

19. DR ELLEN HELLMANN

(p. 119, August)

712 Hellmann: Well, I wasn't sure what the procedure would be, I didn't know what you wanted to hear from me. As I wrote to you I was very certain about what I had to contribute. I have prepared a few notes. I will try and be brief, and am giving you my own point of view. I would like to kick off by saying that I consider the fragmentation of South Africa as being a tragic mistake. I understand, of course that it was the logical corollary of the Nationalist Party policy of initially apartheid then of separate development, latterly of separate freedoms. The original documentation makes it quite clear, if one looks at the policy statements of 1948 that independence was never considered as a possibility at all, and I think many of you will remember the article that Dr Eiselen wrote in "Optima" where he makes this very clear, but I realise of course that the development of this policy has created totally new realities that have to be taken into account. When I emphasise 1948, I should not like to be understood as saying that I or many others of us considered that the policy then in operation was just acceptable. They certainly weren't. There is a whole record of government commissions to look back on, in 1932 the Native Economics Commission, let alone all the commissions that were set up during the 40s dealing with the social and economic questions. We have created rural slums and we have neglected them. In this we were not at all unique in Africa. This was the position in most countries in Africa and still is to a very large extent. ^{Where} we were and still are unique is in the of South Africa's industrial development which would have enabled us I think to do more in respect of these rural slums. I have often thought with real regret back to the Tomlinson commission and tried to visualise what the position would have been if the major recommendations had been accepted. We would have started on the industrialisation of what are now called the black states, much sooner. We might possibly have got somewhere in doing what I think is the most imperative thing, that is to motivate the black peasant to higher state of productivity. I think this again is not a particularly South African question, the whole of Africa [^]. I think Malawi and possibly Kenya are making some progress, doesn't even feed itself when it should be exporting

are making some progress but we certainly haven't here, and we have consequently got two economies: a developed and an underdeveloped economy. I realise that since the 60s and particularly in the 70s considerable efforts have been and are being made to rectify past neglect. I refer of course, to all the corporations that have been set up and the efforts that are being made to stimulate agriculture in the black states. To what extent development depends on willingness to accept the aim of independence, I don't know, but if you would allow me, gentlemen, I would like to refer to a statement that Dr Phatudi made the other day. About two weeks ago I went to a conference on internal development, the study group on internal relations, you may have heard of it, the student, post-graduate students, at Pretoria University organised this one-day conference and amongst those who talked was Dr Phatudi, and he said that "The South African government is holding out different carrots to induce the so-called black states to accept independence, such as the withholding of land earmarked for the so-called black states, and of legal and political power. We find that as soon as any of these states accepts independence, the Treasury coffers of the central government suddenly opens as by magic and there is no lack of funds for infrastructural works, parliament and government buildings and ministerial residences. All the trappings of so-called independence. But to those, however, who do not want to accept independence, funds are not available for urgent development projects due to the "poor economic situation"" This is what Dr Phatudi said at the conference. I do not know how true this is of Ciskei or any of the other selfgoverning states, but not independent states. Turning specifically to the Ciskei, I must tell you that I have no means of gauging to what extent there is a genuine for independence or not. I do not know. I can well understand that it is a tempting prospect to some. I have, to my own personal distress, watched the build-up of ethnic allegiances during the past twenty years or so. When I worked amongst urban Africans, years ago while an honours student, I watched from the 1930s on tribal allegiances in the urban areas diminishing. I don't say they have vanished - they have not vanished at all, and sometimes when there is an election for the chairman of this or that came along you would find that the question of whether he was a Zulu or Xhosa did sometimes come up, but it was on the downgrade and in the urban areas certainly I saw a greater coming-together of people on the basis of being, in those days, natives. It was an acceptable term. And then from the fifties onwards, with the emphasis on ethnicity, the attempted to divide the urban townships up on an ethnic basis, the setting up of ethnic rolls for elections of advisory boards. Undoubtedly there was a growth in tribal consciousness and tribal exclusiveness, but as far the Ciskeians in urban areas are concerned, my strong impression is that the majority, certainly of the - may I call them insiders - the 10(1)(a)+(b), you know the qualified Africans, that .. as I say, I have the strong impression that the majority of them are total opposed to the idea of independence, and the opposition focuses on the loss of South African citizenship. Now, citizenship is

