

GOVERNMENT NOTICE

MINISTRY OF LAW AND ORDER

No. R. 873

NOTICE BY THE COMMISSIONER OF THE SOUTH AFRICAN POLICE.—PUBLIC SAFETY ACT, 1953

Under the powers vested in me by paragraph (a) of the definition of "subversive statement" in regulation 1 of the regulations made in terms of the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 224 of 11 December 1986, as amended, I, Petrus Johannes Coetzee, Commissioner of the South African Police, hereby identify for the purposes of the said definition the act specified in the Schedule hereto as an act which has the effect of threatening the safety of the public or the maintenance of public order or of delaying the termination of the state of emergency.

I further determine that, unless the context otherwise indicates, a word to which a meaning has been assigned in the said regulations shall, where used in the said Schedule, have a corresponding meaning.

Signed at Pretoria on 10 April 1987.

P. J. COETZEE,
Commissioner of the South African Police.

SCHEDULE

To participate in any campaign, project or action aimed at accomplishing the release of persons, or of persons belonging to a particular category of persons or of a particular person, detained under section 28 or 29 of the Internal Security Act, 1982 (Act 74 of 1982), or regulation 3 of the Security Regulations, in so far as such participation in any such campaign, project or action consists of any one or more of the following acts, namely—

- the signing of, subscribing to or other act in support of a petition or other similar document in which the Government or a member or representative of the Government is called or is purported to be called upon by the signatories, subscribers or supporters thereof or thereto to release the said persons or person from such detention;
- the calling, either orally, in writing, by telegram or in any other way whatsoever, upon the Government or upon a member or representative of the Government to release the said persons or person from such detention;
- the signing of, subscribing to or other act in support of, a document in which the detention of the said persons or person is protested against or disapproved;
- the filling in of a coupon or other similar document intended to be used for purposes or in support of a call upon the Government or upon a member or representative of the Government to release the said persons or person from such detention;
- the wearing in public of a sticker or any article of clothing or the exhibition in public of a poster or sticker depicting a slogan protesting against or disapproving of the detention of the said persons or person or supporting the release of the said persons or person from such detention;
- the attending of a gathering held in protest against the detention of the said persons or person or in honour of the said persons or person or in support of the release

GOEWERMENTSKENNISGEWING

MINISTERIE VAN WET EN ORDE

10 April 1987

NOTISIE VAN DIE KOMMISSARIS VAN DIE SUID-AFRIKAANSE POLISIE.—WET OP OPENBARE VEILIGHEID, 1953

Under the powers vested in me by paragraph (a) of the definition of "subversive statement" in regulation 1 of the regulations made in terms of the Public Safety Act, 1953 (Act 3 of 1953), by Proclamation R. 224 of 11 December 1986, as amended, I, Petrus Johannes Coetzee, Kommissaris van die Suid-Afrikaanse Polisie, hierby vir doeleindes van daardie omskrywing die handeling in die Bylae hierby uiteengesit as 'n handeling wat die uitwerking het om die veiligheid van die publiek of die handhawing van die openbare orde te bedreig of die beëindiging van die noodtoestand te vertraag.

Ek bepaal voorts dat, tensy dit uit die samehang anders blyk, 'n woord waaraan in genoemde regulasies 'n betekenis geheg is, dieselfde betekenis het waar dit in genoemde Bylae gebruik word.

Geteken te Pretoria op 10 April 1987.

P. J. COETZEE,
Kommissaris van die Suid-Afrikaanse Polisie.

BYLAE

Om deel te neem aan 'n kampanje, projek of aksie wat daarop gerig is om die vrylating van persone, of van persone wat behoort tot 'n bepaalde kategorie van persone of van 'n bepaalde persoon, wat aangehou word kragtens artikel 28 of 29 van die Wet op Binnelandse Veiligheid, 1982 (Wet 74 van 1982), of regulasie 3 van die Veiligheidsregulasies te bewerkstellig, in soverre sodanige deelname aan so 'n kampanje, projek of aksie een of meer van die volgende handelinge behels, naamlik—

- die ondertekening, onderskrywing of ander handeling ter ondersteuning van 'n versoekskrif of dergelike dokument waarin daar deur die ondertekenaars, onderskrywers of ondersteuners daarvan 'n beroep op die Regering of op 'n lid of verteenwoordiger van die Regering gedoen of gedoen heet te word om bedoelde persone of persoon uit sodanige aanhouding vry te laat;
- die doen van 'n beroep, hetsy mondeling, skriftelik of per telegram of op watter ander wyse ook al, op die Regering of op 'n lid of verteenwoordiger van die Regering om bedoelde persone of persoon uit sodanige aanhouding vry te laat;
- die ondertekening, onderskrywing of ander handeling ter ondersteuning van 'n dokument waarin teen die aanhouding van bedoelde persone of persoon geprotesteer of waarin die aanhouding van bedoelde persone of persoon veroordeel word;
- die invul van 'n koepon of dergelike dokument wat bedoel is om gebruik te word vir doeleindes of ter ondersteuning van 'n beroep op die Regering of op 'n lid of verteenwoordiger van die Regering om bedoelde persone of persoon uit sodanige aanhouding vry te laat;
- die dra in die openbaar van 'n plakkerjie of kledingstuk of die vertoon in die openbaar van 'n plakkaat of plakkerjie waarop 'n slagspreuk verskyn wat teen die aanhouding van bedoelde persone of persoon protesteer of dit veroordeel of die vrylating van bedoelde persone of persoon uit sodanige aanhouding ondersteun;
- die bywoning van 'n byeenkoms wat gehou word uit protes teen die aanhouding van bedoelde persone of persoon of ter verering van bedoelde persone of persoon of ter ondersteuning van die vrylating van be-

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EDITORIALS

1. The White Election

This editorial has had to be written before polling day. The best that anyone could realistically hope for on that day was that the PFP/NRP alliance would do rather well, the 'New Nationalists' win a seat, the Conservative Party do rather badly, and the far-right Herstigtes lose their deposits. There was, of course, never any chance of unseating the Nationalists.

In spite of the fact that the result was a foregone conclusion and that the Parliament which resulted can by no stretch of the imagination be described as democratic there was still some value in the election. For one thing it may have given President Botha an excuse to retire, and we could certainly do with that.

For another, it provided the occasion for the first significant breakaway from their Party of Nationalists on the

left. All the important breaks in the past have been on the right. The fact that these 'New Nationalists' still carry with them a fair amount of Nationalist ideological baggage should not surprise anyone at this early stage. Logic suggests that their new position will force them to abandon more and more of it as time goes by. If that should happen the way would start to open for an important realignment of forces within Parliament which could draw to it other elements on the Nationalist left who lay low during the election for fear of losing their seats. Then the prospect of negotiations between Parliament and the extra-parliamentary opposition might become a real possibility. For although the greatest pressure for change will certainly continue to come from outside Parliament, it is essential, if we are to avoid revolution, that there should be enough sensible people there to be able to persuade that institution eventually to react constructively to that pressure. □

2. The Liberal Democratic Association of S.A.

During March the Liberal Democratic Association of South Africa was launched, the culmination of nearly two years of discussion in several non-racial groups around the country. Its founders comprised independent Liberals as well as others involved in a variety of anti-apartheid and anti-tri-cameral Parliament opposition organisations.

The Association is committed to the defence and propagation of Liberal principles and to working out suggestions for policies for a post-apartheid society based on non-racial majority rule, regular free elections, protection of individual rights, the rule of law, a mixed economy, and a comprehensive system of social security.

The Association has said that it will try to devise mechanisms which will mean that minority views are heard and others to encourage cooperation and collaboration between the many different social and cultural interests in our new society. It will try to persuade South Africans in general that Liberal ideas provide a better basis for a conflict-free future than do the rigid ideological plans of the Left or the Right.

REALITY welcomes this development. It is high time that the Liberal option was cleared of the misrepresentations which have been attached to it by its opponents and brought back into the main current of political debate in our country.□

by V.P. Khanyile

SPEECH TO ASP CONFERENCE IN PIETERMARITZBURG

December, 1986

It is a great pleasure for me to deliver this keynote address to this conference today, because the people gathered here, representing the Academic Support Programmes at different universities, could play a crucially important role, not only in the future of their institutions but also in shaping the future of tertiary education in South Africa.

It is also extremely important – and entirely appropriate – that Academic Support Programmes should be showing such an interest in People's Education and attempting to define a relevant responsive role for universities in helping to give content to this concept.

