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SOWETO AND OTHER PLACES IN SOUTH AFRICA.

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THE COMMISSION RESUMES ON THE 29th NOVEMBER, 1976.

DR. YUTAR: May it please Your Lordship, gentlemen assessors. It again falls to my unhappy lot M'Lord to keep your Commission busy again a whole day and a full day I am afraid. My first witness is Prof. A. Paul Hare and I hand in four copies of his memorandum.

ALEXANDER PAUL HARE, d.s.s.:

DR. YUTAR: Professor, is that a sign we are going to talk a lot this morning is it? --- No, I'll try to..on the first round atleast limit myself to the prepared memorandum.

Alright. Now Professor, you have prepared this memorandum dealing with the protests, the riots and the police responses which took place in Cape Town, from August to October, 1976. And you have prepared it for the benefit of this Commission. You hold the position of Professor, of Sociology, University of Cape Town. I hope you have marked all your papers already for your students? --- Yes, sir! (10)

Alright. Well, we will start off with the purpose of the memorandum. I don't know whether you want to read it or whether you would just like to summarise it..? --- Well, I..it would probably be better if I read it, just to keep me within the text. As you will see, it is rather easy for me to carry on at some length if I don't follow the text. (20)

Right. --- The purpose of this memorandum is to provide the Commission with some social-psychological perspectives for the analysis of the inter-action between groups of people, involved in protests or riots and the police. Some of the analysis is based on direct, personal observation of events and some on interviews with persons directly involved but most of the facts used in support of the analysis are drawn from evidence already presented to the Commission. (30)

CHAIRMAN: Do you concentrate on the relationship of others with the police? --- Our first concern mainly with groups, groups of protesters, groups of rioters and groups of police. In this analysis I am not so much concerned, although I'll mention the background variables or the behaviour of individual rioters or protesters and individual policemen.

Yes, but I mean is the one part of your investigation the police and the relationship between that camp and other groups, not of the relationship of the other groups among themselves? --- No, that's true. It is as the focus is on the behaviour that one sees as you come upon a protest or a riot in progress. Sometimes we will see there are different groups present on the side of the different kinds of people involved in the protest or the rioting or looting as you have already seen, but I am mainly concerned with the interplay between the forces of order, represented by the police or sometimes by other..by school principals, whoever it is that is trying to bring control to the situation and the groups of people who are for the moment out of control.

Yes.

DR. YUTAR: And you have only taken into account the evidence deliberately for this Commission as at the 24th November, 1976? --- Well, let's see. Well, I have been..it is based on that. I have been listening since then, I have been attending the meetings each day.

Yes. Of course you couldn't have heard the evidence we are still going to lead..(intervenes). --- No, no... (intervenes).

..I was hoping today, but..(speaking simultaneously). We are going to lead certain police evidence tomorrow. --- Right. No, this is..all of this is essentially a period in

the..a way that one can look at these events, the events that have happened and the events that we are to hear about in the future.

Right. Would you continue please? --- 1. The focus of the memorandum is on groups in interaction. Neither individual actions of protesters or of police, nor the social, economic and political background factors are considered although these are all important for a complete understanding of the events. A meeting of parents and students at Alexander Sinton High School is described...this is from my personal experience...(10 as an instance of police and community co-operation in the prevention of violence.

Right. Now the next paragraph is rather important.

These are some notes about my personal background, which I thought would be relevant to the issue and it certainly guided my understanding of events. 2. In the United States I grew up with police work since for a few years my father was a member of the Secret Service, including duty at the White House and for a number of years was a Deputy Marshal in Washington, D.C. My experience with small arms and military (20 operations comes from over three years with the United States Army in World War II where part of the time I served as a Lieutenant leading a rifle platoon in Europe. Insights concerning the responsibilities of government officials come from my year as a Foreign Service Officer with the United States Peace Corps in the Philippines in 1961-1962. Finally, my understanding of protests, riots and police reactions comes primarily from a three year research project that I directed during 1969/1972. With a team of up to a dozen persons I observed many of the large and small anti-war protests in the (30 United/..

United States during that period with a grant of over 500,000 rands from the U.S. Government(National Institute of Mental Health). I have also observed and studied riots and protests in Puerto Rico, the Netherlands Antilles and India and have written or edited four books on various aspects of social interaction or protest.

Yes. Professor, we can therefore regard you as an expert on these matters of riots? --- That is..it is better for someone else to say that but since you said it yes, I think the answer is..

(10)

Now, would you go along with evidence that I propose to lead in Pretoria, D.V. in February, of an independent investigator who did an in-depth study of the position at Soweto before the riots broke out and he is going to tell the Commission that the riots in South Africa and the causes thereof are not unique to South Africa. Would you go along with that? --- As I say, this is not my primary purpose here, but yes, I think we will see that if we compare these with the ghetto riots in the United States, with student protests, my own experience at Kent State University for example, after the students were killed there, is very similar to some of the things I was saying at Spes Bona Alexander Sinton High School.

(20)

For example the riots in Detroit, 1964 to 1967 and I notice you..over the period 1969/72 those riots followed a similar pattern as the riots here, stone-throwing, looting and attacks on the police and retaliation by the police. --- Yes, there are many lessons to be learnt from that experience.

Yes, burning, looting and everything? --- Yes.

And the American authorities set up a Commission of eleven Commissioners? --- Yes.

(30)

And/..

And I don't know whether you have read that report? --- Yes, I have read the Commission report. That is helpful but it points out/^{here} only a small proportion of the protests were involved burning and looting and that is of interest. You have a much greater range of activity than most Commissions have been faced with in their analysis.

And relevant to that I would like to read to you this quotation, I don't know whether you have come across it before, the quotation reads as follows:

" What is happening to our young people, (10
they disrespect their elders, they disobey
their parents, they ignore the law and
they riot in the streets, enflamed with
wild notions. Their morals are decaying
what is to become of them."

Do you know who said that? --- No, I don't recognise it.

Do you think it is one of our modern politicians?
It could be? --- It could..definitely could be, yes.

Do you know who it is? --- No.

Plato.. --- Plato, yes. (20

So even if they are a Plato, the authorities had their troubles with students rioting in the streets for the same reason they do today. --- Yes. I think there is also.. one has some reason to fear they maybe forced to take the hemlock for..(LAUGHTER).

I'm leading the youth astray. Would you continue now? --- 3. Theoretical perspectives. The events that the Commission is seeking to record and interpret could be viewed from a number of theoretical perspectives for a comprehensive understanding of their various social-psychological (30
dimensions. For example, concepts derived from the theatre

could/..

could be used to describe the unfolding sequence of events through scenes and acts with major and minor players, a staging area, an audience, and often one or more directors. The police have already noted the difficulty that arises in crowd control when the actors who are protesting disappear into the audience. A second perspective comes from economics. Social behaviour is viewed as a series of exchanges in which the actors try to maximise their profit. One could note that the Black scholars expect..what the Black scholars expect to gain or what the cost will be to the Government to meet some (10 of their requests. A third perspective focuses on conflict; the way it is presented and the way it is solved. For example police are more likely to react negatively when Blacks symbolize the conflict through the use of derogatory language and the Black Power salute than when they joke about the "Rocky Rioters Tear Gas Show".

A fourth perspective involves an analysis of protest as a form of political behaviour. In judging the extent to which the mass behaviour is "organised and professional" or "spontaneous and amateur" it is important to be clear about (20 the extent to which any political organisations play a role in initiating and maintaining the protest. If the protest is successful it may change the balance of political power.

Each of these perspectives is represented in the social science literature by a body of theory and research that could shed some light on the series of events in Cape Town over the past month. However, for the present analysis, I propose to use a more limited perspective, derived from a consideration of two aspects of protests and riots. First, whether the focus of the protest was specific or diffuse and (30 second/..

second, whether the protest was enacted with little or no violence or with violence to persons and property.

I would like to insert a note here that is not in the text. If one is trying to understand all of the factors involved as the Commission indeed is forced to do, I recommend books like that of Neil Smelser, 1962, called "A Theory of Collective Behaviour". Smelser lists six determinants of collective behaviour and he is looking at forms, crazes, hostile outbursts, which is part of what we have been looking at, norm orientated movements, revolutionary movements, (10) looking at a variety of movements and I might suggest here part of the problem for the Commission is to sort out which events are primarily a hostile outburst, which events have to do with a movement, a social movement designated to change the norms, as for example the Teachers' Association one that says accept the system but wants to alter the rules. Or the extent to which you are looking at a revolution and the evidence that is led that has to do with the Communist Party and other things, bring that factor in, so there are at least three kinds of activity going on and one has to understand (20) the waiting. Now Smelser's suggestion is that one has to look at first what he calls structural conduciveness. This has to do with the way the community is organised, where is the responsibility for the particular problem, the schools, the community, whatever it might be, what are the channels, ordinary channels for grievances, what kind of communication is there between the people who are protesting. Then this structural arrangements are seen against the background of structural strain. What is the society like, what is the state of the economy and so on. This provides a strain. Then there is (30) usually/..

usually a..this is followed by a growth..what Smelser calls the growth of a generalised belief, a belief that say in the case of the hostile outburst that someone in authority holds the key to the solution and if you could only approach them or attract their attention then everything will be alright. So that is different then if people decided that the problem was in income distribution or something else or something that they were doing, one of the characteristics of the hostile outburst is that someone else is seen and usually higher up, as the source of the problem and their appeal to. (10) Then there is..(intervenes).

CHAIRMAN: Would this relate to the request in numerous cases perhaps not so many here as elsewhere that what the protesters want to see is they want to see the Minister? --- Yes, yes sir. They..if they saw it within their own control, then they might behave differently they might organise themselves or they might perform some activity but they want to see the Minister, they want to see someone who is in higher authority quite often. So that is something to note.

While I have asked one question may I ask another (20) one: Is there also a further problem..I almost wanted to say "cause " but a reason, for having a revolt, and that is to..not a revolt, an unrest or a riot and that is to have back those that have been taken away from you at your last riot. In other words, you come and you say: Apart from all other things I am not concerned today about the things that I have done before, what I want now is I want released those that you have arrested. --- Yes My Lord, this is one of the..as we get into this interaction, the movement back and forth between the authorities and the protesters, once it begins then much of (30) what/..

what we see is some kind of reaction to what has already taken place.

But that would appear to be a definite..a definite group you have given..you have given us some groups of actions which..(intervenes). --- Yes, I mention that in my categories here in the paper, I suggest this as a specific demand, say when the children in Langa, after one of their members - some of their members had been arrested, they came to the police station asking for the release of these students and I would classify that as an intent as a specific intent, (10 they had a specific goal in mind rather than say a more diffuse goal to change the system and I think it makes a difference if there is a specific goal, I think this is something to pay attention to in the analysis.

Yes. You see, there could be a specific goal too in saying as was said in many of the very first riots in the country in this regard: We don't want, or we want abolished a particular language as a medium. Now that seems to me to be a different approach to the one: Release whoever you have detained. --- Yes, My Lord. These..as I develop on these (20 cases are going to be ideal types, they represent the ends of a continual. Now we are going to find shades..differences inbetween. One of the differences in these requests are if the students are going to the police to ask for the release of prisoners, it maybe within the power of the police to release them. It turns out the police response is that: No, that is not their function, that is a matter for the courts. The question of language, the question of whether the complaint once it is taken to say school authorities, whether they have the authority to actually..to change things or whether (30 it/..

it is someone higher up. So one needs to look at the specific request in relation to who is being asked to do it. In some of the cases where no violence occurred or where it was dealt with and the..I think of Spes Bona, there is much more to than case than you have heard here, where students had a very specific request, say a request to have examination, a particular examination postponed. Now although the principal didn't have..didn't have the authority to change that, the supervisor did and when the supervisor was called in a change an adjustment was made, and it avoided a confrontation, allowed the school to carry on. Because the specific request was within the authority of those present to deal with. Once it is outside their authority then we are getting to another problem and eventually some people as we see want to see the Minister because they feel the Minister is the only one that could make a change. (10

Do you also make room for the protest or riot that comes from sympathy? --- Yes, My Lord..(intervenens).

I want to distinguish..(both speak simultaneously)..you want to distinguish particularly from solidarity. --- I (20 would initially classify these as diffuse protests and.. because it is a very general goal. It is diffuse because you can show sympathy in a number of..in any number of ways and the..I think the group that is trying to do that, would probably be satisfied if their sympathy was recognised in some way.

Now you see, you have instances, particularly in the north of the Transvaal where the object was to cry for our brothers in Soweto. You then get a different one. It is said "solidarity with Soweto" which is not only a difference (30 in/..

in approach. --- I would..I think for me this last statement of yours is the hypothesis that you are trying to test, that is you..we first begin with an idea that perhaps there really are differences between sympathy with Soweto and showing solidarity.

That's right. --- Then we need to find the evidence to show that the course of events is really different in those two cases. If it is, then I would treat them as categories.

I can tell you that from my training I don't (10
find anything until I know what the facts are. --- Well I say this is the problem that we share in trying to ascertain what is true and if the pattern is very similar then we put them together in one category, if it is quite different, then there would be a reason to treat them differently.

So the point I have made is this: The last remark wasn't really intended as serious but the point is this that there seems to be at this stage a complete difference between the sympathy and the solidarity approach. --- Well, I think you..that you are of course well ahead of me in hearing (20
evidence and looking at this problem. I haven't had..I am not acquainted with what is going on in any detail in other parts of the country and can only base my supposition from what has happened here. Some of the conditions here may well be different and..in other parts of the country.

DR. YUTAR: Will you spell the name..? --- S-m-e-l-s-e-r.
The first name is Neil J. The book is "The Theory of Collective Behaviour" This is what it looks like in paperback.

Do you want to put it in as an exhibit? --- As all my notes are..in there I think I need it. (30

MR./..

MR. MALHERBE: Professor it is a bit off what the Chairman has been asking you, but why..is it so that it is a characteristic or it often happens that a mob of people would go and ask for the release of people that were their friends or co-actors who were arrested say the day before. Why would they do that? Is that a common..(a) Is it a common thing, and (b) what is the purpose? What is the motive? Is it because they think that what they did wasn't wrong and they shouldn't be arrested or do they think that they have now taken over the law and that they are now above the law? --- The answer..I would feel better about the answer (10 if I had had a chance to ask some of the people that were doing this. I am..at the moment I am limited by only observing behaviour. Now to the question does it happen often, I would say yes, it does. I have seen it around the world and I would suggest it probably happens more often with the diffuse protest where there isn't any very general goal, so that once the..an action is made by the authorities arresting someone then this..the goal shifts. This provides a goal, it is something to do, whereas if you had a more specific goal of say changing teachers' salaries or something, this was the (20 point of the protest then having these particular people come out of jail wouldn't really be relevant to that unless they were leaders. But I think you will see this..this is one of the things that happens. Once the authorities arrive then certain things occur.

