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SASH

The Black Sash magazine

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The Black Sash Die Swart Serp

Ten and a half million people were arrested, carted off to police cells in vans, and prosecuted for pass law offences in the 25 years of National Party rule between 1948 and 1973. Dr Francis Wilson has stated that this figure is roughly equivalent to the total number of African people of the Republic who are at present over the age of 16 years.

In the year ended June 30 1973 515 608 people were prosecuted — an average of 1 413 on every day of the year. Added to this figure are the 44 387 people who were arrested but were not prosecuted because the prosecutions were waived after investigation at the Aid Centres. These 40 000 were subjected to the indignity of arrest and of being held in custody while their fingerprints were checked against those in the files at the Central Reference Bureau in Pretoria. In many cases they were deprived of their freedom for a longer period than if they had been prosecuted and had paid admission of guilt fines.

The Aid Centres were established with a fine flurry of rhetoric about being designed to help the "urban Bantu" but the statistics speak for themselves. Of 138 980 Africans arrested and referred to the Aid Centres in 1973 1 628 were assisted in finding employment and 92 886 were sent out to the homelands. In other words, they were sent to places where they have no opportunities whatsoever for choosing suitable and rewarding employment. They must comply with the labour regulations which force people into a perpetual oscillating migrancy for all their working lives.

In January the Prime Minister promised the homeland leaders that they could set up a sub-committee to discuss the complaints of urban people. He should not be surprised that this has been received less than enthusiastically. His Deputy Minister of Bantu Administration, Mr Punt Janson, invited suggestions from the public to make the pass laws less irksome in July, 1973. He was inundated with memoranda but absolutely nothing has happened to date. It is not surprising that Black leaders, both urban and in the homelands, regard such promises with scepticism.

Since he became Deputy Minister, Mr Janson has repeatedly made promises and protes-

tations of his good will towards Black people in the urban areas. Only last month he told the people of Krugersdorp that "Separate Development has never been a policy with any element of oppression of one by another." Yet he is deputy head of a government department which continues to enforce one of the most oppressive systems ever devised to keep in total subjection a majority of citizens in the interests of a minority group.

The Black Sash acknowledges the statesmanlike qualities the Prime Minister has shown in the negotiations for peace in Southern Africa and in international relations but all this will appear to be no more than a buying of time to enable South Africa to maintain the status quo unless his Government immediately takes steps to meet the demands being made by Black South Africans.

These demands are eminently reasonable. People want freedom of movement inside the borders of their own country, meaningful political representation, basic rights to own property and to live with their families, none of which can be labelled as extreme or radical demands.

As long as people are subjected to police raids on their homes in the small hours of the morning, as long as they are pounced upon by police at railway stations, bus termini and in the streets, as long as police vans are seen in our suburbs loading up every Black person in sight who cannot immediately produce a pass and a permit, so long will Black anger continue to grow.

The rage felt by Black people over the pass laws cannot be calmed by opening the Nico Malan theatre to all races, by having conversations with homeland leaders, by better public relations by deputy ministers, by empty promises and declarations of goodwill, or by dialogue with Dr Kaunda.

Statesmanship must surely include an appreciation of this and of the fact that people do have certain basic rights as human beings which cannot be denied to them for ever and which certainly cannot be denied to them when other people in the same country claim and enjoy the same rights and a great deal of extra privilege at their expense.

Throw out the clichés

JOYCE HARRIS

The time may now be ripe to jettison some well-worn political clichés. Since Britain first created the prototype of democratic parliamentary government and the suffragette movement succeeded in extending the vote to women, making the franchise universal, this has been the model from which all democratic forms of government have evolved.

For people who value individual freedom this has been considered to be the best method of reconciling the order required to control a large industrial nation with the freedom of the individual.

Nor is there any reason to doubt that for a long time it worked. Nations grew and prospered in a relatively ordered and controlled fashion and their citizens enjoyed a large degree of personal freedom.

But today's world is a very different place. For instance, in Britain the enormous power vested in the hands of the trade unions is a denial of the efficacy of two-party parliamentary government and of universal suffrage. For trade unions can and have toppled governments and a trade union membership card wields more influence in the corridors of power than the vote.

On the other hand personal and company wealth have grown to a degree where they exercise a power out of all proportion to the number of individuals they represent — a power whose repercussions are felt not only nationally, but internationally.

The military-industrial complex of the United States is a classic example of this. Where the power of the munitions producers and the ripple-effect of a military orientation on the whole economy helped to keep the Korean and Vietnam wars going.

It took many years and much suffering before the power of each man's vote could make itself felt.

Britain and the United States have been the two great bastions of parliamentary democracy, together with France, which modified the two-party system to incorporate a plethora of parties, with a resultant instability.

The concept of one-man-one-vote, which has for so long been accepted as the very kernel of democratic government, has proved to be not nearly as fair or as equal as the principle implies, and this in countries whose very essence is based on the rights and freedoms of the individual.

The concept of majority rule is another which needs re-examination. Majority rule has worked in Britain, which is, or was, a homogeneous nation with parties divided only over political principle and administrative action.

Majority rule has worked because it has been fluid. The majority has not remained a majority in perpetuity. Public opinion could and did change and the ruling majority changed with it. There has been a built-in check and balance on power, and the will of the majority has prevailed.

Today, however, even in Britain, it is overruled by trade union action which may, indeed, represent the majority, but which is not seen to do so.

Much the same type of situation has prevailed in the United States, though the passing years have seen less and less political differentiation between the parties and more and more concentration on party personalities.

In France the majority has been a coalition of parties more sensitive to change than the two-party system; more directly representative of public opinion but less able to govern efficiently.

The concept of one-man-one-vote and majority rule, those very bastions of democracy, appear to have lost at least some of their validity even in the country of their origin. How much less validity might they have in countries facing totally different problems and with totally different population alignments.

Yet they may be questioned only in the face of righteous democratic indignation. They have for so long been accepted as fundamentals of the free world that there is no longer any awareness of their true implications.

An analogy may be drawn with the displacement of religious faith by ritual and dogma—the former being lost in the latter. For the

perceptive and sincere the faith is real, for the rest it is concealed in a welter of ceremony and becomes a rationalisation.

So it is with democracy — with government of the people, by the people, for the people. People pay lip-service to it, they even believe that it is right and good, but they fail to realise that those concepts which first made it workable, those concepts which were devised to make it a reality as it emerged from a feudal world of the divine right of kings or tyrants, may no longer be applicable or may have outlived their usefulness or may even be counter-productive.

The ideal of democracy is valid, but no particular form of government is necessarily so. The ideal form has yet to be devised. For a long time Britain seemed to have found it, but events are proving that it has not. There is a great deal of socialism and control in democratic Britain today — and it might be right that this should be so — but it has yet to be proved. Other recognised “isms”, such as communism, fascism or totalitarianism, are not acceptable to people who value their freedoms.

However there is still sufficient freedom in democratic countries for a re-evaluation of long-accepted concepts; an examination of how far they still fulfil their purpose and whether or not they ought to be reconsidered, particularly in view of different conditions prevailing in different countries.

Although democratic values may be shared by all, the manner of implementing them need and should not necessarily be identical.

For instance, the values implied by one-man-one-vote and majority rule apply as much in Southern Africa as they do in Europe, but the method of attaining those values must inevitably be different.

“Majority rule” has become a catch phrase in Southern Africa, imposed upon it by Europe and America, but in the context of non-homogeneous countries it becomes an empty and meaningless cliché.

It is inevitably allied to race, or colour, or both, and as such becomes a permanent possession of the largest group of people. Majority rule — a term surely meant to imply a democratic concept with the wishes of the majority prevailing yet controllable by a change in public opinion — becomes, in terms of race or colour, a potential tyranny of one group over another without any checks or balances at all.

It is a permanent vesting of power in one section of a nation, and, as such, a total contradiction of those democratic principles it has been created to uphold.

When allied to “one-man-one-vote”, majority rule becomes a tool of racial tyranny and not of democracy. In countries which are non-homogeneous, and where there is an overriding preponderance of one colour group over another, allied to colour consciousness and race prejudice, the same rules cannot possibly apply.

However this does not mean that there cannot be democracy in Southern Africa — a democracy which would recognise the rights and freedoms of all people and give effect to them. But at first it must no longer be hamstrung by old and inherited clichés. It must devise new systems to meet its own special circumstances, and there are a number worthy of consideration.