I am told that Academic Support Programmes had humble beginnings, starting life as minor appendages to the university's major academic programmes. Their job definition was to prepare so-called disadvantaged students to

adapt to the university's course structures and 'cope' with their academic demands.

This brought the ASP staff into direct contact with many students who had been shaped by the struggles at schools and in their communities. This exposure was the vital factor in moving many ASP staff from a mere intellectual appraisal of the problems facing black students to an experiential understanding of their struggles, not only at an academic level, but on the political terrain as well.

Many of you have developed an insight into the way the struggle against academically inferior 'Bantu Education' has evolved away from the original demands for 'equal' education in a single system to demands for the development of an entirely new education system, with appropriate content to prepare students for participation in a transformed democratic society, informed by different values and social objectives.

And you have been among the first at universities to understand that the time has come for educational institutions to be responsive to the needs and demands of a far wider community than those they have traditionally served, and that these responses will only be relevant and acceptable if they are based on transformed structures of accountability.

These insights form the essential base for the ASPs to expand and transform their role at universities. The path will not be an easy one because it will require becoming part of a pioneering process that challenges many of the traditional concepts and structures of tertiary education in South Africa. And these will be very jealously guarded by powerful forces and vested interests inside and outside the universities.

But, unless that task is undertaken, the universities will miss the historic moment that has arrived for them to play a creative and constructive role in the process of radical transformation that South Africa has irrevocably entered.

Before considering specific actions and strategies, it seems essential to recognise the historic moment we are facing, to understand the forces that are shaping it and the opportunities it offers.

An appropriate starting point would be a brief analysis of the situation in the schools, which at present are at the forefront of the education struggle. In the last two years, we have seen our townships being transformed into zones of struggle; being the focus of struggle between the forces that protect white privilege and domination on the one hand and the black youth that is committed to raise this country from the bleak and desolate realities of what racial South Africa is. It is this youth who in the last decade have laid down their lives to fight the evil that comes with education under apartheid. The reports of the last few weeks have shown that the current State of Emergency has made a frontal and concentrated attack on the student sector, especially high school students. Commentators talk of up to 8 000 students who have been detained. Children as young as fourteen years are known to have been detained and brutalized by subjecting them to solitary confinement, infrequent and unbalanced diets, lack of access to the outside world, to lawyers and so on. Few of them who survive the experience filter through to universities; this is the youth that has been schooled in struggle.

This struggle will have an ever increasing impact on the universities, not only because it is shaping the political consciousness of many prospective students, but because tertiary education will have to pay increasing attention to compensating these students for the educational sacrifices they have made in the course of their struggle and to providing the skills that the DET system (and most other forms of primary and secondary education in South Africa) have failed to provide.

In a recently published analysis of the crisis in the schools, Dr Ken Hartshorne predicts that the Department of Education and Training will collapse within three to five years. Dr Hartshorne is not an activist and has no political motivations for making such a statement. Indeed, he is a retired State Education Planner. If one accepts the validity of this prediction, the implications are enormous.

Firstly it is important to understand what he means when he talks about the department's collapse. He is talking about

the expansion and entrenchment of a process that has already begun in many schools, increasingly rendering the DET powerless to enforce its syllabus, rules, or evaluation standards. In essence the DET will die in the schools from a lack of legitimacy. Unlike many other terrains of minority control, education is unenforceable by coercion alone. Soldiers in the schools will not save the DET's education system. On the contrary, they will merely hasten its passing. Perhaps more than any other social institution, education depends upon the consent, co-operation and participation of those for whom it is intended.

Secondly, this prediction carries important strategic implications because it is based on a particular perception of the way in which the struggle against minority control is likely to proceed. Unlike many historic precedents of social transformation, the starting point of the process in South Africa has not been the transfer of political power to the majority, leading to a subsequent restructuring of the social institutions. Instead, inside South Africa the struggle for democratic control has started by challenging and transforming existing social institutions and localised authority structures, creating a cumulative process towards People's Power. And it seems that education could be among the very first arenas in which minority domination and control could be successfully challenged.

Of course, this will not mean an end to the struggle, but merely the culmination of the first phase. The real struggle is to replace an undemocratic, coercive, ineffective and irrelevant education system with a democratic, participatory and relevant alternative.

This poses perhaps the greatest challenge that students, educationists, educational institutions and the wider community have yet faced in the history of education in this country. For it will be their collective responsibility to ensure that, as the decline of the DET and other undemocratic education structures proceeds, the core of a legitimate and educationally-sound education system rises in its place. It was on the basis of this realisation that the NECC was formed, to co-ordinate the People's response, and to provide a link with other progressive forces in resolving the education crisis.

I am not suggesting that the universities are in a position to take over from the DET and administer a school education system for ± 6,0-million students. This is not their role, nor do they have the resources to do so. The NECC believes that the State must continue financing education, providing and maintaining the necessary infrastructure such as buildings and equipment, and distributing textbooks. What we reject is the authoritarian structures of the DET, the content of its curriculum and the teaching methods employed in the schools under its jurisdiction. We must be sure that we can formulate an alternative in all these areas, despite the DETs opposition. At this point the DET is determined not to allow People's Education in the schools. But, as it has been pointed out, they will eventually not have much choice. It is clear that the DET is no longer able to enforce its system. The Eastern Cape areas (where there has been no effective schooling in the last three years), Duncan Village, Soweto and Lamontville, to mention a few, bear testimony to this fact. It is in the light of this development that we call upon the government to hand over the control and management of the schools to the

community. The task facing the community and universities is to ensure that we are prepared for that moment and have carefully researched and formulated alternatives that we can begin to introduce in schools where the DET's authority has collapsed.

This is a massive task, the importance of which cannot be over-emphasised. And its success depends not only on the content of the alternative, but on the PROCESS through which it is evolved indeed the PROCESS will perhaps be the major factor in determining the acceptability and relevance of the new education system that emerges.

The most important question facing the universities today is what role they can play in this transition. It seems to me that their response should cover three main areas:

These are:

- * Examining their potential role in helping to do research that will support the work that is being done to develop alternative course content and teaching methods for People's Education in the schools.
- * Examining and transforming their own structures of accountability, as well as creating new ones to enable direct communication and consultation with the broader community and the People's organisations.
- * Evaluating their own courses, entrance requirements and Academic Support Programmes in order to turn their institutions into centres of relevant and accessible 'People's Education', which certainly does NOT mean academically inferior education, but rather the sort of education that will serve South Africa's most pressing needs and become part of creating a new society.

Let us begin with the situation in the schools: As I have already stated, the erosion of the DET has placed an enormous responsibility on the universities, (amongst others), to become creatively involved in the development of a new education system at school level. This huge undertaking requires academic and technical expertise, much of which is located in the universities. But, it also requires an advanced degree of political sensitivity and an understanding of the concept of 'People's Power', which lies at the heart of the People's struggle for control over the forces, structures and institutions that govern their lives. This understanding must determine the way in which academics go about the task of making their expertise available to the broader community.

Progressive individuals at universities, who have both the necessary expertise and political commitment, are keen to become part of the process of compiling new courses and study materials for 'People's Education.' Some are already actively involved particularly in the subjects of History and English, which have been the first to face the demands and challenges of transformation. And some are pioneering ways in which to involve students and People's organisations with an interest in education in the task of planning the new curriculum.

Further initiatives have begun within education faculties, where some progressive educationists at one major university are attempting to set up structures, under the joint direction of the university and the NECC, to pioneer research into appropriate education policy and teaching methods.

These attempts are all in their infancy, and have not been without their teething problems. However, the important

thing is that they have started and that they represent important departures from the traditional concerns and procedures of university-based academics. But the process has still a long way to go, and the onus is on the universities to ensure that these initiatives develop further, and that the concept of partnership and joint management of projects and structures will extend to all areas of university life.

It is insufficient for the universities to rely on the commitment of individual academics, acting in their private capacities, to give much of their already over-committed time to additional work in the sphere of 'People's Education'. It is unacceptable to expect them to undertake this massive task in isolation alongside their mainline academic work. What is required is a concerted INSTITUTIONAL response from the universities. This will necessitate a reassessment of priorities and a reallocation of resources, based on an understanding that the actions of the universities in this critical transition phase could very well play a determining role in the future of education in South Africa.

This effort should be engaged in every faculty at the University, not merely the Arts and Education faculties. Mathematicians, Scientists, Engineers, Economists and Architects (amongst others) have a particular responsibility to show how their disciplines can become part of the process of democratic transformation and relevant to the needs of the majority of South Africans. Already some of these disciplines are perceived by many student activists as elitist and divisive, exclusively serving entrenched establishment interests, and resisting the forces of change.

