consultations with persons representing the various interests involved.

The transfer of control of Coloured education, he continued, was part of a policy of upliftment. A child would be trained to serve his community, his people, and his country to the extent to which he had been endowed with talent. Coloured people would to an increasing extent be able to make a direct contribution to their education and the costs connected with it.

There was no intention of taking over all mission schools at once; but from time to time a church found itself unable to continue providing educational services. The Act would make it possible for negotiations to take place in such instances. If land and property were taken over from a church the provisions of the common law in regard to compensation and arbitration would apply.

He was aware that there was much dissatisfaction in regard to salaries, the Minister said. The Education Council for Coloured Persons would be asked to investigate the whole question of the recruitment, employment, and remuneration of teachers.

On the subject of political activities by teachers the Minister said that persons who devoted themselves to the task of educating the youth would have nothing to fear. But there were teachers who tried to use education for other purposes. "If the Coloured teacher was not exposed to influences which seek to overthrow the authority of the State . . . then this measure would probably not be necessary", he added . . . "White teachers are not exposed to the same pressures and influences".⁽²⁾

The United Party⁽³⁾ argued that the financial provision for Coloured education by the State via the provinces had always been inadequate. If the State took over the control of Coloured education, leaving the provinces to deal with the education of Whites, this would mean a duplication of administration and increased expenses. It would be cheaper to give larger grants to the provinces, which had long experience in administering education.

(1) Assembly, 21 February, Hansard 5 cols. 1739-45, and in subsequent debates cols. 2193-2204, 3997-8.

(2) Col. 4096.

(3) Cols. 1748-55.

Mr. A. Bloomberg, a Coloured representative, said⁽⁴⁾ that Coloured opinion in the Cape appeared to be divided. Some, who had been influenced by promises made in public speeches by Cabinet Ministers, felt that the change would result in better educational facilities for their people. Others opposed the measure: they wanted "education, not Coloured education", and feared that a special type of education would be devised "to fit in with their social position as seen by the Government". Mr. Bloomberg said he realized that the Government would not be prepared to withdraw the Bill. In the circumstances he moved that the House should decline to pass the Second Reading "unless and until the Government gives the undertaking that Coloured education will be brought to a level equal and parallel to that of White education".

Mrs. H. Suzman (Progressive Party) pointed out⁽⁵⁾ that the National Council for Coloured Affairs had been prepared to accept the transfer under specified conditions only, for example that there should be compulsory education, a raising of the school-leaving age, equal pay for Coloured and White teachers, and parallel-medium education in all Coloured schools. These conditions had not been complied with.

Mrs. Suzman considered ominous the Minister's remark that Coloured people would to an increasing extent be able to contribute to the costs of their education.

Various speakers pleaded for an amelioration of the clause relating to political activities by Coloured teachers.⁽⁶⁾ Activities liable to incur penalties should be limited to those calculated to undermine the authority of the State, it was said.

The Minister replied⁽⁷⁾ that only about one-quarter of the Coloured teachers in the Cape belonged to the (Coloured) Teachers' League of S.A. or the Teachers' Educational and Professional Association. The political activities of certain members of these organizations were such that these were bound to affect their work. They had become political figureheads in a way that would not be tolerated among White teachers. Any further attempt by such persons to indoctrinate either the public or the schools politically would meet with the severe measures such activities merited. The way had been cleared, the Minister added, for a new teachers' organization which would devote itself entirely to the needs of education.

On 3 April, during the Committee Stage, Mr. Bloomberg, acting at the request of the National Council for Coloured Affairs, moved⁽⁸⁾ that the debate be adjourned in view of the fact that none of the guarantees for which the Council had asked had been incorporated in the Bill; but the Minister refused to accept this motion.

(4) Cols. 1932-40.

(5) Cols. 1998-2001.

(6) e.g. cols. 4081-84.

(7) Cols. 2201-2.

(8) Col. 3968-9.

COSTS OF EDUCATION OF COLOURED PERSONS

During the debate on the Coloured Persons Education Bill the Minister of Coloured Affairs said⁽⁹⁾ that education was compulsory for Coloured children only in Natal and certain areas of the Cape. In 1961-62 the total current expenditure had been R22,196,000, and the capital expenditure R2,094,000. The Schumann Commission (appointed to investigate the financial relationship between the Central Government and the Provinces) had estimated that by 1970-71 the costs would be:

	<i>1961-2 expenditure</i>	<i>1970-1 on present basis</i>	<i>1970-1 if com- pulsory education is introduced</i>
	<i>R</i>	<i>R</i>	<i>R</i>
Current ...	22,196,000	44,144,000	47,922,000
Capital ...	2,094,000	2,900,000	6,138,000
	<u>24,290,000</u>	<u>47,044,000</u>	<u>54,060,000</u>

In his Budget Speech on 20 March the Minister of Finance said⁽¹⁰⁾ that the transfer of control would take place on 1 January, 1964. A sum of R4,600,000 had been allocated under the votes of Coloured Affairs, Social Welfare and Pensions, and Public Works, to cover expenses that would be incurred in the Cape Province for the remaining quarter of the financial year. The subsidy to that province was to be reduced by R3,140,000. (Adjustments were, presumably, made too in respect of the other provinces.)

Some of the anticipated expenditure is reflected in the official Estimates for 1963-64.⁽¹¹⁾ Expenditure on agricultural training and on the University College of the Western Cape is not included.

(a) Services which the Government controlled previously

	<i>1962-3</i>	<i>1963-4</i>
<i>(12 month period)</i>	<i>R</i>	<i>R</i>
Schools of industries, reform schools, technical high schools	263,600	295,050
Financial assistance to vocational and special schools	300,300	290,500
Loans to aided special schools	13,000	171,000
Continuation classes	19,400	19,400
Grants-in-aid to educational and sports organizations	20,000	20,000

⁽⁹⁾ Assembly Hansard 5 col. 1741.

⁽¹⁰⁾ Assembly Hansard 9 col. 3057.

⁽¹¹⁾ R.P. 1 and 8 of 1963.

(b) Services in which there is to be a change in control*(3 month period)*

Primary and secondary education—salaries, etc	3,522,000
" " " " —equipment, etc.	475,800
Payments to Cape Provincial Administration—indirect expenditure, refunds of loans made by Province, etc.	583,000

CONTROL OF EDUCATION OF INDIANS

The Minister of Justice (on behalf of the Minister of Indian Affairs) announced on 19 February⁽¹²⁾ that the Government had no intention at present of taking over from the provinces the control of Indian primary and secondary education. The Department of Indian Affairs would, however, assume responsibility for the University College for Indians and for the subsidization of the M. L. Sultan Technical College.

During the debate on the Coloured Persons Education Bill Dr. L. S. Steenkamp (United Party) pointed out that the Minister of Coloured Affairs would encounter difficulties in the Transvaal when he took over control of Coloured education, since there were 38 schools in that province that catered for both Indian and Coloured pupils.⁽¹³⁾

COLOURED PUPILS

In the course of the same debate the Minister of Coloured Affairs said that in 1963 there were 347,730 Coloured pupils attending schools. Dr. Steenkamp added that between 60,000 and 100,000 children of school-going age in the Cape were not yet enrolled⁽¹⁴⁾ (No statistics are available in respect of the other provinces.)

According to the latest Report of the Superintendent-General of Education for the Cape, in 1961 there were 275,415 Coloured and Asian pupils in that province, 38.0 per cent of them in the Sub-Standards, 57.4 per cent in Standards I to VI, and 4.6 per cent in Standards VII to X.

There were 1,257 mission schools in the Cape for Coloured and Asian children; 199 undenominational or State schools managed by school boards; and 12 special schools. The mission schools catered for 72 per cent of the primary pupils. Examination results in 1961 were:

	<i>Junior Certificate</i>	<i>Senior Certificate (Matriculation)</i>
Candidates	3,742	962
Percentage passes	62.3	54.6

⁽¹²⁾ Assembly Hansard 5 col. 1575.⁽¹³⁾ Assembly Hansard 5 col. 1749.⁽¹⁴⁾ Cols. 1741, 1748

In the speech quoted above Dr. Steenkamp said that in 1962 there were 31,659 Coloured pupils in the Transvaal,⁽¹⁵⁾ about 13,000 in Natal, and 4,594 in the Free State. Mr. A. Bloomberg added⁽¹⁶⁾ that, in the Cape, 95.0 per cent of the Coloured pupils were in the primary classes in 1961, as against 68.4 per cent of the Whites. One reason for this large difference was the rapid expansion of primary education for Coloured children: between 1961 and 1962 there was an increase of 14,467 Coloured primary pupils and 1,149 Whites.

A private Anglican high school for Coloured boys, named St. Barnabas, has been established in Johannesburg.

TEACHERS

AFRICAN SCHOOLS

The Minister of Bantu Education has announced⁽¹⁷⁾ that in 1963 his Department employed 28,350 African and 450 White teachers.

Of the 28,103 teachers employed in 1961⁽¹⁸⁾ 15,002 were African women, 13,101 were African men, and 488 were Whites. In the same year there were 49 African sub-inspectors and 150 African supervisors. The qualifications of the African teachers were:

	Percentages			Total
	Primary schools	Secondary and Teachers' Training schools	Vocational schools	
Lower Primary Certificate ... (2 years post-Form I)	56.5	13.0	10.6	53.7
Higher Primary Certificate ... (2 years post-Form III)	34.1	40.6	8.0	34.5
Degree only	0.1	0.9	—	0.0
Degree and Professional qualification	0.4	31.6	2.7	2.4
Bantu Teachers' Diploma ⁽¹⁹⁾ (2 years post-matriculation)	0.1	6.3	6.7	0.5
Without degree or professional qualification	7.7	0.9	1.3	7.2
L.P.T.C. or H.P.T.C. special course	0.4	2.3	—	0.6
Technical qualifications ...	0.7	4.4	70.7	1.1
	100.0	100.0	100.0	100.0
Numbers of teachers involved	25,583	2,116	129	27,828

(15) Some Indian pupils may be included in these figures.

(16) Col. 1935. Percentages calculated by the writer.

(17) Assembly, 20 May, Hansard 17 col. 6352.

(18) Statistics for 1961 from Departmental Annual Report, R.P. 26/1963. Percentages calculated by the writer.

(19) Now called the S.A. Teachers' Diploma.

Results in 1962 for the Lower and Higher Primary Certificate examinations were: ⁽²⁰⁾

	<i>No. of candidates</i>	<i>Percentage passes</i>
Lower Primary ...	713	90.7
Higher Primary ...	827	94.9

The number of candidates has dropped since 1959, partly because stricter tests are being applied for admission to the courses.

The Minister said on 20 May⁽²¹⁾ that he was aware that many African teachers were not sufficiently well trained; but it had been necessary, as an emergency measure, to produce large numbers quickly. It would now be possible to do away with the Lower Primary course as more potential teachers were passing the Junior Certificate examination.

The Department has from time to time arranged special vacation courses in Afrikaans for teachers who do not know this language, and has provided in-service refresher courses and courses at the university colleges for teachers wishing to improve their qualifications in Afrikaans, English, science, or mathematics. Study grants of R150 a year may be awarded in deserving cases. Loan bursaries of R80 a year, plus R20 for books, are available to students taking the S.A. Teachers' Diploma course (2 years post-matriculation) at a university college, and loan bursaries of R100 a year, or R120 in deserving cases, plus R30 for books, to those taking a graduate or post-graduate course.

Financial assistance is not provided for those taking the higher primary course except in the case of the Venda people, since there are insufficient applicants from this group.

COLOURED AND INDIAN SCHOOLS

In the speech quoted earlier the Minister of Coloured Affairs said that there were 10,793 teachers in Coloured schools, and 13 teacher training colleges. He did not state the racial groups of the teachers; but in 1961 in the Cape there were 8,349 Coloured, 148 White, and 2 African teachers in schools serving Coloured pupils. No recent statistics have been published in regard to Asian teachers.

SALARIES

The salaries of White and African teachers were raised as from 1 April 1963. Coloured and Indian teachers were granted an interim increase of one notch pending the transfer of control of Coloured education from the provinces to the Department of Coloured Affairs, when their salaries are to be investigated.

⁽²⁰⁾ *Bantu Education Journal*, April 1963.

⁽²¹⁾ *Assembly Hansard* 17 cols. 6345-7.

In the case of Africans cost-of-living allowances were consolidated (this had been done earlier in the cases of White and Coloured teachers); annual increments were more or less doubled; salaries were adjusted to the next highest notch on the new scale; and one notch was then added. The allowances payable to the incumbents of certain posts were increased, and provision was made for vice-principals in the two highest categories of higher primary schools as well as in the post-primary schools.

In order to give some idea of the extent of the improvements and of the differences between the scales for teachers of the various racial groups, salaries, inclusive of cost-of-living allowances, are compared for male assistant teachers appointed after 1 September 1961 to a senior secondary school.

(a) Teacher with matriculation and a professional certificate:

Married African	1946	R 512	rising over	15	years to	R 952
Married African	1962	R 680	" "	15	" "	R1,360
Married African	1963	R 672	" "	17	" "	R1,548
Single African	1962	R 520	" "	15	" "	R 920
Single African	1963	R 564	" "	9	" "	R 948
Coloured (Cape)	1963	R 780	" "	17	" "	R1,800
White	1962	R1,100	" "	14	" "	R2,640
White	1963	R1,308	" "	14	" "	R2,880

(b) Teacher with a degree and a professional certificate:

Married African	1946	R 660	" "	15	" "	R1,060
Married African	1962	R 996	" "	16	" "	R1,540
Married African	1963	R 852	" "	15	" "	R1,788
Single African	1962	R 716	" "	16	" "	R1,100
Single African	1963	R 708	" "	9	" "	R1,142
Coloured (Cape)	1963	R1,080	" "	15	" "	R2,200
White	1962	R1,600	" "	12	" "	R3,120
White	1963	R1,920	" "	12	" "	R3,360

The salaries quoted for Africans are the highest payable to assistant teachers in secondary schools. Male White assistant teachers with high qualifications who are employed in senior posts in large secondary schools are paid on the scale R2,640 rising over 14 years to R4,350.

The ratios between the top notches of the new scales, quoted above, for male teachers in secondary schools who have a degree and a professional certificate, are:

White	100
Coloured (Cape) ...	65.5
Married African ...	53.2
Single African ...	34.0

Salary scales for African teachers with less senior qualifications are naturally much lower. Two examples are given, both rela-

ting to the new salary scales for men.

- (a) Junior Certificate and no professional qualification: R240 x 18—312 x 24—336.
- (b) Lower Primary Teachers' Certificate: R294 x 18—312 x 24—384 x 36—492.

SENIOR POSTS UNDER DIVISION OF COLOURED EDUCATION INSPECTORS

It was announced in October⁽²²⁾ that the Department of Coloured Affairs has appointed 50 new school inspectors and subject inspectors. Five are Coloured teachers and the rest White. An official stated, "Thus far we have not received enough applications from Coloured people with sufficiently high qualifications".

HEAD OF COLOURED COLLEGE

The Cape School Board recommended a Coloured school principal for appointment as head of the (Coloured) Hewat Training College in Cape Town. He would have had a White vice-principal earning more than he did. The Cape Education Department rejected this nomination and appointed a White educationalist as temporary principal. No reason was given.⁽²³⁾

SCHOOL BOARDS IN THE CAPE

The separation of Coloured education from that of Whites will entail the establishment of separate school boards. At the beginning of 1963 three Coloured people were serving on the Cape School Board (which dealt with schools for both groups). They will be required to vacate office.⁽²⁴⁾

VOCATIONAL AND TECHNICAL EDUCATION

Vocational and technical institutions serving Coloured and Indian students have been described in previous issues of this *Survey*.⁽²⁵⁾

African boys who have obtained a Standard VI school leaving certificate (3rd class pass) may take 2-year vocational or trade courses at one of 11 institutions: a new vocational school was opened at Nongoma in Zululand in September. Girls with similar qualifications can take 2-year courses in dressmaking (6 institutions) or home management (4 institutions).

Three-year courses leading to the Junior Certificate technical examination are available to African boys with a Standard VI

⁽²²⁾ *Star*, 2 October.

⁽²³⁾ *Star*, 29 October and 7 November.

⁽²⁴⁾ *Star*, 19 April.

⁽²⁵⁾ 1962 page 194, 1961, page 250.

continuation certificate (1st or 2nd class pass). Seven institutions at present provide these courses and 3 new ones are planned. Advanced technical courses, for which the entrance qualification is the Junior Certificate, are available at some of the institutions.

In 1961 there were 1,775 students taking these courses.⁽²⁴⁾

UNIVERSITIES AND UNIVERSITY COLLEGES

PROPOSED NEW UNIVERSITIES

The Government proposes establishing two new universities for White students: a dual-medium one in Port Elizabeth, and an Afrikaans-medium one in Johannesburg.

ENROLMENT

The enrolment at universities and university colleges in June 1961 was:⁽¹⁾

<i>Universities</i>	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Cape Town	4,956	327	125	18
Natal	3,064	43†	556†	181†
Orange Free State	2,163	—	—	—
Potchefstroom	1,840	—	—	—
Pretoria	7,961	—	—	—
Rhodes	1,627	—	—	—
Stellenbosch	4,602	—	—	—
Witwatersrand	5,402	26	194	38
<i>Correspondence courses</i>				
University of South Africa	8,388	272	752	1,171
<i>University Colleges</i>				
Western Cape	—	289	—	—
College for Indians ...	—	—	114	—
Fort Hare	—	?	?	335*
College of the North ...	—	—	—	129
College of Zululand ...	—	—	—	51
<i>Totals</i>	<u>40,003</u>	<u>957</u>	<u>1,741</u>	<u>1,923*</u>

† Enrolment figures for the University of Natal include Non-White students attending the Natal Medical School.

* The figure for Fort Hare includes some Coloured and Indian students.

About 327 of the Non-White students (mainly enrolled with the University of South Africa) had their homes outside the Republic.

(1) From Annual Report of Department of Education, Arts and Science, R.P. 68/1962, and *Survey of Race Relations*, 1961.

DEGREES AND DIPLOMAS AWARDED IN 1961

The following degrees and diplomas were awarded to Non-White students in 1961 (excluding diplomas awarded at the three African university colleges):

	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Doctorates	—	1	1
Masters' degrees	—	1	1
Honours degrees	5	9	3
Bachelors' degrees	37	79	67
Teachers' diplomas	17	39	26
Other diplomas	4	1	4

COURSES TAKEN BY NON-WHITE STUDENTS

Statistics for the three African university colleges are excluded from the table that follows. Non-White students at the other university colleges and at the universities were taking the following courses in June 1961:

	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
Medicine—degrees	89	211	112
Physiotherapy—diplomas	1	—	—
Nursing diploma	—	—	2
Pharmacy	6	—	—
Arts—degrees	344	1,011	901
„ diplomas	63	1	5
Law—degrees	4	16	29
„ diplomas	10	17	50
Social science—degrees	11	16	41
„ „ diplomas	3	1	—
Education—degrees	19	30	23
„ diplomas	36	53	16
Commerce and public administration degrees	43	76	42
diplomas	5	16	16
Fine Arts—degrees	2	1	—
„ „ diplomas	2	1	—
Music—degrees	3	—	—
„ diplomas	3	—	2
Mathematics and pure sciences degrees	141	171	60
diplomas	76	—	—
Engineering—degrees	5	44	3
Architecture and quantity surveying degrees	1	14	—
diplomas	—	2	—
Occasional students	96	58	106

UNIVERSITY COLLEGE OF THE WESTERN CAPE

The Minister of Coloured Affairs said in May⁽²⁾ that of the 350 students at the (Coloured) University College of the Western Cape 219 were qualified to study for degrees. The rest had Senior Certificates (not of university entrance level) and were taking diploma courses.

In the official Estimates of Expenditure from Revenue Account for 1963-64⁽³⁾ a sum of R443,000 was allocated for the running costs of this college, plus R24,000 towards the cost of a pavilion.

HIGHER EDUCATION AMENDMENT ACT, No. 20 of 1963

This Act provides that the State President may by proclamation assign the provisions of the Higher Education Act to any Minister, or partly to one Minister and partly to another.

The Deputy Minister of Education, Arts and Science explained⁽⁴⁾ that the object was to place the teaching staff of the University College for Indians and the M. L. Sultan Technical College and its branches under the Department of Indian Affairs instead of his Department. The technical college would remain a State-aided institution and would retain its existing character and form of management.

Students of the University College for Indians held a demonstration in April to protest against the transfer of control of the college.

UNIVERSITY COLLEGE FOR INDIANS

The University College for Indians is still housed temporarily on Salisbury Island in Durban bay; but a site has been selected in the Chiltern Hills area of Durban for permanent buildings. It is anticipated that these will be ready by 1966-67.

A first Indian professor has been appointed, Dr. C. Ramfol, who will become professor of psychology in 1964.

The Minister of Indian Affairs said in May⁽⁵⁾ that of the 637 students, 547 were qualified to study for degrees. The rest, who had Senior Certificates, were enrolled for diploma courses.

According to the official Estimates, the costs of running the college in 1963-64 are likely to be R528,124.

UNIVERSITY COLLEGES FOR AFRICANS

Additions are being made to the buildings at Fort Hare to accommodate new faculties and the administrative staff; and build-

⁽²⁾ Assembly, 24 May, Hansard 17 col. 6579.

⁽³⁾ R.P. 1/1963, page 263.

⁽⁴⁾ Assembly, 20 February, Hansard 5 col. 1631.

⁽⁵⁾ Assembly, 24 May, Hansard 17 col. 6579.

ing work is continuing at the two other colleges. Revised estimates of the capital costs are: ⁽⁶⁾

	<i>Fort Hare</i>	<i>The North</i>	<i>Zululand</i>
	R	R	R
Original estimate of total cost	47,500	800,000	800,000
Revised estimate of total cost	1,052,500	1,349,900	1,110,000
Expenditure to 31 March 1963	158,700	1,025,300	911,000
Estimates for 1963-64	162,000	277,000	199,000
Balance to be provided later	731,800	47,600	—

Running costs in 1963 are likely to be: ⁽⁷⁾

	<i>Fort Hare</i>	<i>The North</i>	<i>Zululand</i>
Salaries	364,600	249,700	165,000
Other expenditure ...	191,000	170,700	108,600
<i>Total</i>	<u>R555,600</u>	<u>R420,400</u>	<u>R273,600</u>

The Government plans eventually to establish a medical school at the University College of the North.

The student enrolment in 1963 was: ⁽⁸⁾

	<i>Fort Hare</i>	<i>The North</i>	<i>Zululand</i>
<i>Students</i>			
Holding matriculation exemption certificates	184	130	88
Not matriculated	55	118	49
<i>Totals</i>	<u>239</u>	<u>248</u>	<u>137</u>

At the end of 1962, 268 students at these colleges were receiving State loan bursaries. ⁽⁹⁾

The examination results of matriculated students in 1962 were given in the *Bantu Educational Journal* for April 1963:

	<i>Number enrolled</i>	<i>Those allowed to proceed or granted degrees or diplomas</i>	
		<i>Number</i>	<i>Percentage</i>
1st year of study ...	171	107	63%
2nd " " " ...	84	63	75%
3rd " " " ...	78	40	51%

(6) Official Estimates, R.P. 8/1963, Loan Vote Q.

(7) Minister of Bantu Education, Assembly 15 February, Hansard 4 cols. 1147-8.

(8) Minister, Assembly 24 May, Hansard 17 col. 6579.

(9) Minister, Assembly 19 February, Hansard 5 cols. 1581-2.

NATIONAL UNION OF S.A. STUDENTS

Student bodies of the English-medium universities are affiliated to NUSAS, i.e. the student organizations at the Universities of Cape Town, the Witwatersrand, Rhodes, and Natal (including the Non-European section and the Non-White Medical School at the University of Natal). Student bodies of Fort Hare and the new Non-White university colleges have not been permitted to affiliate, but some of the students are individual members. The Afrikaans-medium universities are associated, instead, with the Afrikaanse Studentebond.

NUSAS has been an outspoken critic of university apartheid and of other radically discriminatory measures, for example the General Law Amendment Act of 1962. Early in 1963 Mr. Jonty Driver was elected president, with Mr. Kenneth Parker (a Coloured student) as vice-president.

Each university has its own arrangements, but at some of them, including the University of the Witwatersrand, students pay a composite fee which includes the NUSAS subscription as well as tuition and other fees. Should a student not wish to be a member of NUSAS he is free to ask in writing for the return of his membership fee.

During September the Minister of Justice called on students who were "compulsory members" of NUSAS to resign "in the interest and for the sake of our country", and thus to break the power of this organization. He stated that "NUSAS has become the mouthpiece of leftists and liberals, that it is tainted with communism, and has been for many years"⁽¹⁰⁾.

Leaders of NUSAS, past and present, indignantly repudiated any connection with communism or with any particular political party. They were afforded time on a S.A. Broadcasting Corporation programme to state their policy and to refute the Minister's charges; but their broadcast was immediately followed by a longer one in which the Minister's allegations were repeated.

NUSAS received support from various national student organizations overseas. A representative of the United States National Union of Students, for example, is reported⁽¹¹⁾ to have said that the charges were nonsense and were the result of a smear campaign carried on by a government which tended to confuse communism with democracy.

According to a Press report,⁽¹²⁾ Mr. Driver said on 17 October that only 335 of the 18,500 members of NUSAS had resigned since the Minister's attack. "We have had a letter from Fort Hare saying that membership . . . has actually increased".

⁽¹⁰⁾ *Sunday Times*, 29 September.

⁽¹¹⁾ *Rand Daily Mail*, 18 October.

⁽¹²⁾ *Ibid.*

HEALTH

GENERAL PLANNING

Reports of the Department of Health for years later than 1959 have not yet been published.

The Director of the National Nutrition Research Institute said⁽¹⁾ in an address to Rotarians in Pretoria that an amount of R120,000,000 per annum was spent on health services provided by the State, provinces, local authorities and welfare organizations. Two-thirds of this total sum was spent on Non-Whites. There were more than 700 hospitals, clinics, and district nursing services, 280 in rural areas.