All people are entitled to exercise some control over the manner in which they are governed, but all people are not equal. They are born with differing potentials, they exploit them differently, they make differing contributions to the societies of which they are a part.

There is one fundamental to which everyone is equally entitled, and that is equality of opportunity. Beyond that each individual is entitled to the benefits of his or her own efforts. To deny this is to deny the whole concept of personal freedom.

Thus it could be argued that although all people are entitled to the vote they are not all equally entitled to it. The system of the multiple vote, which could satisfy this contention, provides one basic vote for all and additional votes for those who have earned them. Naturally the opportunity must be created for all people to earn them should they so desire.

If, however, equality of voting power is found to be more acceptable, it might be possible to demand qualifications from candidates, to ensure that only those of integrity and intelligence shall be entrusted with the law-making which so directly affects every single member of society.

For if universal suffrage is to be allied to majority rule as it must be, and if people are going to vote with their skin-colour instead of their minds, there can be little hope of a democratic outcome.

A one-party state is another system of government not to be angrily discounted. Two-

party governments contain their own built-in restraints, as anyone who has attended a party caucus meeting will confirm.

Individual members are bound by party discipline to accept the will of the majority and sometimes to act against their principles or their better judgment on various issues.

In a one-party state people would be voting for individuals and not for party policy, and a one-party state which allowed individual freedom of conscience and principle, and which made provision for flexibility and change in its upper echelons, could provide a different type of democratic government from that to which the world has for so long been accustomed.

These are but three suggestions. There are doubtless many more potential concepts, combinations and ramifications. But what is important is that outworn clichés be shed so that the way is cleared for fresh and not habit-ridden thought, in order to find a path through the morass in which the whole world finds itself.

For Southern Africa the challenge is real and immediate, and calls for the application of intense and probing political thought combined with an abiding sincerity of purpose in order to discover a new way of life which will provide for the greatest possible freedom for all its people.

Southern Africa is a microcosm, containing within itself all the problems presently besetting the entire world — race prejudice, colour prejudice, discrimination, gross economic inequalities, clashes between management and labour, neighbouring states with conflicting interests, ideologies which do not meet the needs of today. None of these is easy to resolve.

Yet justice and fair dealing are surely the fundamental and essential ingredients of good inter-personal, inter-social, inter-state and inter-national relationships.

It should not be beyond the reach of human achievement for people of intelligence and integrity; people of principle who believe in justice and fair dealing; people who are representative of every shade of opinion, race and colour, to get together with open minds and honourable intentions to examine the realities and requirements of today's world and to thrash out acceptable solutions.

The shibboleths of the past no longer meet the needs of the present. It is time for change and Southern Africa should and could meet the challenge, acting as a pathfinder for the rest of the world and providing the axis for a turning point in history.

Human ability is readily available. All that is required is the motivation to use it in the interests of the present, the future, Southern Africa and the whole wide world.



Nqutu — the malnutrition story

On the initiative of the Natal Branch of the Black Sash, a study was carried out on malnutrition in a rural district of KwaZulu. The findings reported here by LAWRENCE SCHLEMMER and PETER STOPFORTH are the result of investigations of members of the Black Sash, Prof John Reid, Prof Hilstan Watts, Dr Anthony Barker and the staff of the Charles Johnstone Memorial Hospital, Nqutu.

The privileged public in South Africa is generally aware that poverty and ignorance are causes of, or factors associated with, infant and child malnutrition. This broad knowledge, though valid, is however a somewhat blunt weapon with which to attack ubiquitous undernutrition and malnutrition among Black populations. There is a compelling need for the association between deprivation and malnutrition to be defined in order to allow a fuller understanding of the problem and, as a consequence, to clarify the remedial alternatives.

With this view in mind and as a consequence of the initiative of the Black Sash in Natal as well as that of Prof John Reid and Dr Anthony Barker, a study of medical examinations conducted at the Charles Johnstone Memorial Hospital at Nqutu, a rural district of KwaZulu, was undertaken during 1972.

During that year 4 833 case records of examinations of African children aged five years and younger were compiled. These case records were subjected to computer processing in the Institute for Social Research and constituted the data of our original report.

The data included in the case records reflect the expert clinical observations by nursing and medical staff at the hospital as well as socio-economic information elicited from the guardians of children examined. During 1972, 536 or 11 per cent of the 4 388 patients examined were admitted as in-patients to the hospital.

The case records do not constitute a representative sample of infants and young children in the district. Visits to the hospital arose variously as a result of routine post-natal examinations and because of illness or suspected illness and trauma conditions (burns, limb injuries, etc.). There is therefore a defined bias toward the sick child. Nevertheless, case records represent approximately 30 per cent of the 14 000 to 15 000 children of 0 to five years in the district.

Our findings relate to undernutrition, florid malnutrition and socio-economic variables associated with the disorders. In the course of our analysis we were able to show that stunting (low height for age) is a more stable indi-

cator of undernutrition or malnutrition than low weight for age; both based on the generally accepted standards defined by the Boston percentile distributions.

Below is an indication of the general incidence of undernutrition among patients examined:

| | Weight below 3rd Boston Percentile | Height below 3rd Boston Percentile |
|----------------------|---|---|
| All cases | 27% | 39% |
| Trauma cases only | 10% | 30% |
| "Healthy" cases only | 20% | 33% |

Cases of trauma which occur fortuitously are very salient because they are likely to constitute a representative sample of children in the area. The results for this group of children, together with the incidence of stunting among healthy children, make it difficult to escape the suggestion that over 30 per cent of all children in the area are undernourished.

Furthermore, children in the age group two years and over manifest a higher incidence of stunting than younger children (50 per cent for all cases and over 40 percent among trauma cases). However they are viewed, these statistics are indicative of widespread stunting of children in the community.

Dr Davel, writing in the South African Me-

dical Journal has said that for every single case of malnutrition diagnosed, eight or nine potential cases lie hidden. In our study we discovered that nine per cent of the 4 833 patients examined were diagnosed as suffering from a specific malnutrition disorder—mainly Kwashiorkor, Marasmus and Pellagra.

If we accept Davel's standard, then about 3 000 to 3 500 cases of potential malnutrition lie hidden in the district.

This would mean that up to 25 per cent of infants and children five years and under are threatened by the chance of succumbing to a state of florid malnutrition. As this estimate is crude the incidence might well be somewhat lower but even allowing for a wide margin of error, the situation obviously is a cause for deep concern.

The distribution of disease among patients studied is as follows:

| | |
|-------------------------|-------------|
| Malnutrition | 9 per cent |
| Respiratory disease | 31 per cent |
| Gastro-enteritis | 12 per cent |
| Healthy babies examined | 25 per cent |

Trauma and infectious diseases are also prominent.

Our study allows some insight into the socio-economic conditions underlying the incidence of health and disease outlined here. The following are the more salient features, very briefly assessed.

Agricultural production is very depressed in the Nqutu district. Overwhelmingly, cash income is derived from the remittances of migrant workers. Three and a half per cent of the families from which cases are drawn were not in receipt of any cash income at all.

The mean monthly income among the balance of families emerged as R13,64. The mean household size is expressed as 2,9 adults and 4,3 children. Relating income to family size gives an amount of 6,3 cents per person for food per day.

Up to 85 per cent of breadwinners habitually live away from the area. As many as 75 per cent of breadwinners work more than 160 km away from home, indicating prolonged absence in most cases.

Educational standards among persons rearing children are very low. Most migrant fathers are labourers and the food resources in a majority of houses of patients appear to be very limited.

How then are these socio-economic conditions related to the findings regarding child health? (We relate socio-economic conditions to the incidence of measurement of weight and height below the 3rd Boston Percentile: low weight for age (LWFA) and low height for age (LHFA) respectively).

LWFA and LHFA occur at a higher level of incidence among families with no cash income. However, for the balance of families, among which cash income ranged effectively from R5 to R38,50 per month, no significant variation in the incidence of LW or LH for age emerges.

There are sound reasons for this apparent lack of variation in the health of children. A principle of saturation operates whereby high cash income is associated with more than one breadwinner in a household, but which also implies a greater number of dependents drawing on the higher available family cash income.

Further, we would suggest that the greater a family's cash income, the greater the demands on that income from a circle of kinsmen. Cash income is also reserved very often for modern material consumption of items other than food.

Other studies conducted in this Institute show that diet aspirations among Africans tend to be modest compared with aspirations for conspicuous consumption: clothes, etc. Probably of most importance, however, is the fact that even among homes with a higher level of available cash income, there is not sufficient money in absolute terms to allow "impulse" expenditure on food which would satisfy at least some basic nutritional requirements.