The central question, of course, is how the necessary switch in priorities can take place? It is unlikely to happen easily through the present structures because the constituencies they represent tend to regard the universities' main function as the pursuit of 'academic excellence' (without taking context into account), particularly in the spheres of post-graduate research and the production of specialist publications. Moreover, the dominant forces within these structures are intent on preserving what they call the 'autonomy' and 'neutrality' of the universities, apparently unaware that the present structures themselves ensure the universities' accountability to establishment economic and political interests, and therefore place them in a far-from-neutral position in the current South African conflict.

All this makes it unlikely that the universities' response will be sufficient to meet the demands of the times unless the structures of accountability are drastically transformed. How is this to happen?

There will, no doubt, be attempts in this direction by the universities themselves. After long and intensive debate and soul-searching, they will probably appoint one or two prominent black educationists, community or church leaders to Council. The chances are that these appointments will be declined, leading to anger, confusion and disillusionment within the university hierarchies that their initiatives are being spurned.

They will have to look deeply and honestly at the reasons for this sort of response. They will have to accept that the time has long past when this type of token gesture could have any impact at all in satisfying the demands they face. No matter how sincere the universities' attempts at reform

may be, they will not be accepted if they leave the essential composition and orientation of university structures unchanged. No doubt, many within the universities will argue that, given time, the composition of decision-making structures will gradually change, altering their outlook and policy decisions. But this argument carries little credibility, particularly as the universities have not used past decades even to begin this process. The convocations of our major universities, for example, have never (to the best of my knowledge), elected a single black representative to Council. And even if they were to start now, one does not have to be a prophet to see that the universities do not have the time they will need to effect meaningful change this way. If they cling to gradual, piece-meal reformism, there is little doubt that they will be overtaken by events, generated by the People's demands and struggles for radical and rapid transformation, and the People's desire to govern, both on the campuses and in the broader community.

What alternatives do the universities have? Of course, the process of altering the composition of Council is important and must proceed, along radically creative lines that will give a significant say to traditionally excluded constituencies. The time is long overdue for the universities to apply collective political pressure for fundamental changes in the various University Acts that determine, among other things, the composition of their Councils.

But it would be unacceptable for the universities to use the provisions of these Acts to resist further innovative changes. They cannot afford to be held captive by their existing structures. Which Act stipulates that Senate will only nominate white people to Council?; which Act stipulates that convocation should exclude black people from Council? Is it a question of statutory barriers or internal barriers, indicative of the white consciousness of these universities? There is nothing to stop them from pioneering new channels of communication, consultation and negotiation with the important, but excluded constituencies and organisations.

Of course there will be strong resistance to such moves, mainly on the grounds that they allegedly abrogate the traditional liberal tenets of 'university autonomy' and 'academic freedom'. I have already argued that, whether they believe it or not, the universities are not autonomous. A brief look at the interests represented on council (of which approximately 20 percent are appointees of the State President) is sufficient to make this point.

Almost all the members of council represent constituencies that have evolved historically and entrenched themselves within an undemocratic, discriminatory and exploitative political and economic system. Moreover, they include appointees of a government that has led the assault on academic freedom in South Africa, and that has, over the years, severely circumscribed what the universities may teach, who may teach and who may be taught. The purpose was to exclude those very constituencies who are now demanding to be heard.

But the liberal arguments against radical changes in the universities' structures of accountability can be met on their own ground. As Anthony Kenny, Master of Balliol College Oxford, has pointed out, 'Academic Freedom is genuine value, and a precious one; but it does not come very high in the hierarchy of human values.' Within the Liberal hierarchy of values, academic freedom must surely

have a significantly lower priority than the right to equal political participation for all individuals in their society's governing institutions, and the right to equal education. The constituencies represented in the universities' existing structures derive their exclusive power and influence precisely as a result of the historical denial of these rights to the majority. It seems to me that if liberals at the universities wish to apply their principles consistently, they must move beyond verbal protest, and concentrate on redressing the historical abrogation of these principles in our society by introducing fundamental structural changes that will provide meaningful representation to the excluded majority.

Nor need this happen at the cost of academic freedom. Indeed, we regard it as a move that will take the universities closer towards real academic freedom, for which a society based on equal political access is a necessary condition.

There have already been some encouraging moves in this direction, pioneered by the 'Perceptions on Wits' report, researched and produced by a group of progressive academics at the University of the Witwatersrand. This represents the first formal attempt to elicit the views of what they call 'the community'. At present, I understand that this report is being followed up at faculty level within the university. This is an important development which could and should lead to structural changes.

All universities should be searching for meaningful ways to institutionalise this 'community participation'. It is not for me to spell out how this should occur because this will be worked out through a process of negotiation. But if the universities fail to do so, they will find themselves increasingly unable to resolve the conflicts that erupt on their campuses. They cannot and will not be excluded from the People's struggles.

The NECC has paid particular attention to the issues raised by debates on the academic boycott and academic freedom. We need to think along the lines of setting up a joint consultative body representing both the universities and the 'community' (People's Organisations) in negotiation and discussion on the issues raised by the academic boycott. Such a body could discuss and consider for example, the desirability of inviting academics to South Africa who can make a relevant and meaningful input, not only within the universities, but to the work of the People's organisations.

People defending the status quo will no doubt say that it is unacceptable to allow outside interference with these university matters. But such 'interference' from establishment interests is acknowledged and accepted, and there are formal channels through which it occurs. All South Africa's major universities have offices abroad, or in other major local centres, which serve, among other things, as private sector sensory devices, to inform the universities of the response of the private sector to events and developments affecting the universities. This was particularly apparent during the O'Brien affair at UCT, and other incidents at Wits, when considerable 'negative feedback' on the student protests was apparently transmitted to the universities through these offices.

Some may argue that these channels exist primarily for fund-raising and that 'he who pays the piper' is entitled to call the tune. If we make the rich have the decisive say in the university, we will be doing nothing to transform our

society, but merely entrenching the status quo while paying lip-service to change.

There will also be strong resistance to the community's initiative from those determined to defend the prerogative of heads of department to take decisions on visiting lecturers alone, without being accountable to anyone. It is difficult to understand why this tradition is sacrosanct, and why heads of the department should not even be accountable to the rest of the university community (let alone the broader community) for decisions that can have a profound influence on their institutions.

Which brings me to the third issue that I want to discuss today: that is the universities' internal hierarchy of decision-making and accountability. The logical place to begin this examination is with the Senate, whose views and recommendations carry enormous influence and weight. The time has come for us to question whether the Senate is an adequate representative body based as it is on the elitist British system of one-Professor-one-vote, and excluding the vast weight of the university staff, students and workers. This is an outdated model, incapable of dealing with the demands of our times in a different social context. A similar criticism can be levelled at the Senate sub-committees, which have a great deal of power within the universities. These also need to be reconstituted so that they are more representative of the university community. Unless this task is undertaken, it will be extremely difficult to shift the universities' priorities and resource allocation or transform its course contents and entrance requirements.

Finally, let us look at the role of the ASPs in this process. It is easy to predict that the ASPs will become more and more important in the years ahead. That is why there is such intense discussion on the different models they could follow. The alternatives that have been suggested, with varying degrees of support, include off-campus 'junior colleges' to prepare 'disadvantaged' students for tertiary education; a foundation year, based at the universities themselves to fulfill the same purpose; 'parallel support programmes' to run alongside major courses; or a 'slow stream' that enables students to spread their first year over two years. It is certainly not for me to suggest which one would be best. That must be worked out by the interested parties, including the students for whom they are intended. ASPs should realise that their programmes can only be successful if they carry broad acceptability and legitimacy, which again underlines the importance of channels for community consultation. ASPs cannot defer this consultation until students arrive at their institutions and have no option but to slot into programmes designed for them.

Therefore, it is in the very best interests of the ASP's to support in every way they can, the setting up of formal negotiating structures with the community. It is equally in their interests to push for a change in the channels of influence and decision-making within the universities themselves. I have no doubt that the ASPs will play a pioneering role in this process as the effectiveness and relevance of their work depends to a large extent on it.