CHAIRMAN: Would the release...I'm sorry, we are pushing you out, not giving you a chance at the moment..(intervenes).

MR. MALHERBE: I will have my say presently! (LAUGHTER).

CHAIRMAN: The release situation also has two particular facets, one of them being those people who were detained for (30 preventive/..

preventive reasons and the others who prevented for prosecution reasons. I'll take an example, take two examples right at the different ends of this particular spectrum. The one is the man who is caught looting, and on the other side, the man who is seen agitating people. Now the request for release in the one case - I think that all requests for release that the Commission has come across for all releases generally, there have been cases in the Free State and in Kimberley where on a request for release, on a protest march, police have produced the particular person whose release they had asked for and said: This is the man you want released, here he is, you can see he is in order, and we are investigating because we believe that he has done something wrong for which he may be prosecuted. Now I don't know that it is always clear to those who protest or who organise a protest meeting for release, that they keep these particular things separately, that is..because I can see that for as far as the agitator or the man who heads the procession is concerned, they would like him released because they say what he has done is merely what we have done. He just has taken a more interesting role. They hardly ever distinguish that from the person who has done something wrong during the protest. But I suppose that will come out in the..?

-- Well, My Lord I think one part of this in..you are describing what I think is a good way for the police to respond, if we shift over onto what the police might do, that is when they show that a prisoner is indeed safe or is being cared for and is there with justification.

It could be done with ease in the particular instance that I have referred to, if it could be done in other circumstances/..

circumstances, I don't know. --- I have had that..explains myself in Curacao, when I came in after a riot, was called in in 1969 where at one point the leader of the Black Power group on Curacao approached me, one of his men had been picked up for drunkenness and he said they would start a police riot that night, it was at 8 o'clock he gave me two hours, he said: You have been talking about non-violence, alright, now you have got two hours. We are going to start a police riot if you don't release our man because we think he is being held improperly. So the way out (10 of that one was to have a..to find some of the citizens of the town, visit the police chief and contra to regulations because the police aren't required to show a prisoner, we allowed him to see that the prisoner was in fact drunk in this case, was alright and then he in return he went back and called off his police riot. Well, I think in a number of cases it is just the assurance that things are in order, that the prisoner is not being injured in any way, is safe, is enough to satisfy the group for the moment.

Yes, of course that ties up with the..the unfortunate (20 rumour that always spreads, whether it is true or not, there is always the rumour that the person who has been..whether he was detained or arrested is being badly treated. --- Yes, and that is the..I don't deal with rumours here, but it is.. and you have heard testimony to this effect.

Yes. --- Because as you know, people act as if it is true, it is very important, whether it is India or South Africa or wherever. Particularly the rumour about police brutality. Anything that you can do to make it clear that this is not the case that someone is in fact safe, saves a lot (30 of/..

of violence, a lot of retaliation. Well, should I..?

DR YUTAR: Professor, following this interchange between the Commission and yourself, I would like just to put to you this one question: Is it not a fact that the request for the release of all those who have been detained, is quite untenable even in a democratic society, specially where those who have been detained have committed say the crime like murder? --- Well clearly it is beyond..it is a different order of business since the whole system of detentions, arrest is in a body of law, so for any particular group of citizens to sort of ask for instantaneous change, is something that they can't..you can't expect to respond to in that way. That doesn't mean that changes shouldn't be made. (10

Yes. --- But that it takes a different kind of process. The street demonstration can't expect to bring that.. (intervenes).

If the request is one that cannot even in a democratic society be acceded to, where the person detained has committed even a common law crime such as murder. I have in mind now the death, the murder of Dr. Edelstein in Soweto. --- Yes. No, I certainly would agree, it is clearly..(intervenes)..any law would.. (intervenes) (20

Now arising out of what you have said, I want to put to you these questions: Do you share the opinion that a riot is a social event which provides different opportunities to different participants? --- Yes, this is from the article by Leigh Ray Moore and .. (intervenes)

That's right. --- Yes, certainly and I think that is only part of what you are seeing here. Once the riot begins there are some people that are opportunists that take advantage/.. (30

advantage of this for a variety of reasons.

Yes, and now the rioters who contribute to this social event, do you recognise them as looters, agitators, (intervenes). --- These are some of the classes of persons that are involved. Looters, agitators, provokers, some ordinary citizens, people that are part of the audience, that are simply swept up in events.

And of course the respective roles that these various classes play are different and their motives are different?

--- Yes.

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Now if this be so, do you think the press play a part in creating a climate in which these people are encouraged in a way? --- Certainly, I'll mention specific..or I have evidence for specific cases here but atleast in two ways.

One is the issue of communication that Smelser notes. If people are in communication with each other, it is..they can organise in a way that they can't if there is no communication and the press provides the media for communication, the press and television provide the way of education, so that it is by this time anyone can learn how to make a Molotov cocktail, how to turn over an automobile, how to stone, the technology is relatively simple, but once you have seen it either in the press or in actuality, you know how to do it. The other part of the press you have seen in the evidence whether you are a police photographer or in the case that I know of just an ordinary photographer, you can become the focus of the crowd concerned on two counts: One: Any photographer maybe taking pictures that will be later used against you because as you know this is one of the techniques around the world of riot control, and it is recommended that one takes pictures, so

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much/..

much is happening and then you identify the leaders later. The other is that particularly I think in the diffuse protest the photographer can become a lightning-rod, he can become the focus. In fact this is what happened to a man that I know, where the crowd in Soweto turned on him. He took a picture, I mention this here, which appeared in the front page of the Cape Times and it shows children, 8, 9 year olds throwing rocks but I think what happened to him unfortunately is the same thing because I have seen him take pictures later as an ordinary photographer. If I was taking your picture we would warm you up to this by saying: Smile! Or try to get you in the mood and so he was taking his pictures and they were getting in the mood and once you have got warmed up to the act, the next step is to do it and he found himself being chased out of Soweto..I beg your pardon it is not Soweto sorry, Langa, having people shout after him, little people: I am going to kill you White man, and I mean these were 8 year olds, where they had rocks and he had nothing to do but run. So I think the.. in several ways the press are involved in these events. (10) (20)

That is the evidence we have led. Jointly in the Transvaal, the Free State and in fact my next witness who will be referring to the same topic again. We continue then, paragraph 8. --- Now I was in the midst of Smelser who goes on in some detail but just to complete that list I would suggest that there were..following Smelser's six kinds of..well, he calls them factors or determinants of these riots the first was the way the protesters are organised and led, the second the condition of society at that point, whether there is employment or under-employment or whatever. The third is/.. (30)

is this growth of a generalised belief that somebody or some group may have the key to the problem. Then the fourth are precipitating factors and these, many of these have been offered. Was it for some group the Ferrone Commission was it for another group the fact that there was a protest in Soweto, was it in a particular instance the fact that one of their members had already been arrested, so for each of them one needs to see why, because the general conditions, the lack of employment, the differences between the races have been true..they were true three months ago, they are true (10 today. Those don't change in the short run, so it picks up and these precipitating events to bring out the particular action and depending on the event it could make a difference. Then once you have this factor, you then look at the mobilisation of the people who were going to protest. Sometimes if there is long planning, it is not visible to the Commission, sometimes it is. It depends on how soon you arrived on the scene. Then there is the action itself and then finally the agents of social control, the police and others come in. Now most of what I wanted to talk to, is in the action itself, not (20 the..what went before, not what led to this particular action but what is the course of events as we look at a particular action. Now the paragraph 8. A paradigm for the analysis of protests. A question continually faced by the Commission is whether or not the police reacted appropriately in their response to a protest or riot or whether they over-reacted by causing more injuries and deaths than would be expected if they had followed the rule of minimum force. To justify the use of force, the police stress the incidents of looting and arson by drunken "tsotsies" or "skollies". To support the (30 claim/..

claim of over-reaction members of the community stress incidents in which police appear to have burst into school premises without provocation.

DR. YUTAR: Professor, have you an American equivalent for "tsotsies" or "skollies"? --- No, that is..I am gradually learning from South African language.

Yes, but that..(intervenes). --- No we call them gang..(Chairman intervenes).

CHAIRMAN: I think the question was directed at whether you have got that type of person. (10

DR. YUTAR: That element.

CHAIRMAN: That element. --- Yes, I think even in..you know.. (intervenes).

CHAIRMAN: Well, let us call them "muggers", if you..(LAUGHTER).

--- No, unfortunately we are not immune to this and very sadly so particularly in our Black ghetto's aided and abetted by alcohol, drugs and whatnot and some of the saddest cases I know of are like your case of Mr. Edelstein, people of goodwill who are trying to work in one of these areas and they are set upon by someone who needs money for drugs and.. (20

(intervenes).

DR. YUTAR: Yes, and you know Professor, I don't know how long you have been in this country but that is not an isolated incident, the case of Dr. Edelstein, in the riots that took place in Port Elizabeth some years ago, there was a man who did a tremendous amount for the Blacks and even ran a theatre mainly for their benefit and he was cruelly beaten to death and then we had in East London a nun who had served a lifetime in the cause of the Blacks and she was outraged and her body was mutilated, so this is not an isolated incident. --- I (30

think/..

think your answer comes in the testimony of Mr. Franklin Soan and as he warns his teachers - that if you are White in this context, one can become a symbol and whereas we are not accustomed to being symbols. I think the Blacks are more accustomed to this.

Right. Paragraph 9. --- Now, 9. For the purpose of analysis it is helpful to consider..and I'll add the words "the intention of the members" in four different types of protests and riots since it can be shown that the problems faced by the police in each type of case are different and (10 their response is likely to be different. Now, since writing this and having questions put to me about it, I am now stressing that this four-fold type is to..for the analysis of the initial intention, where a protest or riot begins because then one has to look at the various factors that intervene and I would suggest that there are..it would be helpful to now look at - to the extent that one was able - atleast seven aspects of any protest or riot. The first is the planning or the intent which may take place over a period of time or it maybe more of an instant response to something depending on the event. (20 Then there is an initial action, the protesters..take the case of Saturday here, in the..down town, Cape Town. Presumably there was some planning because the students or whoever they were the young people arrived with placards, so some planning went into it but now there is an initial action in which they are moving around the town before the police arrive. Now then the third part is the police authorities arrive. Now in this case the arrival of the police from what I understand, did not immediately send them into flight, they simply kept on marching but in other cases simply the arrival of the police can be (30 enough/..

enough to get people to throw stones or in the case of looting to try to get out of there or in the case of arson to drop their materials and run, so the police don't have to do anything more than arrive on the scene to change the nature of the situation. Then the fourth step would be the.. what now the police do. The police take some action, and then one notes the response of the rioters, protesters or what not to that particular action. The police surround the protesters and make a baton charge. The protesters do what, they disperse, they hit back, they..that is something to note. (10

Then this often goes on for several times. When we look at the case of Ianga High School, the police under Colonel van Zyl..had several cases where they were moving back and forth they would line up, they would make a charge, there would be a response, and this went on for several times, eventually the police withdrew so that this phase of action and reaction can go on for a period of time or it can be only one single event. Then one should note in some of what we have heard - you have heard in evidence, comes on after the dispersal.

The crowd has now been dispersed, let us say at Alexander Sinton but the police either in small groups or individually are moving around the area to round up people and some of the events..this is where they are more open to confusion about who in fact was the demonstrator, what was the role of the young man in the blue track-suit and so on because it is.. we are no longer at the scene of the event. Then 6. there is a set of events that follow in a form of (background noise) or interrogations where people are picked up, often with..to see if they were present in photographs or what not, they try to find people who participated and then the sort of (30

thing/..

thing that we are now seeing in Cape Town, the trial, where further evidence comes out and there is now a reaction now the law formally in the way of the courts comes in, makes the judgment about whether the person was guilty or not guilty and that set of responses also gives a character. It is only really at that time that the event is finally defined I think as to what its original intent was, because in that time it is still a matter of judgment but eventually by the time we reach that stage now it is said that yes, it was violent, yes, the police were justified or no, (10) it wasn't or there were other conditions. So it is..find it interesting it isn't until perhaps some months later that the original intent and the course of the event is actually given definition by society in the form of a charter.

Well I introduced that..those are the last things I intend to introduce as asides. I follow the document from now on. 9. So now I give some examples of each of the four types are given..well, I note them in a figure which is in the paper but I go over them in the text, so I won't..and you have the figure before you. (20)

There is just one thing, I would like to pause for a moment and ask..you know, I notice you quote the "specific non-violent - Release prisoners". --- Yes, My Lord.

Now I want to put to you this position: You have a body of students marching in a public street with placards bearing the inscription: Release prisoners. Perfectly peaceful and non-violent but they are..they encounter people of an opposing group, not the police, perhaps members of the public, who say: Now we have had enough of this nonsense, and they, if I may use a colloquialism, get stuck into these students. (30)

Leading/..

Leading then to violence. Is it then correct to put this "release of prisoners", where you are induced by a march which might lead to violence? Without the intervention of the police. --- Well one needs to look at..certainly at the counter-demonstrators and other groups, we saw them.. some of you would have seen them Saturday in the form of the man on the motorcycle and others who decide that they will react in some way.

Yes. --- No, I'm..I would say..I would think one could show that it makes some difference where the event (10 begins, what the initial intent is and that in the case of a non-violent specific protest, it is more likely to remain in that cell that will be its entire character. In the case of a violent specific like looting, I would guess that practically in all cases the looting simply continues until the police arrive and put an end to it, it never changes its character. The types that are more likely to shift are the ones where there is a diffuse protest and particularly I would submit the non-violent, the one that starts out non-violently but with a diffuse goal, is more likely to turn to violence. (20

Yes, so actually these compartments can't be absolutely water-tight? --- Well no, they refer to the intention and the initial state as the people..they finish their planning and now they step onto the street with the intention of being non-violent, violent, whatever it is. The arsonist as we have seen in some of the testimonies in the courts, he never intends to be..to burn the building down without violence, he is going to be violent to property, so his intention was never to be non-violent.

But of course it changes..(intervenes). --- That (30 is/..

is why I introduced the seven steps. We need to look at the inter-play of forces and I tried to give some examples in each cell in fact where police do not appear and where you see the protest or whatever going on as it would without the intervention of police, because they don't always come in. Or at least not immediately.

Paragraph 10. --- All right. Now examples of protest that are non-violent and specific initially, are those of the Black scholars asking for better school facilities or the students in Langa asking police for the release of (10) fellow students who have been arrested and I refer to..throughout to some appendices here with supporting accounts, sometimes from personal..from observation of people that I have interviewed with a mix from the press.