The distance of the breadwinner from the home is not a significant factor in the incidence of undernutrition. Where the breadwinner is working at a distance of one to 30 km away from home the figure for LWFA is only one per cent lower than that in the homes of other absent breadwinners (only 10 per cent of breadwinners work as close as one to 30 km from home in any event). However, where children are being reared by adults other than their parents, a fairly significant additional incidence of LWFA is present.

The education of the person responsible for rearing the child seems to be positively

connected with health. Higher levels of education are associated with lower incidences of undernutrition among children. The overall effect on the community, however, is small as so few persons achieve a level of education which is effective in this regard.

It appears that there is a slightly lower incidence of LWFA and LHFA among patients from homes where the breadwinner is employed as a clerical worker.

Where food resources in the homes of patients were judged to be adequate by medical personnel, the incidence of LWFA and LHFA was lower among in-patients. However, even where food resources were judged to be good, 54 per cent of those in-patients were diagnosed as LWFA. In cases where in-patients had recently consumed meat, fish or vegetables prior to admission a slightly lower incidence of LWFA and LHFA was recorded. This slight relationship did not hold in the case of skimmed milk, however.

Further to the pattern of association outlined above, medical personnel judged that in about 50 per cent of cases admitted to hospital, low cash income, lack of education and lack of dietary understanding either account for or were very relevant to the malnutrition disorder diagnosed.

The results of a small random sample survey of households in the township of Umlazi conducted by the Institute for Social Research directs attention to the vital question of knowledge and beliefs and their association with child nutrition. Only eight out of 75 women interviewed (six with secondary, two with primary education) were able to demonstrate an understanding of the connection between food, nutrition and health.

In answer to the question posed by an experienced interviewer in Zulu: "How can the food one eats affect a person's health for better or worse among children?" the overwhelming majority of subjects who were not bewildered by the probe replied variously:

- it depends on the digestive system;
- it depends on bile;
- food may be bad for blood;
- it depends on the worms you have;
- it depends on the big worm; or
- some food does not agree with children.

Clearly child health is not centrally associated with the nutrition value of food. As about 90 per cent of respondents in Umlazi have recourse to partial or complete reliance on inyanga's and other traditional or "spiri-

tualist" practitioners, it is most probable that the causes of disease are conceptualised as occurring as a result of socio-spiritual disorder or as a result of toxic influences and are not related to modern concepts of disease and nutrition.

This state of beliefs and knowledge and the reliance on traditional remedial practice with respect to nutrition and health describes the situation in a modern urban setting.

One respondent summed up the disdain of many Africans for attempts by White agencies to change established or "sacred" eating practices and customs when she said: "Ask the Whites — they are preaching about it daily."

It is commonly known that diet and customs of eating are the social patterns most resistant to change.

If the above is true for urban Africans then how much more compelling is the need for appropriate health education among the rural people of an area like Nqutu?

Further afield, findings of a study in Britain add a further dimension to the question of poverty and its relation to child-health. Mary Brennan of the Department of Social Medicine at the University of Birmingham, has shown that social stress in the family is associated with stunting, low weight for age, poorer vision and impaired hearing among children.

The finding is consistent even when controlled for income and social class. The inference is one of neglect resulting from poor morale.

In an area like Nqutu, the effects on family morale and child care of appalling socio-economic conditions and disrupted family life must be very considerable. Given the ignorance about the causes and nature of malnutrition, the effects of poverty and social stress are magnified.

Socio-economic conditions in the Nqutu district are so depressed that variables that could be expected to affect the incidence of undernutrition and malnutrition do not seem to relate in any significant way to the extent of the problem.

For example, the upper limits in range of cash income in the homes do not exceed roughly R40 a month in the Nqutu study. The vast majority of families, therefore, even the relatively less impoverished, are trapped in a descending spiral where few priorities

can be effectively met from cash income, and in addition, food, the ultimate necessity, probably has a relatively low priority as an item of cash expenditure.

While standard of education has a marginal effect on the most consistent indicator of stunting, even five years of education (in the person rearing the child) is generally not sufficient to effect an appreciable improvement in child health.

In any event reliance on education per se to irradicate malnutrition is probably not feasible. The educative or socialising process has to be integrated with the influence of other institutions in society. No amount of dietary understanding can combat the adverse socio-economic conditions which are typically present, nor will education, in isolation, necessarily effect changes in long-established eating customs or provide the springboard to new motivations regarding nutrition and health.

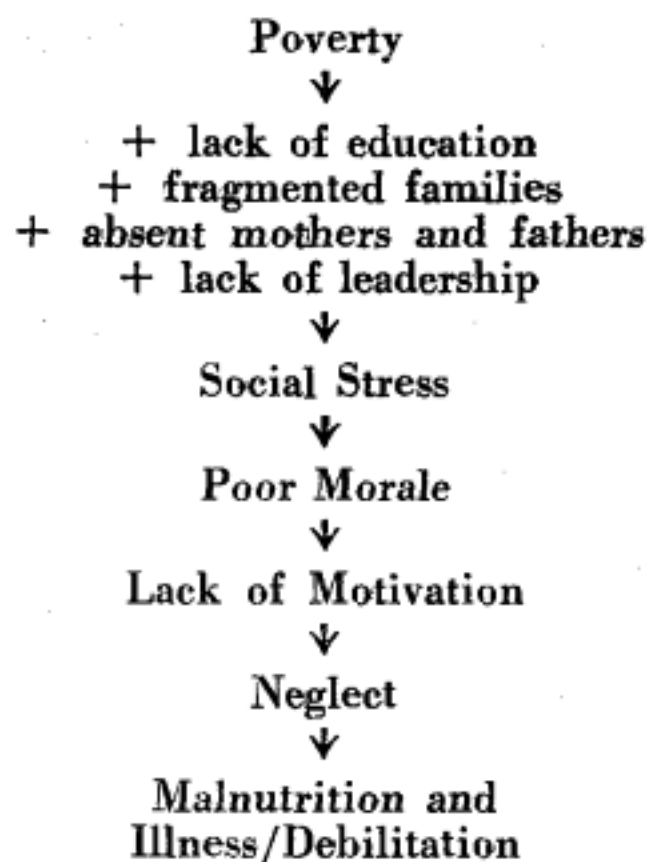
The factor of dietary ignorance is, however, sufficiently powerful to be regarded as a primary influence precipitating malnutrition among children in a context of widespread and uniform poverty. Even where nutritious foods were available to the child we found that intake was probably both insufficient and too irregular to maintain health.

The obvious maluse of milk powder (usually incorrectly mixed) is an example of the very likely failure of modern inputs into a traditional system. Clearly a very fundamental and comprehensive sociologically-based approach to health is required, both in urban and rural areas of the Republic.

Traditional behaviours and institutions resistant to change have to be recognised and acknowledged. Health education should attempt to reconcile such existing norms with changes taking place in the community and with "modern" health counselling in a way that will allow new institutions to emerge.

These, hopefully, will take on much of modern form while "preserving" unique and indeed "sacred" aspects of rural culture.

All remedial action directed at improving nutrition among rural (and urban) Africans is likely to be subject to diminishing returns if it occurs in situations characterised by poor community morale and social stress. The self-reinforcing syndrome involving poor nutrition in Nqutu can be simply illustrated as:



The problem is clearly not only that of poverty. Wide social, political and cultural cleavages make the communication of health concepts very difficult.

Even Black nurses and educators may well be seen as employees of Whites; remember our one respondent's phrase: "Ask Whites—they are preaching about it daily." Given poverty and ignorance, social stress and lack of coherent, organic community leadership exacerbate an already desperate situation in terms of child health.

It certainly seems that where poverty and lack of education are pronounced, as in Nqutu, a limited alleviation of poverty or a limited increase in educational standards will operate only very marginally to decrease the incidence of malnutrition.

This suggests that community-wide deprivation has to be *effectively* combatted by far-reaching, extensive reform before any really significant results regarding child health can be expected.

Eradication of only the more severe instances of poverty and marginal improvements in health education are not likely to be sufficient to combat malnutrition if other causes of social stress remain manifest in the community.

When considering the type of basic changes necessary it becomes obvious that what is required are intensive multi-pronged community development strategies, rooted in community participation, accompanied by a significant amelioration of the causes and effects of migrant labour and enforced separation of parents and children.

Freedom — the American dream

SHEENA DUNCAN

Sash's editor writes about her recent six-week stay in the United States as the guest of the State Department.