Be assured, you will have the NECC's support. We wish you well.□

Foreign news

*The weak light washes down
yellow, mauve and strawberry,
engorging the dying town.*

*Implacably, frost spreads its hold
this longest night of the year,
and now, piercing the dark,
the radio speaks fear:
solemn diagnosticians,
clinically alert,
foretell our end is near.*

*Fear has an iron grip
fire cannot unseal.
The stars, their spears
thrown down, are shocked
we do not feel
as they about our doom.
In righteous anger
they retreat,
and leave us to the stink
and terror of this darkening room.*

Poem by: Don MacLennan

THE GAGGING WRITS

INTRODUCTION

Censorship is part of the fabric of life in South Africa. A wide variety of practices (both legal and extra-legal) combine to ensure that the articulation of certain facts and opinions are curtailed and prohibited. The weekly lists of publications which are banned under the Publications Act 42 of 1974 bear adequate testimony to the efficiency and productivity of our censors. This is censorship in its extreme form: an institutionalized system by which films, books, plays and even objects, are banned by the State authority. But censorship in South Africa is infinitely more pervasive. Many statutes prohibit altogether the publication of certain information. Significantly, the most important institutions of Society such as the police, prison services and defence force, have been singled out for special protection. The activities of these institutions are shrouded in a secrecy which has engendered fear and suspicion. Censorship manifests itself in many ways and seldom operates in isolation. It "is only one part of an overall strategy which also expresses itself in such forms as detention without trial, arbitrary bannings, ... the web of legislation controlling the press, and all the awesome secret activities of the security police" (André Brink "Censorship and Literature" in *Censored* (1983) 40-41).

THE STATES OF EMERGENCY

Censorship is usually synonymous with states of emergency and South Africa is no exception in this regard. The mechanism in terms of which a state of emergency can be declared is the Public Safety Act 3 of 1953. When it was passed in 1953, the Act was considered a radical measure. It conferred powers on the executive which were usually reserved for times of war. Although no state of emergency was actually proclaimed in 1953, the Act was passed in response to the "defiance campaign" being conducted by the then lawful African National Congress and other organizations. The campaign of passive resistance was directed against a number of discriminatory enactments. Another measure passed in 1953, the Criminal Law Amendment Act 8 of 1953 was intended, according to the Minister of Justice at the time, to deal with the defiance campaign. In essence, the Act made provision for increased penalties for a contravention of any law if the breach occurred by way of protest or in support of any campaign against or for the repeal, modification or variation or limitation of the application or administration of any law. The penalties included imprisonment for up to five years and a whipping not exceeding ten strokes. Together with the Public Safety Act, the Criminal Law Amendment Act effectively put an end to the campaign against unjust laws.

It was not until 1960 that a state of emergency was actually proclaimed for the first time. The proclamation followed upon the shooting of a large group of black people at Sharpeville who had come to court arrest for not carrying passes. That emergency endured for a total of 156 days, during which 11 503 persons were detained.

What is significant about the history of the use of emergency powers in South Africa prior to the declaration of a partial emergency in 1985, is that they were invoked to bring an end to popular opposition to injustice. By 1985, the principal causes of discontent and injustice had not been removed. The State President saw fit to deal with the rising tide of opposition by declaring an emergency. By 1985, however, drastic security measures had become permanent features of the legal system. The power to detain persons indefinitely for the purposes of interrogation, to hold persons in preventive custody, to ban newspapers and organizations, to impose drastic restrictions on individuals and to prohibit gatherings, were all embodied in the Internal Security Act 74 of 1982. The necessity for the invocation in 1985 of emergency powers was therefore surprising. The imposition of emergency powers, first on a limited scale in 1985 and then throughout the Republic in June 1986 did, indeed, herald the introduction of unprecedented controls, particularly on the freedom of expression. The dangers inherent in this approach were not addressed:

"There is a frequent and perhaps understandable link between states of emergency and situations of grave violations of human rights. The most serious violations tend to occur in situations of tension when those in power are, or think they are, threatened by forces which challenge their authority if not the established order of the society. ... Unfortunately there is a tendency for some governments to regard any challenge to their authority as a threat to 'the life of a nation'. This is particularly true of régimes which do not provide any lawful means for the transfer of political power and which in consequence are inclined to regard any criticism of the government as an act subversive of public order."

(International Commission of Jurists **States of Emergency: Their Impact on Human Rights** (1983) (i))

Viewed in a broader context, many of the security measures imposed during the states of emergency constituted forms of censorship.

THE DETENTIONS

Many of those detained have been prominent in extra-Parliamentary organizations and trade unions. One of the apparent purposes of the emergency has been to crush the growth of extra-Parliamentary opposition to the Government, particularly by the United Democratic Front and its affiliates. According to the Detainees' Parents Support Committee ("DPSC", approximately 25 000 people were detained under emergency powers during 1986. The major targets of detention were children aged 18 years or younger. The UDF and its affiliates accounted for approximately 75% of those detainees whose organisational affiliations were known (**The DPSC Review of Detentions in 1986** 31 January 1986 p 3).

THE MEDIA CLAMPS

When the 1985 emergency was proclaimed, it was specifically stated that no new controls would be placed on the media. Within days of the proclamation, a meeting took place between the police and press representatives at which the press was requested informally to "tone down" reporting of unrest. A special committee comprising members of the security forces was appointed to monitor news reports on a daily basis. In the first few months of that emergency, allegations of deliberate distortions were levelled at foreign journalists. Deportation orders on a number of foreign correspondents were served shortly thereafter.

The real crackdown came with the 1986 emergency. The regulations made it an offence for any person to make, write, record, disseminate, display, utter or even possess a "subversive statement". The making, taking, recording or publication of photographs and sound recordings of any public disturbance, disorder, riot, public violence, strike or boycott or any damaging of any property or any assault on or killing of a person, or any conduct of any member of a force was likewise prohibited. The Minister was vested with the power to seize publications which in his opinion contained a subversive statement or were of a subversive nature. **The Sowetan** and the **Weekly Mail** were both victims of such seizures. Following a series of court decisions, a new set of media regulations was promulgated in which an attempt was made to consolidate and expand the regulations relating to censorship and control of the media. A new definition of subversive statement was created. A second category of statement, although not totally prohibited, was subjected to special controls. Publications, television, film or sound recordings containing "news or comment on or in connection with" a variety of topics, including actions of the security forces and "the circumstances of or treatment in detention of a person who is or was detained" were prohibited. Such matter could be published, however, if authorised by a Government spokesperson, or if it appeared from debates or proceedings of Parliament or the President's Council, or if it appeared from judicial proceedings in which a final judgment had been given.

Other restrictions included the prohibition on the taking of any photograph or the making of any television or sound recording "of any unrest or security action or of any incident occurring in the course thereof, including the damaging or destruction of property or the injuring or killing of persons" or "of any damaged or destroyed property or injured or dead persons or other visible signs or violence on the scene where unrest or security action is taking or has taken place or of any injuries sustained by any person in or during unrest or security action". The Minister was vested with the power "in the interest of the safety of the public, the maintenance of public order or the termination of the state of emergency" to prohibit for periods not exceeding three months at a time, the production, importation into the Republic or publication of all issues of a periodical. One of the more bizarre prohibitions was the one which prevented the publication of "any blank space or any obliteration or deletion of part of the text of a report or of a photograph" if such space indicated that it was intended to be understood as a reference to the effect of the censorship regulations.

The most awesome power of censorship was vested in the Commissioner of Police. He was empowered "without prior

notice to any person and without hearing any person" to issue an order "prohibiting any publication, television recording, film recording or sound recording containing any news, comment or advertisement on or in connection with any matter specified in the order".

FUNERALS

Funerals have received special attention by the authorities. A grotesque cycle of death has arisen in South Africa with many deaths at police hands occurring at funerals. Because of extensive prohibitions on the holding of meetings, funerals have become one of the few outlets for political speech. The clamps on the holding of funerals have been particularly severe. Typical conditions prohibit the holding of funerals out of doors. Only ordained ministers of religion are allowed to speak at such funerals and flags, banners, placards, pamphlets or posters cannot be displayed or distributed. There is usually a restriction on the number of persons allowed to attend a funeral and the duration of funerals is also generally restricted.

GATHERINGS

Since 1976 there has been a nationwide prohibition on the holding of outdoor gatherings, (other than bona fide sports meetings). A gathering is constituted by two or more persons. Notwithstanding this extensive power emergency orders have been used to prohibit even indoor gatherings. Thus, the Divisional Commissioner of Police for the Boland Division prohibited the organizing arranging, or holding of "any gathering in any building", in 26 magisterial districts by some 45 specified organizations. A similar prohibition was imposed by the Divisional Commissioner of Police for the Western Province Division in respect of 119 organizations in 6 magisterial districts.