CHAIRMAN: Do you take the intention for violence or non-violence from all the facts? --- This is from the..this is the predominant mood of the group. Now I have seen say Civil Rights groups organising themselves in the United States where you know this would be in a Black church. The predominant mood was to have a non-violent march but in..among the group (20) and these men actually took over when the Minister stepped down and said; We know how to take care of the police, that way you know, talking to my drunken friends in the back of the room. We are going to..we are not going to disrupt the march. The next day you find out that each Black policeman, this was in Chester, Pennsylvania, his home..their homes had been stoned but not by the main part of the marchers, by the.. this other group that was using the occasion to essentially take the law in their own hands. Now this is a difficulty with people who attempt to have a non-violent march and (30) don't/..

don't plan to control these other elements. They leave themselves open to having the..literally the march..someone stealing the march on them because it is taken over.

Now this touches on a question that has already been put to you: Particularly where you ask for the release of an associate who has already been detained, can't you in a course of a large number of riots throughout the country arrive at the stage where no ordinary thinking man, can say that I am going to have a peaceful march through a city without being well aware of the fact that that march must end in (10) violence. --- It would appear that way, but it depends on the organisation of the protesters. I have seen marches.. I observed most of the major marches in Washington, D.C. with groups of 200 to 300, 500,000 people and that some of the largest of these anti-war marches the protesters arrange for marshals, which is one of the things that I talk about and legal observers, they had law students with blue arm bands and marshals with other colours and these people literally lined they were shoulder-to-shoulder along the route of march from say the White House area up to the Capitol so one can be..it (20) can be done but it isn't usually done.

You deal with a very sophisticated situation and a sophisticated arrangements. --- But this..you see this level of sophistication on a much smaller scale in Spes Bona High School I would submit and I give some examples in Alexander Sinton that I was personally involved in. The..this level of sophistication as it turns out was present in South Africa, one doesn't have to go..all you have to do, go back in history, 1922. Ghandi in this country had his marchers sign a pledge, no one could even protest unless they had (30) signed/..

signed a pledge to remain non-violent, and they had training they had cadres they had support groups and that..all of the technology which Ghandi later used in India was available in this country at that time, but somehow people haven't learned from history so that very few people are aware of that.

Well, I don't know that you should quote 1922 to me. (LAUGHTER). I happened to have been in Johannesburg where as a result of all those things, there was war. --- I am saying the discipline, the things..but you recall when things got away from Ghandi, he also called things off. I (10 am just saying even that could get out of hand, but there was a lot more discipline represented there than you have been seeing in the last few months. But I know in the United States too, it turned out this discipline when people said..because I have seen it - at 5 o'clock in the afternoon they would say "the demonstration is over" and immediately the SBS, the weather men, this was a radical group committed to violence in the United States, came out and started stoning the Government buildings and the whole peaceful intent was destroyed because the protesters didn't..lost control of the situation (20 after 5 o'clock in the afternoon, they had gone home, their protest was over, so I have to agree with you M'Lord, most of the..it takes a great deal of control to really eliminate violence, but one can come a lot closer than we have seen recently.

My remark about 1922 did not include the efforts or rather I don't want to minimise the importance of the efforts of Ghandi. I am merely talking about the result of all the unrest. --- Yes, yes. No, it is..(intervenes).

Admittedly without disclosing my age I wasn't very (30 old/..

old when this happened, but..(LAUGHTER). --- Oh, I heard some of the evidence on that the other day My Lord.

DR. YUTAR: You are of course referring to Ghandi's passive resistance. --- Passive resistance.

Passive resistance. Now I am prepared to disclose my age that I read about those..(LAUGHTER)..in 1922 and they were frightening although I wasn't in Johannesburg I was still in Cape Town! No. 10. --- I was continuing, I said: This type of protest - that is non-violence specific - is more likely I should say to remain non-violent, especially (10 if the police or other persons in authority are able to recognise the legitimacy of some of the complaints and where possible, act to remedy the situation. Most of the cases where this has been done do not appear before this Commission because nothing happened, that is the Spes Bona and the other instances where whoever it was in authority tried to understand, tried to do what they could and there was no violence often as in the case of Spes Bona with the co-operation of the police, the police were informed, they played a part but their part was to keep a low profile. (20

CHAIRMAN: Those matters have all come before us, they are all in the evidence..general..(intervenes). --- Well, I'll just.

DR. YUTAR: We have had evidence to that effect, do you..(intervenes). --- I am guessing there are a few of these where nothing happened,^{so}/atleast they don't appear. This is where the press comes in, it is a non-event as far as the press is concerned if things happen through arbitration or through (speaking simultaneously).

CHAIRMAN: Knowing the hour-to-hour..I may almost say the (30 day/..

day-to-day..no the minute-to-minute diary of all the events they do appear in this particular instance. --- I see.
Thank you My Lord.

Well, I won't say all of them but those that came to the knowledge of the police all appear. Yes? --- Since in most cases the police are not related to the basic causes of complaint, other persons with proper authority need to play a major part. The role of police is limited to controlling or dispersing rioters or potentially riotous assemblies.

11. Examples of protests that.. that should be "that are".. (10
(intervenes).

DR. YUTAR: But Professor, I almost forgot. I marked here you use the word "potentially riotous" so you do concede that a demonstration which is conceived as peaceful, can be potentially dangerous? --- Yes, this..and I was mindful of the Riotous Assemblies Act that is under the law the police have to make a judgment about whether the assembly they see could lead to some kind of riot or hostile activity and they are authorised to intervene in those cases.

And in fact they are obliged to intervene. --- (20
Quite, yes.

Yes.

CHAIRMAN: Except that the evidence has been that in many instances the..there has been an attempt to guide the procession in other channels or just to leave it. --- Well, I take that as a point of information. I haven't heard..

Well, there is evidence to that effect on the very first riot which caused on which all the..(intervenes). ---
That the police did try to guide it into other channels.

Well, that they were going to ignore it in fact. (30
--- Ah, I see. (Both speaking simultaneously).

Perhaps that is part of this point where I note I think that the police generally they are not part of the issue. In very few cases with the possible exception of release of prisoners or some charge of brutality are the police in fact the agents that have anything to do with the language issue, with rates of pay and so someone else has to be working along with the police to..simply to ignore it..if the police ignore it I would submit that someone else should pay attention and when they do, then things..you may find an alternative course. Simply to have the police ignore it but without having someone else in authority pay attention, leaves the police with the task of coming back again I would think. (10

And of course yes it may result in a repetition the next day? --- Yes. Then back to 11. Examples of protests that are non-violent and diffuse are those in which the students call for a change in the system or show a general rejection of apartheid and those in which they say they praying or they are in mourning or marching in sympathy with Soweto, and I note Langa, the U.C.T. march which was just in sympathy there was no particular..no specific goal. 11. (20 In the diffuse protest the arrival of riot police in full gear or the presence of photographers can have the effect of providing a focus for the protest and arousing the crowd to violent acts such as throwing stones or hitting police vans - and I again refer to..(intervenes).

CHAIRMAN: ...to the police to decide when they have the information that there is a protest going on to know exactly whether it is a diffuse one or one with a particular object.

--- Yes I agree but this is why..well, in another point and in an appendices I recommend squads like the Civil Disobedience/.. (30

Disobedience Squads in the United States, plainclothes groups whose..their mission is to get there before when the protesters..before it begins to know the protesting groups so well that they know the character and they can distinguish between groups that are likely to be non-violent and likely to be violent and here local police..here is where the riot police who were drawn from other parts of the country are at a disadvantage because there is just no way that they can themselves identify a community leader from someone who isn't. So it is..I submit they are operating (10 under very difficult conditions to make this kind of judgment but I think it can be made in other situations. And it helps. Some of this is made by noting like you see it almost any police will notice a difference between say university students and school students and whether they are Black or Coloured or White, they have different expectations about them but within those groups I think we have missed part of the variance that a social science... So they have the police..11. may turn to stoning or hitting police vans, - you might note for Colonel van Zyl one of the instances you have heard is (20 where the police..rather the protesters turn on the police van and in fact break the windows and jab pipes through and that one difficulty in so many of these situations is that unlike an ordinary battle field where each side has its own line of supply coming up from the back there is no clear indication of what is back and front and often the police find themselves passing through, there is only one street and the police pass through either of necessity or because they choose to. they want to go somewhere else. They pass right through the middle of the crowd and so there is this..things happen and I think (30 that was one of the cases whereas they moved from one side

of the crowd to the other, there was only one road, Washington Street and so it was natural for the police to take this course. But it would have been a different kind of event if they had been coming up from behind the lines and if the protesters were supplied. I have seen this in other parts of the world - in other situations. It is a difficult tactical arrangement.

DR. YUTAR: You are taking up a double lecture period now!

--- Yes, I think so.

Professor, before I forget and I don't want to divert you, did you perhaps notice in America what I know took place in Cyprus reading press reports and which took place here, that when the demonstration started, when the march started, they would have the very young children right in front, then follows the older and the real ringleaders are at the back. Their act was very conspicuous in the trouble field of Cyprus, is that also a pattern that is to be observed in America? --- When you think about Cyprus, I was also.. you may know I was on Cyprus with a peace group doing reconciliation between the Greek and Turkish sides, so I have some idea. (10 (20

Yes. --- Cyprus too, of..I would say the general pattern of having provocateurs at the back of a crowd is certainly one that..you see one of the things that is often missing from the testimony is the spacial location of the different groups and so because it is not described then it often isn't described in the press. I don't have the kind of evidence here. You get a much clearer picture in the..of the incident at Sharpville, some other Commissions have laid out where the different groups were but it is often true that the people (30

up/..

up front are first as a nucleus who are generally tend to be younger and who are the acting group, a very small group. Then there is a group of sympathisers back of them, then audience, and often mingled with the audience, are the people who shout out and try to give direction or they..from the back, not from the front. Now the people who are at the front, their leadership is because they initiate things. But..so the answer is yes, one needs to pay attention to.. but that is much more a matter for the police in looking at the crowd to see where people are coming from and clearly they do this, they single out people and they..the dogs play a part in this as they try to identify people who are playing this role. (10

--- Alright, Professor. The diffuse protest.. ---

11. The diffuse protest is the most difficult for police to handle since the number of protesters is often quite large. and protesters may not be easily distinguished from ordinary curious citizens. As the events of downtown Cape Town on September 1 / ^{through} 8 (as in the events) the objective of the crowd can easily be turned from their original complaint to one of baiting the police as if the tear gas cannisters and the shotguns were all part of some children's game. Although the diffuse outburst may provide some emotional catharsis for some of the demonstrators by giving vent to hostile feelings or for some of the police who, on behalf of society punish them with their batons, this release of tension does not lead anywhere unless it is followed by some insight into the problem and some plan for constructive action, so that the outburst is not simply repeated over and over again. (20

12. Examples of protests that are violent and diffuse include (30

the/..

the stoning of cars on Settlers Way and other main thoroughfares and burning tyres and constructing road blocks, as in the incidents on De la Rey Road. These protests are also difficult for a small riot squad to control since the violence may be spread over a large area and the stones, tyres and petrol are readily available. Although some stoning has occurred in and around school grounds, as for example when students of the University of Western Cape stoned passing automobiles from their university grounds, most of the violent-diffuse protest takes place in areas of the African or Coloured communities where there is no other source of authority, such as a school principal, whom the police can ask for co-operation in controlling the violence. In addition some of the most violent protests occur at night. Thus the police operate under difficult conditions with little chance of support from other community agencies. (10

MR. MALHERBE: Could I just ask you this question: Stone throwing interests me. Why would that occur, why would you say is that an outflow of non-diffuse action earlier on, or..? --- Well, I am suggesting I think some of these start out with the intention of throwing stones. I haven't..my impression.. I wasn't there, and one of the difficulties of this is that as an observer I can't really enter these things to tell you first hand. But that it is my impression that there was never any period of non-violent protest on De la Rey Road, that the whole event was lighting fires, road-blocks and stone throwing. (20

But now Boulevard East that runs into the city, there weren't any..as far as I know, I wasn't here, but as far as I know there weren't any marches in the vicinity. What would make people go there, specifically on..it must be on (30

a fairly..not organised basis but.. --- Well, I don't.. I don't know from any evidence that I have, you may have heard some. My suggestion is..if this is something to look for, one needs to know. Now one knows say in..where in Durban riots the people are getting off of the buses they are going home at night, an incident occurs, a boy is hit and the next..and that sets off a crowd so the things that I would need to know are: Why is this group there anyway is this the time when they are trying to get on the buses at five o'clock in the morning or are they just coming home (10 at night. Why is there a crowd, what was the first incident and then what keeps it going and I'm afraid I don't..know that at the moment, so I can't really answer your question.

DR. YUTAR: 13. --- 13. Finally, example of protest and riots which are violent and specific include arson and looting. Although arson and looting can occur at the same time they are often the result of different circumstances. Arson may be attempted by a few politically motivated persons who select a target of some special significance. While looting will often appear to be done by "tsotsies" or "skollies" who use the occasion (20 of political unrest to secure large amounts of liquor or other goods. The looting and drunkenness which often accompanies it may also provide a momentary catharsis for the participants or observers but leaves a poor community even poorer than when the protest began.

That fits into the American pattern one hundred percent. --- Yes.

Right. --- 14. Since the law provides for the police to use weapons to control violence to persons and property there is less likelihood that the community will (30 respond/..

respond with charges that the police were "over-reacting" when persons are killed or injured during riots that include looting and arson. Some objections have been raised when the violence by the protesters takes the form of throwing stones, since the fact that police do not wear helmets or carry shields suggests that some policemen may be aroused to shoot at an earlier point in time than if they had adequate protection. - We are repeating things that you have heard.

14. More objections have been raised about police behaviour... sorry. - PAUSE -

(10)

More objections..? --- 14. More objections have been raised about police behaviour when the protests are non-violent and diffuse, especially when apparently innocent bystanders have been the victims. The strongest protest about police reaction has occurred when police have entered school buildings, such as Alexander Sinton High School, without.. now this was - as I understood at the time - without calling for support of the principal and teachers and apparently with minimum provocation. Now I understand there may be evidence that the police did in fact call the principal of the school.

(20)

Yes, I would particularly like you to be here tomorrow morning. Will you be here tomorrow? --- Yes.

Then if need be we can ask you to come back again because I am going to lead evidence about the reason why the police entered the Alexander Sinton school. --- I have heard Mr. De Sai who is the principal, give his account of this on two occasions, once to his P.T.A. and once to some of the other school principals and I..my impression is that from what he said that he felt he had no..very few teachers

(30)

he/..

he could call on to help him and he was trying to play a lone game so that he would..I think he would have agreed that things were out of control, he couldn't maintain..

I'll be glad if you could be here tomorrow, Professor. Right. --- 15. Although the Riotous Assemblies Act requires the police to take action to prevent or quell any disturbance, especially if it is violent, there have been examples of each of the four types of protests when the police kept a "low profile" and violence either did not occur or remained contained. An example of an occasion that was non-violent and specific is the 12th September meeting of parents and students at Alexander Sinton High School that I will describe later in this paper. The police were notified before the meeting, there was no violence, and the police did not appear. An example of a non-violent -diffuse protest that went off without incident was the Black students' march through Cape Town and the railroad station on 1st September. The riot police did not disturb them and the railway police helped them board their trains. An example of a violent-specific protest that the police allowed to run on for some time thus giving it a kind of legitimation, was the protest against the shebeens by Black youth that began on 11 October. I am not aware of an example of a violent-diffuse protest or riot in the Cape Town area that riot police did not attempt to control. However, the faction fights in the Johannesburg area may be an instance of this type of event. In some cases police do not immediately intervene.