Six weeks in the United States — what can one say about it? The first paragraph exhausts all the superlatives and one is left with a series of contradictions.

It is a vast country, conscious of its international importance, yet every city and state is strangely parochial.

The countryside is magnificent but in so many varied ways that never can one say "this is rural America." The people are instant friends in personal relationships but tough and aggressive strangers on city streets except of course, there are always exceptions to everything one wants to say.

There is immense wealth but serious poverty. Tremendous efficiency is a first impression of airways, telephones, taxis and trains. Second impressions reveal surprising inefficiencies.

Here is a great democracy but money exercises the real power. Americans are cynical about government and those who govern but blessedly naive in their belief in the inherent goodness and worth of human beings. And all the time, everywhere you go, there is the contrast between here and there.

Americans truly believe in the rule of law. It is this which makes it such a valuable experience for a South African just to be there. The law and the Constitution are not just a beautiful concept. They are alive and treasured.

I arrived in Washington the week after President Ford pardoned Mr Nixon. The widespread outrage was not because mercy had been shown — no one really wants Nixon to go to prison — but because the pardon came before any trial of the accused and was a denial of the principle that no one at all is above the law or entitled to avoid due process of law.

I was in Boston during the week after the riots caused by the bussing of Black children from a poverty-stricken neighbourhood into the schools in South Boston which had been entirely White up to that time.

Many people disagreed with the court ruling that this must be done but were impatient with the Boston Irish who went on the streets in an effort to prevent school integration. The court had ruled that it must be done and what the courts rule must be abided by until overthrown by another judgement in a superior court.

Incidentally, one of the most inspiring factors in this whole discouraging episode was the fact that 25 ordained ministers of the church rode on the buses with the children every day in an effort to calm emotions and help reconciliation. These men are ordinary priests and ministers who saw it as their duty to be men of God in a strife-torn situation.

I spent most of my time in the States meeting people who work in the many and varied legal aid programmes which flourish in every city. Most of the attorneys were under 40, nearly all had been involved in the civil rights and anti-Vietnam war struggles. All were earning less than they could have commanded in private practice and all were dedicated to the principles of justice and the use of the law as a weapon to win human rights for individuals.

They took me to lower courts where people were up on charges of drunken driving, assault, carrying guns without licence — all the small everyday crimes and offences which keep courts busy.

The judge (the equivalent of our magistrate) would say "Have you an attorney?" If not the accused would be remanded, usually on his own recognisances, to enable him to consult a lawyer and, if he didn't know how to go about finding one, the judge would appoint one of the attorneys from the local legal aid office to represent him.

In most states a person cannot be tried and convicted of any offence unless he has been offered a lawyer to defend him. Americans

see the provision of legal advice as being an essential part of the administration of justice. What a difference it would make if every offender against the pass laws had to be provided with a defending lawyer!

What a difference it made being in a minor court where nobody at all was up on a charge of being somewhere without an identity document or without a permit.

To all Americans such a concept is beyond comprehension. They asked about the pass laws and met the answers with incredulity.

They cannot conceive of any system such as ours and cannot understand how it survives but, of course, they cannot understand any system where parliament is sovereign and can legislate to deprive people of basic human rights without those people having any recourse to the courts to have such legislation declared null and void.

In the States it is an offence against the Constitution to discriminate against anyone because he or she is Black, Spanish-speaking, female or otherwise different or, indeed, to deprive people of a vote in the central legislature for any reason at all.

Legal aid programmes are very specialised. Apart from the various defender's programmes which provide legal assistance to those accused of criminal offences there are offices which concentrate on public assistance problems, or landlord-tenant disputes, consumer rights, civil rights, the problems of Native Americans (Indians), agricultural migrant workers, women's rights.

One wonderful afternoon was spent with a group of women attorneys in San Francisco who specialise in the rights of women in all fields. Women's liberation comes to have a new and very important meaning.

Forget about the burning of the bras and enjoy being able to go anywhere and meet anyone without either being treated like Dresden china or with amusement because the "little woman" must get it off her chest. Enjoy being listened to, argued with, talked to like a person instead of a member of the "weaker" sex.

Then there were the days spent in the Window Rock Indian reservation in Arizona where my Indian host wanted to know whether Blacks were discriminated against in South Africa "the way we are discriminated against here."

This was more like home than anywhere else. Here was the same poverty, the same arguments between tribal traditionalists and young Black power types; the same problems of lack of education; exploitation by White private enterprise; paternalism by the Federal Government.

Here were the same arguments between those who want independent Indian States and those who believe the future must lie in integration into the common society; tribal courts and arguments about the power to fine "White" traffic offenders in the reservations.

Here were dedicated people fighting malnutrition and ignorance; bitterness over ancient defeats and sacred places like the Grand Canyon grabbed by Whites for their tourist potential; overgrazing, soil erosion and disputes about grazing rights; beadwork and pottery and missionaries trying to encourage the growth of cottage industries.

There was even a sawmill, deafening and dusty and shown with pride as an example of industrial development. BUT no one has to remain in a reservation. No one has to go away as a migrant leaving family behind. These are Americans, free to move around their country at will, to seek employment, to settle, entitled to the full protection of the law and to the rights and obligations of all American citizens.

The United States has problems. The system of lobbying seems foreign to people brought up in the Westminster tradition because lobbying means the use of money by individuals and interest groups to influence the passage or rejection of legislation and to influence the course of events both nationally and internationally.

If you are poor and your interest group commands no financial strength it may seem to you that the only way of exerting any influence is to resort to violent action. With growing fears of recession and millions unemployed another long hot summer is to be feared.

There are large minorities of Spanish-speaking people and Black people whose unequal opportunities cannot be made equal in one generation. They are the first to lose jobs and the first to be convinced that this loss is because of their skin colour or the language they speak, as perhaps it sometimes is.

In such a highly organised society disorg-

anisation rapidly becomes chaos. Two hundred and five million people in a technological society quickly lose the ability to survive when machines cease to function.

Urbanisation is another word which becomes meaningful to a South African to whom it has tended to mean thousands not millions of people adjusting to conditions to which humanity has not yet had time to evolve the necessary biological responses.

South Africans feel very at home in the United States. We share many common experiences. In Massachusetts the public monuments tend to be very familiar. Here is the same brave Huguenot mother in her large-brimmed bonnet, a child cradled at her breast with her folk-hero nine-year-old son standing at her shoulder, her intrepid husband with rifle at her back.

The only difference is that the threatened danger is skulking behind a tree with a bow and arrow instead of behind a thorn bush with an assegai.

Puritanism has a strong influence. Whiteness and Protestantism assume a superiority over Blackness, Catholicism, Jewishness which is an accident of time and place, not a fact of life.

But, when all is said and done, our differences are greater than our similarities and, if I were to choose to live where I could live more free, South Africa would not be the place. We do not begin to understand what freedom is all about as it is understood in the United States.

America's gift to the 20th Century is the dream of human freedom. She may not have achieved it yet but we have not begun to try.

CHARTER FOR WOMEN

The rights enumerated in this Charter might appear to be so fundamental as not to need stating at all. All women should have them, but in South Africa the majority of women do not. In fact, African women do not enjoy any of them, because the whole policy of apartheid, which entrenches discrimination on the basis of colour, has caused the denial of these rights to be written into the laws of the land.

- **Every woman has the right to choose her marriage partner.**
- **Every woman has the right to live with her husband throughout her married life.**
- **Every woman has the right to live with her children, to protect them and to care for them.**
- **Every woman has the right to free education for her children.**
- **Every woman has the right to own or to rent property in her own name.**
- **Every woman has the right to freedom of movement and residence.**
- **Every woman has the right to work, to free choice of employment and to just and favourable conditions of work.**
- **Every woman has the right to live out her declining years with those who wish to care for her.**
- **Every woman has the right to these fundamental rights and freedoms which shall not be violated by any law or administrative action.**

The how of federation

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The Bulugha Conference which was held near East London in November, 1973 was a remarkable and perhaps unprecedented gathering in our South African political history.

The people who had been convened there by Mr Donald Woods, the Editor of the "Daily Dispatch", to discuss and promote the idea of federalism in South Africa and who included most of the homeland leaders and a number of leading liberals were very conscious of this.

Mr Woods, in his opening address to the conference expressed his sense of the historical significance of the occasion in the following words: "If you look around you will see that you are now part of the most representative gathering of South Africans ever to assemble in one room — more representative of all our people than any parliament that has ever assembled in South Africa. We are therefore making history in this room tonight.