EDUCATION

The compilation of school curriculae can also constitute a form of censorship. Since the passing of the Bantu Education Act in 1953, the inferior quality of education for black people has been a source of constant discontent. The crisis in black education has deepened and a number of measures were introduced pursuant to the emergency powers in an apparent attempt to curb unrest in schools. Special regulations were promulgated requiring all black primary and secondary school pupils wishing to receive education to apply for registration at their schools. Pupils who did not so register were precluded from receiving education. The Director-General of Education and Training was empowered "without furnishing reasons and without hearing any person" to refuse admission to any pupil applying for registration or to make admissions subject "to such conditions as he may determine". The Director-General was also vested with the powers to make various orders. For example, he could issue orders prohibiting the presence of any person on school premises and, more importantly, was empowered to prohibit "the offering on any school or hostel premises of any syllabus, work programme, class or course, which has not been approved in terms of the Education Act".

Special measures were taken to prevent school boycotts. In several magisterial districts it was decreed that "no registered pupil ... shall on any schoolday whilst being on the school premises during the hours during which tuition is normally given, be outside a classroom of such school unless it is during a prescribed break, or during the period from entering the school premises until the commence-

ment of the school programme, or except for the purpose of visiting the dressing-room or to change classes".

Gatherings organized or convened under the auspices of the National Education Crisis Committee at which there was discussion on the presentation "of a course which has not been instituted under the Education Act, in the stead of or in addition or as an alternative to any course so instituted" were also prohibited.

THE ANC ADVERTISEMENT

Following the appearance in a number of newspapers throughout the country of an advertisement coinciding with the 75th anniversary of the African National Congress and calling for its unbanning, the Commissioner of Police extended the definition of "subversive statement" so as to include statements "in which members of the public are incited or encouraged or which is calculated to have the effect of inciting or encouraging members of the public to support any organization which is an unlawful organization". In addition, he issued orders prohibiting newspapers, magazines and other periodicals from publishing any advertisement or report calculated "to improve or to promote the public image or esteem of an organization which is an unlawful organization" or "to commend, to defend, to explain or to justify any action, policy or strategy of such organization, of resistance against or subversion of the authority of the State". The saga of the ANC advertisement was not allowed to rest. In an angry address to Parliament, the State President said that the managing director of Barclays Bank had been mentioned in "leftist circles" as the person who financed the advertisements. This was met with strong denials and protests from the business community. Thereafter, a commission of enquiry was appointed to investigate and

to report on the circumstances surrounding the placing of the advertisement.

CONCLUSION

The wisdom and efficacy of the use of emergency powers to silence opposition is questionable. Heavy-handed security measures cannot bring lasting security. Indeed, they appear to be accompanied by the reverse: an escalating intensity of violence. Security is more fundamentally ensured by political, social and economic measures which are equitable and offer all South Africans a stake in their futures.

The implementation of censorship seems primarily to have been directed at foreign audiences and the white electorate. Television footage of brutal security force action (which South Africans are precluded from seeing) have attracted justifiable outrage and condemnation from foreign governments. The perverse solution was not to curb security force excesses but to stifle the messenger. The clamps on reporting have also had the effect of lulling white South Africa into a false sense of complacency by creating the impression that order has been restored to the townships. Those who live in the townships know better and no amount of censorship can ever remove the harsh reality of their conditions of existence. Perhaps the greatest danger of censorship is that ultimately those in power become seduced by their own propaganda.

"... it becomes increasingly difficult for government officials themselves to be adequately informed about the extent of abuse of authority, the gravity of social problems and other matters which cannot be freely reported"

(International Commission of Jurists **op cit** 419).□

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TILL LOVE IS LORD OF THE LAND

by Chris Zithulelele Mann

This poem is not designed to be read on the page in silence by an individual but to be recited aloud in a group.

The design is based on the call-response structure of indigenous black music with the addition of a western-type chorus.

The rhythm is steady and stately as befits the subject matter, with three strong beats to each half of the line.

If you are unfamiliar with oral poems, read this first to a friend. □

We shall dance through the yards of the prison . and dance through the prison gate,
We shall dance through the hills of the country . and dance through the streets of town,
We shall dance with the old till sunset . and dance with the young till dawn,
We shall dance in the arms of the prophets . and dance to the spirit's drum,

And the dogs of the days of darkness . the dogs shall cower on the sand,

And we shall not cease our struggle . till love is lord of the land.

And the walls in the hearts of the hated . the walls shall be broken down,

And the walls in the hearts of the hater . the walls shall be broken down,

And the fear in the bowels of the tyrant . the fear shall be pacified,

And the wrath in the blood of the captive . the wrath shall be pacified,

And the dogs of the days of darkness . the dogs shall cower on the sand,

And we shall not cease our struggle . till love is lord of the land.

And the stones of the people's power . the stones shall be gathered up,

And the bullets of the tyrant's power . the bullets shall be melted down,

And the flame of the people's necklace . the flame shall be cast aside,

And the knot of the hangman's necklace . the knot shall be torn apart,

And the dogs of the days of darkness . the dogs shall cower on the sand

And we shall not cease our struggle . till love is lord of the land.

And the steel of the soldier's rifle . the steel shall become a plough,

And the blood of the broken bodies . the blood shall become the soil,

And the bomb of the freedom fighter . the bomb shall become a seed,

And the sweat of the worker's forehead . the sweat shall become the rain,

And the dogs of the days of darkness . the dogs shall cower on the sand,

And we shall not cease our struggle . till love is lord of the land.

And the wounds that are deep as the dongas . the wounds shall begin to heal,

And the scars that are grim as the ghettos . the scars shall begin to heal,

And the grass on the hills of freedom . the grass shall be green again,

And the grapes on the wine of freedom . the grapes shall be sweet again.

And the dogs of the days of darkness . the dogs shall cower on the sand,

And we shall not cease our struggle . till love is lord of the land.

THE COST OF APARTHEID

Editorial Note: We are grateful to Professor Michael Savage for allowing us to quote briefly from his Inaugural Lecture at the University of Cape Town and to publish in full the tables of estimates of various apartheid costs which were an appendix to that lecture. For the first time somebody has really tried to estimate what apartheid **does** cost – and the impact of that estimate, as revealed in the Tables is, in our view, quite dramatic.)

Discussing the problem of costing apartheid Professor Savage had this to say in his Lecture.

“Any examination of the financial cost of apartheid is confronted with many difficulties. Prominent among these is the problem of identifying the full variety of its costs and distinguishing between them. Apartheid structures permeate the total society and an indication of the extent to which this is so can be made by identifying seven areas of its cost.

First, there are the *direct costs* involved in implementing and maintaining apartheid programmes. These costs include those of supporting 10 “homeland” governments, of providing duplicated services in areas such as health and education, of carrying out black population removals from “white” areas, of implementing Group Areas legislation.

Second, there are *indirect costs* involved in implementing apartheid, which again are enormously varied. These include capital expenditures on buildings used in carrying out the policy, on transport systems needed to accord with territorial segregation, and expenditure on the vehicles, machinery and communications used in implementing the system.

Third, there are the *enforcement costs* involved in applying and policing apartheid. Police, courts, magistrates, prisons, officials and the Defence Force are all involved in greater and lesser degrees in enforcing the policy of apartheid. In addition there are the costs paid by those on whom apartheid is enforced in, for example, having to

spend time in courts and prisons because of apartheid legislation.

Fourth, there are *lost opportunity costs* arising from apartheid. These are substantial and involve the cost of lost investment to South Africa and consequent lower rates of economic growth; the cost of artificial limitations on the use of economic and human resources that result in the loss of potential skills and in foregone economic growth.

Fifth, there are the *punitive costs* to South Africa of apartheid flowing from the application of embargoes and sanctions. These directly involve the loss of trade but also involve premiums that South Africa has to pay to obtain key materials, such as oil, and the costs of stockpiling these materials and attempting to become self-sufficient in the production of them.

Sixth, and most importantly, there are the *human costs* of the apartheid system. These are enormous, involving the suffering and brutalization of life experienced by large numbers of South Africans as a direct result of apartheid policies. Some of these costs can be directly seen in the prisons, townships and rural areas of South Africa but most are to be viewed within the daily fabric of South African life.

Seventh, there are the *regional costs* of the apartheid policy, paid by South Africa’s neighbours in terms of increased military expenditures due to apartheid policies, direct war damage, lost exports and lost economic growth.”