MR. MALHERBE: Sorry, could I just ask you this question of the students and the shebeens. Now obviously they were taking the law into their own hands. In a situation like that,

to/..

to me it is a debatable point, I don't know whether it is right or wrong for the police to stand by because if they allow them to take the law into their own hands in cleaning up shebeens which might have a morally justifiable reason although it is illegal, doesn't that then lead on to other things as in fact then they started stopping people from entering the township. I mean.. --- I don't.. (intervenes).

Do you agree, do you think it is a good thing that the police didn't interfere when the youngsters were raiding the shebeens or cleaning up the shebeens? --- I would agree with you I think that the police and authorities were placed in a dilemma on the one hand the action seemed to be morally defensible on the other hand it was violence to personal property. I simply observe in this case that this was an instance where the police. I don't know why the police didn't intervene but they didn't and one saw this going on for a period of time.

(10)

No but now part of your evidence is correctly is I think is critical of the police that they..they should not have acted when they acted. Now here is one case where they didn't act. --- Yes.

(20)

Now I want to know from you, I mean do you think that they were right or..you see this is the sort of dilemma which I think the police are in all the time, but in this particular instance what..? --- I think sir this was probably as in other cases, it was really not a police problem. Once they had not acted, you still had the problem of the shebeen owners and how to perhaps the youth deal with their complaint without destroying property or getting at the causes of the situation/..

(30)

situation and that it was probably some other agency that might have been able to help the youth deal with this action in a way that didn't involve violence. Violence was still occurring and that couldn't be allowed. But to help them find an alternative - I don't know who did that or who tried that but I don't think that is a police..that goes beyond the police role.

No, no, but you haven't..you see, the police were in fact - according to press reports, I mean we haven't had evidence - but the police were in fact standing by some way off(10 seeing this. --- Yes.

Now, they weren't interfering. Now I want to know from you, in your view as an expert whether you think under the circumstances the police were acting correctly, not interfering, or not. --- Well..(intervenes).

DR. YUTAR: The sixty-four thousand dollar question.. --- Yes, probably if the police had come in, the attention would have turned to the police, the way the police are currently organised, that is why I say I think if there has been another group, a Civil Disobedience Squad, a group of..in the ghetto (20 riots in America, community leaders, ministers, youth workers were enlisted by the police, they were often given construction.. white construction hats to wear and they were called "the white hats" and they were brought in to deal with people personally and to try to find solutions, so I would think if there was a solution to be found they would have been better by some other group. I think if the police had come in, the only alternative they would have had would be..to make arrests would be to stop the whole effort. I just noticed that they didn't for the moment. I guess..if I had one guess I (30 would/..

would..it probably had something to do with the fact that it was Black on Black. If they had been Black students after White liquor store owners, I think the police might have been led to come in a little more rapidly.

No, no, but with respect that is unfair because when it escalated into them stopping Blacks from coming in to the township, then the police acted. --- No. Well this is..I mean if you want an impression, that is my impression on the faction fights that it is awkward for a White policeman to come in the middle of a faction fight, he would do well to stay out, for a little bit to see if it can't be handled some other way.

(10)

Oh.. --- But that doesn't mean that there is another..there isn't another way to handle it.

Well Professor, it is interesting that last remark of yours and by the way, I am just asking by way of inquiry I am not cross-examining. Have you got in America anything resembling faction fights? --- Oh, let's see. What would our actions be. The..I know about them in India because I have been trying to help there between Hindu/Muslim riots so that is..

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Yes, yes. --- You see I don't as it turns out I don't really know enough about what are called faction fights to know the details about what is happening.

Yes. --- I only know that they are described somewhere.

Now I would like to put to you, you said that where a faction fight is between Black and Black the police would be well advised to stay out. I would like to quote to you a classic example which occurred in Johannesburg,

(30)

evidence/..

evidence was led before this Commission. In Soweto there was trouble between the Zulu and the non-Zulu and the.. some people of the non-Zulu group told the Zulu that some of their tribe are being assaulted at the railway station as a result of which the Zulu armed themselves with kieres and whatever they had, went to the station and found that they had been falsely informed. During their absence the non-Zulu set alight to the Zulu hostel and even burnt a Zulu. When the Zulu came back they were hopping mad and they retaliated. Now do you suggest that in that instance, here is a faction fight between Black and Black, the police should not have intervened? --- No, I think they - I am trying to say I believe they should but they do so at some risk when they step into the middle of this. (10

CHAIRMAN: It could be dangerous, that is what you..(intervenes). --- Yes. It also..the last example points up the importance again of rumours. I know the press tried to establish a rumour bureau and I don't know enough about what the police have done to try to deal with rumours but it is a public responsibility. Rumours like the ones you suggest, it was actually a rumour and if anything that can be done to clarify the actual facts can do a great deal in these very volatile situations to prevent violence. (20

DR. YUTAR: Well, the police did intervene in that case and I must say that but for their intervention there would have been wholesale warfare. --- No I clear that when there is violence, someone has to intervene but I am just noting there have been cases where the police didn't in each category.

CHAIRMAN: I should indicate to you that so far the Commission has had no evidence offered with regard to faction fights (30

as/..

as such because I do not think that they enter into the picture of the riots. --- Yes My Lord.

This particular one which has been mentioned to you now I don't think was really a faction fight I think this was a riot which looks like a riot which followed directly out of the unrest. It is difficult to quote you figures from memory but the number of faction fights in South Africa of course is a very high number and I think over a period of..no, I don't want to give you figures but they are very high and they go close to 300 over the last known period of five years, with close on 500 people losing their lives, but they are of a different nature completely. They usually are of local interest and of a local cause. --- My Lord, the factions in most countries

(10)

say in India, when there is..when something happens it usually breaks on Hindu/Muslim lines because those are the major factions if you will. In Curacao, 1969, the attack by the Black workers was in this case against the Jewish - White Jewish merchants, rather than say Black merchants, so it was a White/Black was the division and..(intervenes).

(20)

DR. YUTAR: Where was that, Professor? --- This is Curacao, Netherlands Antillies, 1969. But in this country the major factions are Black and White as it turns out and I think that is where this thing has broken open in the polarization atleast in Cape Town it came to the point where any White person entered a Black area at great risk.

CHAIRMAN: Well, what is ordinarily referred to as the faction fight in South Africa, well I should say almost in 99% of the cases has no relation to the Black/White situation. --- Yes, I understand.

(30)

And/..

And in fact not even to the different peoples. You know they are frequently referred to as tribal fights they frequently are even smaller than that and they are sects of tribes. --- Yes.

..fighting and these - I think that can be stated I think in the figures I quoted to you and I quote these to you to..in our discussion really. --- Yes.

They were I should say in 60% or more cases of the same ethnic group even the same tribe in many instances. Then a fairly large number of the rest had atleast two different groups into ethnic groups and in some even up to three. --- Yes. (10

But as I say this particular incident which you have been referred to is the only one so far that seemed to have had any bearing on the riots which are being investigated. --- You see the point that they have in common is that when there is unrest, when there is a source of strain the society tends to break into factions or divisions that were already there and are often easily identifiable. In Ireland as you have heard it is Catholic versus Protestant. (20 So it breaks - society is if it breaks open along those lines. One of the things that you are seeing in these protests is youth versus age, is young versus old because young and old are also identifiable to a certain extent and that has been part of the..where things have broken. Young people as young people are saying things which are different from older people.

DR. YUTAR: Professor, His Lordship with respect is perfectly correct. The incident I referred to, the Zulu, did not start as a faction fight, it was born out of the unrest in that the Zulu/.. (30

Zulu wanted to go to work and the others resented it. ---
Yes. When I referred to faction fights I wasn't thinking
about this case of the Zulu in Soweto but was thinking of
a reason that was reported in the press that in the mines
there was a faction fight. It went on too long, overnight
or something, it was..then the police came in.

Alright, paragraph 16. --- 16. To give some
indication of the frequency of each type of protest over the
period 24 June through 25 October descriptions of 153 in-
stances of unrest were categorized from descriptions appearing 10
in the newspapers. (Note the police reports give you many
more descriptions in this but our unit is something that has..
takes place at sort of one place at more or less the same
time with the same set of actors as soon as they change place
or time so the police often report each time they come to
a situation and so they may have five incidents for what we
would call one example of unrest, depending on how often
they report so we have fewer than they do.) The figures
in Table I show the frequency of..(intervenes).

You haven't finished that. 16. Since police (20
action..? --- Oh, sorry. Since police action often seems
to be a prerequisite for newspaper coverage the non-violent
actions appear to be under-reported. The figures in Table
1 show that the frequency of non-violent-specific incidents
is indeed very low and attracts..that is 10 compared to 40
to 50 some in each of the other categories and attracts
relatively less police attention, that is 40%. Now what
we mean is from the press accounts it is apparent that police
were there and taking some action 40% of the time. In the
rest of the accounts in the press - now this doesn't mean (30
the/..

the police weren't there but they weren't doing anything that the press felt they needed to comment on. They probably were there but they weren't reacting in any way that was news to the people in the press. 16. So this kind of incident attracts relatively less police attention than diffuse protests either violent or nonviolent in which police action is reported 70% of the time. The lowest police action is in the category of violent-specific incidents in that case 10% since in the cases of arson for example it is often the fire department that first responds and when the police arrive they arrive but there is no one there other than a burning building, so there is no action for the police to take and be recorded in the press. (10

When frequencies of the four types of protest are graphed week by week, we see that the..that most of the diffuse protests occurred within a four week period from (28/8 through 18/9) with the peak period of nonviolent-diffuse protests occurring a week before the peak of violent-diffuse protests. That is in a table, I don't know whether you want to look at it. Appendix D in the back and we have simply plotted the frequency of protests week by week and the point we know here is the..(intervenes). (20

CHAIRMAN: "D", is it? --- Appendix D. That say the largest number of protests in any one week according to the definition we are using was 35 or so and this shows a peak of nonviolent protest occurring a week before the peak, a larger peak, for violent protest.

DR. YUTAR: The third-last document on the back My Lord.

Right. --- 16. There are probably several factors that account for this one week lag: (a) once specific non-violent protests had been organised by students, the protest spread/.. (30

spread to other members of the community who were not concerned about a nonviolent discipline, (b) students who received no response to their nonviolent protest turned to more violent methods, and (c) the violent police reaction to some of the early non-violent protests served to "radicalize" some students, parents and others, who had no thought of violent protest before. Since so few students or others involved directly in the protests have been willing to make information available to the Commission either directly or indirectly it is not possible to determine at this time the relative (10 weighting of the various causal factors.

Can I pause for a moment to discuss with you (b) students who received no response to their nonviolent protest turned to more violent methods. Is it then correct to say that in many of these cases the students sought a confrontation with the police? --- This is..you see I don't have the evidence in this case. This is something that would come out of ex-^{if}perience in other areas where/someone isn't seen, then they will do something more to attract attention.

To be seen. --- To be seen. But perforce in the (20 only case..but it is only one or two cases unfortunately. I have heard accounts by school principals of say the best student a girl who was caught up was beaten and now comes in to report that from now on she is going to be part of the movement, so I am clear about the radicalising but I really don't know the relative weighting of the..I just suggest that they are all factors, there are probably more that one would need to understand.

17...

CHAIRMAN: Would it be convenient..? I would like to make the adjournment as short as possible. (30

COMMISSION ADJOURNS/COMMISSION RESUMES

ALEXANDER PAUL HARE (still under oath):

DR. YUTAR: My Lord, we shall be moving with somewhat greater alacrity now. We start at page 9, paragraph 17.

--- Yes. A meeting of parents and students at Alexander Sinton High School, 12 September. I might note that I use this location since you have already had evidence about violent conflicts there and I thought it was of interest to see that in the same place one could do things differently on another occasion. 17. Under a heading "Athlone school PTA calls for peace meeting" the Cape Times (11/9/76) carried (10 an announcement of a meeting scheduled for Sunday afternoon, 12 September. Mr. John Delport, chairman of the PTA had appealed to parents and pupils to assist his committee in searching for "a peaceful solution to our present problems".

Two weeks before, the high school had been the scene of a violent student-police confrontation. Classes had been cancelled in all the Coloured High Schools for most of the previous week to allow the situation to calm down. But now the week had drawn to a close and examinations were scheduled for the following Monday. The chairman of the PTA felt that a meeting was (20 necessary so that parents and teachers could be clear about the student grievances (see article in Cape Times, 13/9/76) and so that a plan of action could be worked out to prevent further violent incidents from occurring. The meeting held that Sunday afternoon in the school sports hall was a stormy one, with sharp comments made from all sides. At one point many of the students and some parents left the room and it appeared that feelings might be running too high for the meeting to continue but within a few minutes many of the students and some of the parents returned and the meeting was brought to a (30

more/..

more peaceful conclusion. 18. There was also an incident as the first of about 600 persons who attended the meeting began to arrive. Some young people came into the hall who were not students at Alexander Sinton. When they were asked to leave by a member of the PTA the youths took exception to his manner - and now the text if you are following that, I have to change it a little bit here. It should read: They told Professor van der Merwe, who along with me had been asked by the PTA chairman to speak at the meeting, that they would leave but would return with a gang to make trouble. My original (10 wording was not correct. Professor van der Merwe has told me that he actually talked to them, he didn't overhear them.

18. Professor van der Merwe urged us to reconsider our policy of excluding any persons from the community who were not related to Alexander Sinton. This is something that we discussed with the police beforehand, that it should be a meeting of students from that school. Since it was clear that we would have a difficult time distinguishing persons who had a legitimate purpose in the hall from others, we changed our decision and invited the youths to join the meeting. However (20 we reminded them that there had been violence in the school two weeks before and that we wanted to keep the meeting orderly so that there would be no occasion for the police to be called. 19. This, as a result of quick decisions we dealt with potential sources of trouble as they appeared. This was combined with a willingness to be open to and considerate of the grievances of students and the anger of some of the parents at the treatment their children had received from the police. The meeting was brought to a conclusion without any violent incidents. However, this would probably not have (30

happened/..

happened without careful planning and co-ordination with the police. Since I was involved in some of the co-ordination and planning prior to the meeting I would like to trace a series of steps that were taken as one example of the ways in which community members can co-operate with the police by acting as third parties, to facilitate the recognition of legitimate grievances and to ensure that nonviolent protests do not erupt into violence and that violent protests are reduced with the minimum of counter-violence. 20. Some steps towards the nonviolent resolution of conflict. During the month of August, Brigadier Michael Harbottle, a former Chief of Staff of the United Nations forces on Cyprus, was a visiting lecturer in the Sociology Department of the University of Cape Town. During World War II he had graduated from the South African Military Staff School near Pretoria. Based on his experience with the United Nations soldiers and police in Cyprus and his research on U.N. operations in other parts of the world, he was lecturing on "Peacemaking, Peacekeeping and Peace Building". Taking advantage of his presence as a "third party" I arranged interviews with military officers at the Castle and with Brigadier Bischoff, Commissioner of Police. At each of these interviews, held during the last two weeks of August, we discussed the military experience with conflict control with which Brigadier Harbottle was familiar and the civilian experience that I was familiar with from my research on protests and riots. We urged Brigadier Bischoff to consider the use of a plain clothes squad, modelled on the "Civil Disobedience" squads in the United States, that might be first on the scene as a protest was developing or even before if there was advanced notice. Their task would be to ensure through discussion/..