A report in a Government journal⁽²⁾ states that R40,000,000 per annum is spent on African hospital and health services, and that there are about 20,000 beds available in 70 provincial and mission hospitals for Africans. A Press article⁽³⁾ stated, *inter alia*, that the number of hospital beds in South Africa of all types (mental, leper, tuberculosis, etc., besides general medical and surgical) totalled 32,000 for Whites and 82,000 for Non-Whites.

In a radio talk⁽⁴⁾ in March, the Secretary for Public Health attributed South Africa's major health problems to socio-economic conditions, directly and indirectly. He said that preventive health measures had in the past been given insufficient attention, and that his department with the co-operation of other interested departments and organizations was developing health education services. It was concentrating particularly on the control and prevention of tuberculosis and malnutrition.

A Commission of Enquiry into the High Cost of Medical Services and Medicines (the Snyman Commission) recommended *inter alia*, that medical aid schemes should be developed and co-ordinated and that there should be compulsory medical aid for the entire White population in the first place. At present, states the Commission, 1½ million (48 per cent) of the White population is covered by one of the numerous medical benefit or aid schemes. (It seems that a possible later extension of the medical aid system to Non-Whites is envisaged.) To give effect to these recommendations, a Central Committee for Medical Aid Funds was created in an advisory capacity, and a draft Bill placed before Parliament, copies of which were sent to interested groups and organizations in order that they could comment and criticize. The Bill has been postponed to the 1964 session of Parliament.

(1) *Rand Daily Mail*, 8 May.

(2) *South Africa*, May.

(3) Mr. Harold MacCarthy in the *Rand Daily Mail*, 6 November 1962.

(4) *Rand Daily Mail*, 4 March.

VITAL STATISTICS

The Births, Marriages and Deaths Registration Act, No. 81 of 1963, is a consolidating measure.

Provisional vital statistics for 1962 for the White, Coloured, and Asian sections of the population, as published in the official *Bulletin of Statistics*, are:

Births	<i>White</i>	<i>Coloured</i>	<i>Asian</i>
Number of births	78,069	75,710	19,238
Rate (per 1,000 of population) ...	24.5	47.5	38.4
Deaths			
Number of deaths	28,690	24,063	3,850
Rate (per 1,000 of population) ...	9.0	15.1	7.7
Natural Increase Rate			
(Per 1,000 of the population) ...	15.5	32.4	30.7
Infant Deaths			
Number of deaths... ..	2,235	9,052	1,083
Rate (per 1,000 live births) ...	28.6	119.6	56.3

There are no comparable statistics for Africans throughout the country, although vital statistics are contained in reports by medical officers of health for the various local authority areas. Although it is compulsory for African births and deaths to be registered, this is not necessarily done, especially in rural areas. In larger centres, such as Johannesburg, birth certificates are required for various administrative purposes, e.g. housing and employment, so that for this and other reasons figures for births are probably fairly reliable although they are not indicative of the position in the country as a whole. Because of the policy of influx control death rates in city areas would include a disproportionate number of males.

The African infant mortality rate in Johannesburg has been more than halved during a period of five years. The rate was 132.7 (per 1,000) in 1958, dropping to 61.2 in 1962. Comparable figures for other races in 1958 and 1962 respectively were: Whites 25.05 and 25.66; Asian 48.7 and 40.7; and Coloured 63 and 62. According to a report by the Medical Officer of Health for Johannesburg,⁽⁵⁾ the one main factor responsible for the very marked drop in African infant deaths was better housing conditions, although better surgical techniques and mass immunisation were also responsible. By comparison, Coloured infant mortality rates over the five years remained constant. The report stated that mortality figures were an excellent barometer of housing conditions and predicted that as Coloured housing conditions were improved, so infant deaths among this section of the population would also drop.

The Town Council of Umtata was reported⁽⁶⁾ to be shocked by a report on the municipal cemetery which showed that almost

(5) *South African Digest*, 3 October.

(6) *Star*, 23 January.

half the burials in the preceding six months were of African children under one month old.

DISEASE RATES

Because of their special significance, information is given below concerning the incidence of some diseases which are receiving particular attention at the present time from the State, the medical profession and voluntary organizations.

Tuberculosis

New cases reported⁽¹⁾ during 1962 were as follows:

	<i>Reported cases</i>	<i>Rate per 100,000 of population</i>
White	1,261	39.6
Coloured	7,419	465.7
Asian	969	193.4
African	53,801	473.6
Total	<hr/> 63,450	

An editorial in the *South African Medical Journal* in August said that the rate was increasing alarmingly. In 1962 it had risen by nearly 5,000 including a 23 per cent increase among White children under the age of four years. (The article pointed out that the figure of 5,000 might not necessarily have represented a true increase and may have been partly due to more active case-finding, especially in rural areas.) Forty people in South Africa die each day from this disease. The article commended the work of SANTA (the S.A. National Tuberculosis Association) in combating TB but added "as a sociological problem of great magnitude it required the co-operation of many Government departments and all local authorities."

SANTA News described the number of new cases as "staggering". It continued: "Fears have been voiced in many quarters that the famine and hunger caused by drought in many parts of the country during the last three years may have been the cause not only of increased malnutrition but of increased tuberculosis. No statistics are available to support this theory, but the possibility is an alarming one".

The Medical Officer of Health for Pretoria said⁽²⁾ that the tragedy was that although medical knowledge was such that the disease could be completely eliminated, sufficient funds were not available, even though the Government spent R13,500,000 a year or about 40 per cent of the entire health vote on fighting tuberculosis. Combating the disease meant not only medicine and treat-

⁽¹⁾ *Bulletin of Statistics.*

⁽²⁾ *Rand Daily Mail, 14 June.*

ment but also better housing and higher standards of nutrition and undertaking to care for a family while the breadwinner underwent treatment. "At present economic circumstances force many sufferers to work until they literally drop dead". The Secretary for Public Health⁽⁹⁾ said in March that there were 150,000 people suffering from tuberculosis in South Africa.

SANTA is reported to have⁽¹⁰⁾ 34 centres and 170 branches throughout South Africa. The centres have 7,015 beds or one-third of the present total of beds for tuberculositics in the country. Its work is subsidised by the State, to the extent of about R25,000 in 1963-64.

The Minister of Health announced⁽¹¹⁾ in May that the Department of Health would provide funds for the Johannesburg City Council to inoculate all Africans under its control against tuberculosis with the new BDG vaccine. As TB sufferers react differently to the vaccine from others, this might be a valuable survey not only for Johannesburg but for the whole country. A three-week campaign with the target of immunising 151,000 Africans under 20 years of age was launched in the South-Western townships in October during which approximately 9,000 persons were vaccinated each day. The Peri-Urban Areas Health Board in the Transvaal also accepted⁽¹²⁾ a scheme to immunise 51,000 Africans, later to be extended to cover the Board's entire Non-White population of over 600,000.

Kwashiorkor

Kwashiorkor, which occurs as a result of malnutrition, was made a notifiable disease from 14 September 1962. The official *Bulletin of Statistics* shows the total numbers of cases reported in October to December 1962 to be:

	<i>Cases reported</i>	<i>Rate per 100,000 of population</i>
White ...	2	0.1
Coloured ...	127	8.0
Asian ...	1	0.2
African ...	2,772	24.4
	<hr/>	
Total	2,902	

The Minister of Health in the Assembly⁽¹³⁾ gave the following figures for cases of kwashiorkor notified for the five months, January to May 1963:

⁽⁹⁾ *Rand Daily Mail*, 4 March.

⁽¹⁰⁾ *Star*, 8 October, and *Cape Times*, 22 November.

⁽¹¹⁾ *Star*, 23 May.

⁽¹²⁾ *Sunday Times*, 7 July.

⁽¹³⁾ 25 June, Hansard 22 col. 8714.

White	...	5
Coloured	...	230
Asian	...	15
African	...	7,170
		<hr/>
Total		7,420
		<hr/>

Trachoma

Trachoma, a disease causing blindness, is affecting thousands of Africans in South Africa. The World Health Organization regards it as the greatest single cause of blindness, and medical authorities in South Africa are said to suspect that there is a link between trachoma and malnutrition. In Sekhukhuneland in the Northern Transvaal the disease has an almost endemic character, and the Bureau for the Prevention of Blindness, in co-operation with the S.A. National Council for the Blind, has organized a large-scale campaign including the supply of ointment for treatment to children in some 100 African schools.⁽¹⁴⁾ It was reported⁽¹⁵⁾ that the State has promised R31,000 to the Council for the Blind for the period 1963/4.

Poliomyelitis

The following figures⁽¹⁶⁾ for 1960 and 1962 reflect the success that has been achieved in attempting to combat the incidence of polio:

	<i>Reported cases of acute poliomyelitis</i>		<i>Rate per 100,000 of population</i>	
	<i>1960</i>	<i>1962</i>	<i>1960</i>	<i>1962</i>
White ...	360	7	11.7	0.2
Coloured ...	180	19	12.0	1.2
Asian ...	22	0	4.6	0
African ...	492	75	4.5	0.7
	<hr/>	<hr/>		
	1,054	101		
	<hr/>	<hr/>		

No cases of paralytic poliomyelitis have been reported in Johannesburg since a mass immunisation campaign was started in May 1961.

Mental Health

At the 1962 annual meeting of the South African Council for Mental Health it was reported⁽¹⁷⁾ that between 500 and 600 Non-White mental patients were held in police cells each month await-

⁽¹⁴⁾ *Race Relations News*, September.

⁽¹⁵⁾ *Star*, 1 February.

⁽¹⁶⁾ *Bulletin of Statistics*.

⁽¹⁷⁾ *Race Relation News*, November 1962.

ing medical treatment. Measures to improve this serious situation were being planned, e.g. 700 beds for mental patients were to be given priority in hospital accommodation in the Bantu areas of the Transvaal and new facilities for Coloured were to be provided in the Western Cape. There were then about 23,000⁽¹⁸⁾ patients committed to mental institutions and the number was increasing. The intake of patients was about 6,000 per annum, of whom 75 per cent were discharged. The number of patients admitted was divided equally between Whites and Non-Whites. There were only two small mental wards for the entire Indian community of Natal, although further facilities for Indians were to be provided in Pietermaritzburg. The Commissioner for Mental Health told⁽¹⁹⁾ a 1963 meeting that there were then 25,000 mental patients cared for by only 22 (of a total of 66) practising psychiatrists with full-time appointments at hospitals.

The first National Conference on Mental Health in South Africa was held in Cape Town during October, under the auspices of the National Council for Mental Health, with the theme "Planning for Action in Mental Health".

The Minister of Health stated⁽²⁰⁾ in the Assembly, in reply to questions, that the Transkeian Territorial Authority had in three successive years (1960, 1961, and 1962) moved that urgent representations be made to the Minister of Health for the erection of a mental hospital in the Transkei. The erection at Umtata of a hospital for 1,500 African mental patients was being planned. No particulars were available regarding the incidence of mental disease among Africans in the various areas.

HOSPITALS

According to the Snyman Commission, there are 9.7 hospital beds per 1,000 Whites and 5.6 for Non-Whites with an overall average of 6.5. The largest hospital in Africa, at Baragwanath near Johannesburg, has 2,300 beds and treats 600,000 out-patients per annum. It has a full-time staff of 200 doctors, of whom 16 are Africans. The majority of the 1,100 nursing staff are also African.⁽²¹⁾

The Bridgman Memorial Hospital in Brixton, Johannesburg, an African maternity hospital, is to be closed because it is in a White area. It will be replaced by a new maternity hospital at Baragwanath, about 12 miles away, which is expected to be completed by about the end of 1964.

Certain additions and extensions are planned⁽²²⁾ for the hospital for Non-Whites at Coronationville in Johannesburg. Some Africans

(18) Statistics presented by the Commissioner of Mental Health to Parliament (*Star*, 20 June) show that about 23,000 mental patients were under statutory care in 1962 of a total of about 30,000 patients who were treated in mental hospitals.

(19) *Star*, 16 October.

(20) Assembly, 25 March. Hansard 10 col. 3405.

(21) *South Africa*, May.

(22) *Star*, 11 December 1962.

are still admitted, but the hospital is, however, intended eventually to cater for Indian and Coloured patients only.

A new physiotherapy and occupational therapy block was completed towards the end of 1962 at the Ernest Oppenheimer Hospital for African mineworkers at Welkom. The hospital, which serves five gold mines of the Anglo-American group, is said⁽²³⁾ to be the largest industrial hospital in the southern hemisphere.

A new modern hospital for Africans costing R3,500,000 has been built by the Provincial Administration at Natalspruit near Germiston. It was reported in October⁽²⁴⁾ that eight wards were open with a capacity of 300 beds, and that 500 out-patients were being treated daily. The nursing staff of nearly 200 African nurses and two White matrons was said to be "up to strength", but there was still a "desperate need" for doctors. This is the first new hospital for Non-Whites to have been built on the Reef since the war, and it is the first of a series which are planned ultimately to "ring the Reef".

A new hospital for Non-Whites to serve the West Rand, the Far West Rand and the Western Townships of Johannesburg is to be built south of Krugersdorp and another is planned at Garankuwa, outside Pretoria. It is to have some 800 beds and may serve as a training centre for African medical staff.

Two new hospitals, one general and the other for mental patients, are planned for Umtata. The existing Tembuland hospital in the Transkei accommodates 360 patients and has attached to it a training school for African nurses specializing in tuberculosis. Mobile clinics visit outlying areas, and 30 clinics exist run by African committees.

The King Edward VIII Hospital in Durban caters for Africans and Indians, has some 2,000 beds, and deals with 600,000 out-patients per annum. It has a nursing staff of 1,280, including 57 African nursing sisters, and 146 full-time doctors and dentists of whom 45 are Non-White.⁽²⁵⁾

A new hospital for Coloured patients is to be built at Grassy Park, Cape Town.⁽²⁶⁾

The Bantu Administration Department has informed⁽²⁷⁾ the Provincial Council in Natal that there should be no new hospitals and no expansion of hospitals for Africans in White areas. Eight multi-racial hospitals are affected i.e. at Utrecht, Vryheid, Dundee, Ladysmith, Stanger, Empangeni, Renishaw, and Port Shepstone. Doubts were also expressed about the future of two hospitals in Durban which are in "White" areas, i.e. the very large King Edward VIII Hospital and a smaller hospital for Non-Whites situated at Durban Point. The future of a number of mission

⁽²³⁾ *South Africa Digest*, week ended 6 December 1962.

⁽²⁴⁾ *Star*, 14 October.

⁽²⁵⁾ *South Africa*, May 1963.

⁽²⁶⁾ *Cape Times*, 23 November.

⁽²⁷⁾ *Natal Mercury*, 17 September.

hospitals is also in doubt. New hospitals are planned for the African areas of Umlazi and Kwa Mashu to the south and north of Durban respectively, and for other Reserves and African areas in Natal.

An article in *Bantu*⁽²⁸⁾ states that a chronic sick home for Africans known as the Montebello Institution has been built just inside the borders of an African reserve in Natal. A similar home already exists in the Nebo District (Matlala), one is in the course of erection near Sibasa and others are being planned to cater for "the various ethnic groups". The Montebello Institution is at present staffed and administered by the nearby Montebello Mission Station which receives a Government subsidy for the purpose. In accordance with Government policy, it is planned that the home will eventually "pass under the control of Bantu authorities".

MEDICAL AND NURSING PERSONNEL

The acute shortage of doctors and of White nursing staff was a recurrent theme throughout the year. The Snyman Commission stressed the shortage of doctors, especially Non-White doctors of whom there are only 130. It gave the following figures:

<i>Doctors per head of population (1960)</i>			
South Africa	...	...	1: 1,800
United Kingdom	...	...	1: 1,100
United States of America	...	...	1: 750

The Minister of Education, Arts and Science said⁽²⁹⁾ that the Bureau of Educational and Social Research had forecast that by 1965 there would be a shortage of 1,500 doctors in South Africa. Furthermore, medical men were unevenly distributed throughout the country. While Johannesburg had one for every 652 people, country districts were starved of doctors. The Director of Hospital Services in the Transvaal said⁽³⁰⁾ that his Department was short of 200 full-time doctors in its 60 provincial hospitals. In the past three years, 30 bursaries had been offered to African medical students, on condition that they worked for the provincial hospital service for a period of one year for each R300 they accepted, but there had been less than five applications.

According to the office of the Director of Provincial Services, Natal,⁽³¹⁾ 13 specialists, 116 doctors, 211 trained White nurses and 186 Non-White nurses are required to fill vacant posts, most of which are in the country districts. Two hospitals built by the Dutch Reformed Church in the Transkei to accommodate 110 patients in all have been unable to open because of shortage of staff.

⁽²⁸⁾ December 1962.

⁽²⁹⁾ *Star*, 2 March.

⁽³⁰⁾ *Rand Daily Mail*, 18 September.

⁽³¹⁾ *Ibid.*, 3 December.

The four provincial administrations, at their annual conference,⁽³²⁾ decided to urge the Government to take positive and urgent steps to relieve the growing shortage of doctors and para-medical personnel.

The President of the South African Nursing Council said⁽³³⁾ that at the present rate of nurses entering the profession, the country merely made up its annual losses without providing for the tremendous increase in population, hospitals and medical and nursing services.

According to official sources,⁽³⁴⁾ there are some 8,000 African nurses (out of a total of 25,000 practising nurses) and 22 institutions for general training of African nurses, 11 for midwifery, seven for mental nursing, as well as training schools for auxiliary nurses. In a Press article⁽³⁵⁾ containing valuable material, Mr. Harold MacCarthy made the point that at the largest Non-White hospital in the Transvaal, 3,000 applications are received each year for 250-300 vacancies. The excess in the supply of potential African student nurses contrasts markedly with the shortage of White nursing recruits.

The Assistant Chief State Health Officer told⁽³⁶⁾ the Pharmaceutical Society that Africans who lived in the Reserves, numbering about four million, were served by only 13 of the total of 3,146 pharmacists in South Africa. (Eleven in the Transkei and one each at mission hospitals in the Ciskei and Natal.) No pharmacists were at present being trained at Fort Hare or Turfloop, and Whites would have to give the necessary services until qualified Africans were available.

⁽³²⁾ *Sunday Express*, 6 October.

⁽³³⁾ *Rand Daily Mail*, 19 March.

⁽³⁴⁾ *South Africa*, May.

⁽³⁵⁾ *Rand Daily Mail*, 6 November 1962.

⁽³⁶⁾ *Ibid.*, 7 May.

NUTRITION

MALNUTRITION

As will be described below, recent prolonged droughts in certain parts of South Africa have aggravated the extent of malnutrition but even before this there was an extremely high incidence among African and Coloured people in particular of deficiency diseases such as kwashiorkor, pellagra, scurvy and gastro-enteritis.

Figures in last year's *Survey*⁽¹⁾ and in previous *Surveys* give some idea of the very high incidence of deficiency diseases in some areas.

The Department of Health has carried out an investigation⁽²⁾ into the nature, extent, and geographical prevalence of diseases caused by nutrition deficiencies. The Minister said in June that it was expected to be completed soon and that if it was of sufficient interest the Department would consider publishing it. As far as is known, this has not yet been done.

A member of the Government moved a Private Member's motion in the Assembly⁽³⁾ requesting the Government to give serious consideration to the question of providing guidance on nutrition to all sections of the population in order to combat (i) conditions of malnutrition amongst White and other sections of the population as a result of ignorance of the best and most economical use of available foodstuffs and (ii) malnutrition and even serious deficiency diseases amongst "certain Bantu who cling to old tribal customs, wrong eating habits and, in many cases, moral decline and undesirable living habits". The motion concluded that the House should strongly condemn "any misrepresentations made to exploit these conditions". In the debate, the Minister of Health said that malnutrition in South Africa was not the result of economic or even socio-economic factors, but rather the result of sociological factors. He said that there was no famine in South Africa or even under-nutrition but there was some malnutrition as a result of buying the wrong kind of food and from wrong eating habits, especially among Africans. Members of the Opposition urged that surpluses of food should be put to better use, that food prices should be brought within everybody's reach, and that the right foods should be made easier to get.

The Minister, replying, said that it was not the cost of food itself that made it expensive, but the cost of distributing it. Control

(1) Page 201 *et seq.*

(2) Assembly, 5 February, Hansard 3 col. 765.

(3) 8 March, Hansard 7 col. 2415.

boards could not give surplus food away because charitable organizations could not afford to take it away. He cited instances where bananas and oranges had been offered to charities which had found, however, that the cost of collection and distribution was too high.

A nutritional survey⁽⁴⁾ was commenced in April by the National Nutritional Research Institute of the Council for Scientific and Industrial Research among a sample of 720 African primary school children in Pretoria between the ages of six and 11. A similar survey of 600 White children was carried out in 1962, and surveys among Coloured and Asian schoolchildren are planned for 1964.

World Health Week sponsored by the World Health Organization took place in April with the theme "Hunger—Disease of Millions". Kupugani sent a circular letter to churches asking that special mention be made in prayers of the suffering caused by malnutrition.⁽⁵⁾

Some of the factors involved in the very high incidence of kwashiorkor and other deficiency diseases were listed⁽⁶⁾ by the Director of the National Nutrition Research Council as problems of food distribution, the low socio-economic standards of most Non-Whites, migration of Non-Whites from rural areas to towns, unstable home life, high illegitimacy rates, traditions and superstitions concerning food usage, improvidence and a lack of self-reliance. He said that two important factors in the fight against kwashiorkor were the distribution of milk powder and the fact that kwashiorkor had been made a notifiable disease.

A Durban firm has produced what is described as a high protein, inexpensive "wonder food"⁽⁷⁾ which it is hoped will help to combat malnutrition and at the same time absorb some of the maize surplus. This pre-cooked food has received favourable comment from the Food Conservation Committee of the United Nations.

A team of five nutritional experts represented South Africa at the World Food Conference held in America in June, which was reported⁽⁸⁾ to be the climax of the "freedom from hunger" campaign waged throughout the world by the Food and Agricultural Organization of the United Nations. On his return from the conference the Director of the National Nutrition Research Institute said⁽⁹⁾ that in comparison with South Africa where the incidence of kwashiorkor was less than 1 per cent it was 25 per cent in Africa. He said that the disease could be eliminated in South Africa in about two years. One way was by employers accepting some responsibility for the adequate feeding of staff and their families.

(4) *Star*, 25 February, and *Rand Daily Mail*, 3 April.

(5) *Rand Daily Mail*, 8 April.

(6) *Rand Daily Mail*, 8 May.

(7) *Star*, 24 July.

(8) *Sunday Express*, 2 June.

(9) *Rand Daily Mail*, 6 July.

Government Milk Powder Scheme

The Department of Health allocated R20,000 for the year 1962/63 and R40,000 in 1963/64 to help combat kwashiorkor. It subsidises local authorities to the extent of 5 cents per lb. of skimmed milk powder. Powder is available through the Dairy Control Board at a reduced price of about 15c a lb., and local authorities sell it at a nominal price (e.g. 5 cents per lb.) to organizations for selected categories of people. A report⁽¹⁰⁾ in December 1962 stated that 35 local authorities, including most of the major municipalities, had by then applied to take part in the scheme. The Johannesburg City Council, which in 1962 spent R24,512 on skimmed milk powder, decided⁽¹¹⁾ in May to apply to take part. An official estimated in April⁽¹²⁾ that 862,455 children, mainly African, would benefit from the scheme in 1963/4. About 43,122 tons of milk powder would then be distributed. In addition to statutory local authorities, the Department would consider assisting any scheme in which a responsible authority controlled the distribution. In May, the Minister of Health stated⁽¹³⁾ that only R8,892 of the R20,000 allocated for 1962/3 had been spent because the scheme had only been approved in May at a stage when many local authorities had unfortunately already drawn up their current estimates. He added that the Department was continually taking steps to enlist the co-operation of local authorities. The subsidised milk powder scheme would in future be permanent. In addition to this scheme, milk powder was distributed by district surgeons and health centres where it was considered essential by the Department.

SURPLUSES

The Director of the National Nutrition Research Institute pointed out⁽¹⁴⁾ that South Africa produces 25 per cent of all food grown in Africa south of the Sahara and that the State spent R30,000,000 annually on subsidising staple foods, an amount equal to 5 per cent of the national budget.

A huge surplus of maize has been produced in South Africa in recent years, and although a large proportion is exported, it is sold at a loss. Of the 1962/3 record crop of nearly 62 million bags, about 29 million bags were exported at a total loss of nearly R13,000,000.⁽¹⁵⁾ (i.e. a loss of over 50 cents per bag). Another record crop of over 64 million bags was produced in 1963/4 and although world prices did improve slightly towards the end of the year, another very big loss is expected. Farmers receive a guaranteed price per bag for maize, and losses are made good from a

(10) *Rand Daily Mail*, 13 December 1962.

(11) *Star*, 8 May.

(12) *Rand Daily Mail*, 11 July.

(13) *Assembly*, 28 May, Hansard 18 col. 6762-3.

(14) *Rand Daily Mail*, 8 May.

(15) Report of the Maize Board, 1962/3.

stabilization fund to which farmers make a contribution. A Press report in November stated⁽¹⁶⁾ that authorities had estimated that South Africa's production of maize was rising to an extent that might make possible an annual crop of 100 million bags, i.e. three times the 33 million bags required for home consumption.

Other products of which there are periodic surpluses are citrus fruit, eggs, and dairy products.

A scheme⁽¹⁷⁾ aimed at reducing South Africa's huge mealie surplus and providing food for the underprivileged was launched in July by the Mealie Industry Control Board in co-operation with Kupugani. The scheme which was to be started on an experimental basis in the Mahlabatini District of Zululand would initially provide 5,500 children with a daily meal of mealie-meal porridge and a cup of nutritious soup at a subsidised cost of 1c a day. The scheme included a health education programme. If after a one-year trial the scheme had worked successfully, it would be considered for the rest of the country.