So the Tables which follow represent only **part** of the costs of the policy. □

TABLES

TABLE 1: ESTIMATED EXPENDITURES FROM THE STATE REVENUE ACCOUNT 1985/6 ON ITEMS IN THE IMPLEMENTATION OF APARTHEID PROGRAMME

	Estimated % Budget allocation on apartheid			Expenditure in R'000s		
	L	M	H	Low Estimate	Medium Estimate	High Estimate
VOTE 1: STATE PRESIDENT						
1-1 Activities of the President's Council	100	100	100	5 271	5 271	5 271
1-9 SWA Authority Service	100	100	100	1 180	1 180	1 180
VOTE 2: PARLIAMENT						
2-1 Administration of Parliament	15	20	33	1 363	1 817	3 029
2-1 Salaries and Allowances, Members of Parliament	15	20	33	1 805	2 407	4 012
2-5 Facilities for Members of Parliament	15	20	33	1 561	2 082	3 469
VOTE 3: TRANSPORT						
3-9 Contribution to the Account for Black, Coloured and Indian Transport Services (subsidization of fares of commuters from Black Areas in White areas 14-23)	15	20	33	31 000	42 000	70 000
VOTE 4: CONSTITUTIONAL DEVELOPMENT AND PLANNING						
4-1 Administration	30	40	50	1 958	2 610	3 263
Constitutional Development	100	100	100	999	999	999
Planning	10	15	25	826	1 238	2 064
Statistical Services	10	15	25	3 618	5 428	9 047
Provincial Subsidies	5	10	15	261 568	523 136	784 704
Industrial Area Development and Control	30	40	50	14 193	18 924	23 655
Supporting and Associated Services	5	5	10	979	79	1 959
VOTE 5: FOREIGN AFFAIRS						
5-9 Manpower Provision (to Foreign Governments)	10	20	25	3 621	7 242	9 052
Budgetary Aid: TBVC Countries	10	20	25	63 613	127 225	159 032
Project Aid (Loan Fund)	10	20	25	7 500	15 000	18 750
Technical Aid						
Incentive Scheme for Industries	30	40	50	10 800	14 400	18 000
Action Programme Job Creation	10	20	25	2 200	4 400	5 500
Technical and Other Assistance	10	20	25	800	1 600	2 000
Flour subsidy	10	20	25	2 300	4 600	5 750
VOTE 6: HOME AFFAIRS						
6-6 Population Registration	10	20	40	1 845	3 690	7 381
Deportations and Removals	5	10	15	96	191	287
Publication Control	40	50	60	392	490	588
VOTE 7: COMMISSION FOR ADMINISTRATION						
(Public Servants)	10	15	20	6 370	9 555	12 740
VOTE 8: IMPROVEMENT OF CONDITIONS OF SERVICE						
(Public Servants)	10	15	20	23 500	35 250	47 000
VOTE 10: POLICE						
Total	5	10	20	47 735	95 471	190 942
VOTE 11: PUBLIC WORKS AND LAND AFFAIRS						
11-17 Acquisition of land: Area evaluation for purposes of removing non-White inhabitants from certain areas for resettlement	100	100	100	5 888	5 888	5 888
11-22 Construction of Buildings and Structures - Defence, Police Accommodation, Periodical Courts, Prisons, Judicial Buildings	5	10	15	11 467	22 934	34 401
VOTE 12: HEALTH AND WELFARE						
	5	10	15	66 821	133 642	200 462

	Estimated % Budget allocation on apartheid			Expenditure in R'000s		
	L	M	H	Low Estimate	Medium Estimate	High Estimate
VOTE 13: ADMINISTRATION – HOUSE OF ASSEMBLY						
13-1	Transfer to Revenue A/c for White affairs			38 785	116 355	193 924
VOTE 14: COOPERATION AND DEVELOPMENT						
14-3	Commission of Cooperation and Development			50 60 70	64 77 90	
	Commissioners General Management			100 100 100	314 314	314
	10	20	30	4 173	8 345	12 518
14-7	Community Regulation and Physical Planning					
	Black Manpower			30 40 50	731 975	1 218
	Residential Control			100 100 100	2 430 2 430	2 430
	Repatriation			100 100 100	4 688 4 688	4 688
	Community Regulation			30 40 50	822 1 096	1 370
	Urbanisation and Housing			10 20 30	82 164	246
14-10	Constitutional Development					
	Black Local Authorities Administration			15 20 25	139 185	231
	Black Communities Development and Revolving Fund			10 20 25	1 500 3 000	3 750
	Development Boards and Community Councils Compensation to development boards and community councils i.r.o. additional services executed on behalf of the State			10 20 30	7 500 15 000	22 500
14-17	Development of Black Areas Toward Self-Determination					
	Consolidation of Black Areas Administration			100 100 100	3 000 3 000	3 000
	Grant-in-Aid to SA development Trust Fund					
	Purchase of Land			100 100 100	137 000 137 000	137 000
	Settlement of People in Consolidated Areas			100 100 100	40 000 40 000	40 000
14-18	Development Toward Self Determination					
	Planning and Administration Grant-in-Aid to SA development Trust Fund			10 20 30	850 1 700	2 550
	Land Planning and Conservation			10 20 30	904 1 807	2 711
	Settlement of Population			100 100 100	125 000 125 000	125 000
	Employment Creation and Income Generation			5 10 15	1 922 3 845	5 768
	Human Development			5 10 15	550 1 100	1 650
	Rendering Social Services			5 10 15	1 902 3 804	5 707
	Government Planning and Administration			10 20 30	1 925 3 849	5 775
	Physical Infrastructure			5 10 15	1 832 3 665	5 497
	LESS: Estimated Funds from own sources				-16 000 -16 000	-16 000
14-20	Assistance to Governments of Self-Governing States					
	Governments of Self-Governing National States:					
	Administrative and Technical Assistance (allocation of White officers to self-governing national states)			20 25 30	207 052 258 815	310 578
14-24	Supporting and Associated Services					
	Purchase of properties in independent former self-governing states: Grant-in-Aid to SADT			50 75 80	7 500 11 250	12 000
VOTE 16: DEFENCE						
	25	33	50	1068 527	1282 232	2137 054
VOTE 18: TRADE AND INDUSTRY						
18-9	Decentralisation of Industries			25 50 75	130 349 260 698	391 048

	Estimated % Budget allocation on apartheid			Expenditure in R'000s		
	L	M	H	Low Estimate	Medium Estimate	High Estimate
VOTE 19: JUSTICE	5	10	15	8 854	17 708	26 561
VOTE 20: PRISONS	20	30	50	71 760	107 639	179 399
VOTE 24: FINANCE						
24-16 South West Africa: Transfer to Central Revenue Fund	100	100	100	307 000	307 000	307 100
VOTE 27: ADMINISTRATION: HOUSE OF REPRESENTATIVES (‘Coloured’ own affairs)	10	30	50	26 177	78 531	130 885
VOTE 28: ADMINISTRATION: HOUSE OF DELEGATES (‘Indian’ own affairs)	10	30	50	10 803 2889 410	32 409 3915 428	54 014 5741 001

TABLE 2: Numbers of Cabinet Ministers, Members of Parliament Members of Legislative Assemblies, Members of the President’s Council in South Africa at August 1986

	Ministers	Members
Central Parliament		
‘General Affairs’	21	–
House of Assembly	4	178
House of Delegates	4	45
House of Representatives	4	85
President’s Council	–	60
Subtotal	33	368
“Homelands”		
KwaZulu	7	136
QwaQwa	8	80
Lebowa	10	100
Gazankulu	8	68
KaNgwane	6	45
KwaNdebele	6	72
Subtotal	45	501
“Independent Homelands”		
Transkei	14	15
Bophuthatswana	10	99
Venda	9	87
Ciskei	10	65
Subtotal	43	401
TOTAL	121	1 270

TABLE 3: Government Departments Existing in South Africa, August 1986

Departments	
President/Chief Minister/Prime Minister	11
Transport	5
Foreign Affairs	5
Law and Order/Police	5
Posts and Telegraphs	5
Works/Housing	12
Defence/National Security	5
Labour/Manpower	5
Justice	3
Mineral Affairs and Energy	1
Finance/Budget	14
Environment	1
Interior/Home Affairs	11
Health/Health and Welfare	18
Education/Education and Culture	14
Urban Affairs/Local Government and Home Affairs	13
Agriculture/Agriculture and Forestry	14
Economic Affairs/Trade and Industry	9
TOTAL	151