Page 12/ not just a vague term. I think that to the majority of them it means the right to remain in urban areas. After all, acquiring the qualifications to remain permanently in the town is a very precious right. Your right to get a house, your right to change jobs and so forth, depends upon it. And recently, I take it that the commission has dealt with the amendment introduced last year to the Urban Areas Act, the Bantu Laws Amendment Act which was passed last year, with amended Section 12 and removed the right of children of citizens of now independent homelands who were born after independence to qualify automatically under the Section 10(1)(a) and (b) qualifications. This seems to me to have really appalled a large number of blacks in the towns. I am aware that last year the minister of that department, Mulder, gave assurances that independence would not rob any citizen of the rights he had enjoyed, and I know that this year Koornhof, on the whole question of the 99-years leasehold again said that this would affect the rights of children of independent homeland citizens to exercise all the rights that a 99-years leasehold confers. But even so I think you will be aware that when Mrs Suzman in Parliament last year moved an amendment to make it absolutely clear that anyone who qualified to inherit the leasehold, would also qualify to occupy that home to which this leasehold refers. This amendment was turned down by the minister who said that it was unnecessary, and I don't know if your attention has been drawn to the debates of the Standing Committee on the Appropriation Bill, that Plural Relations and Development vote, where the whole question came up again, and Mrs Suzman said these people as non-citizens will not have the right to be in the urban areas without the permission of a commissioner for the area. Then she went on to say "You say (Koornhof) it is not necessary to amend this law, but I can tell the Honourable the Minister that a lot of practising lawyers have cast very considerable doubt on this and have given opinions to the contrary". This is column 268 and 269 of this debate, and there is a lot of uncertainty on this whole question. (In answer to a question : It is the standing committee 3 of 1979.) In other words, the exercise of what should be rights becomes dependent on the willingness of a commissioner to grant ^{rights} to anyone born after the independence of a homeland, two people who are regarded as citizens of this homeland. It seems to me rather incomprehensible that at the very time when, admittedly very belatedly, the presence of a permanent urban black population is being realised, it has taken an awfully long time in South Africa to reach this stage, and this hasn't been fully realised even yet, laws should be put into operation to deprive a considerable section of their rights to be in the towns. This to me seems utterly contradictory and a real conflict, and infinitely harmful to South Africa, which, we all know, is fighting a very difficult battle in the world at large. Now, if the Ciskei should have to accept the same conditions consequent upon becoming independent like Transkei and Bophuthatswana did, then it seems clear to me that independence should not be acceptable. I don't know how it comes, but it was my privilege to see the question that this commission has submitted to government of South Africa, to indicate how deep its own concern

is in this matter, and I think the questions that you gentlemen put to the government are very searching indeed, particularly the questions on citizenship, and I have no idea of course of what the response has been. There is only one other matter that in regard to citizenship I would like to have seen brought up, and that is the question of naturalisation. As far as I am aware it is practically impossible for a black man or woman to become a naturalised South African citizen. There is provision for someone, a black, who has automatically become a citizen of one of the independent black states to apply to change his citizenship, but it must be then to one of the selfgoverning but non-independent black states. But I don't know if any black, and I have never been able to get a clear answer on this, can do what a white Italian or German can do, that is qualify for South African citizenship under certain conditions. So, my main concern then, is on the question of citizenship and the, I think, the disastrous effect that Ciskeian independence would have on all those people who don't regard themselves as Ciskeians, who live outside the Ciskei, some of them have never been to the Ciskei, because they will have a citizenship forced upon them, and I have to think of my own condition. My father came to South Africa from Germany in 1896. If this law had applied to me I could be made a German tomorrow, ^{I don't want to be a German,} and I know many blacks feel the same. The other question of great concern is finance, but I don't want to take that up at all, because you just had Dr Brand here. My concern, and I think it would be everyone's concern, is that an independent Ciskei just like a non-independent Ciskei, is completely dependent on the South African government for, I am not quite sure, but I think in the region of seven-eighths of its finances. I don't understand how one sorts out the whole question of taxation of the contribution that Ciskeians make through paying GST and so forth in white South Africa, but if I were a Ciskeian I would be very nervous on this whole account. I would want to know what sort of safeguards would be assured.

AS: I am particularly grateful to you for throwing light on the business of the children. Could I just direct my first question to this all-important question of citizenship, where you say the majority of the Section 10 people are totally opposed to independence, mainly because they fear the loss of their right to remain in urban areas, and because on children there is a great deal of uncertainty and any rights they may have would be only in ministerial discretion. Would you advocate that the Ciskei should take its independence on the conditions that if the obscure and unsatisfactory position in regard to citizenship could be removed by enshrining in an intergovernmental agreement between the RSA and the Ciskei, provisions which were satisfactory with regard to citizenship, that is to say that it would remove the uncertainty about children, remove that feature that leaves the fate of the children subject to ministerial discretion and would remove any fear that the Section 10 people would lose their rights to remain in an urban area, because all these rights would be enshrined in an international intergovernmental agreement?