The Vice-President of the Jersey Cattle Breeders' Society of South Africa said in January⁽¹⁸⁾ that he had pleaded for years for a consumer subsidy for milk for the underprivileged. He said that although most cities believed that they had a milk surplus, this was not the case when a vast proportion of children suffered from malnutrition.

The Manager of the Milk Board said in March that a pilot scheme in Pretoria to supply cheap milk to school children had had to be suspended and that a re-appraisal was necessary before the scheme could be started on a nation-wide scale. It was hoped, however, to introduce it in a number of schools on the Cape Peninsula, Witwatersrand, and in Bloemfontein and Pretoria the following term. The pilot scheme had involved about 40,000 children in about 50 schools who were provided with $\frac{1}{2}$ of a pint of milk a day at 7½c per week, i.e. about 25 per cent less than it would otherwise have cost.

In giving detailed figures in Parliament in February of exports and imports of dairy products for the period 1958-1962, the Minister said⁽¹⁹⁾ that considerable surpluses had occurred in 1961 which had resulted in heavy losses. Immediate steps had been taken to stimulate the demand on the local market by reducing consumer prices which in turn had meant reducing producer prices and in the case of butter, increasing the Government subsidy.

As a result of a special marketing and publicity scheme for butter under which lower grades are sold to Africans in special packaging and at reduced prices, butter sales in African urban areas were reported⁽²⁰⁾ to have increased from 7,835 lbs. in

⁽¹⁶⁾ *Rand Daily Mail*, 18 November.

⁽¹⁷⁾ *Rand Daily Mail*, 27 July.

⁽¹⁸⁾ *Rand Daily Mail*, 25 January.

⁽¹⁹⁾ *Assembly*, 15 February, Hansard 4 col. 1401 *et seq.*

⁽²⁰⁾ *Star*, 2 May.

December 1961 to 101,374 lbs. in September 1962. In the South-Western townships of Johannesburg, butter sales to Africans increased by 286 per cent. The Dairy Board is concentrating its efforts on increasing sales to Africans still further. Butter prices generally were increased in the middle of 1963 but butter continued to be sold on the African market at a reduced rate.

In May, an experimental scheme was launched by the Citrus Exchange Board in co-operation with Kupugani under which surpluses were to be sold at nominal prices to Kupugani which in turn sold the fruit cheaply through their distribution depots to the aged and at family centres in African townships. In previous years, surpluses have either been 'dumped' or exported at unprofitable prices. It was hoped that if the citrus scheme worked successfully, Kupugani would extend it to surpluses of other food products. The Citrus Board also supplied a quantity of free oranges to SANTA.

An article in the *Financial Mail*⁽²¹⁾ claimed that with a determined approach to the situation, the problem of malnutrition could be combated by the Government. An estimate of the cost of the relief included: "For R1,000,000 enough mealie-meal could be provided to fill the bellies of every hungry African in the Province, right through to next year's harvest . . . For less than R3,000,000 a year, sufficient protein and vitamins could be supplied to wipe out malnutrition completely". In comparison with these sums, the *Financial Mail* stated that R18,700,000 was spent upon mealie subsidies alone. It added: "The long-term solution lies in a more intelligent dynamic ordering of our economic affairs. Agricultural production costs cannot be pushed much lower but food marketing costs are too high, African buying power too low".

The president of the South African Agricultural Union said⁽²²⁾ in August that South Africa would have no surplus food problems if the earnings and productivity of Non-White workers were raised so that they were in a position to feed themselves more adequately.

DROUGHT IN NORTHERN TRANSVAAL AND RELIEF MEASURES

An exceptionally severe and prolonged drought in certain parts of South Africa was described in last year's *Survey*.

Towards the end of 1962, considerable Press publicity was given to conditions, especially in the Northern Transvaal, and to the resultant famine, hunger, and starvation suffered by the African population of these areas. These reports were described by Government spokesmen as sensational and exaggerated.

Early in 1963 the *South African Digest*⁽²³⁾ stated that tons of special protective foods for children had ended the threat of disaster in the drought-stricken areas which stretched across three-

(21) Reported in *Race Relations News*, June.

(22) *Rand Daily Mail*, 10 August.

(23) Quoted in *Rand Daily Mail*, 2 February.

quarters of the Transvaal in 1962. It said that "saving the children from famine has been relatively inexpensive and simple". All it needed was one meal a day fortified with a concentrated protein food. The cost of saving lives amounted to a few cents a meal.

In March, it was reported⁽²⁴⁾ that Africans in the drought-stricken tribal areas in the Northern Transvaal were threatened with a serious food shortage and widespread hunger possibly on an even greater scale than in 1962.

The Northern Transvaal Relief Fund launched an appeal for further funds. The Potgietersrus Famine Relief Committee continued to provide daily meals for over 6,000 children as it had done since February 1962 and the Bantu Commissioner's office was reported to have provided food daily without a break since the winter of 1962. The Transvaal United African Teachers' Association collected R500 for famine relief.⁽²⁵⁾

On 7 May 1963 a very urgent appeal for public help was issued by the Gereformeerde Kerk after a survey of conditions among Africans in Vendaland. The survey revealed⁽²⁶⁾ that kwashiorkor and pellagra were rife, and that from September to February, 301 cases of the former and 1,224 of the latter had been treated in five hospitals in the district. The report stated that the pellagra was not the result of wrong eating habits but of "drastic famine". Because of the lack of food, many people—mostly mothers and children—could eat only three times a week and these "meals" consisted for the most part of thin mealie-meal porridge without meat or vegetables. Hundreds of thousands of people had been "struck by this disaster". The report stated that the survey had been undertaken after conflicting newspaper reports and that it was "not generally known what the true state of affairs is in Vendaland". Statements by other clergy confirmed that a similar situation existed in Pietersburg, Potgietersrus and other areas of the Northern Transvaal.

Kupugani announced that it would make an all-out effort to supply food to the stricken areas. Voluntary transport was used to hasten deliveries. People in Louis Trichardt had formed the Zoutpansberg Nutritional Association which collected money, bought food and distributed it to the needy. A number of firms donated fish and other foodstuffs. Other organizations such as the Christian Council, Save the Children Fund, the Bishop of Pretoria Fund, the Salvation Army, hospitals and missions, etc., helped with the receiving and distribution of money, food and clothing.

A spokesman⁽²⁷⁾ for the Department of Bantu Administration and Development said it was not necessary for any African to suffer as the result of food shortages. The Department was aware that hardship was being caused by crop failures, and the relief

(24) *Rand Daily Mail*, 6 March.

(25) *Star*, 6 May.

(26) *Star*, 7 May.

(27) *Star*, 8 May.

measures instituted in 1962 were continuing in the area from Potgietersrus north to the Limpopo. Food was being supplied to Bantu Affairs Commissioners for distribution through Bantu Authorities, and the Government was doing everything in its power to alleviate conditions.

A representative of the *Star* applied during May for permission to enter Vendaland, but this was refused by the Government. In giving the reasons for the refusal in reply to a question in Parliament, the Minister for Bantu Administration and Development said⁽²⁸⁾ that the Department had the necessary machinery to deal with any difficulties that might arise in the area concerned and that the intervention of the Press was not considered necessary, and moreover the Department was not prepared to consider the request in view of the experience during 1962 when certain sections of the Press who were allowed to visit Sekhukuneland published unbalanced, incomplete and misleading reports.

A committee under the chairmanship of the Chief Bantu Affairs Commissioner in Pietersburg was created by the Department of Bantu Administration and Development, which made funds available. The Minister stated⁽²⁹⁾ that any voluntary organization wishing to help must do so through this committee which was working through the various Bantu Authorities in Vendaland and other affected areas. Kupugani issued a statement⁽³⁰⁾ welcoming the State's co-operation and stressing the importance of all interested organizations and the Government working together to relieve the emergency situation.

In a statement in the Assembly⁽³¹⁾ in May, the Deputy Minister of Bantu Administration and Development outlined the steps that had been taken by the Government since the appeal by the Gereformeerde Kerk. Early in March, the Chief Bantu Affairs Commissioner in Pietersburg had called for reports from all Bantu Commissioners in the Northern Areas. The survey had showed that rainfall in all except two areas had been below average and that crops were therefore below average and in some areas had failed. African families normally dependent on agriculture were thus in need of assistance. The policy of the Department to alleviate distress was to provide opportunities for work for Africans, including women. This was done by expediting development projects in African areas, by substituting manual for mechanised labour, and by making additional funds available to Bantu Authorities for removing trees, road-making, eradicating weeds, etc. The aged and handicapped were provided with food through Bantu Authorities in terms of Bantu custom. Children whose parents were unable to feed them due to circumstances beyond their control were fed through Bantu Authorities, too. Special

(28) Assembly, 14 May, Hansard 16 col. 5966/7.

(29) *Star*, 14 May.

(30) *Star*, 15 May.

(31) Assembly, 14 May, Hansard 16 cols. 5973-4.

food with a high nutritional value was also supplied on medical advice.

An official of the Department of Health said⁽³²⁾ in the middle of May that a nutrition survey was being carried out by it in the Northern Transvaal to determine what special relief measures, if any, were necessary in the affected areas.

In the Transvaal Provincial Council in May⁽³³⁾ Miss M. McLarty urged that provincial funds should be made available for famine relief in the northern areas. The Administrator replied, however, that there was free hospitalisation but that there was no vote under which special aid could be made. Any such help should come from the central Government.

According to the Department of Agricultural Economics and Marketing in May, there were then 30 magisterial districts in the Republic which had been classified as drought-stricken areas.⁽³⁴⁾ The drought continued. In June, farmers in four areas in the Northern Transvaal (Warmbaths, parts of the Waterberg, Potgietersrus and Pietersburg) asked⁽³⁵⁾ the Government to declare the areas "drought stricken". It was reported that the three-year drought had cost them millions of rand in failed crops, and debts were mounting.

In August, it was reported⁽³⁶⁾ that in a continuing study by Government officials of conditions in the Northern Transvaal it had been found that there were no signs of famine and that the measures taken by the Government had ruled out the possibility of widespread hunger. No deaths attributable to starvation alone had been reported to the authorities. Where malnutrition did occur, it was attributable mostly to incorrect feeding habits and tribal taboos.

WORK BY VOLUNTARY ORGANIZATIONS

In addition to the special relief given in the Northern Transvaal, a number of voluntary organizations have been working over a period to relieve malnutrition. Among these are the African Children's Feeding Scheme and the Save the Children Fund in Johannesburg; the Cape Flats Distress Association and the Peninsula School Feeding Association in Cape Town; Durban's Malnutrition Relief Committee; the Mayor's School Feeding Committees in both East London and Port Elizabeth; and schemes run by the Pretoria and Bloemfontein Joint Councils. Details of the work carried out by many of these organizations and results achieved have been described in previous issues of the *Survey*.

The Mayor's School Feeding Scheme in East London which has been in operation for more than five years was in 1963 feeding

⁽³²⁾ *Rand Daily Mail*, 16 May.

⁽³³⁾ *Rand Daily Mail*, 29 May.

⁽³⁴⁾ Assembly, 14 May, Hansard 16 col. 5973.

⁽³⁵⁾ *Rand Daily Mail*, 27 June.

⁽³⁶⁾ *Rand Daily Mail*, 9 August.

over 4,000 African school children and some 2,000 Coloured school children up to Standard II. Each child is provided daily with 8 oz. skimmed milk and a fortified biscuit at a total monthly cost (met entirely from public contributions) of R1,100.

In its annual report for 1963, the African Children's Feeding Scheme (which has operated for 17 years on the Witwatersrand) reported that it had had an average annual income over the past three years of R63,000 which had enabled it to provide daily supplementary meals to roughly 12,500 children through its centres, vans, farm schools and creches. A special fund-raising campaign had been launched to raise the annual sum to R500,000 in the hope of being able to provide a daily meal for as many as 100,000 children.

The Director of the Uppington Mission in the Northern Cape during 1962 supplied over 13,000 meals to Non-White school children at 11 schools within a radius of 120 miles from Uppington.⁽³⁷⁾

In the Assembly⁽³⁸⁾ Mr. Bloomberg, a member representing Coloured voters, urged that the Coloured Affairs Department should re-introduce a State school-feeding scheme for children. He said that a voluntary organization set up in 1958 after the Government stopped the previous school-feeding system was experiencing severe financial difficulties and might have to close down. In 1958 it had fed 8,100 children and in 1963 was feeding 74,000 of whom nearly 69,000 were Coloured. The number of schools covered had increased from 19 to 154.

The Pretoria African Children's Feeding Scheme, in conjunction with the Milk Board, runs a scheme whereby centres in all of the African townships around Pretoria supply children of all ages with half a pint of skim milk and a slice of brown bread for $\frac{1}{2}$ c.⁽³⁹⁾

Efforts⁽⁴⁰⁾ have been made in Alexandra Township to develop greater co-ordination of welfare work, to plan health education on a major scale and to assess the other needs of the residents of the area. Participating in these efforts have been medical officers, welfare workers and representatives of the Peri-Urban Areas Health Board. Experts of the nutrition division of the United Nations Food and Agricultural Organization (F.A.O.) were reported to be taking an interest in progress made at Alexandra Township.

KUPUGANI

The establishment in 1962 of the Nutrition Corporation of South Africa, Ltd., a non-profit making organization commonly

⁽³⁷⁾ *Star*, 16 May.

⁽³⁸⁾ 7 June, Hansard 19 col. 7457.

⁽³⁹⁾ *Star*, 22 January.

⁽⁴⁰⁾ *Star*, 1 February.

known as Kupugani, was described in the last issue of the *Survey*.⁽⁴¹⁾ Although it has made a major contribution in coping with the emergency situation which arose in the Northern Transvaal, its primary aim is to get to the root of the nutrition problem in the country by making it possible for all people to have a constant supply of cheap, nutritious food. Schemes it has initiated for using surplus citrus and maize have been described earlier. Ways and means of using other surplus food are under constant investigation. By May 1963 it was feeding 250,000 persons each day on a "1 cent a meal" scheme. A number of health educators were touring the country and instructing Africans on foods providing the maximum nutritional values, etc. It has established a network of local committees, food depots, and distribution points for food throughout the country including rural areas and African Reserves. By reason of bulk buying, it is able to sell foodstuffs at greatly reduced prices to people and to areas where it is needed, and it aims to widen the field of its operations to cover the whole of South Africa. It has also initiated industrial feeding schemes and has given advice and practical assistance to firms in this connection.

FEEDING OF INDUSTRIAL WORKERS

Many hundreds of copies of *Industrial Feeding of African Workers* and an accompanying fact paper *Food Customs of Urban Bantu*, both by Carl Keyter, published by the Institute of Race Relations in 1962, have been sold to individual firms and to organized industry and commerce. The publications include a great deal of material of practical value to employers wishing to initiate or improve feeding schemes for workers.

In a resolution⁽⁴²⁾ passed at the beginning of 1963, the Johannesburg Non-European Affairs Committee recommended to the City Council that industry and commerce should be encouraged to provide feeding facilities for Non-White workers, and that portable food kiosks should be set up on approved sites in the streets and leased to Africans. Once the needs of African workers had been adequately catered for, existing 'coffee carts' which were considered to be undesirable on hygienic grounds, would be eliminated.

A campaign was launched by the Public Health Department in Germiston against coffee carts, and it was reported⁽⁴³⁾ that almost all of them had disappeared.

A commercially-run scheme was started in Springs in July under which a central kitchen supplied meals (breakfast, morning tea, lunch and afternoon tea) in insulated containers to 600 African employees of eight industrial concerns at a charge of 12 cents per day, of which most employers paid 6 cents, the worker paying

(41) Page 208.

(42) *Rand Daily Mail*, 18 January.

(43) *Star*, 23 September.

the remaining half. The company planned to extend the scheme to Johannesburg and other parts of the Reef. It was reported that in its initial stages very little profit was being made, but once 10,000 meals a day were being supplied it would be "payable."

In Pietermaritzburg, Kupugani assisted with a scheme to provide a midday meal for industrial workers which in six weeks had become financially self-supporting, and which had later been extended to 7,000 workers in the Durban areas.

Various other feeding programmes are being introduced by employers throughout the industrial areas of the Witwatersrand, some of which have been initiated by Kupugani and others of which it has helped by channelling low-cost fortified foods, by supplying health educators, and by giving individual firms advice and practical help.

WELFARE

LEGISLATION

Legislation passed during the year in the field of welfare included:

Retreats and Rehabilitation Centres Act (No. 86 of 1963)

This Act provides for the establishment, maintenance, and conduct of retreats, rehabilitation centres and hostels; for the establishment of a National Alcoholism Advisory Board, for the certification of institutions as retreats for certain purposes; for the approval of institutions as hostels for certain purposes; for the committal of certain persons to, and their detention, training and treatment in, such retreats; and for other incidental matters. The Act does away with the former work colonies.

Maintenance Act (No. 23 of 1963)

The main aim of this Act is to deal more effectively with people who evade paying maintenance ordered by the Courts and to make the proceedings for claiming maintenance less costly. The Act provides for the institution of maintenance courts and, in addition, every magistrate's court becomes a maintenance court. A person who fails to pay maintenance required of him can be called to explain his financial position and defaulters' salaries can be attached in the same way as in ordinary civil claims.

ADMINISTRATION

State Departments Responsible

In a debate in the Senate,⁽¹⁾ the Minister said that even though social welfare and pensions were now dealt with by a separate Department for each of the four racial groups, his Department was still responsible for seeing that there was co-operation between the different departments in policy matters as well as in activities.

Social welfare and pensions are now administered by the following Departments:

- (1) White — Department of Social Welfare and Pensions.
- (2) Coloured — Department of Coloured Affairs (since 1962).
- (3) Indian — Department of Indian Affairs (since April 1963).

⁽¹⁾ Senate 4 March, Hansard 7 col. 1207.

- (4) African — Department of Bantu Administration and Development. (Pensions for Africans have been dealt with by this Department since 1944 and it was also in the past responsible for certain social welfare matters while others, e.g. old age homes, were dealt with by the Department of Social Welfare and Pensions. By a process of transfer in the last few years, the Department of Bantu Administration and Development is now responsible for all African welfare.)

The Minister of Social Welfare stated⁽²⁾ that his Department employed 164 professional welfare officers. None had been transferred or seconded to the other Departments dealing with Indian, Coloured and African welfare. These welfare officers served all race groups in the areas in which they worked.

Dr. Ellen Hellmann pointed out that in 1961-2 the Government vote on Social Welfare and Pensions alone, which includes no expenditure on Africans, amounted to R79,000,000—more than the total direct State expenditure on Africans for all items. By contrast, the cost of pension payments and other welfare services for Africans provided by the Department of Bantu Administration and Development amounted to R7,500,000. (She made it clear that there were, of course, many heads under which there was indirect expenditure on Africans, just as there were many heads of indirect revenue from Africans, notably customs and excise.)

Government policy concerning Welfare Organizations for Africans in urban areas

In terms of a Government circular letter of 1957,⁽³⁾ the policy of the Department of Bantu Administration is that Africans in urban areas should be responsible for their own social welfare and recreational services where these are not provided by the local authority. Mixed associations of Whites and Non-Whites are contrary to policy. The Government is not, however, opposed to advisory committees of Whites operating separately from African bodies provided that the latter actually conduct the activities; nor to White government or municipal officials or city councillors serving on African committees in an advisory capacity, nor to Whites raising money for African associations.

Successive steps have been taken by the Government to enforce this policy by, for example, withholding sites in African townships from organizations which fail to comply; withholding subsidies and other financial assistance; and refusing to register new welfare organizations unless these are constituted on a racially separate basis.

(2) Assembly, 21 May, Hansard 17 col. 6400.

(3) Survey, 1956/7, pages 36-7.

PENSIONS

Social pensions

A comprehensive fact paper on Social Pensions compiled by the Research Assistant will be published by the Institute in the near future. It deals in some detail with the four types of social pensions, i.e. old age, blind persons', war veterans' and disability grants. It also contains sections on increases in pension rates over the twenty year period 1944-1963, examines increases in the cost of living, and outlines Government policy and attitudes towards increases in pension rates and the present system of social pensions for Africans and its financing.

Increase in social pension rates

Whilst pension rates in general were not raised during 1963, provision was made for the payment of a small "special allowance" to social pensioners "if the Commissioner (of pensions) considers it to be justified owing to the circumstances of any pensioner". Payment of this special allowance is dependent on a *special means test* (as opposed to the general means test referred to later). In order to qualify for this allowance, pensioners must not have other income exceeding R60 p.a. for White persons, R30 p.a. for Coloured, R25 p.a. for Indians and R10 p.a. for Africans. It is designed to give relief only to people in exceptionally needy circumstances, and is not payable to pensioners living in old age homes.

Including this special allowance, maximum old age pension rates (per annum) are now:

	White	Coloured	Indian	City	African Town	Rural
Basic pension ...	R144	R72	R60	R24	R18	R12
Additional pension	R 84	R42	R34.80	R13.50	R13.50	R13.50
Bonus	R 66	R33	R27.60	R 4.80	R 4.80	R 4.80
Special allowance	R30	R15	R12.60	R 5.10	R 5.10	R 5.10
TOTAL PER ANNUM	R324	R162	R135.00	R47.40	R41.40	R35.40
TOTAL PER MONTH	R 27	R 13.50	R 11.25	R 3.95	R 3.45	R 2.95

Under the *general means test*, the free income allowable per annum is as follows:

White	Coloured	Indian	(City)	African (Town)	(Rural)
R180	R90	R72	R24	R18	R12

Should a pensioner's private income exceed the above figures, deductions according to a sliding scale are made in the pension rate to a point where the pensioner would not be entitled to a pension at all.

Detailed information about the application of the means test is contained in the fact paper referred to above.

African social pensions

The existing system of social pensions is regarded by the Government as inappropriate for Africans, as has been described in previous issues of this *Survey*. Efforts are being directed towards creating another system "more in accordance with Bantu custom and tradition". Whilst a number of increases have been made in pension rates for other race groups, African pensions have not increased to any appreciable extent. Instead, money has been paid annually to the Native Trust for disbursement through Bantu Authorities to persons in need of financial assistance in tribal areas. Money paid to the Trust had accumulated to a total of R2,039,992 at the end of 1961/2. Money spent by this date was only R18,624, i.e. less than one per cent of the total money then available for welfare services in Bantu areas.⁽⁴⁾

An Opposition member of Parliament strongly criticised⁽⁵⁾ the fact that so little had been spent, especially in the light of the poverty and indigence of African communities in the drought-stricken reserves.⁽⁶⁾ The Minister, replying, said⁽⁷⁾ that the Government was continually busy with new schemes to provide for the aged and needy in their own areas, but that planning was necessary and it took some time to provide the basic services.

Private pension schemes

The Association of Pension and Provident Funds of South Africa at its annual conference held in 1962 devoted special attention to the subject of pension schemes for African employees. A report on Pension Funds for Non-European Employees was subsequently compiled and published by the Association as a guide to employers wishing to initiate schemes.

Among firms and industries that have recently announced pension schemes to include Non-White employees have been the Ford Motor Company in Port Elizabeth; the chain store, Woolworths; Everite Ltd. manufacturers of asbestos-cement; African Oxygen; and others.

⁽⁴⁾ *Report of the Controller and Auditor General, 1961-2.*

⁽⁵⁾ *Assembly, 28 May, Hansard 18 col. 6845.*

⁽⁶⁾ See page 258 for a description of drought conditions.

⁽⁷⁾ *Assembly, Hansard 18, col. 6862.*

RECREATION

LITERATURE

The Institute of Bantu Languages⁽¹⁾ set up by a committee elected at a conference of African authors in 1959 is now administered by the Bureau of Literacy and Literature. There has been a change of emphasis in the work of this Institute, which was previously concerned with lexicology, morphology and orthography. Whilst these aspects still receive attention, present efforts are concentrated on other forms of assistance to writers in the African languages, e.g. guidance in the preparation of manuscripts, finding publishers, etc.

A second book by Miss Noni Jabavu entitled *The Ochre People: Scenes from a South African Life* was published mid-year. Miss Jabavu, a South African, has been living in Britain for many years.

Major works of two very prominent Zulu poets were published during the year. *Valley of a Thousand Hills*, a long poem written in English by the late Mr. H. I. E. Dhlomo, appeared in full for the first time, excerpts only having previously been published. *Zulu Horizons* is a rendering from Zulu into English by the late Dr. D. McK. Malcolm and Mrs. F. L. Friedman of a collection of poems by the late Dr. B. W. Vilakazi.

Also published was a book by Dr. Absolom Vilakazi entitled *Zulu Transformations* in which he analysed the changing pattern of Zulu social life. Dr. Vilakazi who was at one time at the University of Natal now holds the post of head of the social research section of the United Nations Commission for Africa, described by the State Information Office as "probably the highest post any South African holds in the United Nations".⁽²⁾

A first book by Mr. William ("Bloke") Modisane entitled *Blame Me on History* was published in Britain and is to be serialised by *Atlantic Monthly*, an American magazine. The author was at one time a reporter on *Drum* magazine.

Mr. Arthur Fula, a well-known African writer in the Afrikaans language, had the distinction of having five poems published in a German anthology of South African literature.

Behold the Earth Mourns by Dr. Ansuyah R. Singh, a woman medical practitioner, is the first novel by an Indian South African to have been published.

In April, the Coloured poet, Mr. P. J. Philander, was awarded a "medal of honour" for Afrikaans literature by the Suid-Afrikaanse

(1) See 1958-9 Survey, page 291, and 1961 Survey, page 270.

(2) *South African Digest*.

Akademie vir Wetenskap en Kuns. He has had two books published, *Uurglas* in 1955 and *Vuurklip* in 1960.⁽³⁾

The first issue of a quarterly literary magazine *Classic* was published in August. Under the editorship of Mr. Nathaniel Nakasa, it aims to publish predominantly African work for a predominantly African readership. It is said to be the first magazine of creative writing in English to be produced south of the Equator under the editorship of an African.⁽⁴⁾

Drum, a leading monthly magazine for Non-Whites, in 1963 ran a Pan-African short story contest, for which many thousands of entries were received. The prize-winners are not yet known.