"While uniraical conferences elsewhere make unilateral decisions about the future of other races, we here meet together and talk together and decide together what is acceptable to all. Welcome, therefore, not merely to this conference but to South African reality. All else has been shadow. This is substance."

A little later, Prof Baren van Niekerk, one of the participants, solemnly dubbed the meeting the "Second South African Convention."

Afterwards the conference organisers described the meeting as "possibly the most significant discussions yet held in South Africa" and in January of this year a plaque was placed in the conference room with the following inscription "In this room the first national assembly of South Africans of all races met on November 9th, 10th and 11th, 1973, and drafted a federal formula to end discrimination."

Now I think the Bulugha Conference was indeed a remarkable and significant meeting, certainly for anyone interested in political change and federalism in South Africa, and yet one cannot avoid detecting a certain element of make-believe and wishful thinking in

the words I have just quoted. (Let me add at once that this is not true of all or even most of the participants: many of the contributions were marked by a sober, realistic and even sceptical assessment of the realities of our political situation.) But the point I wish to make is that however **federation might** come about in South Africa, it is not going to be in this way — and I think the people at the Bulugha Conference knew this very well.

We will have to meet together, talk together and decide together, indeed, but the meeting will have to include not just the genial and well-meaning people who were at East London, the talking will be rather different from the informal and extemporaneous exchanging of views which took place at Bulugha, and the decisions will have to bear rather more weight than the resolutions adopted at that conference.

For the moment there does not seem much prospect that this kind of meeting, talking and deciding is going to take place anywhere in South Africa.

We may still have our "Second South African Convention" some time in the future, but much will have to change to make that possible. Asking what the conditions for such a convention are, is in fact the same question as asking how a federation can come about in South Africa.

How, then, can a federation of Southern Africa come about? I want to discuss this as a political issue and not merely in general theoretical terms. Let us for the moment accept that federalism is an acceptable and appropriate formula for our political predicament in South Africa, and let us also assume that the South African situation meets the general requirements for a federal system of government — and I think that, all things considered, both of these are fairly reasonable assumptions.

We are then still left with the problem of motivation, and in the case of federalism this

is both an important and a very difficult question. Why would the people whose views and decisions matter want to bring a federation about? At the beginning of my first lecture I referred to the fact that federalism, unlike nationalism or socialism or liberalism does not seem to invite a deep commitment to an independent cause or to arouse passionate political feelings among individuals and groups.

■ There must be a positive political and ideological commitment to the primary goal of federation as an end in itself . . . not to federation only as a means . . . ■

In that lecture I tried to show that when one begins to look more closely at the emerging "federal consensus" in South Africa it appears that the South African liberals, the White minority groups and the gradualist Black leaders who agree on federalism expect quite different and even opposite things from it.

More important, when pressed it appears that none of these groups has a serious stake in federalism as such, and it can also be shown have good cause to be wary of it. How, then, do you mobilise a political movement aimed at federation?

Nor can this question of motivation and mobilisation for federation be avoided. It might perhaps be thought that the "objective" case for federation is so strong, that there are so many underlying economic, social and political factors going for federation that it does not really matter that there are not a majority of ardent federalists actively pursuing it.

Or it might be thought that though there is not a widespread positive enthusiasm for the idea of federation as such, yet the "negative" advantages of federation as the only way to prevent or contain polarised political and racial conflict might be sufficient to bring together the different groups and parties in a federal bargain or compromise.

There may be something to this, but the question of federal motivation remains crucial. In a recent book entitled "Why Federa-

tions Fail" Thomas Franck and his collaborators undertook a comparative study of such recent attempts at federation as the Federations of Malasia, the West Indies, Rhodesia and Nyasaland and the proposed East African Federation that was never realised. They conclude that the principle prerequisite for bringing about federation and ensuring it against eventual failure is that "the leaders, and their followers, must 'feel federal' (there must be) a positive political and ideological commitment to the primary goal of federation as an end in itself . . . not to federation only as means — such as, for example, a means to gain independence or financial stability but to federation as an end, as good for its own sake."

Franck suggests that we must distinguish between primary, secondary and tertiary factors and goals in federation-building. Tertiary factors are conditions such as ethnic diversity and balance, and goal such as the prevention of racial or ethnic conflict.

Tertiary goal-factors, says Franck, "give rise to a federal condition which can be described as bargain-striking, in which a federation is formed not so much to harness a genuine mutuality of interest as to prevent a clash of disparate or economic interests.

The motivation based on these factors and goals may, in certain circumstances, bring about a federation but they are not capable of sustaining federal unity and unless supplemented by more positive motivations they can be said to contain the seeds of their own defeat in themselves.

Secondary goal-factors according to Franck, are such conditions as an interdependent or complementary economy, a common institutional and political history, common language, culture and values and common enemies or challenges and goals such as the hope of mutual economic advantage, security against attack etc.

The presence of these factors which traditionally have been identified as necessary for federation says Franck, "may be *useful*, may even be *necessary*, but are not *sufficient* to ensure success."

The crucial determinant is the primary factor of a positive commitment to the federal ideal among the leaders and/or the people of each unit of the federation. Secondary goal-factors, and particularly that of a common challenge and common enemies, may produce a federal coalition and thereafter engender the primary factors, a "federal condition which

elevates the federal value above all other values and in which the ideal of the federal nation represents the most important political fact in the lives of the people and leaders of each part of the federation." Short of this, however, they are not sufficient to ensure successful federal union.

There is perhaps some danger of overstatement here, and one might add that unless there was a significant element of diversity of interests and aims a unitary state rather than a federation would be called for.

The federal idea itself would seem to entail a certain recognition of "antagonistic cooperation", in Morton Grodzin's phrase (*The American System*, 1966), of bargaining accommodation and rivalry while engaging in joint ventures on a regular basis.

William Riker has written that (positive) motives for federalism are seldom widely shared and he accordingly interprets federation-building more in terms of a bargain or negotiated working agreement between groups with different goals.

For our present purposes it is unnecessary to decide which of these relative emphases is more accurate though Riker's interpretation would certainly seem to hold out somewhat better prospects for bringing about a federation in South Africa.

Still, the issue of motivation remains important, and in this connection it is very instructive to note what the conditions are which, according to Riker, always attend the federal "bargain."

These are the desire to expand territory without the use of force and to ready its government for some military-diplomatic threat or opportunity.

"The bargain", Riker writes, "is between prospective national leaders and officials of constituent governments for the purpose of aggregating territory, the better to lay taxes and raise armies." In short, an external threat may provide the catalyst for bringing about a federation, and this can obviously apply to a decentralising state wishing to preserve national unity as well as to different states coming together to build a new national unity.

I think that the relevance of these considerations to our South African situation is fairly obvious, though perhaps also somewhat surprising. There can be little doubt that South Africa in the seventies is facing a serious external threat.

With the imminent prospects now of an in-

dependent Mozambique and Angola we must surely expect the guerilla war to move much closer to our borders and to open up on a number of new fronts. I do not possess the military and strategic competence to assess this situation, even if I had all the necessary information, but we may and must consider the political implications if only in broad outline.

■Federalism, unlike nationalism or socialism or liberalism does not seem to invite a deep commitment to an independent cause or to arouse passionate political feelings among individuals and groups■

Consider the following: First, it is widely recognised today that a counter-insurgency war cannot be won by military means alone. The Americans have at their disposal the most powerful and sophisticated machinery of war in history and we all know what happened in Vietnam. If the guerillas can count on the support and cover of the local population the task of military defence becomes extremely difficult if not impossible.

The South African defence planners know this, and in the past year a number of top military spokesmen have already said in public that, in the last analysis, a political solution is called for. But what would constitute a "political solution", and which "political solutions" are possible if we want to reach them? I would like to return to this point later.

Secondly, it is clear that the small White population in South Africa cannot provide the skilled manpower to sustain both a large increase in the call-up for military service and to provide the needs of a growing economy.

As more and more White men would be taken out of the economy for longer periods to go to the border Blacks would have to be moved up into skilled positions hitherto reserved for Whites under the colour bar — or alternatively Black men would have to be called up for military service.

It is probable that something of both might happen, and it seems that this is already beginning to occur.