HELLMANN: Well, I think as far as the Ciskei goes this would be to some extent

page 123 a reassurance .. I think this would have to be a condition. I said earlier that I don't know to what extent the majority of Ciskeians themselves do or don't want independence. I think this would be an absolutely imperative condition. The trouble is that I can't see this happening in favour of Ciskei only, when Transkei and Bophuthatswana still remain subject to old rules. This would have to be more than a private agreement or an interstate agreement, but would have to be part on a general revision of the South African government's approach to the question of the rights to absolute permanence and a voice in government of the permanent black urban population.

AS: Yes, I take that, Dr Hellmann. I think it has been accepted government policy of the South African government not enunciated out loud, that whatever further concessions they make to an independent homeland that comes along later, like Bophuthatswana, they don't so to speak generalise backwards to the Ciskei, so we are only concerned with the Ciskei, but I think that ^{hope} would be fulfilled. That is one question, one issue, that is one condition of independence. It is possible that we could recommend that there would have to be absolute safeguards in regard to the citizenship and the rights of urban people to remain there. The other question you have mentioned is: what do Ciskeians want? Would you think it satisfactory if it was made a necessary condition of taking independence, that before that is done, there must have been some sort of plebiscite or ascertaining the will of the people through a mechanism which would command international respect, that it is what the people want, including the people, and not only the people living in the Ciskei but all the urban types too.

HELLMANN: Yes ..

AS: Can I just ask one other category of persons you haven't mentioned are all those Ciskeians who work in rural areas. Have you got any views about them?

HELLMANN: They are the most neglected section of our total population, and I think we are all aware of it?

EJM: Are you now referring to white South African rural areas or in the Ciskei itself?

HELLMANN: I was talking about what you call the farm labourers, people living in white South Africa but outside the towns, the chiefly farm workers. I think they should be included. They are probably the most backward section of our total population.

AS: But Dr Hellmann, it would not be, would it, as much a practical possibility to give the blacks living on white farms the right to remain there as it would be to give that right to the urbans? You couldn't tie them down to that farm,

that would be servitude. What could you do for them?

HELLMANN: I really don't know. I think this is an area which a great deal of constructive ordinary work has to be done in. The educational requirements are being met to a greater extent. There is a gradual realisation that one should look at the wages being paid. Then there is the whole question of what happens to the old people. The farmers, although they often don't pay enough, but they do offer a haven to whole lot of old people who wouldn't .. it would be wrong to send them back into the Ciskei. This is such a vast and complicated question that I can't give you straight answers.

AS: You have us all puzzled Dr Hellmann, and let me say that your doubts as to what should be done are shared by everyoneere. But coming back to the main point. If I could summarise my impression of where we have got to is that there would be some reasonable prospect of the Ciskei taking its independence if the citizenship issue could be cleared up in an intergovernmental agreement or made certain in some way and if there was consultation with the Ciskeians in the urban areas before it happens. (Hellmann: That they should be given the choice.) And you think on that basis the urbans would like it?

HELLMANN: I don't know that they will ever like it. I have left totally out of account the whole question of consolidation, but I haven't included that in my brief at all because it is a very big question, and no doubt you have already had a lot of evidence on that already. I must say that I find the whole idea of taking bits out of South Africa and making them black states unacceptable, because I don't think South Africa can in the long run function on that basis at all. I can understand region, decentralisation of power on a regional basis, but not on a purely ethnic basis. And I have never myself been able to overcome what to me seems a primary illogicality in our whole political philosophy, mainly that whereas blacks, now I talk about Bantu-speaking blacks, consist of ten different tribal groupings, whites consist of one! I have never understood that and I don't have to point out that there are Afrikaans and English-speaking white South African, and there is a Jewish groups and there quite large Italian and all sorts of people. This , and they all maintain certain cultural behaviour patterns, which on the other hand does not prevent them from subscribing to the same total political structure, and I as an individual have never been able to overcome the illogicality in this submission. But on the other hand I do recognise that over the world all sorts of illogical things do take place, and I would not like to think that there is really a Ciskei which wants this thing, and one would say "No, you can't have it". But I still don't think that a really viable future for South Africa can be foreseen on the basis of the ethnic division of people other than whites, while the whites remain one group. And that one has to think in terms of regions. This whole question of consolidation - wher should East London go, where should King William's Town go, I mean oughtn't they to be part of Ciskei, and I would have thought unless you can carve out a real area, that this independence is a very doubtful and

Page 125 well .. sad thing.