TABLE 4: Salaries and Administration Expenses of Central Parliament 1981-1987

	1981	1982	1983	1984	1985	1986	1987
Parliament							
Administration	3 262 000	3 417 000	6 220 000	6 646 000	9 173 000	19 736 000	21 311 000
Salaries Allowances							
Senators	966 000	-	-	-	-	-	-
Members House of Assembly	2 871 000	3 612 000	4 362 000	5 424 000	6 566 000	-	-
Members of Parliament	-	-	-	-	12 036 000	11 910 000	-
State President							
Administration	477 000	497 000	1 368 000	1 283 000	1 385 000	3 405 000	4 524 000
Prime Minister							
Administration	1 144 660	1 690 600	2 487 800	981 000	2 745 000	-	-
President's Council							
	-	3 400 000	3 627 300	3 686 200	4 709 000	5 271 000	4 780 000
	8 720 660	12 616 600	18 065 100	17 920 200	24 578 000	40 448 000	42 525 000
(1980 Rands)	7 570 017	9 550 795	12 173 247	10 814 846	12 969 920	18 170 709	

TABLE 5: Salaries paid to Presidents, Vice-Presidents, Chief Ministers, Ministers and Members of National Assemblies in South Africa

	Salaries	Year
Bophuthatswana	1 845 876	1984/5
Ciskei	650 000	1982/3
Gazankulu	613 204	1984/5
KaNgwane	687 958	1984/5
KwaNdebele	351 350	1983/4*
KwaZulu	1 245 803	1984/5
Lebowa	860 560	1984/5
QwaQwa	530 860	1984/5
Transkei	1 219 578	1982/3
Venda	653 850	1982/3*
	8 659 039	

Source: Auditor. General Reports on Accounts of Relevant Activities for stated financial year.

* Expenditure "on National Assembly".

TABLE 6: Cost of the Industrial Decentralization Programme, 1986/7

	Trade and Industry	R'000	Estimated % Attributable to Decentra- lization Programme	R'000
18-9	TRADE AND INDUSTRY Decentralization of Industries	521 397	100	521 397
	CONSTITUTIONAL DEVELOPMENT AND PLANNING			
4-1	Industrial Area Developmental and Control	47 311	50	23 655
4-1	Supporting and Associated Service	19 592	10	1 959
4-7	Physical Planning	2 581	20	516
4-7	Regional Development Coordination	338	50	169
4-15	Financial Assistance to Local Authorities (Loans)	44 437	15	6 666
4-15	Control and Establishment of Industries	92	80	74
4-15	Industrial Area Development	2 262	80	R 1 810
	FOREIGN AFFAIRS			
5-1	Foreign Aid and Development Cooperation	1011 337	20	202 267
5-9	Incentive Scheme for Industries	36 000	50	18 000
				R776 513

TABLE 7: Costs to SADCC⁷ Countries of Destabilization 1980-1985

	(US Dollars - Millions)
Direct War Damage	1 610
Extra Defence Expenditure	3 060
Higher Transport and Energy Costs	970
Lost Exports and Tourism	230
Smuggling	190
Refugees	660
Reduced Production	800
Lost Economic Growth	2 000
Boycotts and Embargoes	260
Trading Arrangements	340
TOTAL	\$10 120 m.

Source: Memorandum from SADCC to OAU, Addis Ababa, July 1985.

1. The nine Southern African Development Coordinating Countries: Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia and Zimbabwe.

by David Welsh

THE O'BRIEN AFFAIR

(A speech to the Cape Town Press Club)

A cynical colleague of mine remarked in the Senate last year that university disputes generate so much heat because the issues are so trivial. That is no doubt true of many of our disputes, but it is not true of the Conor Cruise O'Brien issue. This has rocked U.C.T. to its foundations; and its reverberations will be felt for a long time yet. It may also have implications for the kind of universities and the kind of society that post-apartheid South Africa will have.

It is not my intention to say much about the findings of the du Plessis Commission Report: which I believe to have been a forensic fiasco. Nor will I say anything about the way in which the University Council has handled the release of the Report: which I believe to have been crass.

Far more important is the future, and how, if at all, U.C.T. and other South African universities can prevent this kind

of episode. Universities are fragile institutions, ultimately held together by a web of mutually respected rights and obligations. In important respects universities are inescapably dependent on the communities they serve and the state from which they derive some 80% of their revenue : yet if they are to function as proper universities they must maintain a considerable degree of independence from both of these constraining forces – this is what is properly understood by university autonomy, a concept that is distinct from academic freedom.

Autonomous or not, universities are incapable of standing aloof from the political currents that course through society. Universities in divided societies will almost inevitably find themselves drawn into the vortex of conflict, usually with serious dangers for their integrity and their capacity to function efficiently. In these circumstances the university is not just the barometer of political tension : given the propensity of students to radicalism (whether of the left or right), the campus of the multi-racial university may be a prism through which the conflicts of the wider society are even magnified.

U.C.T. finds itself now in such a vortex of conflict : it has committed itself to non-racial goals which it seeks honestly to implement : in 1986 16,5% of our student body was black; in 1987 over 40% of our applications for admission were from blacks; by 2000 it is highly likely that blacks will constitute at least 30% of the student body, assuming only a 1% p.a. increase.

Even now the size of the black student population at U.C.T. has reached 'critical mass', that is to say the point at which their numbers give them significant clout on the campus. This is not to imply that U.C.T.'s black students are politically or ideologically homogenous; nor does it suggest that the 200 – odd who were involved in the O'Brien affair were only blacks.

For many black students, the struggle to attain U.C.T.'s entrance requirements has been an arduous one, given the appalling inequalities that are inherent in our divided educational system. There are problems of under-preparedness, of financial hardship, and of accommodation. To concentrate on one's academic studies if one comes from a township that is a violent place in constant turmoil is well-nigh impossible. And if you are a black student at U.C.T. you are quite likely to run the risk of being taunted for attending a privileged, elitist, white-controlled institution.

In these circumstances concern with questions like academic freedom must seem overwhelmingly like a liberal self-indulgence which is remote from the cauldron of the township, a luxury that is irrelevant to the life - and - death issues of the struggle.

It is in this context that sharply differing conceptions of the university's basic value system and its goals arise. An institution like U.C.T. is rooted firmly in essentially Western conceptions of academic freedom, university autonomy and university neutrality.

This cluster of values makes it impossible to condone the forcible disruption of lectures - **lehrfreiheit** and **lernfreiheit** are crucial parts of the classical idea of academic freedom, which, let it be noted, is concerned also with the rights of students to hear a teacher whose course they have chosen to attend.

(Here I may remark that the 100 students in Dr O'Brien's

class are forgotten people : that **their** academic freedom was violated does not even rate a mention by the du Plessis Commission).

If one believes in university autonomy then one must reject the call for 'community control' of the university; but this does not mean that all communities served by the university should not be represented in its governing council, or that the university should not strive broadly to reflect in its staff and student body the population profile. I accept both of these goals unreservedly.

If one accepts the idea of university neutrality then one must reject the call for the university 'to align itself with the democratic forces in the liberation struggle'.

Each component of this complex is highly debatable : university neutrality, for example, is a much-battered notion breached in all kinds of direct and indirect ways, not least by being an elemental link in a chain of privilege and power. Yet, if you reject neutrality you, by definition, must espouse some or other form of partisanship or political/religious orthodoxy. The philosophical difficulties and the practical consequences of this alternative position make, in comparison, the problems of university neutrality pale into insignificance.

It is not clear from the Commission's report whether they believe that the O'Brien episode was a violation of academic freedom. Partly their confusion stems from their prior confusion of academic freedom with university autonomy; and partly because they are in some doubt as to whether O'Brien is properly classified as a scholar, a journalist or a political activist – eventually they settle for all three, but only after straining at the leash to try and demonstrate that his 'political activism' predominated.

The 'potted' biography of O'Brien offered by the Commission, incredibly enough, makes no mention of the fact that he was Vice-Chancellor of the University of Ghana from 1963-5, that he is the author of several books of scholarly distinction, or that he is presently Pro-chancellor of Trinity College, Dublin. Instead, we get a history of only his political and quasi-political roles.

He was invited in his scholarly capacity. The students in his class in my department, those I referred to as the 'forgotten hundred', said in a memorandum of apology to him : 'We all found the course smooth, interesting, informative and enjoyable'. This memorandum was available to the Commission but was not referred to in the Report. Perhaps it would have complicated the profile of O'Brien they were anxious to portray.