A second vacation school for Non-White librarians, organized by the State, was held at the University College for Indians in Durban during July 1963.

During October 1963 the Non-European Library Service, Transvaal, held its sixth annual conference in Johannesburg attended by Non-White librarians and other persons interested in library services for Non-Whites. Subjects covered by the conference included working with children in Non-White libraries, salary scales for Non-White librarians, study facilities through the University of South Africa, and other aspects of library work.

A library of 700 books belonging to the late Dr. A. B. Xuma was presented to the Johannesburg Municipality by his widow, Mrs. Madie Hall Xuma, prior to her return to her home town in North Carolina. The books, which are to be housed in the Orlando Library, include studies of race, anthropology, and ethnology, and many are valuable as "Africana".⁽⁵⁾

At a conference of the S.A. Library Association held in November 1962, the Minister of Education, Arts and Science made it clear that Government policy was opposed to racially mixed professional associations. They should be replaced by separate bodies for each of the race groups.⁽⁶⁾ The Conference decided to accept this principle and that whilst existing Non-White members could remain members until the separate bodies had been set up, no new Non-White members would be accepted. The Association would continue to help Non-White library services.⁽⁷⁾

Three sub-committees were set up which included representatives of various Government departments. They reported to the 1963 conference of the Association in September 1963 on the establishment of bodies for Coloured, Indians, and Africans respectively. Their reports, include, *inter alia*, details of trained and untrained librarian personnel, courses available, and the library schemes presently catering for each Non-White group. What is envisaged for the Indian community is not a professional associa-

(3) *Star*, 1 May.

(4) *Star*, 6 August.

(5) *Rand Daily Mail*, 5 February.

(6) 1962 *Survey*, page 169.

(7) *Rand Daily Mail*, 8 November, 1962.

tion (there are at present no qualified Indian librarians) but a body consisting mainly of members of the Indian reading public which will concentrate on developing library services. White members are considered necessary for the time being to "guide" the Indian members. The recommendations for the African association also visualise "not a professional association, but rather a people's library movement to promote the use of libraries among the Bantu". So far as the Coloured body is concerned, it is hoped to persuade an existing body, the Cape Library Association with a membership at present drawn almost exclusively from Coloured teachers, to become a national body to which Coloured librarians will belong. These librarians are apparently concerned that they would be a minority group and that their professional interests would not be protected. Negotiations are to continue in the hope of finding a satisfactory formula.

The Library Association adopted the reports of the sub-committees and decided to approach the authorities for financial help for itself and the three Non-White bodies. It also decided to continue and extend facilities for the training and certification of Non-White library workers, and considered that close co-operation on a federal basis would be necessary once the separate associations had been formed.

The African School Libraries scheme started by the Southern Transvaal Region of this Institute in May 1961^(*) had by November 1963 distributed books to 92 primary and secondary schools, mainly in the Transvaal. Books are received from organizations and individuals in South Africa and large numbers are also received from overseas, particularly from the Ranfurly Library of the English-Speaking Union.

A comprehensive survey of the reading patterns of all races in South Africa was carried out in 1962 by Market Research Africa (Pty) Ltd. under the sponsorship of advertisers, advertising agencies and a consortium of publishers in South Africa. Readership surveys undertaken previously had been of limited scope and coverage.

The provisions of the Publications and Entertainments Act and reaction to this legislation are described on page 68.

(*) 1962 Survey, page 212.

MUSIC AND THE THEATRE

MUSIC AND THE THEATRE

The African Music and Drama Association in Johannesburg (a subsidiary of Union Artists) has been given a R12,000 grant spread over three years by the Gulbenkian Foundation in Lisbon to enable it to appoint a qualified director for its school which was reported to have some 55 part-time pupils. The purpose of AMDA is to train and encourage Non-White amateurs and professionals in all fields of music and drama, including musical theory, composition, score reading, appreciation, voice production, play reading, etc.

The Eoan Opera and Ballet Group in Cape Town is a well-known Coloured cultural organization which has staged many excellent productions and has helped to train many outstanding Coloured singers and dancers. Further details are given in previous issues of the *Survey*.

The Ebenezer Choral Society in Johannesburg, a group of Coloured singers, gives performances to raise money for schools, churches and welfare organizations. In September the choir sang with the Johannesburg Symphony Orchestra in two concerts in aid of charity held in the University's Great Hall, one attended by Whites and the other by Non-Whites.⁽¹⁾ Other Non-White singers are from time to time given the opportunity of performing with the Symphony Orchestra.

The "Coon Carnival", a Non-White variety show that has toured South Africa and other African countries for a period of 12 years, decided⁽²⁾ to go out of existence because White audiences in other African countries had dwindled as a result of political unrest and the company was unable to exist as a permanent group on South African support alone.

With the assistance of the MOTH organization the Johannesburg African Musical Society presented Handel's "The Messiah" in Durban for the first time at Easter. Since the first production in 1959 this has become a very popular annual event in Johannesburg. (As mixed audiences are prohibited by the Johannesburg Municipality, separate performances in the City Hall are given for White and Non-White audiences.) There is a possibility that the choir may travel to Europe in 1964.⁽³⁾

In August, the first concert to be given in an African township by the S.A.B.C. symphony orchestra was held in Mofolo Hall in Johannesburg.⁽⁴⁾

(1) *Rand Daily Mail*, 6 September.

(2) *Sunday Times*, 27 January.

(3) *Star*, 8 May.

(4) *Star*, 22 August.

The Johannesburg Bantu Music Festival (under the auspices of the City Council's Non-European Affairs Department) was held in September and October, and included school and adult choir competitions, a brass band competition and a dancing festival.

Organized by Union Artists, a very large National Jazz Festival was held at Orlando Stadium in September and was attended by about 15,000 people compared to the 4,000 who attended a similar event the previous year. Well-known Non-White musicians from all parts of the country took part, as well as a number of White performers. Jazz is extremely popular among all Non-White groups, and there are a number of top-ranking performers, some of whom have left to seek their fortunes overseas because "they are unable to earn a decent living" in South Africa.⁽⁵⁾ An appeal for a permanent place in the European programmes of the S.A.B.C. for jazz music played by top class Non-White jazzmen was put forward by Jon Sylvester in the series "Week on Radio".⁽⁶⁾ He pointed out that this was a field in which Africans excel and that some 500 overseas radio stations were broadcasting jazz played by Africans.

The world première of the play *Sponono*, by Alan Paton, based on previously published short stories, was held in Durban at the end of 1962, and was later presented in other major centres. The play was produced by Union Artists and directed by Krishna Shah. The Institute of Race Relations which assisted with the organization in Durban and Cape Town received part of the proceeds from the opening nights. In both Durban and Johannesburg, the run of the play had to be extended. With the exception of one part, all members of the cast were African. The play in all centres was open to members of all races. The play may be staged in New York early in 1964.

Chief Mamba, a play by an African writer, Mr. Victor Majavu, was presented in English in the Durban City Hall during February, a Zulu version having previously been staged at a Durban theatre. It had an all-African cast of 65 persons.⁽⁷⁾

The Society of South African Artists plans to produce a musical entitled *The Jack Phillips and Inchcape Hall Story*, based on the story of an entertainment centre for Non-Whites which existed in Johannesburg in the 1930's. This Society is an organization for the promotion of original works, especially those by or about Coloured people.⁽⁸⁾

"The Rehearsal Room", a group of Non-White players in Johannesburg, in 1962 produced an interesting interpretation of *Waiting for Godot* and in 1963, the Sartre play *Men Without Shadows*.

The Dictator's Slippers, by Peter Howard with an all-African

⁽⁵⁾ *Race Relations News*, August.

⁽⁶⁾ *Ibid.*

⁽⁷⁾ *Rand Daily Mail*, 14 February.

⁽⁸⁾ *Rand Daily Mail*, 3 September.

cast and an African producer, was staged in Johannesburg, Pretoria and elsewhere under the auspices of the Moral Rearmament movement.

An increasing number of films are being made in South Africa by overseas as well as local film companies. Weather conditions are said to be favourable for the development of a film industry in South Africa. A number of Africans played parts in the film *Zulu* filmed in the Drakensberg in 1963. Chief Gatsha Buthelezi of Zululand played the part of Cetewayo. More than 2,000 Zulus were on location as "extras". Mr. Stanley Baker, the producer, said that Zulu people were "the finest natural performers" he had encountered in his 13 years of film experience. A number of African actors were also included in the cast of the film *Sanders of the River* filmed in Zululand in 1963, in which the leading rôle was played by Mr. Richard Todd, British film actor.

Miss Miriam Makeba, aged 31, has had a spectacularly successful career as a singer overseas. She has sung with the world famous Harry Belafonte, and last year sang at the birthday party of the President of the United States. In May, she scored a success at a gala charity concert on the French Riviera.

Mr. Meshack Mosia of Johannesburg is said⁽⁹⁾ to be the only African professional stage manager in South Africa. Mr. Mosia, who works for Union Artists, underwent a course in stage management in London, having previously been an actor and also company director for the production of *King Kong* in London.

Mr. Mopeli-Paulus, African author, was reported⁽¹⁰⁾ in February to have rejected an offer of R60,000 for a film script entitled *The Blanket*. The author's manager believed that the script was worth considerably more.

In February, Miss Abeeda Parker, a Coloured singer from Cape Town, sang a full programme of Italian arias with the S.A.B.C. orchestra. In a period of only one year Miss Parker learnt to read music, play the piano, and acquired a knowledge of Italian.

The Blood Knot, by South African playwright Athol Fugard, was produced in London at the beginning of 1963 and was well-reviewed in the British Press. A television adaptation was later bought by a British television company for screening in Britain and possibly in the U.S.A. and various Commonwealth countries. A Flemish translation was also produced on the stage in Antwerp, and a French translation in both Brussels and Paris. Well-known African actor, Mr. Zakes Mokae, played one of the two leading rôles in both the South African and London stage productions, and in the television recordings.

A performance of African folk-songs was given at the 1963

⁽⁹⁾ *Star*, 14 January.

⁽¹⁰⁾ *The Leader*, 22 February.

Edinburgh Festival by Nathan Mdledle and his group, the Manhattan Brothers, who took part in the musical *King Kong*.⁽¹¹⁾

In February, the cast of African Jazz and Variety, a Non-White variety show produced by Mr. Alfred Herbert, were granted passports to perform abroad. The tour, which had the co-operation of the Government, was planned to start in March in East Africa and continue through the Middle East to Europe.

The Johannesburg College of Education in September produced *King Lear* which was a prescribed matriculation setwork. Although in previous years separate performances had been arranged for Non-White schoolchildren, the Director of Education for the Transvaal ruled that this could no longer be done in the College hall because such performances were contrary to Government policy. He suggested that the play could be presented in Non-White areas, but the Department was unable to help with the transport of necessary equipment as the production was extra-curricular. Because of the demand for seats from Non-White schools, last minute arrangements were made with the assistance of the Institute of Race Relations to present the play at the University Great Hall before a non-segregated audience with block bookings for schools. (This hall is the only one in Johannesburg suitable for theatrical productions which permits multi-racial audiences.)

The representative of the Pietermaritzburg City Council on the Performing Arts Council (Natal) resigned because she found a condition attached by the Government to a financial grant to the Performing Arts Council unacceptable, viz: "Mixed audiences of Europeans and Non-Europeans shall not be permitted at performances. Artists belonging to the European and Non-European race groups will also not be permitted to perform together".⁽¹²⁾ Sponsored by the Government, Performing Arts Councils in each of the four provinces are planned to take the place of the National Theatre Organization which was dissolved in 1962.

Mixed audiences are not permitted at Johannesburg's new Civic Theatre which was opened in 1962. However, special performances for Non-Whites only are arranged occasionally. For the first time at this particular theatre, Africans were included in the cast of *Showboat* which was performed in October.

A comprehensive list⁽¹³⁾ of theatres, halls and open-air venues in the central area of Durban has been compiled by the Natal Region of the Institute of Race Relations including details of whether or not multi-racial audiences are permitted. Of six theatres listed, two are available for multi-racial audiences, sixteen of a total of twenty-two halls are similarly available, and three of four open-air venues. This contrasts with the position in Johannesburg where the Municipality in granting licences for halls and places of

(11) *Rand Daily Mail*, 21 August.

(12) *Natal Witness*, 3 October.

(13) N.R. 62/1963.

public entertainment lays down conditions restricting the use of the premises to members of a particular race group.

A new multi-racial theatre called the Luxurama costing R400,000 was opened in Wynberg, Cape, in January. The Labia Theatre in Cape Town also has mixed audiences. A Group Areas proclamation prohibiting mixed audiences in cinemas does not apply to theatres.

A production of *The Merchant of Venice* in Cape Town in January had a multi-racial audience and cast. The State President was a member of the audience.⁽¹⁴⁾

In May the Government refused an entry *visa* to Winifred Atwell, well-known West Indian "honky-tonk" pianist, who had been invited to tour South Africa by the agent of the new Luxurama Theatre in Wynberg. No reasons were given for the refusal.⁽¹⁵⁾ A previous report stated that Miss Atwell applied for permission for herself and her husband (who is White) to come to South Africa as man and wife during her proposed tour.

The annual general meeting⁽¹⁶⁾ of the British Actors' Equity Association held in London in May decided that whilst a total ban would not be imposed on Equity members appearing in South Africa, members must insist that they play before mixed audiences of Whites and Non-Whites. (During April, Howard Goorney, actor and co-founder of London's Theatre Workshop, had resigned from the Council of Equity, the actors' union, as a protest against British actors playing to segregated audiences in South Africa.) Previously, the council of this trade union of actors instructed its members to play either before separate White and Non-White audiences, or before mixed audiences. The tour of *My Fair Lady* was regarded by the Council of Equity as a "breakthrough" because Non-Whites saw the show under the same conditions and in the same theatres as Whites. However, in the future theatre managements will be asked to arrange for not only segregated but also mixed audiences, if this is possible. Equity is to decide how many multi-racial performances there should be on any tour. The general secretary of Equity said: "The council will no longer accept that multi-racial performances are impossible. Managements will have to prove that they are". He added that three years ago it was thought impossible to open African Consolidated theatres to Non-White audiences, but this had been proved feasible. The position would be reviewed later and if Equity was driven to the conclusion that managers in South Africa were not "honestly trying" to arrange mixed audiences or if the Government made it impossible, a new decision would have to be taken. If the question of a total ban arose, he suggested that a referendum of all members of Equity should be held.

At the end of June, forty-eight British and American play-

⁽¹⁴⁾ Report in *Post*, quoted by the *Star*, 28 January.

⁽¹⁵⁾ *Star*, 11 May.

⁽¹⁶⁾ *Star*, 6 May.

wrights signed a declaration agreeing to instruct their agents to insert a clause in all future contracts automatically refusing performing rights in any theatre where there is discrimination among audiences on the ground of colour. This move was apparently initiated by the Anti-Apartheid Movement in Britain. Among the playwrights who signed the declaration were Daphne du Maurier, Graham Greene, Arthur Miller, John Osborne, J. B. Priestly, C. P. Snow, Arnold Wesker, Angus Wilson, Robert Gore-Browne, Janet Allen, Paul Dehn, Alan Melville, and Spike Milligan.

The Broadway best-selling play by Edward Albee, *Who's Afraid of Virginia Woolf*, was produced in South Africa by Taubie Kushlick in September. After rehearsals had started by the cast in London, the playwright sent a cable stipulating that the play could only be performed before non-segregated audiences. After some technical difficulties had been overcome, the play was presented at the University Great Hall. Bookings by Non-Whites were reported to be poor. After a successful run in all centres and at a stage when it had been running for some time in Johannesburg, the Minister of Education, Arts and Science ordered that further performances should be stopped until the Board of Censors appointed under the Entertainments (Censorship) Act, 1931, had investigated the matter. The Minister stated that objections to the play had been lodged by a large number of people who considered it "unchristian", "obscene", "pornographic", "undesirable", etc. The following week, the Board of Censors confirmed the prohibition of the production in its existing form on the grounds that it was calculated to give offence to the religious feelings of a large section of the public and was contrary to good morals. They recommended that the script should be amended and re-submitted for approval.

RADIO

African broadcasting services (Radio Bantu)

Legislation introduced in 1960 providing for the setting up of a Bantu Programme Control Board was described in a previous *Survey*,⁽¹⁾ as was the establishment of Radio Bantu and the announcement of the introduction of a high frequency modulation system of broadcasting into South Africa.

Following the introduction of the V.H.F./F.M.⁽²⁾ system of broadcasting at the beginning of 1962, separate F.M. broadcasting services in four African languages were created by Radio Bantu. These are to be increased to services in seven African languages.

These F.M. relays on the Zulu and Southern Sotho services occupy an average of 16 broadcasting hours each day, and on the Northern Sotho and Tswana services, an average of 9 hours per day. The services at present cater largely for listeners in the Transvaal although it is planned to extend them to other parts of the country including the Transkei. It was estimated in 1962 that 31 per cent of the Africans lived within range of then existing F.M. transmitters. A full-day rediffusion service (which relays Zulu and Southern Sotho F.M. services on alternate days) operates in the huge complex of African townships in the South-West areas of Johannesburg. In addition to these services Radio Bantu relays 90-minute broadcasts each day on the various medium wave transmitters for Africans who are unable to benefit from the F.M. programmes.

Commercial "spot" advertising was introduced into African radio programmes in 1962, initially on the medium wave transmissions only, and from July 1962 on all Radio Bantu services. One-tenth of the total daily broadcasting time has been allocated for such advertising. No "sponsored" programmes are permitted.

Among subjects mentioned in the S.A.B.C.'s 1962 report as having been given special coverage by Radio Bantu were Government plans for the future of the Transkei, the provisions of legislation with special reference to Africans, the institution of various tribal authorities, reports on the proceedings of African territorial authorities, etc. The report estimated the number of Radio Bantu listeners at 880,000 adults.

At the end of 1962, 123 Africans and 35 Whites were members of the programme staff of Radio Bantu. The Africans were employed as announcers, programme compilers, record librarians,

(1) *Survey* 1959/60 pages 260-2.

(2) Very High Frequency/Frequency Modulation.

clerks, typists and record players (*sic*). The White staff were all said to have special knowledge of African languages.

More recently, a survey of readership and radio listening patterns, during the course of which 5,048 Africans were questioned, was carried out by a private market research organization. It was estimated that 841,000 Africans listen to Radio Bantu regularly and 940,000 to other stations; that about 699,000 Africans own a radio in working order, of whom 103,000 have radios capable of receiving F.M. broadcasts. The S.A.B.C. reported that 92,879 Africans held radio licences at the end of 1962.

Coloured and Indian programmes

The S.A.B.C.'s report states that early in 1962 regular programmes in Afrikaans for Coloured listeners were inaugurated and are broadcast over the Afrikaans medium wave transmitters in the Western Cape under the title Protea-program. An early afternoon programme on Saturday deals mainly with Coloured sporting activities and a Sunday evening programme features music by Coloured artists.

The times and content of the programmes for Indian listeners in English over the English medium wave transmitters from Durban are similar.

Policy of S.A.B.C. and criticism thereof

Under the heading "Broadcasts on Contentious Matters", the 1962 Report of the S.A.B.C., tabled in the House of Assembly in April, states, "In the past the Board of Governors has laid down the policy that Radio South Africa should, to the best of its ability and discretion, supply exhaustive, balanced and truthful information, and take care that broadcasting is not abused to undermine the safety of the country or to promote revolutionary intentions inside or outside the country's borders. It was further determined that Radio South Africa should, through positive contributions in this sphere, promote and encourage the survival and heritage of our Republic. In accordance with this policy, programmes and talks were presented concerning subjects such as 'The Infiltration of Communist Doctrines in South Africa and its Subversive Activities'. A third series 'Padlang Praat' was presented as well in which South African problems of topical interest were discussed in very forthright manner." After mentioning a discussion programme on matters of topical interest, the report continued, "As could be expected, these programmes and series excited some controversy. Yet the Board feels that these broadcasts were vitally necessary in the period of important development in South Africa". Elsewhere in the report under the heading "News Department" it is stated that: "The impact of radio is so wide and so immediate that a sober balance in respect of both news content and news presentation

must always be the aim, while conscientious steps must be taken to ensure that the medium does not become the instrument, even unwittingly, of forces striving for lawlessness and chaos . . . In news broadcasts every effort is consistently made to present both sides of a matter which may be of a contentious nature".

A Private Member's motion was introduced⁽³⁾ in Parliament by Mr. E. G. Malan early in the year condemning the refusal of the Government to supply Parliament with full information on the activities of the S.A.B.C. and asking that a commission should be set up to inquire into various aspects of the corporation's policies, including financial aspects, the appointment, promotion and excessive resignation of staff, bias in news reports and political talks, the use of the radio for political propaganda and indoctrination, the work of the Bantu Programme Control Board, and the delay in introducing television.

In the debate which followed the Minister of Posts and Telegraphs said⁽⁴⁾ that although the chairman of the Board of Governors of the S.A.B.C. was Government-appointed, the Corporation was an autonomous body. He said that as a result of interference by the previous Government in the affairs of the S.A.B.C. the Board of Governors had sought legal opinion, the terms of which had been that under the Broadcasting Act the Government did not have the right to interfere in the activities of the Corporation.

In April the S.A.B.C. resumed its attack on communism in a new series of broadcasts which it stated "would deal positively with the fundamental values on which the Western democratic way of life, as we know and practise it in South Africa, is based", and which would deal with the "values which distinguish our way of life and set it above that presented by communism". The series was entitled "The Challenge of Our Times".

In September a series of talks entitled "News and Newspapers" by Mr. Ivor Benson, an S.A.B.C. news-commentator, met with especially strong criticism. Among the bodies and institutions singled out by Mr. Benson for unfavourable comment were the newly-formed Christian Institute, the Sunday Times newspaper, the National Union of South African Students (NUSAS) and the S.A. Institute of Race Relations. The broadcasts aroused a storm of controversy, and Mr. Benson was accused of misrepresentation and of using the medium of radio for propaganda purposes.

Policy on sport

The S.A.B.C. cancelled all commentaries and news coverage of the results of the 1963 Natal Open Golf Championships in January because the event was won by an Indian competitor. A spokesman of the S.A.B.C. said: "In terms of the policy laid down

⁽³⁾ Assembly, 29 March, Hansard 10, col. 3714.

⁽⁴⁾ *Rand Daily Mail*, 30 March.

by the S.A.B.C.'s Board of Governors, we do not broadcast multi-racial sport". The policy which gave rise to this decision met with much public criticism.

Later in the year when White and African boxers were competing in the United States championships, the Board of Governors was reported⁽⁵⁾ to have ruled that multi-racial sport in foreign countries could be reported over the S.A.B.C.'s transmitters, even if South African Non-Whites were competing, because it was the policy of the S.A.B.C. to respect the political and racial policies of other countries. There had, however, been no change in the policy concerning reports on mixed sport in South Africa.

High Commission Territories

A newspaper report⁽⁶⁾ in August stated that Swaziland, Basutoland, and Bechuanaland would all shortly be operating their own broadcasting services, and that the three territories were trying to satisfy the South African Government on three points, i.e. (a) that they would not compete with Springbok Radio as an advertising medium; (b) that they would not set up high-powered stations that would broadcast to the whole of South Africa; and (c) that they would not broadcast hostile political matter.

A report earlier in the year⁽⁷⁾ said that the Frequency Allocation Board in Pretoria was the allocation authority for the area in which the High Commission Territories fall.

Lutheran Church

The Lutheran Church in February opened⁽⁸⁾ a radio station in Addis Ababa to transmit programmes to South Africa, East Africa, Ethiopia, the Near and Middle East, and Madagascar. A South African recording studio for the station was opened in Roodepoort a year previously which records programmes in English, Afrikaans, Zulu, and Sotho. The Lutheran Church was reported to have a membership in South Africa of over 450,000. About 30 per cent of the programmes were to be evangelical, and the remainder educational, dealing with such subjects as road safety and hygiene.

Television

The Government has consistently refused to consider the introduction of television into South Africa. In a debate in the House of Assembly in May, Opposition members strongly attacked this policy. Replying, the Minister of Posts and Telegraphs mentioned⁽⁹⁾ the following objections to television: (a) communists and leftists would use television for their own purposes; (b) if South Africa

(5) *Sunday Express*, 10 March.

(6) *Sunday Times*, 11 August.

(7) *Star*, 24 April.

(8) *Star*, 21 February.

(9) *Rand Daily Mail*, 23 May.

had to import programmes from overseas, a large proportion would contain the type of propaganda which showed the White man in a bad light; (c) the influence of such programmes would bring about the moral collapse of the White man in South Africa; (d) television programmes in Britain and America were heavily spiced with murder, violence, sex and fraud; (e) S.A.B.C. experts had found that most programmes obtainable from outside sources were not suitable for South Africa; (f) preoccupation with television resulted in children becoming backward and inferior which could not be allowed to happen in South Africa because the children were the leaders of the future and it was essential that Whites remained the leaders.

Council Paper on Radio

In a paper⁽¹⁰⁾ to the Institute's Council meeting in January on "The Rôle of Radio and Television in Africa", Mr. Michael Silver, well-known radio personality, suggested that South Africa should make its radio talents and skills available to lesser-developed African States. He said that the technical skill possessed by South Africa could contribute a great deal to the continent's problems of mass communication.

⁽¹⁰⁾ R.R. 14/1963.

GOVERNMENT POLICY ON SPORT AND RACE

Past statements by members of the Cabinet on the subject of inter-racial sport have been quoted in previous issues of the *Survey*⁽¹⁾ and also in a special chapter of a recently published booklet.⁽²⁾

In a statement on 4 February the Minister of the Interior reiterated Government policy and threatened that if it was flouted, legislation might be introduced to enforce it. A summary of the Minister's statement follows.