The first steps in opening up the Defence Force for Blacks have been undertaken in the past year or two — and this is a highly significant development in view of the long South

■ However one looks at it, there seem to be two basic requirements for a resistance movement: the motivation and the means ■

African history of an exclusive White monopoly of arms, and the great symbolic importance of this to both Whites and Blacks. What would the political implications be in the long term if Black soldiers increasingly man our borders against external threats and attacks? Thirdly, consider what the likely effects of an escalating guerilla war on South Africa's own borders are going to be on the internal situation. Since the early sixties the government's security measures and forces have succeeded in maintaining a high degree of effective control of actual and potential internal security threats. The major political organisations of Black Nationalism like the ANC and the PAC have been banned; the strategic leadership have been rendered ineffective by internment, banning and exile; attempts at organised sabotage were successfully countered; and a network of informers as well as the extensive system of administrative and legal restrictions on the freedom of movement, association and expression of Blacks have prevented possible overt or covert resistance movements from making much impact. I don't want to go into the complex ramifications of this situation. There is a well-known book in political science entitled "Why Men Rebel": in South Africa the crucial question seems to be "Why Blacks don't rebel", and whatever the answer to that is, I am sure it is not going to be a single and simple answer. But I do want to raise one aspect of this complex question, and that is to ask what the effect on possible internal resistance movements is going to be of Black guerilla forces operating not in the Caprivi-strip or across the Zambezi but on South Africa's own borders, a couple of hundred miles from Pretoria and the Witwatersrand. However one looks at it, there seems to be two basic requirements for a resistance

movement: the motivation and the means. If urban Blacks in South Africa don't want to rebel, then they won't be persuaded to do so by the fact that the "liberation armies" are 200 miles and not 2 000 miles away. But if they do, or significant groups among them, do want to rebel, but are restrained for lack of the necessary means, then it becomes an organisational and logistic problem: how do you get the trained men and the necessary weapons to the strategic positions — and then I submit that the lesser distance can make a crucial difference. In short it is arguable that with an external military threat or guerilla war moving closer to South Africa's own borders the prospects of possible internal resistance movements and urban guerilla war would also increase. Which, of course, leads on to the next question, would the defence and security forces be able to cope with both an increasing external threat and internal disturbances at the same time?

■ . . . with an external military threat or guerilla war moving closer to South Africa's own borders the prospects of possible internal resistance movements and urban guerilla war would also increase ■

Consider, next, and within this context, the military and strategic implications of a series of independent and quasi-independent Bantustans. The Transkei is now definitely committed to "independence" within the next five years, and in his recent BBC-interview Paramount Chief Kaiser Matanzima has mentioned 1976 as a possible date. Though other homeland leaders have expressed grave reservations about the advisability of going for independence on the present terms, there will undoubtedly be increasing pressures on them to follow suit. I am not now concerned with the political, economical or territorial viability of such "independent" Bantustans, which we all know to be very slight, but with the implications for security and defence. Obviously the newly independent Bantustans themselves would pose no direct threat to the Republic in military or any other terms, and I

think we can also discount the possibility of some great powers coming in with large amounts of economic and military aid. The point is rather that the new governments are very liable to get caught in the middle between the Republic and the guerilla or terrorist forces. They would certainly offer a much easier and a more exposed target than the main citadels of White power in the South African "heartland." Left to their own devices it is hard to see how such Bantustan governments could cope with any serious local insurrections or external threats. Conversely, in the light of our earlier remarks, it would be very much in the interest of the security of the Republic not to allow the threat of guerilla activities to spread right to the doorstep of Pretoria and Durban. In short, in the event of increasing external threats and a stepping up of the guerilla war on our borders it would seem to be in the common security interest of the central government and of the homeland governments to contain that threat as far as possible on the perimeter of the South African sub-continent. Is it too far-fetched to see in such a situation something like the conditions for a "federal bargain" in Riker's terms beginning to emerge, i.e. a desire to aggregate territory in the face of an external military-diplomatic threat.

■ In the context of a serious and growing external threat there is a subtle but important shift in the dynamics of the interaction between the White South African regime and the independent or quasi-independent homeland governments ■

Now, I think someone might well be prepared to accept the relevance of most of these points, and yet refuse to concede that a federation or federal arrangement would follow from such premises. After all, the Government is very much aware of the threat to the security of Southern Africa, and government spokesmen have repeatedly envisaged that the future independent Bantustans would be link-

ed in some kind of defence pact with South Africa, but there has been no suggestion from their side of a possible federation following from this. Still, I don't think that such views have taken a full account of all the political implications in the changing situation. In the context of a serious and growing external threat there is a subtle but important shift in the dynamics of the interaction between the White South African regime and the independent or quasi-independent homeland governments. Until now the main momentum in the political development of the homelands have been provided by the aim of the Nationalist government to take the brunt of Black political aspirations "out" of the central political system of South Africa. Expressed somewhat crassly, the South African government would be only too happy if it could set up a series of quasi-independent Bantustans and then have as little bother from them as it now has from Lesotho or Botswana. In the face of an increasing external threat, however, the Republican government would acquire an important interest in keeping the independent Bantustans "in" the South African sub-system in some sense that would extend rather further than a purely military treaty. To put it in slightly different terms, it is conceivable that a homeland government may well use its strategic importance as a bargaining counter and require a political price for its cooperation in a Southern African defence pact. Here we are back with the crucial question: what would constitute a possible "political" rather than a military solution to the threat of guerilla war? What political options are open if the Republican government would want to use them? In this connection I think it may be very illuminating if we consider the land claims made by the Lebowa government earlier this year. As you know the Lebowa government's suggestions for the proper consolidation of its territory amounted to something like one-third of the area of the Transvaal including a dozen or so important towns. Now I have no knowledge of the precise motivation or purpose behind these claims at the time they were made, to see that Lebowa lies directly between Pretoria and Mozambique, with only the Kruger but one has to take only one look at the map National Park intervening. However preposterous and unrealistic these claims may sound at the moment, wouldn't they begin to look rather different when guerilla activities might

begin to spread from southern Mozambique through the Kruger Park? And wouldn't a South African government who wishes, as a matter of urgency, to ensure the political loyalty of Black people in that area then be well advised to consider such proposals more seriously? What, after all, are its alternatives — a purely military solution?

■ . . . it should not be taken too much for granted that an overriding common security interest with the Republic exists ■

Before I attempt to pursue the possible basis for a federal bargain under such circumstances, it is necessary to consider some of the major obstacles on both sides of the bargain. The weight of the obstacles on the part of the Black leaderships should not be underestimated: however precarious and ambivalent the independence or quasi-independence of the homeland governments might be, it should not be thought that they will find the terms of just any political deal acceptable. In this respect the experience of the LBS-countries, or former Protectorates, is instructive. It has been a longstanding goal of South African foreign policy that the Protectorates should "come in" and join the Union, yet despite possible economic advantages the little choice they had was exercised for "staying out", and this not merely since 1948 and apartheid. Mr Leo Marquard has cogently argued that a federation of Southern Africa should embrace these territories as well, and I think in the sort of military and strategic terms I have been using this would make sense as well, but it is quite certain that they will not even begin to consider a closer political union so long as everything like the present White minority government prevails in South Africa. What changes in the political order of the Republic would be sufficient to persuade Botswana or Lesotho to "come in"? The position of the independent or quasi-independent Bantustans would not be wholly comparable to that of the LBS-countries. Their political ties with the Republic would, in any event, be much closer and their very existence would be a product of the central government's policy. On the other hand, for that very reason, the homeland gov-

ernments would be exposed to much greater pressure from within Black politics to demonstrate their "independence" and to show that they are not Pretoria's "stooges and lackeys." The Bantustan governments would also, much more so than the present authorities of the LBS-countries, serve as the probable targets for guerilla and insurrectionary activities, and to the extent that the external threat moves closer the pressure on them would increase both to find an acceptable political accommodation with South Africa and to raise the conditions for such a political bargain. To this must be added the profound importance of the attitude which will be taken by South African Blacks to a guerilla war on our borders. The attitude of important sections of the Black population, and of a significant part of the Black leadership, even in the Bantustans, can hardly avoid being ambivalent in more senses than one. In the circumstances it cannot merely be a question of an "external threat" or a "common enemy" so far as the Black man is concerned. From their perspective the situation is more likely to take on aspects of a civil war. In short, it should not be taken too much for granted that an overriding common security interest with the Republic exists. Again the question becomes, what sort of political accommodations would be sufficient to sway the loyalty of both the leadership and the Black population at large to the common South African interest and against the "external threat" or "common enemy"? I would suggest that in a situation where a real choice of any kind becomes a possibility nothing that is conceivable within the framework of the present policy of separate development or on the basis of White supremacy in the Republic would prove sufficient. If they "come in" then, in the long run, it can only be on the basis of a share in the central government as well as the regional authorities, and that means a federal system.