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discussion, consultation and warnings that the protest stayed within acceptable limits. They would be alert for counter-demonstrators or provocateurs who might want to turn a nonviolent demonstration into a violent one. If the police felt that violence might erupt, the riot squad in full gear would wait in their vans out of sight of the crowd or perhaps be assembled in a nearby public building. The riot squad would be called as soon as it was needed, but first the plain-clothes squad would be given a chance to do its work. These and other suggestions for civilian "marshals" were later (10 recorded in an article I wrote for the Sunday Tribune on 5 September and in an interview with Brigadier Harbottle published in the Cape Times on 9 September. 21. A luncheon on 26 August at which I introduced Brigadier Harbottle to Professor van der Merwe, led to the suggestion that we bring together members of the Black communities and representatives of the police and other government agencies to attempt to understand the causes of the unrest, and to look for nonviolent solutions. Brigadier Harbottle would serve as our "third party" guest speaker. This meeting was followed by a second held in an (20 Athlone church two weeks later. At both of these meetings I had occasion to speak about the role of community "marshals" in conflict resolution. At the end of the second meeting Mr. Delpont, chairman of the Alexander Sinton PTA approached me for some suggestions for the problems at his school. I agreed to attend a meeting of the PTA Committee that night with the acting school principal Mr. Desai. At this meeting the meeting of parents, teachers and students was proposed. The next day Mr. Delpont and I visited the Police Headquarters where we held a preliminary discussion with Col. Cerf about (30

the/..

the purpose of the meeting and the plan to use parents and teachers as "marshals" when school opened again. That afternoon we met Brigadier G.T.C. Martheze for further discussions, this time with a delegation of Mr. Delpont, three members of the PTA Committee, Professor van der Merwe, as an observer, and I. Brigadier Martheze carefully explained the police position. (this is what he told us). If meetings were held indoors and if there was complete control, there would be no occasion for police intervention. However, if on this occasion or any other on the school property, students (10 appeared to be out of control in that they had disobeyed an order from a teacher or parent who was acting as a marshal, then the police would be justified in taking over control. Further, the police would find it "no problem" if parents acting as marshals, were to join teachers at times of potential conflict to help maintain order and facilitate peaceful meetings. Thus having informed the police of our intentions and being clear about their procedures Mr. Delpont and I then visited Mr. W. Theron, Director of Coloured Education, to arrange for an interview the following Monday with a delegation from the (20 parents and students meeting, should the occasion arise. Mr. Theron was very cooperative and arranged a time but the delegation was not formed and the need for the meeting fell away. Thus having been assured of cooperation from police and the Director of Coloured Education, we proceeded with the meeting on Sunday as described above. 22. Summary and conclusions. The Commission faces a formidable task as it assembles evidence concerning protests and riots that have taken place in many areas of South Africa, in a variety of settings, involving many types of people with different motivations, and with further (30 variations/..

variations in response from the police and the public. The events involve all aspects of society: religious, economic, legal and political. A large team of social scientists and legal experts would be required to analyse all of the social factors that provide a background for the protests and influence the course of their development once they have begun. I have suggested that it may help the Commission to consider separately some of the different types of riots, whether they have a specific focus or are diffuse and whether they are primarily nonviolent or violent, since the problems of police control appear to be different for each type. From an analysis of events in the Cape Town area it would seem that the most creative approach to the management of conflict results when police and community agencies co-operate to maintain order, and to attempt to alleviate the causes for the grievances that led directly or indirectly to the protests. Since so many of the protesters have been children it is evident that a great deal of energy is available in South Africa's youth. The task of the older members of the society is to help the youth find ways to use this energy to continue to build a nation that meets the needs of all of its citizens. (10) (20)

Yes. Now Professor, you have added the various indices and I think they speak for themselves. In any event the Commission has a complete copy thereof and they will read it in due course. There are just one or two questions I would like to put to you. Now, you have heard evidence led before this Commission that the police are hated in this country. Now that is not something unique to this country, the same in England, the same in..your America. --- Well first it is not even uniform in this country. You may have heard evidence (30)

I know you will hear some tomorrow as I understand which difference is made between the local police who were known to people and the more impersonal response of the riot police so I think it..we would have to see who we are talking about. Certainly some people are very distressed, but others really find the police behaviour quite acceptable.

Yes. Now for example the riots that broke out in Nottinghill in England quite recently, there the police were just hated because some of them were..some of the demonstrators were stopped and searched for possession of drugs and other and the police had a tremendous job in dealing with these rioters and in America of course the police there too are not liked by the law-abiding citizen, isn't that so?

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--- Well, I would say in some cases. In others they are. In the case where the person moves around personally in the neighbourhood and is known I think you will find the police do play a supportive role. As soon as they distance themselves from the public, driving in vans, doing other things at a distance, it is very hard to appreciate them in the same way.

Having seen some photo's of police action in some of these...(intervenes)..and having seen some photo's of police action in other countries in certain instances the action taken by the police here appear to be very mild indeed. --- Yes, the South African Police are not original in this respect. I think most..there is precedent for everything that they have been doing in other countries.

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And as Mr. East pointed out, we don't use the batons we used in the days of George the IV or the long batons used by the French police. Professor, I have no further questions to you and I look forward to attending one of your

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lectures/..

lectures in due course. --- Well thank you sir, I think you just have. (LAUGHTER).

MR. MALHERBE: Professor I think Professor van der Merwe told us that there was a great amount of suspicion and fear and lack of confidence on the part of the Coloured community. Now I take it that..and you have said that there were a lot of rumours around and I take it in a situation like this, rumours do flourish and rumours sort of feed the suspicion and the lack of confidence and fear even further, not so? --- Yes.

Is there any way - I mean you say that the newspapers (10 had a rumour sort of column and I mean they try to clear up some of the rumours. Is there any positive way that one could enlighten people that in fact..put the record straight as it were that in fact some of the things that they are feeding on are just not so? --- The things that have been done, we have mentioned two of them, one the general information in the newspapers, secondly the telephone or some point where you can call in, that was also established here. Then the things that are extremely effective and need to be done immediately are the actions on the part of authorities. I mentioned the (20 instance of letting people come into the jail to see that someone is not injured, any actions often speak louder than words, so anything that can be done visibly to let..often a delegation or some group from the larger groups see that the conditions are not as they thought, to check out the rumours. We have many instances from India where this is done by civilian groups. It takes..it is not something just for the authorities and here is where I urge civilian groups to take up this even as the press did, they weren't acting as a government group but these things can spread so rapidly that the whole course (30 of/..

of a crowd can be changed from one direction to another because they think something has happened which in fact hasn't happened so you need to be on the scene you need co-operation from all sides.

Because as you rightly say, that it is only now that trials are taking place and the law is taking its course that the full facts are now coming out which weren't available at the time and which seems to be a pity because..take it in your own case, I mean I am sure that..I don't want to be personal but I am sure that you believed at the time when you were at Alexander Sinton and taking an active part to defuse a situation, that in fact far worse things had happened and has now come out, not so. --- I wouldn't say that, that.. I think on the rumours one thing that hasn't perhaps, hasn't been apparent to me was community groups other than the press and government groups, being organised specifically to deal with rumours, as a very important aspect of group behaviour. The police ordinarily if it is an individual criminal or it is a..someone trying to break into a bank, even a group rumours don't play a part in that but rumours do here, and I think some response..organised response is necessary, and desirable. (10 (20

You have no sort of advice as to how that..(intervenes). --- Well, the advice..actually you have it in the military and some of you would have had that in your training because it is used in Rhodesia, the military are using it too. Rumours play an important part in psychological warfare so how rumours begin and what is done to counter rumours, that is available to you in your manuals on psychological warfare. It is just that you don't..you may not ordinarily think of using/.. (30

using them in this civilian case.

You see what amazed me was the type of things for instance that Professor van der Merwe urged from the people involved and then were transmitted to the police. Now a lot of that which obviously worried them and obviously caused some of their fear was based on pure rumour. The other point is to what extent..my last question. I put this to Professor van der Ross as well. Don't you think that in our society, that students and what they do gets far too much attention? I mean you have the situation in England where(10 Essex University - I mean..has been shut down on several occasions the students have kept people from coming in and they have virtually taken it over and sort of had it in a state of siege. You have had the universities throughout the world and throughout Africa. Now I take it that it is common then and it happens here and suddenly when it happens here it takes on a..or the press and other people give it a political content which perhaps is not justified because it follows the same pattern as other universities. --- This is something clearly that you have to pay attention to as a Commission. Say at the (20 one extreme we have the students in - I think in France a few years ago whose protest led to a rising which almost brought down the French Government. Or on the other hand a few students even in one of our elementary schools that sort of go out and look..has no evident political implications and this is part of your unenviable task, I think is to try to sort out on which of these occasions you are looking at a political organisation. Students as you know particularly with the Black schools, they are in fact adult in age and in other universities they may well be the people who are about to

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graduate/..

graduate and play an effective political role so we have a variety of things. Students could be in some countries Latin America, student political behaviour is a very important - has been for many years very important and.. (both speaking simultaneously).

But they are a special situation because everybody under 30 is a student, I mean..(intervenes). --- Well, this hadn't been say in the United States until these protests large protests..student behaviour wouldn't have been a major thing but it became a..(incomplete). (10)

But I mean if there is a shut-down in Essex University, Essex has over 2,000 students, Western Cape has over 2,000 students, it won't cause the British Government any problems, I mean it is..(intervenes). --- Well, let us try another approach then. In Montgomery, Alabama, 19..I would have to look up the date, Martin Luther King first decided..in all of his campaigns up to that time, high school students had asked to be part of the..of his effort and he had refused them, he said this is nothing for children. But finally at that point he allowed the children to come in (20 and they did, and that turned the tide, so your problem is there are a lot of children as you see. At that time Martin Luther King said that this was the first time that he could follow Ghandi's dictum: Fill the jails, because he didn't.. among the adult population, even as here in South Africa, adults have jobs, they have a family to support, they are not free but part of the problem for the society is that children are free, they are not under these same restraints and there are thousands of them as you have seen from the statistics and they are free in a sense to do things which adults are not and that (30

poses/..

poses a problem for control and so children have played a part. I have seen it in India where no one in a village would testify about the..say the way the landlord was treating them. Finally a ten year old boy speaks up and that turns the tide. Others spoke up, so it happens that students..it has been analysed in the United States, Black students by psychiatrists they are called the pro-social acting out. Most of the delinquent behaviour, the tsotsies and the skollies who are often also young people, are anti-social, but as we have seen here, often the Black child..he says very directly he is acting on behalf of values which he feels his parents share but were unable to achieve and this has been called "pro-social". He wants to do something of value and that is why I end as I do. I think that the task of the society is to find ways to use this energy. It is not basically anti-social, it is not basically destructive it is an attempt by youth to move the society forward toward goals which they feel their parents share.

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CHAIRMAN: Professor, one aspect only, I know that you were not going to say anything about causes and it is not about specific causes that I am..that I want to ask this question but is it the experience elsewhere or has it been the experience in any other part of the world, that one started with a specific object has changed to another specific object when the first one has disappeared. I am not referring to violence breeding violence or feeding on violence whichever way you look at it but in other words, a continuation of the violence, once one specific object or the specific object has disappeared from the scene to go on with another one, apart from a thing like having your own people out.. --- One way that I have been particularly/..

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particularly interested in is what happened in Curacau that I have referred to before where a group of marchers comes in they are blocked by the police and they break into small groups that then begins looting. I think we have seen some occasions like this here where..(intervenes).

In Soweto. --- Soweto, you have a large group coming forward and the police action has the effect of breaking them into many small groups. Now that is very difficult to control and they have lost any leadership they had that was controlling them before, is also lost because the groups are acting independently and this is a case of control that is very difficult. It would appear that often the better tactics would be to keep the group as a unit with its own leadership and with some attempts to control it that way rather than to disperse. It is a hard judgment to make. (10

If it comes to many thousands I suppose that may be difficult? --- Yes.

Professor, thank you very much for the..I must call it the discussion we could have on these subjects, it has been very helpful. (20

NO FURTHER QUESTIONS

DR. YUTAR: M'Lord, may I with Your Lordship's permission now take three witnesses together. They are all from the same Board and they could perhaps be seated at the table here with each of the microphones.

CHAIRMAN: Can that be..is it possible?

DR. YUTAR: That can be done, we can do that.

CHAIRMAN: Yes.

DR. YUTAR: But we will have to rob the Commission of one of its microphones. (30

CHAIRMAN/..

CHAIRMAN: Do you think that would make us speak less than..?
(LAUGHTER). It won't, but you can rob us from one of our
microphones.

DR. YUTAR: My Lord, I call three witnesses now. The first
one is Mr. Crowie and I hand in four copies of his statement.
And the other two witnesses are Mr. Brink and Mr. van Zyl
they are sitting over there, Crowie, Mr. Brink Mr. van Zyl
and I hand in four copies of each of these. They are all
members of the Wynberg Regional Board of the Administration
of Coloured Affairs, and the first one to begin would be Mr. (10
Crowie.

D. CROWIE, sworn states:

ESAU JOHANNES BRINK, sworn states:

JOHANNES ALBERTUS VAN ZYL, sworn states:

DR. YUTAR: We begin M'Lord with Mr. Crowie and will you start?
You prepared a memorandum for submission to this Commission.
Mr. Crowie what is exactly your position on this Regional Board?

MR. CROWIE: I am the official spokesman for the Board.

DR. YUTAR: Yes, but what is your position there, apart from
being the official spokesman of the Board. What are you, (20
a member of the Board?

MR. CROWIE: I am a member of the Board.

DR. YUTAR: You are not the secretary or the chairman?

MR. CROWIE: No, I am the member of the Board.

DR. YUTAR: Who is the chairman of the Board?

MR. CROWIE: The chairman of the Board is Reverend Louw.

DR. YUTAR: Louw, and the secretary?

MR. CROWIE: He is Mr. Smith, they are both not available.

DR. YUTAR: Now who appointed you as the official spokesman for
the Board? (30

MR./..