1. In South Africa Whites and Non-Whites must play sport separately. Whites and Non-Whites must not compete against one another, whether in individual events or as teams or part of teams.
2. South African sportsmen could compete outside the country's borders with sportsmen of different races who were not South Africans.
3. In sport outside the country, the Government would observe the customs of other countries. But teams and sportsmen visiting South Africa should observe this country's customs. In South Africa, White should compete against White and Non-White against Non-White.
4. Participation in international sports tournaments or competitions of mixed teams as representatives of South Africa could not be approved. For example, if Whites took part individually in such tournaments they must do so as representatives of the Whites of this country, and Non-Whites must take part as representatives of Non-White South Africans. (*N.B.* This introduced a new concept.)
5. Invitations to South African teams from neighbouring states to take part in competitions there in conflict with the custom in South Africa, and in matches which were obviously not international ones, would not be regarded favourably. (This refers *inter alia* to boxing tournaments staged in Maseru in 1960 and Bulawayo in 1961 in which White and Non-White South Africans participated.)
6. It was Government policy to help White and Non-White sport associations as far as possible, but most certainly not where their purpose was to force the country to depart from the Government's policy. (For this reason, the Government withheld passports from representatives of the

(1) *Survey*, 1961 page 272; and *Survey*, 1962 page 213.

(2) *Sport and Race in South Africa*, by Mary Draper, chap. 11.

- non-racial Table Tennis Board which is recognised by the world body to the exclusion of its White counterpart.⁽³⁾
7. In administration and control Non-White associations could exist and develop alongside the corresponding White associations. One or two members of the White executive committee of the chief organization could attend meetings of the Non-White organization's executive committee when requested. They could act as a link between the committees and inform the White committee about the opinions of the Non-White committee when matters of concern to the Non-White committee were being dealt with.
 8. If this method should appear impracticable in a particular instance, one or more members of the Non-White body could be co-opted or elected to serve on the White executive committee in an advisory capacity when matters affecting the Non-White organization were discussed.
 9. The White executive committees could serve on a high level as co-ordinating bodies between the associations and as representatives in the corresponding world organizations.

In reply to a question in Parliament⁽⁴⁾ the Minister confirmed his Press statement and said that if in future Government policy was not complied with "whether out of unwillingness or because of the excuse that bodies are powerless because there is no legislation to give them the necessary assistance or direction", then the Government would introduce legislation "which will clearly determine this positive policy in regard to the participation or non-participation in mixed sport within and outside the country". He denied that legislation was being considered as the result of the recent winning⁽⁵⁾ by an Indian of the Natal Open Golf Championship (as had been reported in *Die Transvaler*⁽⁶⁾) but said that the matter was one of general principle and national custom.

As described in more detail elsewhere in this chapter, South Africa's Olympic Committee was told in October by the International Olympic Committee that unless it obtained from the Government a change of policy in sport and competitions in South Africa it would be debarred from entering teams in the 1964 Olympic Games.

The Minister of the Interior said,⁽⁷⁾ however, that he had nothing to add to his previous statements (including the one quoted above) and declined to make any comment.

SUNDAY SPORT

The Sunday Sport and Entertainment Bill was tabled in Parliament during the year and referred to a Select Committee

⁽³⁾ For further details, see page 76 of *Sport and Race in South Africa*.

⁽⁴⁾ Assembly, Hansard 3 col. 753.

⁽⁵⁾ See section on 'Golf' in this chapter.

⁽⁶⁾ 29 January.

⁽⁷⁾ *Star*, 21 October.

which considered representations submitted by a large number of persons and organizations and decided to hear oral evidence during the next session of Parliament.

Shortly, the provisions of the Bill seek to prohibit any public sports meeting, entertainment, game, contest or function held on a Sunday where admission fees are charged or donations are made, whether to gain admission or in payment for goods or services. No provision is made in the Bill for any form of exemption. The provisions of the Bill are thus very wide, although they do not affect private sporting activities where no admission fees are charged.

The Institute of Race Relations, in a memorandum to the Select Committee,⁽⁶⁾ pointed out that Non-Whites would be affected by the proposed legislation to a far greater degree than the White population because it would seriously affect organized public matches on which the major Non-White sporting associations were financially dependent and which on Sundays attracted large crowds of spectators. Sunday was the one day which Non-White workers and their families had for sport and recreation, and there was little other recreation or relaxation available at weekends for the tens of thousands of township residents in the main industrial areas. The National Council of Women also made representations⁽⁷⁾ opposing the provisions of the Bill, in which they pointed out that the proposed legislation particularly affected the poorer members of all racial groups since the more privileged were able to belong to private clubs. Pointing out that Non-White sporting bodies were financially dependent on Sunday takings, they said that the only alternative to the charging of "gate" money would be substantial subsidies and grants from official sources to sporting bodies which under present financial circumstances "would appear to be highly unlikely and impracticable". The effect of the prohibition on admission charges for Sunday sport "would be completely ruinous to Non-White sporting activities".

During the second half of 1963 an intensive campaign was carried on by certain Dutch Reformed Churches, especially in Pretoria, Welkom and Odendaalsrus, for the closing of swimming baths on Sundays. Referenda amongst Whites were held on this question. In Welkom, where about one-third of those on the voters' roll voted, 2,261 were in favour of Sunday swimming and 1,753 against. In Odendaalsrus there was approximately a 11.5 per cent poll, 295 being in favour of swimming on Sundays and 165 against this.

OLYMPIC GAMES

As described in previous issues of the *Survey*, the South African Sports Association (SASA), which was formed in 1959 to

(6) R.R. No. 45 of 1963.

(7) N.C.W. News, June.

work for the full and direct international recognition of all South African sportsmen irrespective of race, has for the past few years made repeated representations to the International Olympic Committee (IOC) alleging that South Africa was contravening the Olympic Charter by practising racial discrimination. As a result of a SASA meeting last year, another body now known as the S.A. Non-Racial Open Committee for Olympic Sport (SAN-ROC) was created with the aim of obtaining recognition by the IOC in place of the present South African Olympic and National Games Association (SAONGA).

SAN-ROC and SASA are not satisfied with repeated assurances by SAONGA that any Non-White whose standards are high enough will be sent to the Olympic Games and that the interests of Non-White sport will be fostered and encouraged within the framework of separation prescribed by Government policy. They consider that Non-White bodies which have affiliated to the controlling bodies on a basis of racial separation have accepted "subservient status", and argue that there are no laws preventing mixed competitions or trials.

A meeting of IOC in June last year passed a resolution warning SAONGA that it would be suspended in 1963 if the South African Government did not alter its policy of racial discrimination in sport. As stated above, the Minister of the Interior declared that Government policy was to be enforced even more firmly.⁽¹⁰⁾

IOC met again in October when South Africa's position was reconsidered. The meeting had originally been scheduled to be held in Kenya but the venue was altered to Baden Baden in West Germany because Kenya, acting on a decision taken at the recent Addis Ababa conference of African states, decided that it would not grant *visas* to the South African delegates. (SAN-ROC had urged Kenya to alter its decision.) On the day of departure of the official SAONGA delegation it was announced that an African, Mr. J. R. Rathebe, would be one of its members, the others being Mr. Frank Braun, chairman of SAONGA, and Mr. M. Kaplan. Mr. Reg Honey of South Africa is a member of IOC.

Dr. Robin Farquharson went to Baden Baden on behalf of SAN-ROC, Mr. S. Abdul on behalf of the Anti-Apartheid Movement in London, and Mr. A. G. Ebrahim (whose bona fides were challenged by SAN-ROC) claimed to represent an African Liberation Committee in Dar-es-Salaam. As described in an earlier chapter, a prominent member of SAN-ROC, Mr. Dennis Brutus, tried unsuccessfully to make his way to a meeting of the IOC. The passport of Mr. John Harris, the chairman of SAN-ROC, was withdrawn by the Government as he was on the point of departure to attend the meeting.

After a long debate in which Afro-Asian countries are reported

⁽¹⁰⁾ See page 284.

to have urged South Africa's immediate suspension or expulsion, IOC passed the following resolutions:⁽¹¹⁾

1. The SAONGA should be told that it must make a firm declaration of its acceptance of the spirit of the Olympic code and in particular, of Principle 1 and Rule 24, read together.
(Principle 1 bars racial, political and religious discrimination. Rule 24 provides *inter alia*, that national Olympic committees may not associate themselves with matters of a political nature and that they must be in a position to resist any political pressure.)
2. The SAONGA must get from the Government of South Africa by 31 December a change of policy regarding colour discrimination in sports and competitions in the country, failing which SAONGA would be debarred from entering a team in the Olympic Games.

(Various reports have made it clear that because the resolution does not call for South Africa's suspension from membership, should it be put into effect it will not automatically affect her affiliation to the international bodies controlling the various codes of sport.)

After hearing a report on the IOC proceedings, SAONGA in October decided that no decision should be made on the resolution until it had been discussed by its various affiliated bodies. The chairman said that the Minister would be advised of the resolution. The IOC is to meet again in January 1964 when a final decision will be made on South Africa's position.

Earlier in the year SAN-ROC was invited by the Indonesian Government to send a delegation of sportsmen to the "Games of the New Emerging Forces Organization" planned for November, but refused as a "matter of principle". (The Indonesian Government organized these games after it had been suspended by IOC for refusing, under pressure from Arab states, to admit Israel to the Asian Games held in Indonesia under the auspices of IOC last year.)

The first full-scale South African Games, which will include between 30 and 40 codes of sport, are being planned by SAONGA to take place in the first half of 1964.⁽¹²⁾ They will be held whether or not South Africa is permitted to compete in the Olympic Games later in the year.⁽¹³⁾ Non-White associations affiliated to SAONGA will be encouraged to stage separate events.⁽¹⁴⁾

⁽¹¹⁾ *Rand Daily Mail*, 21 October.

⁽¹²⁾ *Star*, 10 September.

⁽¹³⁾ *Rand Daily Mail*, 5 November.

⁽¹⁴⁾ *Star*, 8 August, 1962.

SPORT

Cricket

Six countries are affiliated at present to the Imperial Cricket Conference (ICC) which admits only Commonwealth countries: England, Australia, New Zealand, India, Pakistan, and the West Indies. South Africa lost her membership of the body when she withdrew from the Commonwealth in 1961. Since then, South Africa has been allowed to continue participating in international matches only on an unofficial basis.

The ICC rota for international matches, especially in Britain, is planned for many years in advance and between now and 1978 includes three South African tours of the United Kingdom (the next in 1966) and four reciprocal visits by the M.C.C. Possible alterations in this programme (in order to make it possible for the very popular West Indies' team to visit the United Kingdom more often) were discussed by the ICC in July. Although there had been much speculation concerning South Africa's possible "demotion", plans for these future tours were retained. It was reported⁽¹⁾ that "all countries showed sympathy with the M.C.C. view that nothing should be done which would be detrimental to the interests of South African cricket". A Press report said that the talks "also gave an indication that prospects are improving to make the return of South Africa to the Conference easier as 'associate membership' might be granted to non-Commonwealth countries".

The cricket team from South Africa touring Australia at the time of writing does not include any Non-Whites, despite the fact that before the selections were made a large number of persons (as in previous years) suggested that Mr. Basil D'Oliviera, the internationally-known Coloured cricketer, should be selected. On the arrival of the all-White team in Perth in October it was reported⁽²⁾ that there had been no public demonstrations, as contrasted with the reception accorded the last overseas team, which had toured England in 1960. Anti-apartheid demonstrations were, however, staged at matches later during the visit. Prior to the tour, the team's captain was reported to have applied for and been granted an interview with the Prime Minister regarding the

(1) *Rand Daily Mail*, 18 July.

(2) *Star*, 16 October.

answers to possible questions that might be put to him during the tour concerning South Africa's policies.⁽³⁾

Basil D'Oliviera was again selected as a member of an international touring team to play in Pakistan in November and December of 1963.⁽⁴⁾ Other members of the team were drawn from England, the West Indies, and Pakistan.

The first Nuffield Cricket Week took place in Cape Town in January 1963. Under this new scheme schoolboy cricketers from different parts of South Africa took part in a series of matches and a team was chosen to tour Britain. Shortly after the 1963 week had taken place, the South African Sports' Association (SASA) wrote to the organizers asking whether any of their regulations restricted the tournament to White schoolboys and whether Non-White schoolboys would be considered for inclusion in the team. A spokesman for the Nuffield Cricket Week stated that the letter from SASA had been forwarded to the S.A. Cricket Association, who were the trustees of the scheme. It seems that the S.A. Cricket Association subsequently wrote to the SASA quoting Government policy on the question of mixed sport. No Non-White schoolboys were included in the team. It was announced subsequently⁽⁵⁾ that the tour had been such a success that the organizers were to raise a R60,000 trust fund to make future tours possible.

The Pageview Cricket Club (which has a non-racial constitution and a membership drawn from the various Non-White groups) applied to the Transvaal Cricket Union for inclusion in its Transvaal senior league. The Transvaal Cricket Union is affiliated to the S.A. Cricket Association, which is the official controlling body. Neither have any Non-White members or affiliations. Mr. S. A. Hague, Chairman of SASA, with which the Pageview Cricket Club is aligned, said⁽⁶⁾ that the standard of the club was as high as the general standard of first league White cricket and that several years ago it had beaten an all-White side including several Springbok cricketers. The application was, however, rejected by the Transvaal Cricket Union which said that it was against Government policy and that, in any event, the club would not have been accepted into the senior league without working its way up from the lower leagues.⁽⁷⁾ SAN-ROC notified the president of the M.C.C. of the application and also made an enquiry regarding the M.C.C.'s attitude towards racial discrimination in sport.

Rugby

The Wallabies, the Australian rugby team, toured South Africa in the middle of the year. During their visit two matters received a great deal of publicity: the first, the ban on Non-Whites

(3) *Star*, 31 August.

(4) *Star*, 16 October.

(5) *Natal Mercury*, 20 September.

(6) *Sunday Express*, 1 September.

(7) *Rand Daily Mail*, 4 October.

attending matches at the Free State Stadium in Bloemfontein, and the second, a serious disturbance among White and Coloured spectators which occurred during a match in Port Elizabeth.

There has been a ban on Non-Whites attending the Free State Stadium since 1955 when a disturbance occurred during the visit of a British rugby team. Before the Wallabies' visit to Bloemfontein, the Secretary for Coloured Affairs asked the Bloemfontein City Council to admit even a limited number of Coloured spectators to a match in the stadium and the question of the ban was also raised by a group of City Councillors. The Council, however, decided to maintain the *status quo*. The whole matter aroused a great deal of controversy which was added to by reported bad behaviour among the all-White crowd which saw the match. According to the president of the South African Rugby Board, there is no prohibition on Non-Whites watching rugby matches anywhere else in the country.⁽⁸⁾

During the last match of the tour at the Boet Erasmus Stadium in Port Elizabeth a serious disturbance occurred which was afterwards attributed to liquor, racialism, and overcrowded conditions in the Non-White enclosure. Non-Whites had booed the South African team throughout the game, and it appears that fighting and bottle-throwing initiated by an unruly minority element broke out in the last few minutes of play at a stage when South Africa had taken the lead. As a result, the Eastern Province Rugby Union afterwards decided to prohibit liquor and booing at matches and to raise admission prices for Non-Whites.⁽⁹⁾

The President of the Northern Transvaal Rugby Union said that Non-White spectators in Pretoria had always been extremely well-behaved and would never be banned from the Loftus Versfeld ground in that city.⁽¹⁰⁾

Public campaigns have been unsuccessfully waged in New Zealand in previous years urging the inclusion of Maoris in teams visiting South Africa. In February, a fresh controversy was sparked off in New Zealand by the new statement of South African policy on mixed sport and by widespread publicity given to the circumstances surrounding the presentation to an Indian of a golf trophy.⁽¹¹⁾ The former was interpreted by leading newspapers in New Zealand as precluding any possibility that Maoris could come to South Africa.⁽¹²⁾ There has since been much speculation in South Africa and elsewhere regarding the future of rugby against New Zealand and the suggestion has been widely made that the Government may be prepared to regard Maoris as "Whites", as has been done in the case of Japanese visitors. South Africa is due to tour New Zealand in 1965 and a return visit is scheduled for 1967.

(8) Reports from *Sunday Times*, 8 September, *Star*, 30 and 31 August, *Rand Daily Mail*, 4 August.

(9) *Sunday Times*, 15 September, *Sunday Express*, 8 September, *Star*, 9 September.

(10) *Sunday Times*, 15 September.

(11) See page 298.

(12) *Christchurch Star* and *New Zealand Herald*, 6 February.

The Canterbury Association for Racial Equality organized a demonstration on the arrival in New Zealand of a professional Rugby League team from South Africa.

Football

The Football Association of South Africa (FASA) was suspended in 1961 by the Federation of International Football Associations (FIFA) on the grounds of alleged racial discrimination. This came about as the result of a campaign waged over a number of years by the rival non-racial South African Soccer Federation (SASF). At the time of the suspension, the only Non-White body affiliated to FASA was an African body which had no voting rights. Starting in 1962,⁽¹³⁾ and in the hope of getting the suspension lifted, FASA took a number of steps to encourage Non-White football within the framework of Government policy. An Indian body was formed which formally affiliated in March of this year. More recently a Coloured body has been formed. These and the African body have been granted voting rights. A "top-level" committee was created for liaison between the bodies.

A two-man commission from FIFA headed by its president, Sir Stanley Rous, visited South Africa at the beginning of this year, and shortly afterwards it was announced that the FIFA executive had decided to lift the suspension. The commission had inspected sporting facilities for Non-Whites and held meetings with spokesmen of the two rival football groupings. The meeting with SASF was reported to have been a very stormy one and its delegates accused Sir Stanley of being "partisan and dictatorial". FASA members claimed that he had been scrupulously fair.⁽¹⁴⁾ Sir Stanley had stated on his arrival that there was nothing in FIFA's constitution that insisted that principles of multi-racialism should be applied by members, and that the commission was interested merely that the controlling body should further the cause of football to the best of its ability.⁽¹⁵⁾ The commission reported to the FIFA executive that there was no wilful discrimination on the part of FASA, that any club could join it, that Non-White affiliates had maximum representation and Non-White sporting facilities were good.⁽¹⁶⁾

SASF is to pursue the matter and will probably send a delegation to a full meeting of FIFA to be held in Tokyo in 1964.

Throughout the year, a bitter struggle has been waged between the two rival football groups in South Africa, especially on the issue of the use of municipal sports grounds (described later).

The 1963 annual meeting of FASA decided to enter a Non-White team in the 1966 World Cup. (It had originally announced

(13) *Survey* 1962, page 217.

(14) *Rund Daily Mail*, 11 January.

(15) *Star*, 9 January.

(16) *Star*, 24 January.

its intention of sending a mixed team but this would have been in conflict with Government policy shortly afterwards enunciated.) A committee has been formed which is to raise money for the coaching and travelling expenses of the team, and donations have already been made by the National Football League (NFL) and FASA. The "top-level committee" of FASA referred to earlier is to make the selections. NFL/FASA is anxious that players from the S.A. Soccer League and Soccer Federation should participate but to do so they would have to change their affiliation. The latter have continued to stress their view that South Africa should be represented by the best players, irrespective of colour.⁽¹⁷⁾

FASA have also introduced a national Non-White cup competition and will include a Non-White representative in every delegation to FIFA. FASA also has plans to enter a team for the All-African cup tournament next year. However, this will be organized by the African Football Confederation which announced in January (after FIFA had lifted the suspension) that it would have nothing to do with South Africa. In April, the Confederation met in Ghana and stated that they would not accept a South African team chosen on a racial basis. It seems that if the Confederation persists in its attitude FASA will submit the matter to FIFA.⁽¹⁸⁾

Municipalities, especially Johannesburg and other Reef towns, have gradually been barring clubs aligned with SASF, including the large and popular professional South African Soccer League (SASL), from using municipal sportsgrounds. Since 1961, when use of other municipal grounds in the city was withheld, SASL matches in Johannesburg have been held at the Natalspruit grounds owned by the Municipality but controlled by the Johannesburg Indian Sports Grounds Association.⁽¹⁹⁾ Matches have attracted an average of 5,000 to 10,000 spectators, and the crowd on occasions has reached 30,000.⁽²⁰⁾ At the end of last year the City Council issued a directive that only FASA-affiliated (and therefore racially separate) Indian clubs could use the ground, but the Indian grounds association continued to let it to the SASL/SASF group. The Indian grounds association was then ordered to vacate, whereupon it contested its position in the Supreme Court but lost the case.⁽²¹⁾

Besides Natalspruit, only three other grounds are used for SASL matches; Green Point Stadium in Cape Town; Currie's Fountain in Durban and a ground in Pietermaritzburg.⁽²²⁾ Floodlights are being installed at Currie's Fountain (controlled by an Indian body) so that it can accommodate fixtures that had been

(17) *Star*, 29 May and 27 July.

(18) *Post*, 25 August, *Star*, 25 January, 29 April, and 27 July, *Sunday Express*, 28 April.

(19) *Star*, 11 October.

(20) Dr. P. B. Marolen writing in *Star*, 27 July.

(21) *Rand Daily Mail*, 10 April and 12 November.

(22) *Star*, 27 July.

scheduled for Natal spruit.⁽²³⁾ Early this year, both FASA and its affiliated professional body the NFL (National Football League) wrote to the Cape Town City Council requesting that non-FASA football bodies should not be allowed to use municipal grounds, a step which was strongly attacked by SASL/SASF. The Council did not accede to the request.⁽²⁴⁾ SASL/SASF sent to FIFA copies of the FASA/NFL letters to municipalities, and were reported to be considering organizing a boycott of NFL games which have a very large Non-White following in both Johannesburg and Durban.⁽²⁵⁾

Athletics and cycling

The South African Amateur Athletic Union (SAAAU), the officially recognized controlling body for athletics, decided in January 1963 that if any Non-White athletes reached the required standard of performance they would be selected for the Olympic Games, in which case South Africa (in terms of Government policy) would not compete on a team basis but on the basis of individual competition.

The president of the S.A. Cycling Federaton (SACF) said the following month that his body was to seek closer liaison with Non-White cyclists with a view to their possible selection for teams attending overseas championships and the Olympic Games. The standard of Non-White cycling though still not good had risen to such an extent that they must now be considered. He said that the (Non-White) South African Amateur Athletic and Cycling Association (SAAA & CA) was already affiliated but closer ties would be sought. Non-White cyclists belonging to this body were licensed by SACF, but it was not known exactly how many were licensed and what times they were returning. Later in the year, SACF said that it was its policy to encourage the development of cycling under the control of national bodies representing the various racial groups.⁽²⁶⁾ It added that an application by a Coloured association was under consideration.

(It should be pointed out that the SAAA & CA is in terms of its constitution not restricted to Africans but in fact has an almost entirely African membership drawn in the main from employees of mining companies. There is another body in existence known as the S.A. Amateur Athletic and Cycling Board of Control (SAAA & CBC), affiliated to SASA and SAN-ROC, which has a specifically non-racial constitution and policy and a membership which is mainly Indian and Coloured.)

Trials were held in April for the South African participants in the international marathon race run on the classical 26 mile

⁽²³⁾ *Post*, 20 October.

⁽²⁴⁾ *Ibid.*

⁽²⁵⁾ *Sunday Express*, 10 November.

⁽²⁶⁾ *Rand Daily Mail*, 21 August.

course between Marathon and Athens in Greece. The SAAA & CA applied to SAAAU for permission for African runners to take part in the trials over the same course but at a different time. White and Non-White trials were eventually arranged for the same day, the question of which group ran first being decided by the toss of a coin. Weather conditions were reported to be slightly better for the Non-White trialists. None of the Non-White runners was, however, selected as their times did not compare with those of the Whites, although they were considered to have a great deal of potential. White runners who took part were eventually placed third and fourth in the Marathon.

A team of African athletes was sent by SAAA & CA to tour Britain for six weeks in the middle of 1963. The team consisted of 10 men, nine of whom were mining employees, and all of whom had given excellent performances in the last year or two. Arrangements for the tour were made with the British Amateur Athletics Association with the approval of SAAAU. Plans for the tour were approved by the South African Government which granted passports. The team wore Springbok-green blazers but without the Springbok insignia on the pocket.

Whilst the athletes met with some success in Belfast and Dublin, achieving a number of first, second and third places, only one, Humphrey Khosi, succeeded in qualifying for the finals of the British AAA championships held at the White City stadium in London. In the 880 yards finals he achieved a time of 1 min. 50.3 seconds—a time which has only been beaten once by the national record holder, "Tokkie Peters", in South Africa and which came within 0.2 seconds of the European record. In the championships itself, Khosi was placed fifth with a time of 1 min. 51.2 seconds, which was less than one second behind the winner. Bennett Makgamathe, another member of the team, ran the 6 mile event in 29 min. 2 sec., a time which was better than the South African record for the event, although it was not good enough to qualify him for the British finals.

Humphrey Khosi and Bennett Makgamathe had been central figures in a controversy surrounding the trials for an athletics tournament in Mozambique in 1962 when they were excluded from the team.⁽²⁷⁾

Boxing

As mentioned in last year's *Survey*⁽²⁸⁾ the S.A. Amateur Boxing Association (SAABA) decided in 1962 that provided boxers qualified on merit, Non-Whites as well as Whites would be selected to compete in the United States amateur championships in March 1963.

(27) For further details, see *Sport and Race in South Africa*, page 14.

(28) Page 220.

Because Government policy is opposed to mixed teams it was decided that the boxers would compete as individuals. For economy reasons only one boxer was selected for each weight division: this meant that White and Non-White boxers from South Africa would not meet each other in the ring in the championships. In conformity with Government policy, separate trials were held, and the selections at both sets of trials were made by SAABA officials at the request of the S.A. Non-European Amateur Boxing Association (SANEABA). There was considerable public criticism of the fact that the final decision as to whether to include the best White or Non-White boxer in any particular weight division depended purely on the opinion of the selectors and not on the result of contests.