Let us consider, next, the obstacles in the way of such a "federal bargain" on the side of the White regime. The general social, political and ideological obstacles in the way of any political accommodation which would give the Black groups a significant share in the central government of the country are too well known for me to have to enumerate them once again. They have proved to be decisive throughout the whole of South Africa's political history thus far. They may prove to be decisive in the future as well, even in the event of a seri-

ous external threat such as a spreading guerilla war on South Africa's borders combined with internal insurrections and urban guerilla war. This would probably amount to some kind of White "garrison state", i.e. an authoritarian order, both with regard to the urban Africans and the White population itself, far in excess of anything we may already have today. The alternative to such a White garrison state — and it is surely to be hoped that in the kind of crisis situation which I am now envisaging there would be an alternative — must be a political accommodation with the Black groups in South Africa. It is the special obstacles in the way of bringing about a federal accommodation which we must now consider. The first obstacle may be provided by the very conditions of crisis which could make a new political accommodation necessary and possible. Even if an external threat or a common enemy might provide the catalyst in bringing about a federation, the federal bargain requires a willingness to negotiate and to compromise on all sides, and this also means a situation in which there is scope and time for such rational and pragmatic negotiation. Faced with the onslaught of an open war on its borders, or a revolutionary situation at home, the options which might still be open to any White regime would no longer include that of federation. "A federal situation", in the words of F. G. Carnell, "is a highly delicate balance of coalescing and conflicting forces. There must be a feeling of insecurity, but not too much of an outside threat, such as war. There must be economic divergence of interest between the units, but no one unit should have an overwhelming preponderance in population and resources. Differences of race, religion or language may help to maintain the federal balance, but fundamental cleavages may shatter it" (F. G. Carnell "Political Implications of Federalism in New States".) In short, a developing internal and external crisis that would be grave enough to overcome the traditional obstacles and to bring the Whites in South Africa to the point where they might seriously begin to consider a new political accommodation with their Black fellow-citizens, may easily prove to be a situation in which a federal bargain is no longer possible. Nobody would wish to pretend that it is possible to engineer or control the precarious balance between threats and options which seems to be called for — one can only hope that wise and prudent leaders

will make use of such opportunities as may present themselves before it is too late.

**■A federal situation . . .
is a highly delicate balance
of coalescing and conflicting forces■**

The second obstacle to a political accommodation of a federal nature is provided by our system of parliamentary government itself. Our familiar Westminster-type democracy concentrates all political conflict so much on the single site of the general elections for control of parliament (and hence of the executive) that parliamentary sovereignty and parliamentary franchise have acquired an overwhelming political and symbolic significance. Within our present political system all Black claims for a share in the central government must inevitably be expressed in terms of representation in Parliament and hence of a possible majority control of the executive as well — precisely that which to the Whites represent their only means of having a say in governing South Africa. Parliament thus becomes the occasion and the symbol of an all-or-nothing conflict in which there does not seem to be any way in which both sets of claims could be satisfactorily accommodated. If a measure of parliamentary representation to Blacks is granted then either it is done under conditions which would still ensure a White parliamentary majority — and which would then scarcely satisfy Black claims — or a Black majority becomes possible and the Whites would have to hand over the reins of government. In short, all claims for political participation in national government inevitably involve parliamentary sovereignty, and that is a quantity which is not easily dispersed or fragmented: it does not readily allow bargains or compromises. The whole point of the "federal bargain" is, of course, to achieve just this through a decentralisation and multiplication of electoral sites and through the separation of powers between the legislative, executive and judiciary branches allowing a system of checks and balances. But it is not easy to see how such a federal bargain could be struck, or even be prepared, while White political power is still based on and expressed in terms of the Westminster model of parliamentary sovereignty.

■ . . . a federation would require the South African heartland to be divided in a number of regions which would have a more or less equivalent status as the Bantustans with respect to the central federal government

The third obstacle to a political accommodation of a federal nature is closely allied to this, and it is provided by the question of White unity and/or the unity of Afrikaner nationalism. A political arrangement between the Republican government as representative of a unified White group, as the "senior partner", and a series of fragmented Black groups represented by the Bantustan governments, as very much "junior partners", would, whatever else one might think of its viability, certainly not constitute a federation in any recognisable sense. A political alliance between, on the one hand, a state with an overwhelming preponderance in power and resources and, on the other hand, a number of smaller satellites would approach more nearly to some species of empire. In other words, a federation would require the South African heartland to be divided in a number of regions which would have a more or less equivalent status as the Bantustans with respect to the central federal government. But this would mean, among other things, that the political mobilisation of a unified White group or a unified Afrikaner nationalism would become very difficult. It is a marked feature of federal systems to encourage the decentralisation and the loosening of discipline of political parties and movements. In a sense the fragmentation of African nationalism into the various ethnic or homeland political structures may be regarded as an important step towards a federal politics. But it is another question altogether whether the leadership of Afrikaner nationalism would be prepared to do anything which might lead to the loosening of the bonds of the Afrikaner political movement. Afrikaner political leaders are very much aware that Afrikaner hegemony is based on "volkseenheid" or a unified Afrikaner nationalism. They

have been extremely careful in pursuing even the apparently quite safe goal of White unity for fear that it might endanger the strong ties of Afrikaner ethnic unity. It would seem to be highly unlikely that, if ever they would be prepared to enter into a political accommodation with the Black groups, they would do so in terms which must weaken their own surest political base. In other words, Afrikaner nationalism can hardly ever become a motive for federalising South Africa and must remain a powerful obstacle to any such development as long as it retains its present hegemony.

■ . . . the essential factor is that no-one wants South Africa

Still, bearing in mind the weight of all these major obstacles to a possible federal accommodation, we may nevertheless recognise certain federalising tendencies in the South African situation. The Nationalist government's policy of separate development aimed at a number of "independent" Bantustans already contains, in fact, certain crucial federative features. Thus consider, for example, the crucial question of the definition of citizenship and the delimitation of spheres of legal authority. It is well known that in terms of the official policy of separate development the citizens of the prospective Bantustans will consist not merely of the actual residents of the homelands, but also of the migrant labourers and of the urban Africans who are permanent residents in the Republic. However this may be expressed or qualified, the urban Africans will de facto (and de jure?) have a kind of dual citizenship: they will be subject to the authority of the South African government, and, if any kind of content is given to their citizenship of an ethnic homeland, they will in some sense be subject to the authority of that homeland government as well. Now this is a very curious situation, but it is precisely one of the defining features of federalism: in a federation the political authority is distributed between the Centre and the Regions in such a way that they have separate jurisdictions which both operate directly on the individual citizen (Sawer, Duchacek). Of course in the classic federations this is essentially organised on a territorial basis. In this respect the position of the urban African who is

also a citizen of an ethnic homeland is a peculiar hybrid. What we have here is neither a straightforward regional principle as proposed in the Progressive Party's federal policy, nor an outright communal principle as suggested by the United Party's policy of a "Race Federation", but a kind of combination of these: an ethnic unit which does have a territorial aspect as well. With regard to the Coloureds and the Indians the policy of separate development is, of course, much closer to a strictly communal principle, though there are strong pressures that some kind of territorial basis should be supplied here as well.

Consider, next, the financial and administrative relations between the central government and any independent or quasi-independent Bantustan. At present the budgets of the homeland governments are funded by the central government by something to the order of 80% plus. Of necessity this will have to be continued after "independence". In the case of the Transkei, Paramount Chief Kaiser Matanzima has already indicated that aid will not be sought in the form of loans but of grants, and it has also been suggested that this will proceed on some to be negotiated regular basis. Of course the Bantustan governments will seek to increase the amount and the proportion of their independent levies and taxes, but the scope for this is rather limited particularly if it is restricted to the territorial limits of the homelands themselves. The calculated national income in 1970 of Africans permanently resident outside the homelands was R1 093 million, almost double that of homeland residents and migrant labourers combined (R696 million). (Mercabank-report, Die Burger 22/8/1974). Of this a very high proportion was spent outside the homelands so that the Bantustan governments could undoubtedly make a strong case for a larger share of sales and other indirect taxation. In short, the potential structure of intergovernmental fiscal relations is, if anything, analogous to that between a federal central government and the regional states, but it is not at all comparable to that between independent states, even those joined in an "Economic Common Market". Similar remarks could be made about the administrative relations. It is, of course, unnecessary for me to remark on the complete interdependence of the South African economy which would not be affected in any way by the advent of independence or quasi-independence for the Bantustans. Suf-

fice it to recall the words of Chief Gatsha Buthelezi in his Hoernlé lecture: "The present on-going debate as to what independence is and its extent generates more heat than light . . . The essential factor is that no-one wants South Africa. I have in the past referred to the break-up of the resilient economy of it as the goose that lays the golden egg for all South Africans, whether they be White or Black . . . This is an issue that should also not be skirted for too long. This is where we should begin to agree that the economy of South Africa belongs to all the people of South Africa". One way of going about it would be through a federal arrangement. Whether that takes the form of a system of federal grants-in-aid or of national revenue sharing, and even if the distribution of resources and wealth would be very different from the present ratio, it would be a continuation of the present interdependent economy whose unscrambling remains unthinkable.