MR. CROWIE: The secretary.

DR. YUTAR: The secretary himself?

MR. CROWIE: The secretary himself.

DR. YUTAR: Was that not a decision of the whole Board?

MR. CROWIE: It was the decision of the chairman who was not available plus the vice-chairman who wasn't available.

DR. YUTAR: Oh, I see.

MR. CROWIE: Both of them were not available.

DR. YUTAR: Both are not available.

MR. CROWIE: Yes. (10

DR. YUTAR: I don't know how you come to be appointed but anyhow, you are there and these two gentlemen alongside you, now they are members of the Board too?

MR. CROWIE: They are members of the Board as well.

DR. YUTAR: Yes, and they are also going to speak?

MR. CROWIE: Yes, they are also going to speak.

DR. YUTAR: Yes, were they appointed by people who weren't there also?

MR. CROWIE: It is not the matter whether the people were there or not, it is least the chairman and the vice-chairman, they were not available. (20

DR. YUTAR: Yes?

MR. CROWIE: I do not know why they were not available, I got a phone-call to say that they were not available and I was the most likely person that they would like to speak.

DR. YUTAR: That was the secretary?

MR. CROWIE: That was the secretary.

DR. YUTAR: Alright. Now we will start then with your case then first.

MR. CROWIE: My Board represents about 130,000 pupils and (30

189 schools and 4,377 teachers, which is quite an enormous amount. The schools, Alexander Sinton that falls also under this Board plus of course Spes Bona. Those were the two most mentioned schools mentioned to this Commission. sirs, I have got the memorandum, I have got 13 points and I would like to read and also I have got some other points which I would also like to discuss with the Commission. 1. The detention of students is experienced in the Coloured community as hurting in the extreme. The Regional Board is convinced that all detained students should as a matter of priority be charged or released. 2. The Board calls upon the authorities to investigate the actions of the riot police thoroughly and to take appropriate steps against all those who may be found to have over-stepped the limits of the authority and caused injury to innocent people and damage to life and property. 3. In order to appease the feelings meaningful adjustments should immediately be announced at ministerial level. 4. The tremendous rise in the price of essential foodstuffs such as bread, and in the cost of living in general without a corresponding increase in wages and salaries is a cause of dissatisfaction. In order to meet the financial requirements for a life worthy of a human being, wages should immediately be adjusted. 5. The wage, salary and pension gap continues to be a bone of contention and the Board calls upon the authorities to announce a fixed period of time in which the gap will be eliminated. 6. Wherever there is a lack of equal facilities at Coloured educational institutions or in any other spheres, steps should be immediately taken to make up the leeway. 7. The matter raised in point 6 should be treated as a matter of priority because of the

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current feeling in the Coloured community is that the education of the Coloured child is inferior to that of the White child. 8. Coloured students in particular and the Coloured community at large, are completely opposed to separate syllabi and separate examinations for Coloured schools and colleges. 9. Lack of proper development of Coloured townships, sufficient sports and recreation facilities should be provided in these areas. 10. The rental rates in housing schemes are too high. 11. A formula should be found by which houses in housing schemes should..can eventually become the property of the tenants at a nominal price. 12. Sufficient housing facilities should be provided. 13. Most important of all, the recommendations of the Theron Commission should be accepted without exception and full citizenship and political rights be given to the Coloured people. (10

Regarding item number 6, it is clear that the facilities at Coloured schools are inferior if one takes the example of the latest report in the Argus that is Thursday night's one of 25th November 1976. The amount for ADDITIONS ONLY to the Drostdy Technical High School, Worcester, is 3 million rand. (20

The cost of a complete high school in the Coloured area is R800,000 - roughly a quarter of the amount spent on additions to the White schools. The cost alone of the hostel, that is to the Drostdy Technical High School is R650,000.- an enormous amount if one takes the cost of the high school built for Coloureds and practically double the cost for the complete primary school which cost R350,000 in the Coloured areas. The figures for the Coloured schools were given by the Regional Representative of the School Board, Wynberg, himself.

Regarding item No. 7, that is a fact of course. The education given to the Coloured child is inferior. I quote the report (30

from/..

from the Cillié Commission which appeared in the Cape Times on the 25th November, 1976.

"Later in the proceedings she.."(intervenes)

CHAIRMAN: Who is "she"?

MR. CROWIE: She is the..the girl that gave evidence from Salt River School.

CHAIRMAN: Oh, Miss Gafoor?

MR. CROWIE: Miss Gafoor, yes.

DR. YUTAR: Oh, yes. Come to morrow morning, you will hear some more about it.

(10)

MR. CROWIE: "Later in the proceedings she said that the matric exam for Blacks was not the same as the one for Whites but it was pointed out to her by Mr. P.M. Sonn a local Adviser to the Commission that a Black student with a matric exam exception pass was eligible to enrol at any university. That of course is correct but Mr. Sonn said..and because of this, he asked her, did this not mean that the two matric examinations for Blacks and Whites must be the same?" I have a History Paper here, an Exam Paper for Senior Certificate, 1976, and I can quote question No. 9. Now this is the type of question which is given to the Senior Certificate by the..and written by the Coloured student. It says (2)..Question No. 9, (2) Coloured leaders in the field of literature: S Petersen/P Philander/A Jansen/E Domingo. Now these are nonentities in the Coloured community. A Jansen people are trying to force him down the throats of the Coloured people. S V Petersen is not known, P Philander and Mr. Domingo obviously..passed on. (3) Industrial..(intervenes).

(20)

MR. MALHERBE: What did you say about Mr. Petersen?

MR. CROWIE: Mr. S.V. Petersen.

(30)

MR./..

MR. MALHERBE: Yes, what do you say about him?

MR. CROWIE: As far as literature is concerned, he is not accepted as somebody very good in the literature field amongst the Coloured people. This is an opinion.

MR. MALHERBE: I don't think you and I are fit with respect as far as I know Mr. Petersen is very highly regarded as an Afrikaans poet but..(intervenes).

MR. CROWIE: Yes, because as a Coloured person while trying to speak Afrikaans well I suppose, the other side thinks he is doing quite well but from the Coloured..person's point of view he is not so well known. He is known only as the principal of a high school but whether that is literature I do not know whether it is accepted. No. 3..(intervenes). (10)

CHAIRMAN: Now who would you suggest that they should put in here?

MR. CROWIE: I think..you see, these people are Coloured people we do not want the child..I am talking from the child's point of view, the people's point of view. The pupils want people of national importance, somebody who is good, not people like this who..the type of literature they write is what is termed "Coloured literature" which is not accepted. The pupil wants literature, good literature and irrespective whether it is written by Coloured or White.. (20)

CHAIRMAN: Are you an educationalist?

MR. CROWIE: No, sir.

CHAIRMAN: Yes, go on.

MR. CROWIE: I am a building contractor, we call a spade a shovel in our firm, sir. So I speak..when I speak, I speak what is the pupils think..interview by the pupil.

MR. SONN: Just one question: Have you ever read something about/.. (30)

about S.V. Petersen?

MR. CROWIE: Yes, sir.

MR. SONN: Have you?

MR. CROWIE: Yes.

MR. SONN: Personally that means it is a personal view about him. Do you know that he has got the..a medal for Afrikaans that has been presented to him in Pretoria and that it comes as an honour to any writer. He has been among Whites, he has been chosen as one of the best. Did you know about that?

(10)

MR. CROWIE: No, sir.

MR. SONN: It is just a question?

MR. CROWIE: No, sir I do not know about that.

MR. SONN: Have the others read some of the poetry by Philander?

MR. CROWIE: Yes, sir, I have read..(intervenes).

MNR. SONN: Sy "Uurglas", sy "Uurglas"

MR. CROWIE: Yes, I have read some, sir.

MR. SONN: You reckon they are not good enough?

MR. CROWIE: No, sir. I don't think so.

MR. SONN: Is your feeling actually, wouldn't you say you are actually opposed to the fact that they ask about a Coloured writer, they should rather ask about a White writer?

(20)

MR. CROWIE: No, no. I feel they should ask something about a national person, a person who is nationally accepted.

MR. SONN: But I think Petersen is nationally accepted?

MR. CROWIE: No, sir I do not think so, not..(intervenes).

MR. SONN: Don't you?

MR. CROWIE: No, sir. Can I continue?

MR. MALHERBE: No, I want to ask you a question please.

MR. SONN: I would like to disagree with Mr. Crowie and

(30)

say/..

say that we accept him as being nationally recognised as an Afrikaans writer, both him and Philander.

DR. YUTAR: Now Mr. Crowie, you said something about you objected to being asked about leaders in the field of Coloured literature. There is nothing about Coloured literature in this question. It says: Coloured leaders in the field of literature, without any qualification.

MR. CROWIE: Sir, then why must they always put the words in: "Coloured". That is the pupil's..that is the basic thing of the right which I will give further on, I will tell you why they do not like the word "Coloured" every time. "Coloured" education, "Coloured" this and "Coloured" that. (10)

DR. YUTAR: Mr. Crowie, my question is a simple one: You objected to the use of the phrase "Coloured literature".

MR. CROWIE: That is correct sir.

DR. YUTAR: I am trying to point out to you even on your own version there is no reference here to "Coloured literature" at all.

MR. CROWIE: Well, it says "Coloured leaders in the field of literature". (20)

DR. YUTAR: That is a different thing. Are you not proud of your Coloured leaders in the field of literature?

MR. CROWIE: Sir, they must be very good and compared with national leaders in literature, then I accept them.

DR. YUTAR: They do. Now you can go on.

MR. CROWIE: Right. (3) Industrial regions where the Coloured is concentrated: Western Cape/Southern Transvaal/Port Elizabeth-Uitenhage/Pietermaritzburg/Howick. (4) Housing schemes for Coloured: This is Senior Certificate. Bonteheuwel/Mitchell's Plain/Meadowlands/Belville South. Now I have added here: My son/... (30)

son Andre who is in Std. V answered all the above questions correctly. It shows the standard of questions given to the Senior Certificate Student.

CHAIRMAN: Well, isn't it perhaps the standard/^{of} your son?

MR. CROWIE: You must know, sir what..if he can do Std. V..
(intervenes).

MR. MALHERBE: He may know more than his father!

MR. CROWIE: If he can do..that shows that the question here should be for a Std. IV, Std. V child, not Senior Certificate.

The standard of a Coloured matric pupil is without doubt inferior(10 to his White counterpart, if he is subjected to Coloured education. The above type of questions speaks for itself. Now, also I can continue with another two which is also..
(9) The well known Coloured Opera Group in Cape Town is known as the.... Now it shows you you must say the Eoan Group and it is still "Coloured Opera Group". And then (10)..
(intervenes).

CHAIRMAN: Well, aren't they a Coloured Opera Group?

MR. CROWIE: I think sir..(intervenes).

CHAIRMAN: And are they well known? (20

MR. CROWIE: They are well known sir, but..(intervenes).

CHAIRMAN: Yes, now why can't a question be asked about them?

MR. CROWIE: We want the..(intervenes).

CHAIRMAN: And if this question appears in a matric examination paper for Whites would you also object to it?

MR. CROWIE: I have got the White matric paper here.

CHAIRMAN: Will you please answer my question: If that question should have appeared in the Std. 9 examination in a White school or 10, would you have objected to it?

MR. CROWIE: Yes, sir I would object to it, sir. (30

CHAIRMAN: Oh well, that is alright then.

MR./..

MR. CROWIE: Then I would object to it.

MR. NGO: Say you as an examiner, wanted an answer, the answer should be...you are the examiner, you wanted this answer to be the Eoan Group, you wanted the answer: The Eoan Group.

MR. CROWIE: Yes?

MR. NGO: How would you put a question?

MR. CROWIE: We want the question to be put: The well known Opera Group in Cape Town is known as the.... - that is what we wanted. The well known Opera Group is known in the Cape as the.... - Then we would put Eoan Group. (10

MR. MALHERBE: But as an Afrikaner I wouldn't object if someone said: What was a good Afrikaans Opera Group. Why are you so touchy about the word Coloured? I mean..(intervenes).

MR. CROWIE: Because they have put us in a camp. "Coloured" "Bantu", "Indian". We want to get out. We want education for our children, that is why we object, that is why.

MR. MALHERBE: But now, do you accept..do you accept that you have now quoted a little girl of 16 who gave evidence, but do you accept the evidence of Mr. Sonn who is the Chairman of the Professional Teachers' Association - I think that is what (20 it is called, to the effect that in fact as far as the syllabus is concerned or syllabi are concerned, there is no difference between the White standard and the Coloured standard for matriculation and in fact he quoted one instance in geography that they asked, the Coloured teachers themselves asked the syllabus to..certain items had to be deleted because they thought it was too stiff, and it was more strenuous than the White syllabus. Now do you accept that as a fact that as far as syllabi are concerned, there is no difference between White or the Coloured education, is not in any way inferior to White (30 education/..

education, do you accept that or don't you accept that?

MR. CROWIE: I do not accept it. I will tell you why, sir.

MR. MALHERBE: But in other words, you cross swords with

Mr. Sonn then on that?

MR. CROWIE: Yes, sir.

MR. MALHERBE: Right.

MR. CROWIE: I..(speaks away from microphone).

DR. YUTAR: What is your profession?

MR. CROWIE: I am a building contractor.

DR. YUTAR: Oh, I thought you were an educationalist, carry on. (10

MR. CROWIE: No, sir..you see, as Mr. Sonn knows me, I have had an occasion of having more than 700 people working for me I had Whites, Coloureds and Blacks and everybody working for me. I had an occasion at times to interview people who applied for jobs, Whites, Coloureds. I had matriculation Coloureds applying for jobs, I had matriculation Whites applying for jobs. I personally interviewed them for work and the difference between the White and the Coloured is there for anybody to see when one starts interviewing them. The Coloured knows exactly what is in a textbook, concerning the Coloured education, (20 concerning that, whereas the White - I take my hat off - he knows general knowledge and he knows everything that one wants to know about..

DR. YUTAR: Will you continue?

MR. CROWIE: Thank you, sir.

DR. YUTAR: Don't mention it.

MR. CROWIE: Thank you. According to the report given by Professor van der Ross to the Cillie..to the Commission, he states - "He told the Commission the provisions and demands of the syllabuses for Coloured children were precisely the same (30 as for Whites. The only difference were unimportant details".

Now/..

Now the students consider the above questions as an..(inter-venes).

MR. MALHERBE: Now, before you go further, do you accept what Professor van der Ross says?

MR. CROWIE: Well, sir, I have already said no.

MR. MALHERBE: You don't even accept what he says?

MR. CROWIE: No, sir.

MR. MALHERBE: Who do you agree with then?

MR. CROWIE: I deal a lot with the students..(intervenes).

MR. MALHERBE: No, I say who do you..you agree with (10
Mr. Sonn who gave evidence..(intervenes).