A very large number of entries from Non-White boxers was received. Only boxers affiliated to the SANEABA and through it to the SAABA were eligible, which resulted in a number of bodies seeking affiliation. (There are rival Non-White boxing groups which support the policy of the non-racial SASA and SAN-ROC.) Certain exceptions were made in the case of boxers who had in fact taken part in SANEABA championships but whose clubs had not yet formally affiliated. Two of the three Non-White boxers who eventually went to America came into this latter category.

After the trials, four White and two Non-White boxers were selected to make the trip, and two additional boxers (one White and one Non-White) were judged good enough for inclusion provided the necessary money could be raised. The cost involved was R1,000 per boxer. In the case of the six definite selections, SAABA bore half the cost and the appropriate constituent association the other half (in the case of the White boxers, the provincial association concerned, and in the case of the Non-White boxers, SANEABA). A public appeal for R2,000 was launched to send the two "stand-bys" but results were disappointing and it was not until the actual date of departure that it was decided to include the second of the two, Lucas Matseke (who subsequently won the United States flyweight title).

Passports were granted to the Non-White boxers within two days of the applications being lodged, and a spokesman for SAABA commented on the fact that the Government was willing to help sports associations which complied with its policy. The White and African boxers left on the same evening but on two different flights, an arrangement which met with much publicity and criticism. Press photographers were not permitted to photograph the Whites and Non-Whites together. However, they travelled as one group on the flight from England to the United States and in both of these countries they stayed at the same hotels, trained together and went on sightseeing tours together. They also visited South Africa House in London together and met senior officials. All the boxers wore identical green blazers with gold inscriptions on the pockets reading "U.S. Championships, 1963"

In the championships, for which a record number of 194 entries had been received, four of the eight South Africans won their way into the semi-finals and three into the finals. Two succeeded in winning titles: Lucas Matseke became the flyweight champion and Harold Finlay the light-welterweight champion. Both received gold medals and pocket badges inscribed "A.A.U. Champion". Lucas Matseke aged 21 thus made sporting history as the first Non-White ever to win an amateur title at international level.

In the championships of SANEABA held in September, however, Lucas Matseke unexpectedly lost on points to Sizakele Kosi of the Eastern Province. The other two Non-White boxers who had competed in the United States were also beaten. The chairman of SAABA who was present at these Non-White championships said that standards of Non-White boxing had shown a very considerable improvement and that on the form then shown, two Non-White boxers were worthy of inclusion in a probable contingent of six boxers to be sent to the Olympic Games in 1964.

According to world ratings of professional boxers published in America in October, Enoch ('Schoolboy') Nhlapo of South Africa is ranked tenth in the world in the junior welterweight division.

Amended regulations governing professional boxing and wrestling were published in March⁽²⁹⁾ and like the previous regulations promulgated in 1960 which they replace, they stipulate that no boxing contracts or tournaments may take place between Whites and Non-Whites in South Africa, and that White persons are prohibited from acting as promoters, managers, seconds or advisers at any Non-White tournament, nor can they be directly or indirectly interested in any such tournament or in any Non-White boxer participating in it. White and Non-White wrestlers are prohibited from participating in the same tournament. The regulations, however, apply only to professional boxing and wrestling, and there are no special laws regarding the amateur sport.

Golf

Although no longer a member of the Commonwealth, South Africa has continued to take part in the Commonwealth Tournament in which she has in the past played a leading part. A team visited Australia when the third tournament was played in October.

In March, the British Professional Golfers' Association accepted the South African Non-European Golf Association as an affiliated member. The South African PGA which draws its membership from White professional golfers only was already a member. It seems that there is a reciprocal agreement whereunder the South African PGA is bound to accept entries for tournaments

(29) G.N. R423 of 22 March.

from any member of a national association affiliated to the British body so that in future it will be obliged to accept entries from Non-Whites.

Non-White golf has been considerably hampered by the complete lack of proper golf courses and, in particular, lack of courses suitable for championship tournaments.

After numerous setbacks and delays, plans are in progress for the construction of an 18-hole course for the Coloured community near Athlone in the Cape. It was originally intended to be of championship size but because the Administrator refused to sanction the plans, on the grounds that it would use up too much land intended for Coloured housing, plans were redrafted on more modest lines. Money has been donated by the Cape Town City Council, by the Department of Coloured Affairs and by the public. It is not yet known whether all Non-Whites will have the use of the course or only Coloured players.

In February the Transvaal Golf Union was reported⁽³⁰⁾ to have given its support to a proposal by the Department of Community Development for the establishment of an 18-hole course for Non-White players on the Rand. The Government was prepared to provide the land and make some donation towards expenses, but a balance estimated at R18,000 would have to be raised from other sources. The report added that it was doubtful whether a suitable site could be found on the western side of Johannesburg and that it was probable that the course would be built in the vicinity of a proposed new Coloured township near Boksburg.

In October it was reported⁽³¹⁾ that the Benoni Municipality had submitted to the Minister of Bantu Administration plans for an 18-hole course near the African township of Daveyton "of a standard similar to any other recognized golf course", which, if approved, would be the first course to be established in an African township. Industrialists, golf unions and sportsmen were to be approached for financial help.

Because of the lack of proper golf courses for Non-Whites, provincial and national championships have been held on White courses under permit from the Government (although it is doubtful whether such permits are legally necessary).⁽³²⁾ As described in the last *Survey*,⁽³²⁾ serious difficulties were encountered in 1962 in obtaining the use of White courses, and one Non-White championship had to be cancelled at the last moment. More recently, and until suitable Non-White courses are available, Government policy has been somewhat relaxed. White golf clubs have readily cooperated in making courses and facilities available. In December 1962 the Natal Non-White Open Championships were held at the Kloof Country Club near Durban; the Transvaal championships

⁽³⁰⁾ *Sunday Express*, 17 February.

⁽³¹⁾ *Rand Daily Mail*, 15 October.

⁽³²⁾ Section 1 of *Sport and Race in South Africa*.

⁽³³⁾ Page 221.

at a course in Benoni in May (the first time that this event had been played on a White course in the Transvaal); the Orange Free State championships at a course in Bloemfontein (also for the first time); and a Griqualand tournament at the Kimberley Country Club. Similarly, the 1963 S.A. Non-White Championships were played over the Walmer Country Club course in Port Elizabeth and the Government has granted a permit for the 1964 event to be held at the Glendower Golf Club on the Reef. In granting permits for White courses to be used, the Government does not allow Non-White players to use clubhouse buildings or to use the sanitary facilities provided for Whites. In most cases, temporary marquees have been erected for refreshments, change rooms, etc.

Mr. Sewsunker Sewgolum, an Indian golfer from Durban (commonly known as "Papwa") during 1963 added two spectacular successes to his previous list of achievements and also became a central figure in a controversy concerning the participation of White and Non-White sportsmen in "mixed" competitions. In January he won the Natal Open Championship by one stroke and became the first Non-White competitor to win a major golf title in South Africa in competition with White players. The Natal Golf Union had taken legal advice and, in terms of an important Group Areas decision,⁽³⁴⁾ was satisfied that there was no need for a Government permit to enable the Indian golfer to compete. Club officials had, however, ruled on legal advice that Mr. Sewgolum could not enter the clubhouse. For this reason the club decided that all prizes would be presented outside the building. The presentation to Mr. Sewgolum, in fact, took place outside where his supporters were present. Because, however, of continuous rain, the remainder of the prizes were presented to the other competitors concerned half-an-hour later in the lounge. The circumstances surrounding the presentation received much adverse criticism in the Press, both in South Africa and overseas.

In March, Mr. Sewgolum came second in the 1962 South African Open Championship. A Press statement⁽³⁵⁾ by the South African Golf Union said that two Non-Whites had applied to compete and that Mr. Sewgolum's entry had been accepted because of his special qualifications. These were lacking in the case of the other entries which were refused. Conditions of entry for future championships were to be reconsidered by the Union in the light of the Minister's policy statement.

Later in the year Mr. Sewgolum won the South African Non-White Open Championships, competed in the British and Dutch Open Championships and other overseas events and shared in the prize money for the Cock o' the North tournament held in Rhodesia.

In August it was reported⁽³⁶⁾ that as the Indian golfer was

⁽³⁴⁾ See 1962 *Survey*, page 218.

⁽³⁵⁾ *Rand Daily Mail*, 9 February.

⁽³⁶⁾ *Sunday Express*, 25 August.

not a member of the White PGA in South Africa he was not eligible for selection to compete in the Canada Cup, an annual international tournament to which each competing country sends two professional golfers. Two White golfers were chosen.

"Papwa's" second major success was winning the first tournament in the 1963 Grand Prix series by one stroke. On this occasion, the Royal Durban Golf Club erected an outside awning under which the presentation was made. On the day before the second tournament in the series held in Johannesburg the Minister of Community Development said the legal position regarding Mr. Sewgolum's participation was not clear and that in the circumstances he did not intend either granting or refusing the golfer's application for a permit. Golf officials interpreted this as meaning that he could play.⁽³⁷⁾

The South African Golf Union has accepted an entry by Mr. Sewgolum to play in the 1963 South African Open Championships to be held in Bloemfontein in December. It has also accepted an entry by Mr. Ismail Chowglay, a 25-year-old professional from the Western Cape who has beaten Mr. Sewgolum on three past occasions and who in 1960 failed to qualify for entry to the British Open by one stroke. Entries by other Non-Whites were refused. Mr. Sewgolum is affected by laws which prohibit the inter-provincial movement of Indians except under permit and under which an Indian may not reside in the Orange Free State. His manager was reported⁽³⁸⁾ to have suggested in letters to the Government that Mr. Sewgolum would be prepared to stay in Kimberley and travel to Bloemfontein daily during the tournament.* He has also been invited to play in a sponsored "world championship" tournament in the United States which is conditional upon his competing in and obtaining certain scores in the forthcoming South African and Natal Open championships.⁽³⁹⁾

Weightlifting

The South African Amateur Weightlifting Union (SAAWU) offered Mr. Precious McKenzie, a Non-White sportsman who is the best bantamweight weightlifter in the country, a place in the South African team to compete in the world championships in Stockholm in September provided that he joined the recently-formed South African Weightlifting Association, a Non-White body affiliated to the official SAAWU.⁽⁴⁰⁾ Mr. Mackenzie was not willing to disaffiliate from the non-racial South African Amateur Weightlifting Federation (SAAF) which is aligned with SAN-ROC and SASA. Had he accepted, he would have been the first Non-White to have been awarded Springbok colours.

⁽³⁷⁾ *Sunday Times*, 17 November, and *Rand Daily Mail*, 20 November.

⁽³⁸⁾ *Star*, 19 October.

⁽³⁹⁾ *Star*, 22 October.

⁽⁴⁰⁾ *Star*, 19 August.

* In the event Mr. Sewgolum was permitted to stay in Bloemfontein.

Swimming and beaches

The City Council of Cape Town has built its first public swimming pool for Africans at the Langa location at a cost of R36,000.⁽⁴¹⁾

A new swimming bath completed early in the year at the Missions to Seamen centre in Durban received much publicity because this world-wide mission does not recognise racial discrimination. Reports⁽⁴²⁾ stated that it was not clear whether the use of the bath by seamen of different races would constitute "occupation" in contravention of the Group Areas Act and that legal opinion was being sought by the mission.

The Western Cape seaside resort of Hermanus was reported⁽⁴³⁾ to have recommended to the provincial authorities that its beaches should be reserved for Whites, that Coloureds should be given a stretch of beach at Hawston nine miles out of the town, and that no beach should be allocated to Africans for whom a swimming bath should be built instead (although there was a possibility that a stretch of beach could be allocated once a planned new location had been built). Previous developments concerning beach zoning in the Cape Peninsula were described in last year's *Survey*.⁽⁴⁴⁾

A new beach for Indians in Durban north of the present Country Club beach is to be opened early next year.⁽⁴⁵⁾ The siting of the present beach, which is in close proximity to White luxury hotels and flats built in recent years, has given rise to many complaints on the part of White residents.

The Indian community is said to have reacted sharply to the convictions of two Indians for being present on a beach zoned for Whites at Umhloti-Newsel on the north coast.⁽⁴⁶⁾ One was a 15-year-old hawker, and the other a man who told the magistrate that he and his wife had gone there to pray. The convictions were later set aside on the grounds that in this instance the zoning of the beach had not been sufficiently advertised or signposted.⁽⁴⁷⁾ It was, however, made clear in the judgment that the authorities had full legal powers to carry out beach zoning.

Since the visit of a team of Japanese swimmers (described in last year's *Survey*)⁽⁴⁸⁾ negotiations are reported⁽⁴⁹⁾ to have taken place between the South African Amateur Swimming Association (SAASA) and the Natal Indian Amateur Swimming Association (NIASA) on the question of possible affiliation. The official SAASA swimming coach has helped the Indian swimmers. In July it was reported⁽⁵⁰⁾ that NIASA had decided to apply for

(41) *Sunday Express*, 30 June.

(42) *Rand Daily Mail*, 27 February and *Sunday Express*, 5 May.

(43) *Sunday Times*, 20 October.

(44) Page 224.

(45) *Natal Mercury*, 19 July.

(46) *Leader*, 29 March.

(47) *Natal Mercury*, 10 September.

(48) Page 223.

(49) *Post*, 8 September.

(50) *Star*, 31 July, *Rand Daily Mail*, 2 August.

associate membership, and that in urging affiliation, a member of the Indian body had pointed to the fact that it was through co-operation with Whites that Non-White boxers and athletes had been able to go overseas. In affiliating, NIASA agreed to "conform to the Government policy of separate development".⁽⁵¹⁾ The action of NIASA in accepting "subservient membership" and "their open criticism of SAN-ROC and SASA" was strongly condemned by sporting bodies aligned with the latter associations.⁽⁵²⁾

HOLIDAY RESORTS

The Unilever Organization is building a seaside holiday resort for the children of its 3,000 African employees.⁽⁵³⁾ The resort, which is expected to be opened at the end of this year, is situated in the Umnini Reserve about 25 miles south of Durban and will accommodate about 35 children at a time between the ages of seven and 12. A nominal charge of R4 will be made to cover all expenses.

PUBLICATIONS ON SPORT

A booklet by the Research Assistant entitled *Sport and Race in South Africa* was published by the Institute in October. This outlines the law concerning multi-racial sport, summarises Government policy on the subject and describes the various developments that have taken place in some of the major fields of sport, particularly in regard to the question of Non-White participation and international recognition. This provides the background to the main events during 1963 described in this chapter.

A pamphlet entitled *South Africa—Sportsman's Country* was published, also in October, by the South African Federation for Youth and Sport and the South African Olympic and National Games Association. Copies were distributed by the State Secretary for Information and they were also handed to delegates at the International Olympic Committee when it considered South Africa's position during October. The booklet contains some information on facilities available for White and Non-White sport and on the achievements of a number of prominent sportsmen.

A detailed description of sports clubs and music and dance clubs in an African township is contained in a sociological study of social groupings entitled *Langa* by Prof. Monica Wilson and Mr. Archie Mafeje published during the year.

⁽⁵¹⁾ *Post*, 8 September.

⁽⁵²⁾ *Leader*, 4 October.

⁽⁵³⁾ *Star*, 7 September, and *Rand Daily Mail*, 14 September.

LIQUOR

LIQUOR AMENDMENT ACT, No. 88 of 1963

The Liquor Amendment Act, No. 88 of 1963, introduced a number of further relaxations in the laws applying to Non-Whites. Other important relaxations had been brought about in 1961 and 1962 and are described in the two previous issues of the *Survey*.

The Institute of Race Relations sent a memorandum⁽¹⁾ to the Select Committee which examined the Bill in which it made a number of comments and recommendations. None of these recommendations was, however, adopted.

The main provisions of the Act relating to Non-Whites and a summary of the Institute's comments are outlined below.

Previously, a section in the Liquor Act made it illegal for employers to supply Non-White employees with liquor—whether free, or as wages or supplementing wages, or as a reward. An exception to this general prohibition was the so-called 'tot system' under which employers were permitted to supply to Non-White farm workers over 21 years of age in the Cape, and any Non-White worker aged 18 or more in the Free State, a certain stipulated maximum quantity of free liquor daily.

These provisions have now been completely repealed, and instead, two new sections provide:

- (a) that no person can supply any liquor to any person in his employ *as or as supplementing the employee's wages or remuneration*;
- (b) that any employer may supply liquor *gratis* to any African of the age of 18 years or more, bona fide employed by him and for the personal consumption of the employee.

The Institute of Race Relations welcomed the first of these provisions, but expressed concern that the second provision could, if abused, lead to the revival and even the extension of the 'tot system'. It submitted that effective safeguards were necessary to prevent this. It pointed out that liquor could in future be supplied free by employers to all classes of workers anywhere in the country (excluding the Transkei) with no limitations on quantity, and except in the case of Africans, also with no restriction regarding age. (The Institute felt that while employers should be able to offer occasional drinks to workers, it was wrong in principle and could lead to grave social problems if liquor were to be supplied regularly,

(1) RR. 67/1963.

especially to young people. It could also become a form of wage supplementation.)

Another provision in the Act now permits an African to supply liquor *gratis* for consumption by any other African who is a member of his household or who is his bona fide guest. Hitherto this had been an offence. In addition, all restrictions on the purchase and possession by Africans of methylated spirits and yeast have been abolished and in this respect Africans have been placed in exactly the same position as members of other races. (The Institute welcomed these provisions.)

Whilst Africans can legally offer drinks to members of other races, members of other races (except for employers) are still not in a position to offer drinks to Africans. Thus the Mayor of a city is still prohibited, for example, from offering drinks to African guests at a civic reception for a visiting African chief, but such a chief can himself hold a reception and offer drinks to White city councillors. For this reason, soft drinks only were served at a multi-racial diplomatic reception given in April by the British Consul-General in Johannesburg in honour of the Queen's Birthday.⁽²⁾ And for the same reasons, a multi-racial civic reception, which was to have been given by the Durban City Council for delegates to a Trade Union Council congress in May, was cancelled after legal advice had been taken.⁽³⁾ This position has remained unaltered by the new Act.

The Act provides for the issue of grocers' liquor licences in certain circumstances, but states that they cannot be issued to persons disqualified under the Group Areas Act, whether the area concerned has been proclaimed an immediate or a future group area.

(The Institute pointed out that in many cases, "disqualified" owners of businesses might not be legally required to vacate their premises for some period, and urged that so long as businesses could lawfully be carried on, they should automatically be eligible for any right pertaining to the conduct of the business, including the right to apply for such licences.)

OTHER LEGISLATION

A provision⁽⁴⁾ in the Railways and Harbours Amendment Bill introduced during the year empowers the Administration to sell liquor in trains to which dining cars are attached and in aircraft to Africans over the age of eighteen years.

RESULTS OF LIQUOR AMENDMENT ACT OF 1961

The provisions of the Liquor Amendment Act of 1961 were described in the *Survey* for that year.⁽⁵⁾ *Inter alia*, it removed all

(1) *Rand Daily Mail*, 24 April.

(2) *Star*, 28 March.

(3) Section 5 (1) (b).

(4) Page 146.

restrictions on the purchase of alcohol by Coloured and Asian people, and made it lawful for Africans aged 18 or more to buy liquor from bottle-stores.

It came into operation on 15 August 1962, and although there had been much speculation about the likely results, Non-White people are reported to have bought liquor in moderation.

The report of the Department of Justice for the year ended 31 December 1962 stated that the lifting of liquor prohibition had resulted in a decrease in the number of cases of drunkenness. After stating that Non-Whites had not purchased liquor on a large scale, it added, "Among the Bantu in particular, purchases of liquor are relatively low. It may probably be attributed to the price factor and the fact that, even before the lifting of the prohibition, liquor was not an unknown commodity to many Bantu". The report also said that many shebeens had been closed down but some had remained in existence mainly due to the granting of credit, lower prices (although for diluted liquor), and the selling of liquor at all hours. It concluded that it was too early to determine the future drinking pattern of Africans. Africans in the Transvaal appeared to prefer malt liquor whereas those in the Cape and Free State preferred wine. In some urban areas, on-consumption premises were not frequented on a large scale, and indications were that people preferred having drinks at home.

In February, it was reported⁽⁶⁾ that liquor sales had greatly increased since the new liquor laws had come into force. Excise duty on sales had reached record figures and was expected to bring in at least R2,000,000 more than the figure that had been estimated for 1962/3.

The Minister of Justice said in March⁽⁷⁾ that the results of making liquor available to Africans had exceeded the greatest expectations and that despite fears expressed in some quarters, there had been no outbreaks of violence and no misery. There had been no evidence of a rise in the crime rates, and on the contrary, the Town Clerk of Johannesburg had reported that crime had decreased in the African residential areas, that the past Christmas holidays had been the quietest for many years, and that there had been little or no drunkenness. In June, the Minister told the House of Assembly that during the first four months of 1963 there had been 2,868 fewer convictions of Africans for drunkenness than in the corresponding period of 1962, and that over the Christmas period there were fewer assault cases in the townships of Pretoria than in any other year on record.

The traffic court magistrate in Port Elizabeth, on the other hand, was reported⁽⁸⁾ to have said in May that the number of Africans charged with driving under the influence of liquor had increased "most disturbingly" since the liquor laws were changed.

⁽⁶⁾ *Sunday Times*, 10 February.

⁽⁷⁾ *Rand Daily Mail*, 15 March.

⁽⁸⁾ *Star*, 15 May.

A detailed study of the use and abuse of liquor by Whites, Africans, and Coloured has been completed by the National Bureau for Education and Social Research (a division of the Department of Education, Arts and Science) and will later be published.

BANTU BEER

Details of the Bantu Beer Act, No. 63/1962, were given in last year's *Survey*. This Act does not apply in rural Bantu areas where regulations issued under the Native Administration Act of 1927 apply. Bantu beer has been sold at bottle-stores since August 1962, i.e. from the same date on which restrictions on the purchase of liquor by Africans were removed. The Department of Justice reported that, contrary to expectation, the consumption of Bantu beer had shown a notable increase in almost all urban areas for which figures had been obtained and that in at least one urban area in the Transvaal the increase was 65 per cent. It appeared that in general Whites did not buy Bantu beer on a large scale.

New regulations relating to the brewing and sale of beer in rural Bantu areas were promulgated in March.⁽⁹⁾ These provide, *inter alia*, that anyone may brew beer for domestic consumption unless the Bantu Affairs Commissioner, after consultation with the relevant Bantu authority, has prohibited this in a particular kraal or other place because it has been brewed in excessive quantities, or with an excessive alcoholic content, or where he considers it is otherwise in the public interest to do so. No one other than licence holders may sell beer.

LICENCES FOR SALE OF LIQUOR IN NON-WHITE AREAS

The conditions attaching to the issue of licences for the sale of liquor in Non-White areas were outlined in last year's *Survey*⁽¹⁰⁾ and some details were given of applications received and approved by the National Liquor Board.

The first of the Johannesburg City Council's "better-type" bar lounges for Africans in the townships was opened at Dube early in the year. Strict rules of behaviour and dress were enforced in the lounge which was described as ultra-modern. Only men were admitted to this particular lounge, but it was intended that women should be admitted to other lounges to be built later.

Applications for liquor licences by 38 Coloured associations of persons were considered by the authorities early in 1963 of which only 14 were granted, 10 in the Cape and four in the Transvaal.⁽¹¹⁾ Three companies were granted licences to build premises

(9) Proclamation R50, 22 March.

(10) Page 134.

(11) *Rand Daily Mail*, 19 April.

in Johannesburg which would consist of a bottle-store, a lounge and dining-room. Two of the companies would carry on business in Newclare and the third in Coronationville. One of the companies had applied to the Coloured Development Corporation for a loan of R24,000. None of the premises would be permitted to have a bar and no liquor could be sold from the bottle-stores to any African.

In August it was reported⁽¹²⁾ that the Durban Municipality had opened four bottle-stores and two bars in the African areas of the city. They had not, however, attracted the expected number of customers and were being run at a substantial loss. Contributory factors were said to include the low wages paid to Africans who apparently still preferred the cheaper traditional Bantu beer. Bantu beer-halls continued to run at a profit.

In September it was reported that within the following year 28 new liquor sales centres for Africans would come into operation in Natal, making a total for this province of 44. They would include an African hotel at Umlazi with a bottle-store attached, a bottle-store at Imfume Mission near Illovo, and bottle-stores for regional authorities at Eshowe, Mtunzini, and Ukukanyekifikili (near Port Shepstone).

The Deputy Minister for Bantu Administration and Development told⁽¹³⁾ the annual meeting of SABRA in October that profits from liquor sales would be used to provide facilities in Bantu homelands.

The National Liquor Board is to hold a further meeting in January 1964 to consider applications for licences to sell liquor to Africans and from associations of Indians and Coloured persons to sell liquor to members of these two race groups.

⁽¹²⁾ *Rand Daily Mail*, 6 August.

⁽¹³⁾ In a paper on *Urban Bantu Policy Against the Background of the Policy of Separate Development*.

JUSTICE

CRIMINAL STATISTICS

The following figures are quoted from the September issue of the monthly *Bulletin of Census and Statistics*.

It will be noted that figures for 1962 are much lower than in previous years, especially in the category of 'non-serious' crime. This is because (from January 1962) certain non-serious offences, mainly traffic offences, are no longer included in the statistics.⁽¹⁾

The figures do not refer to different persons but to actual convictions. One person may have been convicted more than once in any one period. Crimes and offences are classified into about 340 items or codes of which 110 are for serious crimes.⁽²⁾

Despite the fact that, for the reasons stated above, the figures reflect a decrease in crime rates, it will be seen from figures quoted elsewhere in this section that the prison population has shown a considerable increase and that the matter is being regarded with some concern.

Number of Convictions Per Annum

(a) Serious and Non-Serious Crime

	<i>Whites</i>	<i>Coloured</i>	<i>Asians</i>	<i>Africans</i>
1958 ...	162,776	158,615	31,062	1,122,081
1960 ...	220,115	160,470	36,462	947,856
1961 ...	213,081	167,872	41,758	962,155
1962 ...	96,328	128,308	21,703	861,172

(b) Serious Crime Only

1960 ...	14,325	15,005	1,394	62,680
1961 ...	13,904	15,645	1,394	65,057
1962 ...	13,675	15,292	1,305	67,714

On the basis of the new system of crime classification adopted in 1962, the following calculations show the crime rate in 1962 for each population group, both for serious and non-serious crime.