To my way of thinking academic freedom is a particular subset of wider human freedoms: If you like, it is civil liberty in the academic context. As such it most certainly embraces freedom of speech, subject, of course, to the rules of scholarly debate and the general criteria of academic civility. Dr O'Brien was prevented from speaking in his scholarly capacity – and his class testify to his ability in this respect – so there should be no room for equivocation : **his** academic freedom **was** violated, and so was that of his class.

I do not share the view of the Senate and Council that 'academic freedom does not exist at the University of Cape Town or at any other South African University', a resolution that was adopted in July, 1986. Of course, it is grievously restricted and, of course, at least one campus has been subjected to virtual occupation by the Security forces. It

remains true, however, that at least some scholars in some institutions can, and do, write and say things that are critical of the status quo. I do not want to be misunderstood: I am not minimising the severity of the restrictions, which have in them a truly totalitarian potential. Academic freedom is always a matter of degree, and not an all-or-nothing matter. By claiming that it does not exist, or by saying, as the Commission does, that 'freedom of speech does not exist on the campus' one is engaging in a kind of hyperbole that might have the dangerous effect of a self-fulfilling prophecy. Freedoms are not enlarged by bewailing their absence, but only by fighting grimly to build upon what few remain.

If one accepts my argument that academic freedom is a particular form of general human freedom then the view that it is irrelevant to the people in the townships has to be modified. I would hope that the struggle against apartheid is also a struggle for rights; and I would also want to argue that one of the critical failures of black education has been its authoritarianism, which includes violations of academic freedom.

I have little faith in the respect for general rights of those who denigrate subsidiary rights like academic freedom. I have even less respect for the weird argument that the university should abridge its own internal freedom because freedom outside is so grossly curtailed. This involves a logic that is beyond my comprehension. The defence and enhancement of freedom within one's own bailiwick is surely a vital part of the process of enlarging freedom in the wider society.

Contrary to the Commission, I believe that one dimension of the university is a Hyde Park Corner writ large, in which freedom of speech is the basic institutional value and to which controversial, provocative, volatile speakers, and even Irish political activists are welcome. People more prudent than myself will undoubtedly reject this approach as utopian, and urge the case for controls 'in the circumstances which presently exist in South Africa', to quote the Commission's words. I would mildly want to point out that this is a pale reflection of the argument invoked by the South African government to justify everything from censorship to the state of emergency. I will accept the criticism of being utopian, but I would insist that every measure of control, every time it is applied, represents the derogation of an ideal to which every decent university should aspire. If the University has to apply controls, it should do so in the full knowledge that this is an acquiescence in the face of forces which it is impotent to control. These, no less than government invasions of university autonomy, should be recorded on plaques in the vestibule of the library.

You will have gathered from what I have said today and previously that I have little respect for the Du Plessis Commission Report. Indeed I have dealt with only a few of the objectionable features in its findings.

It went a long way towards legitimating the kind of happenings that we do not wish to see repeated. The pity is that

its ill-considered findings may vitiate and taint its recommendations, many of which should be accepted by all who have the good of U.C.T. at heart. I agree that there must be reconciliation, and I agree that the inculcation of a university ethic in our students is vitally necessary.

In all of this I hope you will have empathy with our Vice-Chancellor, who occupies one of the most difficult posts in the land. He is the target of brickbats thrown simultaneously from all directions. His is the invidious situation of Voltaire, who lamented to a friend in 1733 "If I displease those madmen, the Jansenists, I'll have on my side those buggers the reverend fathers."

If he takes strong-arm action against students this will almost certainly provoke ferocious counter-action, which may in turn cause the police to come on to the campus to restore academic freedom with their customary delicate touch. If he takes no action he cedes in effect a veto power to a radical minority, which in turn would almost certainly cause the government to intervene - you can imagine some elephantine Bill 'To restore and protect freedom of speech on certain university campuses ...'

In short, we are in a no-win situation. I would have liked to conclude by offering some attempt at a solution to the problem, but no workable one comes to mind, at least as a short-term prospect. In my own evidence to the Commission I recommend that each and every registering student be apprised of strict university rules that would make it a serious offence to disrupt lectures or meetings. No one should be left in any doubt about the dire consequences of such actions. The rules must be clear, with the penalties apparent.

I am advocating firm action; and I am assuming, of course, due process of law within the university's disciplinary machinery.

A very rough analogy may be found in the steps taken by the University years ago to eliminate the barbaric practice of initiation. All the major constituencies in the university agreed that it had to go, and tough rules were promulgated and widely publicised. No student could have the excuse of ignorance of the law. The strategy succeeded.

It is a far cry from initiation to the politically-charged issue that vexes us now. But the strategy must be the same. Indeed, consultation among the University's constituencies, including student associations, and perhaps even consultations with a number of outside community organisations could be construed as part of the process of inculcating a university ethic.

I have said some harsh things in this speech; but I make no apology. I do, however, want to emphasise that it is crucial for U.C.T. to try to create some consensus on these issues - and it cannot be a consensus that rests upon a covert form of censorship.

Our students should recognise that a university which cannot sustain even the circumscribed area of freedom of speech that South Africans are permitted is an even more impoverished university than it need be. □

LAND TENURE/RURAL DEVELOPMENT WORKSHOP - PRESS REPORT

Ciskei, Venda and KwaNdebele have recently considered changing their respective land tenure systems. In addition, there has been talk of modifying or repealing the Group Areas Act; and of reviewing the land rights both of rural and urban blacks.

Against this background, a Workshop on Land Tenure and Rural Development was held at Rhodes University, Grahamstown, in November 1986. The Workshop was organised jointly by the University's Institute of Social and Economic Research and the National Programme for Human Needs, Resources and the Environment of the National Institute of Personnel Research. Sixty delegates of widely differing backgrounds, including academics, government officials and members of private organisations, attended.

In a keynote address, Professor Rodney Davenport (Rhodes University) presented an historical overview of the development of land policy in South Africa. He pointed out that agriculture and land-use patterns have developed as a result of particular political considerations, rather than agricultural and commercial considerations.

Most delegates felt that land tenure reform alone could not promote or retard economic development. Land tenure was only one of a number of interrelated factors, such as the effectiveness of local government, influx control, migrant labour, agricultural services and subsidies, and wider political factors.

There was little consensus as to which specific land tenure systems should be implemented in black-occupied areas of South Africa. In urban areas, and in rural areas where cash-cropping is possible, freehold tenure offers certain advantages; security of tenure, proof of ownership and collateral. While freehold tenure allows consolidation of land into viable agricultural units, it could simultaneously lead to landlessness, unemployment and impoverishment as the poor sold off their land to the rich. In the Ciskei, freehold tenure has been practiced for over 100 years in some areas, with very little land consolidation having taken place. In those areas, yields have been no higher than in non-freehold areas.

Most delegates felt that one of the requirements for economic development, both in rural and urban areas, was security of tenure, and that several factors militated against this. One of these was the inefficiency and perceived lack of legitimacy of local authorities, especially in urban and peri-urban areas. These authorities have little say on how

land is used, and accordingly are unable to offer security of tenure. Betterment schemes, for example have deprived local authorities in many rural areas of control over land use. While having limited powers and financial resources, these bodies are kept in office by government, and have only limited accountability to their constituencies.

A hotly debated issue was the question of influx control and security of tenure. Some delegates argued that influx control would continue to operate in hidden form: forced removals, labour recruitment policies. Others argued that this was not the case. Influx control, together with the continued forced removal of people from informal peri-urban settlements, militated heavily against the security of tenure of black people. It was argued that informal settlements were an acceptable form of housing, given the national housing shortage, and that such settlements could be upgraded through the provision of services, security of tenure and effective leadership.

Development initiatives often deprived people of control over their land. Rural black people in a number of communities established informal self-help and co-operative arrangements. It was felt that such initiatives should be supported and allowed to develop, by allowing people an effective say in the planning and control of co-operatives, and of other development projects which affected their lives.

For historical and political reasons, black rural areas could be seen not as agriculturally-based, but as disadvantaged consumer communities, dependent upon the cash earnings of migrant workers. In many such areas, agriculture played only a minor role, and had a low place in people's priorities.

For these reasons, it was felt that development initiatives should focus on increasing the general economic viability, and standards of living, of rural communities. The emphasis should be on developing the kind of community that would have the resources, skills and energy to make a significant investment in agriculture.

All people in South Africa should be able to own, and to gain access to, land and to develop it economically. This would involve farmers or businessmen of all races having access to the same credit facilities and support services. Such equality of access – without which meaningful economic development could not take place – would involve changes in the nature of land tenure systems and the repeal of the 1913 and 1936 Land Acts, the Group Areas Act and other discriminatory legislation. □