MR. CROWIE: But I have pointed out..to you sir why I disagree. I have got the questions here and I have answered the questions and I think the term "Coloured" and everything, putting us into "hokkies"..(intervenes).

MR. MALHERBE: No, will you please listen to me: You disagree with Mr. Sonn, who gave evidence most impressively here last Friday and you disagree with Professor van der Ross, the Rector of the University. My simple question is: Who do you agree with? (20

MR. CROWIE: I agree with the pupil.

MR. MALHERBE: With the pupil.

MR. CROWIE: And these are the pupils' views.

MR. MALHERBE: Oh.. so you don't agree with the real educationalists?

MR. CROWIE: Sir, the pupils, the students were the so-called rioters, not the educationalists and those types. Now, I have got question No. 9"B". (1) "The present organisation of Coloured Education". Now there is one question that you have to write something about the present organisation of Coloured education. The student feels he is trapped if he should (30

express/..

express his true opinion. This question is loaded with 25 marks for the Senior Certificate - he must write about the present organisation of Coloured education. If he were to write the true facts what he thinks it is worth, he won't get no marks and he wants to pass.

DR. YUTAR: How do you know that?

MR. CROWIE: What is to be understood, sir.

DR. YUTAR: Are you suggesting that the examiner and the moderator are dishonest people?

MR. CROWIE: No, no sir, I am not saying that. I am saying (10
the present organisation of Coloured education. We know that the Coloured..the student..he doesn't want Coloured education he wants education.

DR. YUTAR: So if Mr. Sonn was to answer that question and to say as Mr. Malherbe has pointed out that the syllabi of both sectors are the same and in some instance..in one instance higher, you would give him no marks for that?

MR. CROWIE: No, I..(intervenes).

DR. YUTAR: And he is a principal of a school?

MR. CROWIE: Well, I.. - PAUSE - (20

DR. YUTAR: We continue.

MR. CROWIE: Thank you very much

MR. SONN: Just a question: Mr. Crowie are you actually against the word "Coloured" being used or are you against the syllabi and that sort of thing? Are you opposed to the word "Coloured"?

MR. CROWIE: Coloured education.

MR. SONN: You don't..now, talking about Coloured education, what you are opposed to is again you are opposed to the word "Coloured". You reckon it should just be education?

MR. CROWIE: It should be straight education. (30

MR./..

MR. SONN: Education and nothing else?

MR. CROWIE: Education on a par with the Whites.

MR. SONN: Now why would you say on par with the Whites?

Education is education.

MR. CROWIE: Education..but it should be the same..(intervenes).

MR. SONN: You give me the impression or the Commission the impression that you are not so much opposed to the difference in syllabi which you reckon there could be, you are not sure of that, you are not sure of that fact, you are actually giving the Commission the impression that you are opposed to the word (10 "Coloured" being used. You don't like the word "Coloured".

MR. CROWIE: I would say this, sir: You say that I do not know whether there is..the White is different to the Coloured the syllabus..(intervenes).

MR. SONN: No, you are mentioning a few instances, questions. Now questions could be anything in any paper in any examination paper, but that has got perhaps very little to do with the syllabi as such, you understand what I mean?

MR. CROWIE: Yes, I fully understand, sir. The White syllabi.. I have got one paper here and it is absolutely different. (20 This is the White one, Senior Certificate, it is absolutely different to the Coloured one, and there are not those questions of..about Coloured education, or..this is the type of question paper or the education, which should be given to the so-called Coloured child.

MR. SONN: Can I see that please?

MR. MALHERBE: Do you know who the examiner and the moderator were on the paper that you are quoting from, examination..?

MR. CROWIE: No, sir.

MR. MALHERBE: You don't know whether they were White or (30 Coloured/..

mnr. Brink? (GELAG)

MNR. BRINK: Meneer as ek mag gis, as ons so 'n kennisgewing kry en as ons versuim, dan kry ons die..so te sê die definisie daarvan en dit is wat 'n bietjie teleurstellend is.

MNR. MALHERBE: Dit is die wet van Transvaal! (GELAG)

MNR. BRINK: 13. Behuising. As gevolg van 'n groot tekort aan behuising, word ons mense ingehok in die tipe van huis wat glad nie aan gesondheidsregulasies beantwoord nie. Dit hou 'n ernstige bedreiging vir goeie verhoudings in. Die Kaapse Stadsraad het in die Burger van 6 Oktober 1976 berig dat Bruin gesinne wat klein is, gouer huise sal kry. Wat van dié met groter gesinne? Aan sommige huurders wat oorspronklik 'n tweeslaapkamer huis betrek en wie se kinders uitgetrou is of wie se vader of moeder oorlede is, word nou net 'n vorm uitgereik om te voltooi, dan word 'n eenslaapkamer huis aan hulle gegee, afgesien van wat van die ameubelment word. Waar die ander lede van so 'n gesin slaap, gaan die stadsraad nie aan nie. Dit is in werklikheid 'n vernedering van ons mense. Hier tree ons eie mense, wat in die kantore van behuising werksaam is, so kras op. Daar is baie sulke gevalle en dan is daar weer huise wat leegstaan en beskadig word deur leeglopers terwyl daar 'n groot waglys is. Die huidige stelsel waaroor ons niks te sê het nie, is glad nie betekenisvol nie, en gebrek om te skakel en wesenvol raadpleging met stadsrade en ons is opmerkend. Dit het aanleiding gegee tot 'n groot mate van wrywing en slegte gevoelens. Dit het die bevolking begin saamsnoer op politieke gebied om eiendomsregte te behou en te sien dat die nodige fasiliteite in die woonbuurtes belligaam word. Wat ook 'n groot probleem veroorsaak is die nywerheidsrewolusie, wat die bevolking beleef. Dus vind
duisende/..

duisende mense hulle weg na die stede, waar groot plakkerskampe teen 'n sorgwekkende tempo ontstaan. Daar ontplof 'n anti-sosiale element, wat niks anders as 'n kultuur van armoede voer. Dit is met jammerte om uit te spel dat in die plakkerskampe al die aangeleenthede ontbreek en so groei die onskuldige kinders op. Dit moet erken word dat die onbeheerde toevloei van die bevolking tot sekere gebiede waar beperkte getalle vroeër aanwesig was, skep dus die behuisingsprobleme en arbeidsbotsing, gevolglik werkloosheid. Dit verleen groter intensiteit van probleme, wat die kringloop (10

behels: Ongewenste sosiale lewe; skel en vloektaal; drank en smokkelry; diefstal; aanranding en moord; voortbrenging en dood. Dit is ingewyde heidense gebiede waar onheilige geeste heers, want daar is geen kerke, wat 'n gewyde rol in die lewe van die bevolking kan speel nie. Dit is dus broodnodig dat Bestuursrade geraadpleeg word in die toekoms, wat behuising betref, sodat hulle..sodat alle sosiale en ekonomiese probleme opgelos kan word. Dit is dan die oorgaan tot 'n nuwe lewenswandel, aflegging van onmondigheid en die groei na volwassenheid. Ek glo dat die doelstellings in verband met deeglike behuising (20 vierdelig as volg sal volbring, naamlik: 'n Tevere en vreedsame gemeenskap; 'n gesonde gemeenskap op alle lewensvlakke; 'n lewensvatbaar ekonomiese gemeenskap; 'n onskendbare gemeenskap.

14. Algemeen. Die polisie het hulle pligte nagekom,..en hier wil ek aanhaal toe daardie vergadering Edelaagbare te Sinton Hoërskool gehou was, was die studente oproerig, dit was op 'n Sabbatdag en toe was hulle weer gedreig dat die polisie sal ingeroep word. Nou wat is die polisie se pligte as hulle ingeroep word? Hulle moet orde handhaaf. Hulle het hulle pligte nagekom alhoewel daar mense was, wat nie met die (30

onluste/..

Coloured or what?

MR. CROWIE: No, sir I don't know.

MR. MALHERBE: I see.

MR. CROWIE: Then question No. 10"A" (2) In the present province...then it gives Transvaal/the Cape/the Free State/Natal, no Indian problem exists because the immigration of Asiatics thither was forbidden. Now that the students feel is very racialistic in today's political climate. (5) The Indian housing scheme on the Cape Flats..(Chairman intervenes).

CHAIRMAN: Did you think that or did the newspaper think (10
about it?

MR. CROWIE: No, sir.

CHAIRMAN: That was published a few weeks ago. A week or so ago in all newspapers.

MR. CROWIE: Then I missed the newspaper sir, my apologies to the newspaper people. The student wants to know why the emphasis on race and group areas when they all want to be known as South Africans. Regarding item 9 - The local authorities has built...now I referred to Bonteheuwel and these places .."slum clearance" type of dwellings and other similar (20
type of locations. What do one expect except violence and more violence, from those areas. The child is bred into that environment, hence his disrespect for authority. The student also feels that the Regional School Boards have no powers and are only rubber stamps. The School Boards should be given effective powers without delay and the system of having 8 nominated and 7 elected members abolished. The system speaks for itself, it creates suspicion. In conclusion I pray that something will be done soon to stop the blood bath at the moment and may god help us all to work for a peaceful and (30
prosperous/..

prosperous South Africa, and that is my every wish.

DR. YUTAR: Right. Thank you. Now..meneer(intervenies).

MR. CROWIE: Excuse me sir, can I..?

DR. YUTAR: No, no I would like you to be present when the others talk, they were present when you spoke.

Mr. Brink u gaan nou ook praat nou weer, en nou u praat namens dieselfde Raad, nie waar nie?

MNR. BRINK: Ek praat namens dieselfde Raad.

DR. YUTAR: Ja.

MNR. BRINK: Maar nou ek het 'n ander aspek wat ek wil behandel. (10

DR. YUTAR: Ja..maar voor ons daarmee begin. U het nou gehoor wat jou kollega gesê het. Stem u saam met hom?

MNR. BRINK: Tot 'n sekere mate stem ek nie saam nie.

DR. YUTAR: Ja, goed.

MNR. BRINK: Want ek was 'n oud-onderwyser met 'n ervaring van 49 jaar, dieselfde as my kollega hier, sy Edelagbare, en ons het deur die..hoe sal ek sê sillabus gewerk en die beste daarvan maak en ek het my bevoegdheid in Engeland getoets deur 'n lesing daar te gee op Aardrykskunde in die Engelse taal en daarop was ek 'n posisie aangebied daar. Nou dit wys as ons (20 toegewyde mense het of as hulle vir hulle wil toewy om ons kinders reg op te voed, want hulle is die toekomstige burgers van ons land, dan kan hulle dit doen. Hulle moenie 'n kortpad vat..kies nie. Ek het my laaste skool waar ek onderwys gegee het en hoof gewees het, ek het 'n personeel van 32 gehad, en ek het op my voete gestaan dat die kind moet ordentlik opgevoed word volgens die sillabus en die vereistes afgesien van kleur. Geleerdheid het nie kleur nie, hy is net 'n geleerdheid en hy word so te sê..hy bekwaam hom om sy verstand op 'n akademiese vlak te ontwikkel. Dit is hoe ek voel. (30

DR./..

DR. YUTAR: Nou mnr. Brink, u het nou ook 'n memorandum opgestel?

MNR. BRINK: Ek het een, ja.

DR. YUTAR: ..opgestel, en u gaan dit nou voorlees, en ons begin nou..ja. U sê hierso u is Oud-skoolhoof, 'n Lid van die Onderwysraad, Administrasie van Kleurlingsake, Lid van die Verteenwoordigende Kleurlingraad. U was ook lid van die Uniale Raad van Kleurlingsake.

MNR. BRINK: Ja.

DR. YUTAR: Nou sal u maar voortgaan met die voorlees van hierdie(10 memorandum asseblief.

MNR. BRINK: My Voorrede. Sy Edelagbare en lede van die Kommissie, Dit word onomwonde gestel dat een van die veelvoudige redes wat die onlangse onluste en geweldpleging veroorsaak het is die vernalatiging van Stadsrade om ons woonbuurtes te ontwikkel. Daar is wel uitsonderings maar in die meeste gevalle ignoreer Stads- en Afdelingsrade ons gebiede, en indien ontwikkelings en verbeterings nie uitgevoer word nie, laat dit baie wat te wense oor. Dit is nie 'n wonder dat diegene betrokke met die onluste, sulke sorgbarende omstandighede opgemerk het en (20 gevolglik het dit vir hulle frustrerend, onrustig en emosioneel aangewakker om te betoog en demonstreer, ten spyte van ouers leerkragte en kerkgenootskappe, wat alles in hulle vermoë gedoen het om orde en dissipline te handhaaf. Ek moet dit beklemtoon en pertinent stel dat die Nuwe Apostoliese Christelike Kerk 'n vername rol gespeel het deur al die gemeentes in kennis te stel dat geen studente van die Kerk, hulle met die onluste vereenselwig nie. Die gevolge was spontaan en suksesvol.

4. Plaaslike Bestuur. Provinsialerade, Afdelingsrade en Stadsrade is statutêre tipes van plaaslike bestuur, en volgens (30

Wet/..