A further calculation (3 below) shows non-serious crime rates if one omits offences under Bantu supervision and control regulations, and also offences relating to the possession of liquor, the laws in respect of which have recently been relaxed.

(¹) July/August Supplement to *Bulletin*.

(²) *Ibid.*

	<i>White</i> 3,088,492	<i>Coloured</i> 1,509,258	<i>Asian</i> 477,125	<i>African</i> 10,927,923
(1) Serious crime rates				
No. of convictions per 1,000 of each population group (1962)	4.42	10.13	2.73	6.19
(2) Non-serious crime rate (all categories)				
No. of convictions per 1,000 of each population group (1962)	26.76	74.88	42.75	72.60
(3) Non-serious crime (omitting (a) Bantu Supervision and Control and (b) Offences relating to possession of liquor)				
No. of convictions per 1,000 of each population group (1962)	24.62	69.63	36.51	32.51

The convictions in 1962 under the categories omitted under (3) above totalled as follows:—

	<i>White</i>	<i>Coloured</i>	<i>Asian</i>	<i>African</i>
Under Bantu Supervision and Control regulations	6,368	4,556	2,418	384,497
Offences relating to possession of Bantu and other types of liquor	246	3,364	559	53,598

The number of convictions under the head of "Bantu Supervision and Control Regulations" over a period of years are given in another section,⁽³⁾ and also a detailed break-down of the total of 384,497 convictions in 1962.

SUMMARY OF CONVICTIONS, 1960 (Serious and Non-Serious Crime).

(Calculated from information in Bulletin of Statistics, Report of Commissioner of Police for 1960, and information by Minister of Justice, Assembly Hansard 3 of 1962 col. 838.)

	<i>White</i>	<i>Coloured</i>	<i>Asian</i>	<i>African</i>
Coinage, currency, illegal dealing in diamonds and gold ...	87	17	20	431
Bribery, perjury, sacrilege, impersonation of police ...	90	123	35	845
Murder and attempted murder, abortion and attempted abortion, infanticide, attempted suicide, culpable homicide (other than by drivers of vehicles)	110	278	17	2,055

(3) Page 138.

	White	Coloured	Asian	African
Concealment of birth, child stealing, cruelty to and neglect of children	46	94	4	269
Crimen Laesae Majestatis, sedition, promoting racial hostility, offences under Public Safety and Suppression of Communism Acts	14	5	2	782
Resisting or obstructing police	140	416	29	1,137
Public violence and arson ...	10	24	3	1,430
Assault—aggravated	508	4,997	184	24,725
Assault—common	3,564	8,684	1,456	39,113
Forgery and uttering, extortion	167	127	24	635
Malicious damage to property (serious)	29	39	6	124
Robbery, theft, receiving stolen property, etc. (serious) ...	2,257	6,462	293	22,553
do (non-serious)	3,247	9,264	702	38,998
Illicit carnal intercourse between White and Non-White ...	230	96	6	106
Other offences under Immorality Act	324	770	38	2,686
Offences under liquor laws ...	11,735	49,227	1,455	144,934
Traffic offences	10,145	1,873	644	6,325
Africans convicted under pass laws	—	—	—	340,958
All other offences (non-serious)	187,412	77,974	31,454	319,750
Totals:	220,115	160,470	36,372	947,856

POLICE

According to the latest report of the Commissioner of Police published during this year, as at 31 December 1961 the authorized establishment and actual strength of the police force were as follows:

<i>Europeans</i>		<i>Non-Europeans</i>	
Authorized	13,372	Authorized	14,795
Actual	12,249	Actual	13,777

Training

During 1961, 873 European constables were passed out as constables from the police college and 202 student wardens received training at the college.

1,127 Non-European recruits were trained at the New Modder Police Training Depot and 28 Indian recruits at the Wentworth Training Depot in Durban.

The recruitment officer of the S.A.P. said⁽⁴⁾ that as the result of higher salaries and better service conditions, which had accompanied the raising of the minimum educational requirements for

(4) *Rand Daily Mail*, 1 August.

recruits to Standard VIII certificates, the general standard of new recruits to the force had improved. There were now 500 matriculants undergoing training at the Police College, compared with 50 in 1960. At present 1,500 White students could be accommodated at the college, which was being enlarged to cater for 2,000. There was an urgent need for more White recruits because of the increase in population and the gaps left by persons leaving the force.

He also said that one of the important aims during training was to raise to a high level courtesy in dealing with the public, especially the Non-White public, and that reports had confirmed that there was an increasingly happy relationship between the police and all race groups.

In an address in May, the Commissioner of Police said that a new police training centre for Africans was to be established at Hammanskraal near Pretoria which would increase the number of Non-Whites in the force and the number of stations manned fully by Africans. He said that there were at present 29 police stations in South Africa staffed entirely by Africans from the station commander down.⁽⁵⁾

Speaking at a passing out parade of 64 new Indian recruits to the South African Police Force in Durban, the Minister of Indian Affairs said⁽⁶⁾ that there were 430 posts for Indians in the police force ranging from constable to sergeant. Of these, 414 were in the Port Natal Command and the remaining 16 in the Transvaal. It had, however, been impossible to find enough recruits in the Transvaal to fill these posts. He appealed to leaders in the Transvaal to persuade young men to come forward. He also described as disappointing the poor response of the Indian community generally to the recruiting campaign for the Police Reserve. Commenting on the Minister's speech, a number of Indians expressed the opinion that Indians in Natal should be granted permits to join the Police in the Transvaal, as had been done in the catering industry.

In reply to a question in Parliament in March, the Minister of Justice stated⁽⁷⁾ that during 1962 there had been instances of members of the police force assaulting witnesses and 42 prisoners and that in all cases criminal proceedings had been instituted against the policemen concerned.

African home guards

According to a Press report⁽⁸⁾ the police authorities in Johannesburg and Pretoria have discussed the introduction of an African police reserve or home guard in Johannesburg's townships in order to combat crime. The Divisional Commissioner of Police for the

⁽⁵⁾ *Sunday Express*, 5 May.

⁽⁶⁾ *Sun*, 30 July.

⁽⁷⁾ *Assembly*, 22 March, Hansard 9 col. 3250.

⁽⁸⁾ *Rand Daily Mail*, 23 October.

Witwatersrand said that he hoped the scheme could be started soon, but that it would first have to be approved by the Minister of Justice.

PRISONS

Commissioner of Prisons

In October Brigadier J. C. Steyn was appointed Commissioner of Prisons in place of Mr. V. R. Verster, who had served in this capacity for twelve years and whose efforts have contributed greatly to bringing about a number of improvements and reforms in the penal system in South Africa.

Department of Prisons

The report of the Commissioner of Prisons published for the period 1959-1962 outlines in some detail the steps which have been taken to introduce reforms in the penal system since the new Prisons Act was introduced in 1959, including, *inter alia*, personnel and training, the treatment, training and rehabilitation of prisoners, the religious and social care of prisoners, and the composition and functions of prison boards.

The establishment of the Department in 1962 consisted of 5,302 posts, 2,970 for Whites and 2,332 for Non-Whites. The programme of training new warders includes courses in elementary psychology, Bantu studies, human relations, treatment of prisoners, etc. Personnel employed in the Department included two persons with M.A. degrees, one with B.A. Hons., 36 with B.A. degrees and 270 matriculants of whom 59 were studying for a degree.

The Minister stated that a total of 5,257 warders were employed by the Department, 2,874 White and 2,383 Non-White. The male warders consisted of 2,723 White, 400 Coloured, 2 Asian, and 1,898 African, while the female warders comprised 151 White, 21 Coloured, and 62 African.

Recruits since 1959 had been required to have a Standard VIII certificate or its equivalent, although the Minister could authorize the acceptance of a lower standard. The period of training in colleges lasted 12 months ("including service training") compared with three months in previous years. Annual commencing salaries were for males, White, R840; Coloured and Asian, R360; African, R272; and for females, R720; R296; and R200 respectively. From 1 January 1963, salaries were raised in line with Public Service salaries and provision was made for higher commencing salaries according to qualifications. In 1963, 54 members of the Department held academic qualifications and 104 were studying for degrees.⁽¹⁰⁾

⁽¹⁰⁾ 5 April, Assembly Hansard 11 col. 4125-7.

Earlier in the year, the Minister had given details⁽¹¹⁾ of the numbers of officials of the Prisons Department prosecuted during 1961 and 1962 for various offences and the number who had been dismissed.

Number of persons in prison

The daily prison population has increased steadily over the years. Comparative total figures for the past 11 years are:

1952	...	...	...	...	31,903
1953	...	...	...	...	35,280
1954	...	...	...	...	36,113
1955	...	...	...	...	37,318
1956	...	...	...	...	39,920
1957	...	...	...	...	41,220
1958	...	...	...	...	44,437
1959	...	...	...	...	49,886
1960	...	...	...	...	52,956
1961	...	...	...	...	55,762
1962	...	...	...	...	62,769

It will be seen that over this period the total number of persons in prison has almost doubled.

Commenting on the fact that the daily prison population had reached the "alarming" figure of nearly 63,000, the Commissioner of Prisons said that whilst previously poverty, a low standard of education, and inadequate recreational facilities had been accepted as the main contributory factors to crime, it was now apparent that improvements in social conditions and the level of education had not resulted in a decrease. He described the increase in crime rates not only in South Africa but elsewhere in the world as a "perplexing phenomenon".⁽¹²⁾

A report published by the Commissioner of Prisons later in the year stated that the number of people in prisons had in May reached the "all-time record" of 67,636, i.e. approximately 1 in every 236 South Africans.⁽¹³⁾

The following figures apply to the year 1961/2 and have been extracted from the annual report of the Commissioner of Prisons.

The daily average of persons in custody throughout the country was 62,769 (3,017 Whites, 48,705 Africans, 383 Asians, and 10,665 other Non-Whites).

The total number of persons admitted to prisons was 461,313 (12,503 Whites, 387,292 Africans, 2,436 Asians, and 59,082 other Non-Whites).

Of this number, 346,527 were persons who had actually been convicted (7,580 Whites, 292,195 Africans, 1,444 Asians, and

⁽¹¹⁾ Assembly, 19 February, Hansard 5 col. 1570/1.

⁽¹²⁾ *Rand Daily Mail*, 1 February.

⁽¹³⁾ *Rand Daily Mail*, June.

45,308 other Non-Whites). The rest comprised persons awaiting trial, or detained and under investigation, civil debtors, mental patients awaiting admission to institutions, etc.

Death sentence

A total of 177 persons was sentenced to death (2 Whites, 1 Asian, 148 Africans, and 26 other Non-Whites). Thirty-four death sentences were commuted to imprisonment (28 Africans, 1 Asian, and 5 other Non-Whites), and 129 executions were actually carried out (106 for murder, 12 for rape, 7 for robbery, and 4 for house-breaking and theft with aggravating circumstances).

The number of executions exceeded the previous year's total of 66 by 63.

Periodic imprisonment

Since 1959 there has been legislative provision for "periodic imprisonment" to enable persons to serve a sentence of imprisonment at certain times such as weekends in order to avoid any personal or family dislocation. However, it would seem that this is used in only a comparatively few number of cases as official figures show that as at 30 June 1962 there were only 53 persons throughout the country serving periodic imprisonment (25 Whites, 14 Africans, 1 Asian, and 13 other Non-Whites).

Remission of sentences

In reply to a question in Parliament, the Minister said⁽¹⁴⁾ that whilst regulations and departmental instructions regarding the remission of sentences applied to all convictions, it had been the general practice throughout the years to exclude certain groups from automatic remission of sentence either because of failure to conform to discipline, or because by virtue of the offence it was not considered in the public interest to do so. The type of offenders falling within these groups were (a) those who had escaped from custody, and (b) those who had been convicted for contravention of the Suppression of Communism Act, the Public Safety Act, the Riotous Assemblies Act, the General Law Amendment Act of 1962 and proclamations issued in terms of the foregoing Acts. Policy in respect of remission of sentences was formulated by the Minister and departmental instructions were issued on the authority of the Commissioner of Prisons.

Corrective training

In reply to a question⁽¹⁵⁾, the Minister stated that facilities for corrective training were available to all groups, and covered a wide range: agriculture, building trades, manufacturing, needlework,

⁽¹⁴⁾ Assembly, 12 February, Hansard 4 col. 1167.

⁽¹⁵⁾ Assembly, 15 February, Hansard 6 col. 394/5.

domestic service, clerical employment, etc. The number of prisoners then receiving corrective training totalled 31,553 (White 2,052, Coloured 7,037, Asiatic 244, and African 22,220). Most were being trained in the spheres referred to above, but only a very limited number had the necessary potential and educational standard to qualify them for vocational training. The Department employed 454 instructors. Prison Boards, in consultation with relevant Government and other agencies, tried as far as possible to secure employment for all discharged prisoners in the particular trade or field of employment in which they had been trained.

Farm prisons

The Commissioner of Prisons was reported to have said that whilst allegations were made that the farm labour system was meant to provide cheap labour, it had in fact been calculated that the daily cost per prisoner to farmers was R1.23. Should sufficient farm labour become available in any area, the use of prison labour in that area would be stopped.⁽¹⁶⁾

The Minister of Justice said in Paarl that he intended to maintain the farm prisons system, which was of benefit not only to the State but to the prisoners themselves. He felt that as a means of rehabilitating prisoners the system served its purpose, and that this should be the chief aim of farm prisons.

Conditions in prisons

The Minister of Justice said in reply to a question⁽¹⁷⁾ that conditions at the Durban gaol had been improved by the installation of better sanitation and ventilation and by reducing overcrowding by transferring long term prisoners to other institutions. The present gaol would be replaced and the acquisition of sites based on a system of decentralisation was under investigation.

Questioned in March, the Minister said⁽¹⁸⁾ that no facilities existed in either the Johannesburg Fort or the Roeland Street Gaol for keeping prisoners awaiting trial for serious crime and those awaiting trial for non-serious crime under separate detention but that the two types of prisoners were kept in separate cells as far as possible. Cells were regularly visited by guards and lights were not extinguished during the night. In 1962 there had been 8 cases reported of prisoners assaulting other prisoners, and 2 cases of prisoners having been killed. In May he stated⁽¹⁹⁾ that certain allegations concerning the maltreatment of prisoners in the Cinderella Prison at Boksburg had been thoroughly investigated but that there had been no substance in any of them.

⁽¹⁶⁾ *Rand Daily Mail*, 1 February.

⁽¹⁷⁾ Assembly, 5 February, Hansard 3 col. 750.

⁽¹⁸⁾ Assembly, 8 March, Hansard 7 col. 2411.

⁽¹⁹⁾ Assembly, 10 May, Hansard 12 col. 5780.

Awaiting trial prisoners

A Press report⁽²⁰⁾ said that because of the overcrowded rolls in the Johannesburg Regional Court, an awaiting trial prisoner, by law presumed to be innocent, could be detained in gaol for as long as four months before his trial was heard. Trials in some District Courts could take up to five months and an instance was cited of an attorney who had complained to the magistrate in a District Court that a case in which he was appearing had been postponed seven times. The report said that District Courts dealt with over 200,000 cases a year and the Regional Courts, which try more serious cases, handled about 4,000 cases during the same period. There were 22 District Courts and 14 Regional Courts constituted every day, and in addition, Periodical Courts dealt with a further 40,000 cases each year. Contributing to the problem in the Johannesburg courts were lack of adequate personnel and a chronic shortage of space.

BANTU COMMISSIONERS' COURTS

A dispute arose between the Incorporated Law Society and the Department of Bantu Administration after a firm of attorneys had been excluded from the Bantu Commissioner's Court in Johannesburg.⁽²¹⁾ The Chief Bantu Affairs Commissioner for the Witwatersrand said⁽²²⁾ that the Department's policy was to discourage the intervention of attorneys in "administrative matters" for two reasons: (a) because there should be direct contact between officials and Africans under their control; and (b) so that Africans were protected from paying exorbitant fees for advice and assistance available to them free of charge from officials. Among matters considered to be "administrative" were influx control and also appeals against decisions taken in Bantu Commissioners' Courts. Attorneys were not entitled "as of right" to appear in appeals or to peruse documents. (A circular outlining Government policy was sent to Bloemfontein attorneys by the Bantu Commissioner for the area.) The Law Society told⁽²³⁾ the Department of Bantu Administration (which refused to change its policy) that the distinction between administrative and judicial matters was a very fine one and that the right of the legal profession to assist and advise was entrenched in common law throughout the Western world.

PENAL REFORM LEAGUE

As described in the 1961 *Survey*,⁽²⁴⁾ the Rev. H. P. Junod resigned as Director of the Penal Reform League in that year and was succeeded by Professor H. Venter. Mr. F. W. Mullan has since been appointed as Associate Director. The objects of the League

(20) *Sunday Times*, 19 May.

(21) *Sunday Express*, 10 March.

(22) *Rand Daily Mail*, 4 April.

(23) *Sunday Express*, 10 March.

(24) Page 283.

are to devise the best means for the prevention of crime and to promote the right treatment of delinquents. Matters that have recently been given attention by the League include the question of short-term imprisonments, the criminal prosecution of Africans for non-payment of rent, the farm gaol system, the arrest of petty offenders for contraventions of a technical nature, the drafting of recruits to police stations without preliminary training, and the question of pre-criminal dangerousness.

LEGAL AID

As mentioned in previous *Surveys*,⁽²⁵⁾ the Government in 1961 introduced a new system of legal aid to replace the voluntary bureaux that previously operated in the larger centres. Details of how the new system is working throughout the country are not yet available. In Johannesburg, a magistrate was appointed in 1961 as full-time legal aid official but no committee has yet been appointed under the Government scheme, nor has a panel of attorneys so far been created. The voluntary legal aid bureau which has been in existence for many years has continued to operate, under the control of a committee including representatives of the Bar and Side-Bar, the Johannesburg Municipality, and the Institute of Race Relations. Since the introduction of the Government system there has been no representation from Government Departments and a Government grant (R1,275 in 1961) was withdrawn. In 1962, grants from the Johannesburg City Council were increased by R1,600. In Roodepoort no special legal aid officer had been appointed by mid-1963 but any applications for aid were received by the public prosecutor, who referred them to a committee composed of attorneys and Government officials. Most (if not all) applications had been by Whites mainly in respect of matrimonial cases. In Krugersdorp the magistrate acts as legal aid officer and is also chairman of a committee similar to that in Roodepoort. In Pretoria there is a special legal officer under the new system which was officially started late in 1962, although a similar system had been in operation for some years previously. At mid-1963 there were 24 attorneys on the panel. The voluntary bureau in Durban has been taken over by the Government under the new scheme with little administrative change apart from the fact that bodies such as the Social Services Association and Institute of Race Relations are no longer represented on the committee.

Reports to the Executive Committee of the Institute of Race Relations by its various regional offices highlighted the need for legal aid and the appointment of prisoners' friends for Africans in Bantu Commissioners' Courts.

(25) 1959/60 page 273; 1961 page 282.

FOREIGN AFFAIRS

UNITED NATIONS' DEBATES

SOUTH-WEST AFRICA

Development plans

The Government plans to set up full systems of Bantu Authorities in the Reserves in the north of South-West Africa; first in Ovamboland, later in Okavangoland, to the east; and at some stage in the Kaokoveld, to the west. Some tribal authorities are already functioning.

Ovamboland, about 16,220 square miles in extent, has about 250,000 inhabitants, of whom only about 38,000 are away at work at any one time. It is a very dry territory: for the past four years drought conditions have prevailed and the Government has sent in grain to supplement local crops. Dams and canals are being constructed to trap seasonal floodwaters and local rains. The idea is that the canals should ultimately tap the Kunene River on the northern boundary, but the most practicable place is some seven miles inside the Angola border. After lengthy negotiations with Portugal it has been agreed that the canals and dams should be linked with the Kunene River, and that a large dam and a hydro-electric scheme should be constructed. This scheme will cost about R40,000,000.

Okavangoland, with an area of 12,490 square miles, has about 30,000 inhabitants. So far it is undeveloped but agriculture could be improved, for the territory is well watered. The Kaokoveld, with about 13,000 people, largely nomad cattle-owners, measures about 21,000 square miles. It is a remote and primitive territory.⁽¹⁾

It was mentioned in last year's *Survey*⁽²⁾ that the Government had appointed the Odendaal Commission to draft a five-year plan for promoting the welfare and progress of the people of South-West Africa, more particularly the Non-Whites. At the time of writing this commission had not submitted its final report; but in May it made five interim recommendations of an *ad hoc* nature which were accepted by the Government.⁽³⁾ These were as follows:

- a) the Administration's plans for a 444-bed hospital at Okatana in southern Ovamboland should be carried out as soon as possible;

(1) From *Star* reports, 24 April, 19 and 28 November.

(2) Page 231.

(3) White Paper tabled by the Prime Minister on 27 May.

- b) the canal scheme in Ovamboland should be extended rapidly;
- c) a community centre should be provided for each of the seven African ethnic groups in Ovamboland;
- d) postal and telegraph services should be extended in this area;
- e) a township should be established for Africans near the tin ore mine in the Okombahe Reserve west of Omaruru. The company operating the mine should be asked to undertake to employ residents of this Reserve wherever practicable, rather than people from elsewhere.

The main African opposition to the South African Government's policies in South-West Africa comes from the Hereros, led by Chief Hosea Kutako and Clement Kapuwo. The chief is leader, too, of the S.W.A. People's Organization (SWAPO), which is said to have a small foothold among the Ovambo people, and with which the Baster community has allied itself. There is also a S.W.A. National Union (SWANU). The majority of the Africans, particularly those in the Reserves, probably have little knowledge of either of these parties.

Proceedings at the International Court of Justice

It was mentioned last year that South Africa challenged the competence of the International Court to decide on the action against South Africa instituted by Ethiopia and Liberia. In December 1962 the judges ruled, by 8 votes to 7, that the court did have powers of jurisdiction over South Africa's administration of the South-West African mandate.⁽⁴⁾

Since then Ethiopia and Liberia have handed in memorials and South Africa had filed counter-memorials.

Proceedings at the United Nations, December 1962

In December 1962, by 98 votes to nil with 1 abstention, the United Nations General Assembly ratified a draft resolution of the Trusteeship Committee.⁽⁵⁾ South Africa did not participate. *Inter alia*, the Secretary-General was asked to take all necessary steps to establish an effective United Nations presence in South-West Africa as a first step to preparing the territory for independence, and to appoint a technical assistance resident representative. The supervision of the affairs of the territory was transferred from the previously-existing Special Committee on South-West Africa to the Special Committee on Colonialism.

U Thant subsequently drew South Africa's attention to the terms of the resolution and asked its views on the appointment of a resident technical expert. South Africa replied that until the

⁽⁴⁾ *Star*, 21 December 1962.

⁽⁵⁾ See 1962 *Survey*, page 257.

Odendaal Commission's findings and recommendations had been received and studied it could not consider whether or not outside expert advice would be necessary. It would publish the recommendations in full and state to what extent it intended carrying them out. The Secretary-General was reminded of the case before the International Court.⁽⁶⁾

Committee on Colonialism

South Africa declined an invitation to participate in the work of the Committee on Colonialism (often known as the "Committee of 24") on the ground that the question was *sub judice*. At a meeting held in May the Committee deplored South Africa's refusal to co-operate, again urged the Secretary-General to establish a United Nations presence in the territory, and made it clear that the duties of such a presence would be to ensure that the full terms of the 1962 resolution were carried out.

HUMAN RIGHTS

During April the U.N. Commission on Human Rights drafted a declaration which was adopted by the General Assembly on 20 November. It is a lengthy document dealing with many aspects of racial discrimination and with what states can do to eliminate this.

South Africa's policies were singled out for special mention. The declaration stated, *inter alia*, "An end shall be put, without delay, to governmental and other public policies of racial segregation, and especially policies of apartheid, as well as all forms of racial discrimination and separation resulting from such policies". All states were urged, if necessary, to pass legislation prohibiting such discrimination.

The president of the Assembly announced that the decision to adopt the declaration had been unanimous; but South Africa's representative stated that his delegation had not participated in the voting.

SOUTH AFRICA'S RACIAL POLICIES

Proceedings of Special Committee, April to July

The terms of a far-reaching resolution passed by the Assembly at the end of 1962 were described in last year's *Survey*.⁽⁷⁾ It was recommended that member states should break off diplomatic relations with South Africa, boycott her goods, refuse all facilities to her ships and aircraft, and refuse to export goods, including all arms and ammunition, to South Africa. The resolution called for the establishment of a special committee, to be nominated by the

(6) *Star*, 4 April, and other sources.

(7) Page 230.

President of the Assembly, to keep South Africa's racial policies under review when the Assembly was not in session and to report to the Assembly, the Security Council, or both, as might be appropriate from time to time.

This resolution was passed by 67 votes to 16, with 23 abstentions. Among those who voted against it were the major Western powers: their representatives made it clear that they found South Africa's racial policies abhorrent but that they were opposed to the imposition of sanctions. General Assembly resolutions are not mandatory on member states.

Subsequently Algeria, Costa Rica, Malaya, Ghana, Guinea, Haiti, Hungary, Nepal, Nigeria, the Philippines, and Somalia were nominated members of the special committee on apartheid.

During April the committee invited the South African Government to lend its co-operation and assistance to assist it in fulfilling its task objectively and effectively. South Africa replied that it regarded the adoption of the Assembly resolution, including the establishment of this committee, as contrary to the provisions of the Charter. It was, thus, not in a position to co-operate with or assist the committee.⁽⁸⁾

The committee submitted two reports to the Security Council, in May and July respectively. It stressed the danger of violent clashes in South Africa which might spark off a wide-scale conflagration in territories to the north. Concern was expressed at recent legislation giving the South African Government extended powers of detention of political opponents. The committee drew the attention of the Security Council to an alleged large-scale military build-up in South Africa. It urged that member states should impose sanctions and break off diplomatic and commercial relations, and that the Council should enforce an embargo on the supply of oil and of arms.⁽⁹⁾

Proceedings of the Security Council in August

At the request of 32 states (mainly African) the Security Council met at the beginning of August to consider the situation in South Africa. Before the meeting South Africa's Minister of Foreign Affairs announced that beyond asking its permanent representative to observe proceedings his country would take no part in the proceedings. Some days later the President of the Council invited South Africa to participate in the debate without voting power; but the Minister replied that no useful purpose would be served by re-stating the South African case. He reiterated the view that the matters to be discussed fell solely within South Africa's domestic jurisdiction.⁽¹⁰⁾

The Security Council has 11 members. Seven affirmative

⁽⁸⁾ *Star*, 2 April, *Rand Daily Mail*, 19 April.

⁽⁹⁾ *Rand Daily Mail*, 8 May and 19 July.

⁽¹⁰⁾ *Star*, 24 July and *Rand Daily Mail*, 1 August.

votes are required for the adoption of a resolution, and there must be no veto from one of the permanent members (which are Britain, the United States, Russia, France, and Nationalist China).

On 7 August, by 9 votes to nil with 2 abstentions (Britain and France) the Council passed a resolution in which it stated that the situation in South Africa was seriously disturbing international peace and security. (The original draft read that the situation was a *threat* to international peace and security, but the United States opposed the use of the word "threat".) The Council strongly deprecated South Africa's racial policies, and called on the Government to renounce apartheid and to release "all persons imprisoned, interned, or subjected to other restrictions" because of their opposition to the apartheid policy. It solemnly called on all states to cease forthwith sales to South Africa of military equipment and the shipment of arms, ammunition of all types, and military vehicles. The Secretary-General was requested to keep the situation under observation and to report to the Council by 30 October.

Two paragraphs of the draft resolution were rejected because they received only 5 votes: Ghana, Morocco, the Philippines, Russia, and Venezuela. The other members abstained: these are the United States, Britain, France, China, Brazil, and Norway. The paragraphs concerned called for a total boycott of South African goods and an embargo on the export to South Africa of strategic materials of direct military value.

During the debate, as has been mentioned in an earlier chapter, the United States announced that it expected to stop all sales of military equipment to South Africa by the end of 1963. Existing contracts for strategic defence equipment suitable for use against external threats would, however, be honoured. The embargo might be revised if the interests of the world community required the provision of material in a common defence effort. Britain and France decided to cut off supplies of weapons that could be used for suppression, but to continue selling equipment that might be needed for strategic defence against outside aggression. Britain added that it would also supply any arms that it considered were needed for the joint British-South African protection of the shipping route round the Cape, in terms of the Simons-town agreement.

The British representative, Sir Patrick Dean, said his delegation regretted not being in a position to vote with the majority on the resolution mentioned above, but certain features of it had made this impossible for them. He made it quite clear, however, that his Government was very strongly opposed to apartheid. He is reported to have said that South African leaders were "by their inadmissible racial policies carrying their countrymen, of whatever race, to certain tragedy". Britain, he stated, considered that Governments should continue to exert the maximum pressure

possible, and should use whatever measures they thought appropriate and which were consistent with the Charter, to persuade South Africa to change its racial policies before it was too late.⁽¹¹⁾

France, too, deprecated apartheid. Its representative is reported to have said that the South African Government had set up a "fatal chain reaction". He appealed to the Government to reconsider its policies.⁽¹²⁾

Report by the Secretary-General

The Secretary-General reported later that 44 countries had agreed to refuse the sale of arms that could be used to enforce the apartheid policy. Another country did so a few days later.⁽¹³⁾

Further report by the Special Committee

In a further report, made in September,⁽¹⁴⁾ the Special Committee stated that the extreme gravity of the situation called for new measures. It proposed that South Africa should be expelled from the United Nations and its specialized agencies. A study should be undertaken of means to ensure an effective embargo on the supply of arms and ammunition, as well as oil and oil products, to the Republic. Member states should be advised to prohibit or discourage foreign investments in South Africa, loans to its Government or to South African companies, and emigration to the country. The administrations of neighbouring states should provide asylum and relief to political refugees, and means should be explored of providing assistance to victims of apartheid through appropriate international agencies.

Session of the General Assembly

It was announced in September⁽¹⁵⁾ that South Africa's Minister of Foreign Affairs, Mr. Eric Louw, would not attend the session of the General Assembly, but that the country would be represented by a strong delegation of diplomatic officers headed by Mr. G. P. Jooste, Secretary for Foreign Affairs.

After the Special Committee's report had been submitted to the General Assembly Mr. Jooste was given leave to reply. Algeria immediately moved that the proceedings be suspended for 20 minutes as a "symbolic demonstration" of the United Nations' abhorrence of racial discrimination: this motion was passed by 68 votes to 17 with 22 abstentions.

After the adjournment, as Mr. Jooste walked to the rostrum there was a mass walk-out of the African and Communist delega-

⁽¹¹⁾ *Rand Daily Mail*, 9 August.

⁽¹²⁾ *Ibid.*, 15 August.

⁽¹³⁾ See page 34 for the names of some of these countries.

⁽¹⁴⁾ *Rand Daily Mail and Star* of 18 September.

⁽¹⁵⁾ *Rand Daily Mail*, 24 September.

tions and some of those from Asian and Latin-American countries.⁽¹⁶⁾

During the debate that followed, Mr. Per Haekkerup, the Danish Foreign Minister, developed a line of thought that had emerged at a meeting of Foreign Ministers of the Scandinavian countries—Denmark, Norway, Sweden, Finland, and Iceland. He said⁽¹⁷⁾ that South Africa's policies affected the world because if they led to disaster, as it was feared they would, widespread repercussions would result. Violence begat violence. The Scandinavian countries thus considered it essential that these policies should be changed. But they felt that new and positive suggestions should be added to existing endeavours if success were to be achieved.

The suggestions were that a democratic non-racial society should be established in South Africa that would guarantee equal rights to all inhabitants, White and Black. The responsibility for planning such a society should be shared by all members of the United Nations. The Secretary-General should be requested to set up a planning group of experts to study alternative possibilities to apartheid, phases of development towards the type of society desired, and the part to be played by the United Nations. The United Nations should state its readiness, if necessary, to lend assistance during a transitional period in the maintenance of law and order, the protection of life and of the civil rights of all inhabitants, the safeguarding of the economy, and the orderly shaping of a new society.

After this statement had been made Dr. Verwoerd invited the five Foreign Ministers concerned to visit South Africa and see conditions for themselves. The Scandinavian Governments thanked him for the invitation but said they felt their Foreign Ministers should pay such a visit only if it could lead to a solution of the racial conflict in accordance with the principles of the Charter.⁽¹⁸⁾ Mr. Haekkerup said later that the Scandinavian countries could not accept the invitation because the issue was not one directly between them and South Africa: it concerned the world.⁽¹⁹⁾

It is reported that after Mr. Haekkerup's speech representatives of numerous countries met to discuss an alternative to apartheid that could be presented to South Africa in due course.

Later in the debate Mr. Jooste was given another opportunity to state his Government's case: this time there was no walk-out.

General Assembly resolution, October

A draft resolution for submission to the General Assembly was discussed by the Special Political Committee at the end of

⁽¹⁶⁾ *Ibid.* 21 September.

⁽¹⁷⁾ *Ibid.* 29 September, and from article by Mr. Per Haekkerup in the *Rund Daily Mail*, 5 November.

⁽¹⁸⁾ *Star*, 27 September.

⁽¹⁹⁾ In the article quoted above.

September. *Inter alia* it stated that the situation in South Africa was seriously disturbing international peace and security, and it condemned the Government's failure to comply with repeated resolutions of the General Assembly and the Security Council. It called for the immediate and unconditional release of political prisoners, and for an immediate end to the trials of all those accused under the "Sabotage Act" and related legislation.

When a vote was taken in the Security Council there were 9 abstentions—by the United States, Britain, France, the Netherlands, Belgium, Australia, Canada, New Zealand, and Panama. Spokesmen from these countries said that they supported the condemnation of South Africa's policies and her failure to modify these, but were concerned at the wording of the paragraphs on sabotage trials and political prisoners. The United States delegate said his country would support, rather, a paragraph similar to that contained in the Security Council's resolution of 7 August. It was pointed out that the General Assembly had no power to issue instructions to member states.

The draft resolution was presented as a whole to the General Assembly on 11 October, thus no vote was taken on individual paragraphs of it. On this occasion the abstentions were changed to affirmative votes: the voting was 106 to 1 (South Africa). Four delegations were absent (Portugal, Spain, Paraguay, and Honduras).⁽²⁰⁾

RESUMED DEBATE ON SOUTH-WEST AFRICA

Trusteeship Committee

At a meeting of the Trusteeship Committee early in November 35 African and Asian countries submitted a draft resolution which reaffirmed earlier resolutions, branded as an act of aggression any action South Africa might take to annex any or all of South-West Africa; called on all nations that had not already complied with the arms embargo to do so forthwith; called on member states to cease supplying South Africa with oil and oil products; and drew the attention of the Security Council to the situation in South-West Africa as constituting a serious threat to peace.

Certain delegations objected to some of the paragraphs. The United States representative did not agree that the situation was a serious threat to peace: it constituted, rather, a dangerous source of international friction. He added that the question of an oil embargo was a matter for the Security Council, not the Trusteeship Committee. His motion to delete reference to this was defeated by 67 votes to 24 with 14 abstentions.

The draft resolution was passed by 82 votes to 6 with 16 abstentions. Those voting against it were the United States, Britain,

⁽²⁰⁾ From reports in *Star and Rand Daily Mail*, 12 October.

France, Portugal, Spain, and South Africa. The delegate from Iran said that his country would support the resolution in the interests of Afro-Asian solidarity; but he was not fully satisfied that it would produce the desired results. The bulk of Iranian oil was supplied through a consortium, thus the effectiveness of any embargo must depend upon the co-operation of all exporters. (The United States and France, which voted against the resolution, produce oil; the United States and Britain have great influence in the international oil industry; and there is reported to be a surplus of oil on the international market.)⁽²¹⁾

Voting at the General Assembly

When the resolution was presented to the General Assembly on 14 November it was adopted by 84 votes to 6 with 17 abstentions: again the United States, Britain, France, Portugal, Spain, and South Africa voted against it.

Thus far it was clear that all member states except South Africa were agreed on the *objective*: that South Africa's racial policies must be changed. They had not yet agreed on the *methods* to be used in achieving this objective. The Western Powers and certain others were opposed to the embargoes on oil and (with certain qualifications) strategic defence equipment, and to trade and diplomatic sanctions.

SECURITY COUNCIL MEETING, DECEMBER

The Security Council met again in December. According to various reports it appears that the Afro-Asian bloc was anxious that the South African question be dealt with under Article 7 of the Charter which is concerned with threats to peace, breaches of peace, and acts of aggression. Decisions made by the Security Council under this Article are mandatory on member-states. But the Afro-Asians apparently realised that such a decision was likely to be vetoed by the permanent members from the West, who still believed that a change in South Africa's attitudes could come only from within, and not through methods of coercion.

Following discussions they accepted a draft resolution introduced by Mr. Sivert Nielsen, the chief Norwegian delegate, under which the matter was dealt with under Article 6, which is concerned with the peaceful settlement of disputes and does not empower the Council to make mandatory decisions. The resolution, which was unanimously accepted:

- a) called on South Africa to cease forthwith the continued imposition of discriminatory and repressive measures;
- b) called on South Africa to liberate all persons imprisoned, interned, or subjected to other restrictions for having opposed apartheid;

⁽²¹⁾ *Rand Daily Mail*, 6 and 9 November; *Star*, 8 and 14 November.

- c) asked all member-states to comply with the previous Security Council resolution in regard to an embargo on sales to South Africa of military equipment, arms, ammunition of all types, and military vehicles;
- d) asked member-states to cease the export to South Africa of ordnance equipment and materials that might be used to manufacture or maintain armaments for the enforcement of apartheid;
- e) asked the Secretary-General to establish a group of recognized experts to examine methods of resolving the situation in South Africa through the full, peaceful, and orderly application of human rights and fundamental freedoms to all, regardless of race, colour, or creed; and to consider what part the United Nations might play in the achievement of that end. The South African Government was invited to avail itself of the assistance of this group. (This paragraph is in line with the suggestion by Mr. Haekkerup, described above.)

The Secretary-General was asked to report back by 1 June 1964 on the extent to which the resolution had been put into effect.

Representatives of Britain and France, who had abstained from voting on the Security Council resolution in August and had opposed the General Assembly resolution in November, voted for the December resolution proposed by Norway. They made it clear, however, as they had done previously, that they would not interfere with sales to South Africa of arms or ordnance equipment of the type required for repelling an external attack, although they would stop the sales of materials that could be used for internal suppression. The British representative added that existing contracts for the supply of ordnance equipment of all types would be honoured. The United States voted for the resolution subject to the same reservation it had made earlier: that the embargo might be revised if the interests of the world community required the provision of material in a common defence effort.

POLITICAL AND ECONOMIC BOYCOTTS

ALL-AFRICA CHARTER

In May, 30 heads of independent African states, controlling nearly one-third of the United Nations' votes, met in a summit conference at Addis Ababa. They came from the radical Casablanca group (Ghana, Algeria, the United Arab Republic, etc.), the more moderate Monrovia group (Nigeria, Ethiopia, etc.), the former French African and Malagasy Union, and the Pan-African Freedom Movement of East and Central Africa (Tanganyika, etc.).

Differences of opinion on important matters had existed previously. President Kwame Nkrumah of Ghana, for example, had been pressing for African political, economic, cultural, and military unity. President Houphouet-Boigny of the Ivory Coast and other leaders of former French territories were unwilling to sever their close economic ties with France. But these and other issues were overshadowed by the question of colonialism.

An All-Africa Charter was drawn up. In terms of this it was decided to set up a central organization to promote unity while acknowledging the sovereign independence and equality of member states; to co-ordinate and intensify collaborative efforts for a better life for the peoples of Africa; and to eradicate all forms of colonialism in the continent. A policy of non-alignment with either of the two world blocs was agreed upon. It was resolved that heads of states, constituting the supreme body, would meet annually or every second year, while a Council of Foreign Ministers would meet at least twice a year.

On the question of colonialism President Julius Nyerere of Tanganyika is reported to have said, "The time for allowing our brethren to struggle unaided is gone". President Ahmed ben Bella of Algeria talked of more than 10,000 Algerian volunteers waiting for a chance to fight, as a first target, for the liberation of Angola. Ghana, the United Arab Republic, Uganda and others promised arms and/or training facilities.

It was decided to set up an African Liberation Committee, with central offices in Dar-es-Salaam, consisting of representatives of 9 states, and that each independent African state would contribute one per cent of its budget to a liberation fund.

All African states were called upon to sever diplomatic and economic relations with South Africa and Portugal, to close their ports and airports and to ban over-flights of aircraft belonging to these two countries.

BANS IMPOSED ON SOUTH AFRICAN AIRCRAFT

Between May and September of 1963 numbers of African states announced that all airport and over-flight facilities would be denied to South African aircraft and, in the case of maritime states, also port facilities for South African ships. In some cases the implications for South Africa were of little consequence since the airports concerned were not on main overseas routes: this applied, for instance, to those in Nigeria, Ghana, the Ivory Coast, Guinea and Ethiopia. It was far more serious, however, when such bans were imposed by Algeria, Libya, the United Arab Republic, Chad, and the Sudan, for this meant that South African aircraft could no longer fly on the most direct route to Europe.

South Africa decided in June to contribute R3,800,000 towards the construction of a modern airfield on Ilha do Sol, one of the Cape Verde Islands, off the west coast of Mauretania, which are Portuguese possessions.⁽¹⁾ It concluded agreements in terms of which its aircraft might land at Luanda in Angola (Portuguese), Brazzaville (ex-French Congo), and, if necessary, Las Palmas in the Canary Islands (Portuguese). Since August the South African Airways has been operating its flights to Europe via either Luanda or Brazzaville and Las Palmas. In November it acquired landing rights in Lisbon. All stages are well within the range of its Boeings and of the maximum mileage permitted by the International Air Transport Association; but approximately 900 miles has been added to each trip.⁽²⁾

In August Kenya suggested that African states should ban any overseas airline that operated services to and from South Africa; but this proposal has apparently been shelved or dropped, possibly because the authorities in Kenya realized what the financial implications would be.⁽³⁾

TRADE AND OTHER BOYCOTTS

Numbers of African states have imposed total boycotts on trade with South Africa: these include Algeria, Nigeria, Ghana, the Ivory Coast, Guinea, the United Arab Republic, Libya, Tanganyika, Uganda, and Kenya. In some cases additional restrictions have been imposed. Ghana, for example, requires all South African citizens wishing to enter the country to sign a declaration denouncing their Government's policy of apartheid. Guinea has placed a complete prohibition on entry by South Africans and has prohibited cultural relationships. Ethiopia has stated that no South African may travel in an aircraft belonging to its country. Chad has banned any aircraft carrying people or goods to or from South Africa.

⁽¹⁾ *Star*, 14 June.

⁽²⁾ *Rand Daily Mail*, 30 August.

⁽³⁾ *Sunday Times*, 15 September; *Star*, 14 November.

At least two Asian countries, too, have severed trade relations and closed their ports and airports to South Africa: these are Indonesia and Kuwait.

Again, some of its decisions are of little immediate practical import for South Africa; but it is likely to suffer economic and cultural losses in other cases: these losses, too, will be experienced by the African states concerned. It is, for example, reported⁽⁴⁾ that in 1962 the Republic sold goods worth R6,530,000 to Kenya and bought products from that country worth just over R2,000,000. But even if the boycotts have little effect on existing trade they shut off potential new and increasingly valuable markets for South African products.

The Kenya Government refused *visas* to South African scientists who had planned to attend a Cartographic Conference held in Nairobi under the auspices of the Economic Commission for Africa in July, and a congress of the International Union for Game and Nature Conservation which met in Nairobi the following month.

Early in August Kenya announced that it would refuse *visas* to South African delegates to a congress of the International Olympic Committee, which was to have met in Nairobi. The committee stated that, in this case, the venue would be changed to Baden Baden in West Germany. Kenya then decided that it would admit a South African delegation if this was a multi-racial one; but by then the Olympic Committee had put its altered plans into operation. In the event an African was included in the South African delegation.

Most of the bans described in the preceding pages apply to Portugal as well as to South Africa.

On two occasions, in July and August, Danish dockworkers refused to unload cargoes from South Africa being transported in freighters belonging to Sweden and West Germany respectively, and the ships had to be diverted to ports in other countries. Later in August these workers did unload a cargo of South African manganese ore from another Swedish freighter: it was reported that a court had ruled that their previous refusal was unlawful in terms of Danish industrial legislation.⁽⁵⁾

DIPLOMATIC RELATIONS

Shortly after the Group Areas Act was passed in 1950 India recalled its diplomatic representatives from South Africa. After that any necessary diplomatic or consular business was conducted through the missions of the two countries in London. But at the end of July India decided that in future such business would be negotiated only through the good offices of the British Government.⁽⁶⁾

(4) *Star*, 15 November.

(5) *Sunday Times*, 7 July.

(6) *Star*, 1 August.

Towards the end of September the Israeli Government recalled its Minister to South Africa and decided not to replace him. It is now represented by its legation counsellor as *chargé d'affaires*. South Africa has no diplomatic representation in Israel.

The Republic severed its last official link with Black Africa when it recalled its Consul-General and his staff from Nairobi shortly before Kenya became an independent country. The only diplomatic and consular ties it retains in the continent are in Southern Rhodesia and the Portuguese territories.

SOUTH AFRICA'S MEMBERSHIP OF INTERNATIONAL ORGANIZATIONS

INTERNATIONAL LABOUR ORGANIZATION

In 1963 it was the turn of the South African Confederation of Labour to submit a panel of names from which the Minister of Labour would select a workers' delegate to the conference of the I.L.O., and the turn of Tusca to suggest names for the selection of an adviser. As in past years the Minister did not consult Sactu. Mr. J. H. Liebenberg was chosen to be the delegate; he and the adviser are both Whites. Sactu lodged an objection with the I.L.O.'s Credentials Committee against Mr. Liebenberg's selection on the grounds that it represented the majority of African trade unions and these unions had not been consulted. By a majority vote the Credentials Committee rejected this objection; but as the vote was not unanimous it was possible for this decision to be overruled by the I.L.O. in plenary session.

The I.L.O. conference assembled in Geneva in June. When the South African employers' delegate was given permission to speak on a matter under discussion representatives of African states rose in quick succession to protest, pointing out that in 1961 the conference had advised South Africa to withdraw from membership until such time as it abandoned its apartheid policy. Up-roar ensued. A motion by an African delegate that the session be adjourned until the following day was carried by an overwhelming majority.

Next day the South African again rose to speak. Delegations from the African states, the Soviet bloc, and most of the Asian and Latin American countries walked out while his speech was in progress.

The Africans then decided that they would abstain from participation in the work of the conference unless the South Africans withdrew. After a heated debate, there was a mass walk-out of the delegations from African states, the Soviet bloc, Arab states, and Israel. The Africans refused to return. A Russian motion, later, that the conference should adjourn in sympathy with the African protest was defeated by a large majority.

When the South African Government delegate was granted the floor at a subsequent stage in the proceedings a further walk-out took place, on an even larger scale than before.

During the debate on the report of the Credentials Committee the conference decided to overrule the committee's decision and to invalidate Mr. Liebenberg's credentials on the ground that African trade unions in the Republic had not been consulted about the appointment of a workers' delegate.

After the proceedings of the conference had been concluded the I.L.O. governing body met (South Africa is not a member of this). It decided that because South Africa had persistently contravened the terms of the 1958 Convention against Discrimination she would for the next year be excluded from all committees; and it resolved to negotiate with the United Nations for the expulsion of South Africa from the international community. (The I.L.O. constitution does not provide for the expulsion of a member. This constitution can be amended only by a two-thirds majority vote of delegates at a conference, and the amendments must be ratified by two-thirds of the member states. Even if the constitution were amended to provide for expulsion and South Africa were expelled she could promptly rejoin, since membership of the I.L.O. stems from membership of the United Nations.)

A delegation from the governing body met U Thant in July, and it is reported⁽⁷⁾ that on his advice this body decided to await the outcome of proceedings at the 1963 Session of the United Nations. It has set up a committee to study how the I.L.O. can best help to eliminate apartheid.

ECONOMIC COMMISSION FOR AFRICA

In February certain African states submitted a draft resolution that South Africa and Portugal be expelled from the E.C.A. An amended resolution was passed, however, asking members to take the policies of South Africa into consideration when representatives of the Republic applied for *visas* to attend meetings to be held in their territories.

Dr. Verwoerd announced on 15 July that until the African states changed their attitude South Africa would withdraw from conferences and activities of the E.C.A. and would cease providing African states with the forms of assistance involved in this connection. Next day the Minister of Information made it clear that the Republic was not withdrawing from the Commission, but was merely ceasing to play an active part.

But a fortnight later the United Nations Economic and Social Council decided by majority vote that South Africa should not take any part in the work of the E.C.A. until a change in her racial policy had restored conditions for constructive co-operation.⁽⁸⁾

⁽⁷⁾ *Star*, 13 November, and *Rand Daily Mail*, 16 November.

⁽⁸⁾ *Rand Daily Mail*, 16, 17, and 31 July.

C.C.T.A. AND C.S.A.

It was mentioned last year that South Africa did not attend a meeting of the Commission for Technical Co-operation in Africa (C.C.T.A.) held in the Ivory Coast. Certain African states had earlier threatened to move her expulsion. The Republic subsequently withdrew from this body.

A meeting of the Council for Science in Africa (C.S.A.), due to be held in Dahomey in October, was postponed because the South African delegates were refused *visas*. Dr. S. Meiring Naude, president of South Africa's Council for Scientific and Industrial Research, attended a subsequent meeting of the executive committee of the C.S.A., which was held in Paris. On his return he said that the 2 South African, 2 French, and 1 British members would withdraw to give African states the control they wanted. The countries that were withdrawing would become corresponding members.⁽⁹⁾

WORLD HEALTH ORGANIZATION

At a meeting of the regional committee for Africa of the W.H.O., held in Geneva in September, delegates from 24 African states walked out in protest against the presence of representatives from South Africa and Portugal. The meeting had to be adjourned because there was then no quorum.⁽¹⁰⁾

F.A.O.

At the opening of a meeting of the U.N. Food and Agricultural Organization, held in Rome in November 1963, Ghana called for an amendment to the constitution to make it possible for a member state to be expelled by decision of a two-thirds majority at a conference. The constitution of the F.A.O., like that of the I.L.O., makes no provision for excluding members.

Ghana's motion failed to obtain the necessary two-thirds majority: 47 states voted for it, 36 against, 11 abstained, and 10 were absent.⁽¹¹⁾

On 5 December the Plenary Conference decided to exclude South Africa from any regional meeting in Africa.⁽¹²⁾

OTHER CONFERENCES

By majority decision (38 votes to 25 with 9 abstentions) a U.N. Conference on Tourism, held in Rome during August, declared that the presence of South African and Portuguese delegations was inopportune and undesirable, and invited them to withdraw.

A congress of the International Red Cross was being held in Geneva at the same time. Afro-Asian delegates are reported to have planned to protest against the presence of South African representatives, but they took no further action on finding that the delegation from the Republic was a multi-racial one.

⁽⁹⁾ *Ibid.*, 2 November.

⁽¹⁰⁾ *Star*, 24 September.

⁽¹¹⁾ *Star*, 18 November.

⁽¹²⁾ *Ibid.*, 5 December.

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N.B.—This is not an exhaustive index: the wide range of subjects covered makes this impracticable in the space available. It is hoped, however, that an adequate guide has been presented to the topics dealt with. The index should, if necessary, be consulted in conjunction with the Contents.

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