Wet 'n politieke-onderverdeling van 'n Staat. In hierdie rade is 'n korporasie deur kiesers gestig, om te sien in die burgerlike behoeftes van 'n spesifieke bevolkingsgroep in 'n afgebakende gebied met grense. Die rade is dus 'n responsorium van die Regering, wat aan hulle verpligtende magte toegeken het om publieke dienste aan die hele gemeenskap, wat onder hulle ressorteer, te handhaaf. Dit is verstaanbaar dat die dienste oorjarige termyne uitgevoer kan word. Nadat ons stemgeregtigdes van die Munisipale Kieserslys verwyder is en ons verteenwoordigende raadslede ook vaarwel moes sê, is Bestuursrade (10 in die lewe geroep om ons ons burgerlike belange te behartig, en aanbevelings te maak. Ongelukkig is dit in die meeste gevalle van die hand gewys. Onlangs het die Kaapse Stadsraad besluit om nie verdere magte aan Bestuursrade te verleen nie. Hier is drie sulke rade in die Skiereiland wat hulle nie spaar om te vermy dat die betrokke raad ..dit is die stadsraad, 'n gediskrediteerde liggaam met begrip van bejeën word. Dit veroorsaak frustrasie en moedeloosheid onder die lede wat openlik deur die gemeenskap beswadder word, nieteenstaande die feit dat hulle onskuldig is. Hartversterkende dialoog is altyd gevoer (20 maar weinig sukses is behaal. 5. Groepsgebiede. Die proklamasie van sekere groepsgebiede wat oms onoordeelkundig geskied het tot ongerief, en selfs ontbering aanleiding gegee. Hoewel veel van Staatsweë gedoen is om 'n regverdige vergoeding te behaal, is daar ook baie gevalle van 'n te geringe vergoeding by eiendomswisseling. Dit het tot onsekerheid, teleurstelling en afbrekende kritiek aanleiding gegee. Nieteenstaande dit was ons bevolking wetgehoorsaam, om hulle in geaffekteerde gebiede te ontwortel, en weer vir hulle in verklaarde gebiede ten groot koste..ten opsigte van groot koste (30 te/..

te hervestig. Hulle het van die geleentheid gebruik gemaak om imponerende wonings op te rig met die hoop dat die dienste van die plaaslike stadsraad uitgevoer sal word, sodat dit pragbuurtes kan wees met trotsheid. Die hoop word nog gekoester dat die gebiede nie weer vir ander bevolkingsgroepe herproklameer word nie. Die gebiede - dit moet ook erken word - is tot 'n sekere mate deur plaaslike owerhede ontwikkel, maar daar ontbreek nog baie geriewe. Die eienaars van belasbare eiendomme dra grootliks by tot die belasting inkomste van die stadsraad. Hoekom kan die bepaalde persentasie van die belasting nie (10 terug in die woonbuurtes geploeg word nie vir ontwikkelingsdoeleindes nie? Nee. Ander gebiede word ten koste van ons ontwikkel en verbeter. 6. Benodighede. Dit is hoog tyd dat die Kaapse stadsraad en Afdelingsraad asook ander rade ernstige aandag aan die volgende knelpunte gee: Publieke beligting. Daar is nog baie strate waar beligting ontbreek en waar dit geaffekteer is. Montagu Giftweg is sonder beligting terwyl Plantationweg belig is. Die twee weë vorm een hoofweg. Strate. Die woonbuurtes ontbreek ordentlike strate, afgesien van wat alreeds daar is. Om 'n paar voorbeelde te noem, die (20 volgende:- Hadji Ebrahim Singel is bebou met fabriek sowat vier jaar gelede. Tot op hede is dit met geen ordentlike strate voorsien nie, alhoewel die nyweraars hoë belasting betaal. Hulle het toe self besluit om dit te ontwikkel sodat daar toegang vir hulle kliënte kan wees. In Activeweg en Doricweg, Penlyn Oos Landgoed, is imponerende wonings vyf jaar gelede opgerig. Belasting is betaal maar geen strate nie. Die strate van Kensington is in 'n haglike toestand. In Grassy Park en Lotusrivier is daar meer gruispaaie, en met die onlangse swaar reëns het dit tot 'n groot mate verspoel, met die gevolg dat baie (30 voertuie/..

voertuie beskuldig is. Ons is vertrouwd met die feit dat waar eienaars wonings oprig, die strate na 'n tydperk van vyf jaar of langer verbeter word, nadat belastings vir so 'n tydperk vereffen is. In die Lotusrivier en Grassy Park gebiede is daar gedurig verkeerspolisie op die soort strate om voertuie te ondersoek en om te sien of die uitlaatpype, knaldempers of skokdempers in orde is. Is dit nie so nie, word die bestuurders beboet. Dit is die gevolg van die onontwikkelde toestande, wat geen fout van hulle is nie. Wat 'n maklike wyse van inkomste. Andersyds word strate eers in (10) Blanke gebiede beplan en uitgelê soos in Wetton, naby Plantationweg. In ons gebiede word sypaaie glad nie voorsien van randstene nie, dit word net in die hoofverkeerspaaie gelê tot by die hoek van elke pad wat insny. Die vernalatiging van sypaadjies is sorgwekkend. Ons moet tevrede met ongelyke oppervlakte wees, waarop ruigtes, gras en onkruid groei. Dit moet erken word dat sekere sypaadjies 'n teeroppervlakte het net op een kant van die straat, terwyl 'n sypaadjie op die anderkant van die straat nutteloos is. Voetgangers moet dus in die meeste gevalle gebruik van die straat maak, waar hulle (20) deur roekelose motorbestuurders uit die weg gevloek word. Toe dit opgemerk was dat diessanderige oppervlakte van Bonteheuvel met gruis bedek word, was die inwoners bly, maar die werk was maar kort van duur, want die werkers was net vir 'n paar maande besig. Wat 'n teleurstelling. Die res van die gebied en ander is nog in treurige toestande. Ek wil dit nie diskriminasie noem nie, maar liewers differensiasie, want die hoop word gekoester dat pligte uitgevoer word. Die toestande is teleurstellend en 'n mens kan jou verbeel hoe die studente, gedurende die onlangse reënstorms deur die modderige sypaadjies (30)

na die skool en terug moes waggel. Stormvloede was tot teen die hekke en voordeure van geboue, as gevolg van nie sypaadjies nie. Belmoreweg tussen Penlynlandgoed en Hanover Park, is 'n voorbeeld. Indien daar nie 'n verbeterde rioolstelsel installeer word nie, sal eienaars groot skade ly, soos laas jaar, toe die kanaal in Penlynlandgoed sy oewers oorvloei het. Wat was die uitkoms van onderhandeling met die Kaapse stadsraad? Geen vergoeding aan eienaars nie. Na gedurige beraadslaging word die kanaal nou eers vergroot. In Newtown, Wellington is daar gedurig verspoelings, maar die stadsraad weier beslis (10 om te verbeter. Ook in Grassy Park en Lotusrivier omring groot poele water en modder pragtige wonings, om nie eers melding van Kensington te maak nie. Eienaars is self besig om dit ten groot koste op te vul. 7. Verkeersligte. In ons woonbuurtes waar hoofverkeersweë aangrens, sal ons ongeveer sewe installasies van verkeersligte opmerk, Daar is redes daarvoor. Maar binne die grense is daar niks, nieteenstaande die stroom van voertuie, wat daaglik op die paaie te sien is. Gedurig is daar ongelukke op die paaie. Hoofverkeersweë, waar verkeersligte onmiddellik aandag moet geniet is: Thorntonweg aan beide (20 eindpunte. Belgraviaweg aan beide eindpunte en by die interseksie van Repulseweg, Militêreweg en Concert Boulevard en Steenberg. Retreatweg en hoofweë in Lansdowne. Dit is jammer dat die verkeersligte op Prince George Laan by Retreat en Steenberg erg beskadig is met die onluste. Dit is nog buite werking, gevolglik hoop die verkeer daaglik op. Verkeerspolisie is wel op diens maar kan nie orals die verkeerstroom kontroleer nie. 8. Parkeerterreine. Dit is 'n groot teleurstelling dat feitlik geen voorsiening vir die aangeleentheid in ons gebiede gemaak is nie. Motorbestuurders is absoluut traak-my-agtig (30

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waar en hoe hulle parkeer. In Athlone is daar 'n parkeerplek vir sowat dertig voertuie. Gevolglik parkeer die origes op sypaadjies, in strate op beide kante. Dit veroorsaak ophoping van bewegende verkeer. 'n Mens kan 'n denkbeeld vorm hoe die toestande is en dan is die verkeerspolisie baie gou om dit as onwettig te aanskou en so die bestuurders voor die hof te bring waar hoë boete op hulle gelê word. 9. Onbeboede Perseels. Dit is oorgroei van onkruid en ruigtes. Dit is 'n skuilplek vir leeglopers, waar hulle beplan en be- raadslaag om diefstal te pleeg en onskuldige mense aan te rand (10) Gedurende hierdie jaar is 'n vrou op so 'n wyse vermoor. Selfs studente is huiwerig om te voet skool toe te gaan. In Penlyn- landgoed was ook so 'n voorval toe 'n skooldogter aangerand is. Die hoop word gekoester dat eienaars in kennis gestel word om ope perseels te omhein vir veiligheidshalwe. Uitgooing van vuilis geskied ook daaglik daar en dit het al 'n omgewings- krisis veroorsaak. 10. Algemene Dienste. Die bevolking maak ten volle gebruik van die gebruik van elektrisiteit en water dienste maar as gevolg van werkloosheid en stygende heffings is baie elektrisiteitskrag gesny, veral in behuising- (20) skemas. Die gebruik van kerslig en lamplig kry nou voorkeur. Hoe kan studente studeer? Huurgelde word verhoog vir geen tasbare redes nie, met die gevolg dat huurders in die sub- ekonomiese behuisingskemas ekonomiese huurgelde betaal. 'n Mens wonder of die huurder se inkomste, waarvolgens sy huur- gelde vasgestel is, in aanmerking geneem word. Die rede vir die verhoging is somtyds "vir Administratiewe dienste". Dit is in werklikheid 'n stryd vir 'n lewensbestaan wat somtyds sal lei tot 'n kultuur van armoede. 11. Belastings. Gedurende hierdie jaar is belastings verhoog en onlangs is dit weer (30) bekend/..

bekendgemaak, dat dit weer vanaf volgende jaar verhoog word. Dit is die hoogste vlak van belaglikheid. Dit gee duidelik die indruk dat die Administrasie van die stadsraad onbevoeg is en dit sal voor lank 'n "New York" weerspieël. Ons het niks te sê nie want die alleenheersers voorskryf net. Wie is ons dat ons so eksploiteer moet word? Die studente het nou lank genoeg die soort neigings van die stadsraad soos hulle beweer, geduld. Dus het hulle uiting aan hulle gevoelens gegee, en kwaadwillig en emosioneel opgetree, wat ook nie na wens is nie. Die stadsraad is steeds besig met die Nervysaal en (10) gemeenskapsentrum. Hoeveel miljoen rand word daarop spandeer en wie gaan dit gebruik? Moet ons nou weer bydra met 'n verhogende belasting om ander gebiede en sulke geboue onderskeidelik te ontwikkel en op te bou, wanneer ons maar net geduldig moet wag, omrede soos beweer word, dat daar nie fondse beskikbaar is nie, voordat ons gebiede aandag geniet? Ander stadsrade is nie so onredelik nie. Bellville se stadsraad is 'n voorbeeld. Dit is hoog tyd dat van die belastings gebruik word vir ontspanningsgeriewe en speelgronde, om ons kinders van die strate, wat hulle huidige speelplekke is, af te hou. Strand-(20) geriewe moet volgens die Stark Kommissie van 1959, verbeter word, en meer moet daargestel word, want daar is te min. Strandfontein moet uitgebrei word en Soetwater moet verbeter word. Geskied dit, dan beseft ons dat ons verhoogde belastings vir die regte doeleindes gebruik word. 12. Kennisgewings. Volledige kennisgewings moet aan burgers uitgereik word, in plaas van oorheersing met "Regulasie so-en-so; Sub-seksie so en-so ; Afdeling 3 of 4 of 2" wanneer ons met geen definisie daarvan vertrou is nie.

DR. YUTAR: Ons witmense is 'n snaakse volk, nie waar nie,

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onluste betrokke was nie en wat gely het - hulle was daar. Van die onskuldiges wat deur die dood heengegaan het, aan hulle gesinne deel ons mee. Teen die leeglopers moet nou opgetree word. Hulle besteel en rand onskuldiges helder dag aan. Hulle moet van die strate verwyder word, want daar beplan hulle hul bedrywighe. Narede. Die jeug het voorheen dit met erns gevoel, dat stilsit en mediteer doelloos sal wees. Dus hulle optrede onlangs. Maar die ouers het nog nie moed verloor nie. Hulle het die jeug nou aangewakker om 'n simptoom te openbaar, dat hulle besig is om 'n gevoeligheid, (10 'n sensiwiteit ten opsigte van menslike nood te ontwikkel, so dat dit 'n afsku van die gebruik van geweld in die toekoms sal wees. Orals is geweld, die brutalisering van die mens in alle vorms aan toeneem, ontsaglik aan toeneem, en dit kan nie ontken word nie. Om dit in sonnige Suid-Afrika te vermy, moet 'n christelike menseverhouding van nou af teenoor elke etniese groep bevorder word, want dit bly maar net 'n kwessie van brood op die werp, van seën en nie vervloek nie.

Dankie Edlagbare vir die geleentheid wat my te beurt geval het om ook my deel by te dra. (20

DR. YUTAR: Mnr. Brink, mag ek u gelukwens met jou redelike en goed gemotiveerde memorandum.

MNR. BRINK: Dankie.

DR. YUTAR: Edele, ek het geen vrae nie.

DEUR DIE HOF: Mnr. van Zyl, het u iets by te voeg?

MNR. VAN ZYL: Agbare lede, ek dank julle die geleentheid om 'n paar woorde te sê. Mag ek in die eerste plek net sê dat ek my natuurlik nie kan vereenselwig met die kritiek wat daar uitgespreek is van ons kollega oor die vraestelle nie.

Ek wil my heelhartig vereenselwig met my kollega mnr. Brink (30 waar hy uitwy oor plaaslike toestande, in ons gebiede en hoe

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dit verbeter kan word. Ek het nie 'n memo opgestel nie want aanvanklik is ek net gevra om steun te verleen aan hierdie lede en ingeval een van hulle nie sou kon opdaag nie, sou ek teenwoordig wees. Eintlik is ek hier in die.. in my kapasiteit as waarnemer. Ek dien natuurlik ook op die Streeksraad van Kaapstad, ek is 'n oud-skoolhoof van laerskole met 45 jaar diens, en ek het tans uitgetree, verlede jaar en ek stel nog 'n lewende belang in die opvoeding van ons kinders. Ons voel natuurlik baie bekommerd oor die heersende toestande en wat gebeur het die laaste maande in ons land en ons voel daar kan groot verbeterings aangebring word om die probleme wat daar is, uit die weg te ruim. Daar is natuurlik baie probleme wat nog uitgestryk kan word. Byvoorbeeld as onderwysman het ek ondervind dat daar 'n groot gebrek is nog aan voldoende skoolgeriewe vir ons kinders, daar is nie genoeg skoolakkommodasie nie. Sommige van ons skole moet as gevolg van die gebrek aan skoolakkommodasie nog dubbelskof klasse wat 'n ongewenste ding is, en ek dink as daardie probleem ook te bowe kan kom, sal daar groter vrede en rus kom in ons gebiede. Dan kan daar ook natuurlik meer sportsgeriewe aangebring word in ons gebiede. Dit sal baie help om die jeug besig te hou en om hulle werklik iets te gee waarin hulle belangstel. Dan voel ons natuurlik ook dat meer regte aan die Kleurling toegeken moet word, veral om sy eie sake te bestuur. Ons wil meld dat ons groot waardering het vir wat reeds op die gebied gedoen is en wat ook deur die Administrasie van Kleurlingsake gedoen is, maar ons voel daar kan nog meer gedoen word. Ek sê baie dankie vir die geleentheid wat ek gehad het om 'n paar woorde te sê.

MNR. SONN: Mnr. van Zyl, u het nou al u titels genoem en een het u vergeet en dit is dat u 'n buurman van my is! (GELAG)

MNR. VAN ZYL: Baie hartlik dank vir die komplement!

VOORSITTER: Ek is ook 'n buurman van hom. Baie dankie, dankie vir die moeite wat u u getroos het, al drie van u om u menings hier aan ons voor te lê, en al drie se menings die sal oorweeg word en sal ek oor geadviseer word.

GEEN VERDERE VRAE.

KOMMISSIE VERDAAG VIR ETE.