■Federation should not be envisaged as an antidote to the basic centralisation of power, at most it can provide a decentralisation of functions■

I am not going to attempt to spell out the details of how these federative features of our present situation might be extended into a full federalisation of South Africa. That would be both presumptuous and silly. At most we might try, always bearing in mind the major obstacles to federation-building, to anticipate in rough outline the crucial stages or transitions on the way to a federation of Southern Africa. I will, in conclusion give a brief sketch of what would be the three chief stages in such a process. The first stage would consist in a greatly accelerated and systematic decentralisation and devolution of powers in large part, though not necessarily exclusive, to the political institutions created in terms of separate development, i.e. to the homeland governments, the CPRC etc. To that extent it would be compatible with the political framework though not with the aims and the practice of that policy as we have known it thus far: it would rather amount to the giving of leverage to the countervailing aims of

the Black leaders in accordance with the "Buthelezi strategy". A number of general and also some more specific suggestions along these lines have been outlined in the Sprocas Political Report: South Africa's Political Alternatives where it is also argued that such political development need not be aimed just at the goal of "independence". We may perhaps just add one rather subtle but also important theoretical distinction which should be borne in mind, viz. that between the decentralisation of power and the decentralisation of functions. It is a well known feature of modern politics that an ever increasing process of decentralisation has taken place in federal systems as much as in unitary states.

Those who would decentralise power would reverse history

William S. Livingston has perceptively remarked that a federation should not be envisaged as an antidote to the basic centralisation of power, at most it can provide a decentralisation of functions: "It is no good talking simply about the centralisation of power . . . those who would decentralise power would reverse history. Since power has already been centralised, it is impossible to seek a decentralisation of power through a conscious decision of the national government, for the very decision to decentralise power could only be made by the government that possesses it. Indeed to seek a decentralisation of function is merely to concede that the power to make the decentralising functions is lodged in the place where it is made. The point, however, is that (in federal systems) the centralisation of power has not been accompanied by a centralisation of function; indeed the centralised power of the national government has frequently been employed to make the decision that the functions of government shall be decentralised" (W. S. Livingston.) In this connection it may be salutary to recall the argument of Barrington Moore that a similar development is also characteristic of totalitarianism: "Totalitarianism represents, in part, an attempt to allocate functions without granting control over the resources that the function requires, in order to prevent the growth of independent bases of power in the hands of subordinates" (Barrington Moore,

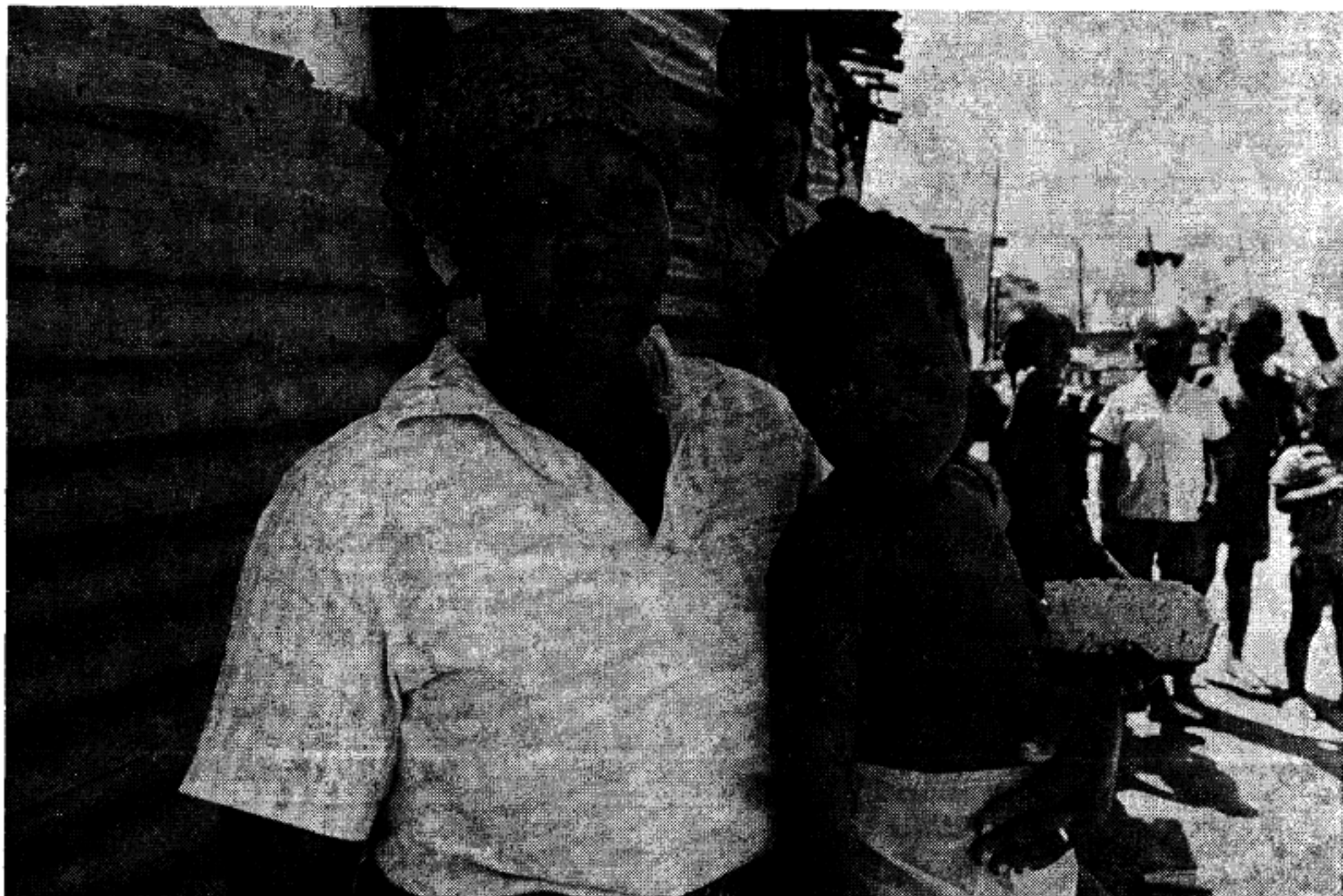
Political Power and Social Theory.) The moral is, I suppose, that unless the devolution and decentralisation of functions to the homeland governments and the Coloured Council etc. is accompanied or followed by a sharing of power at the central government it cannot be regarded as a federative move at all.

The second stage, which would move well beyond the present framework of separate development and which could come about as a response to the perception of a serious and direct external threat, might consist in the consolidation of regional states on the model of the Lebowa claims to which I have already referred. In other words the territorial authority of the homeland governments would be very extended to include substantial areas of present "White" farms and towns. Chief Gatsha Buthelezi and other homeland leaders have already repeatedly indicated that they are willing to welcome White residents as loyal homeland citizens and that they do not seek expropriation of all White property. Such a development would involve at least three marked departures from the present homelands policy: the homelands as political units would no longer be defined on an ethnic or racial basis; proper consolidation into regional units that are more viable from an administrative and economic point of view would become possible; and it would not be necessary to proceed with the present policy of spending hundreds of millions of rands in order simply to buy out White landowners. It may be added that the presence of White citizens and residents in these consolidated homeland regions would probably provide strong support for a closer political union with the Republic rather than a more "independent" state. In principle this stage would still be compatible with a continuing parliamentary sovereignty of the central government over the "White" areas as a unitary state. At the same time it would be necessary to devise new comprehensive machinery for political decision-making involving both the central government and the authorities of such regional states in matters such as public finance, economic relations, labour problems, influx control etc. A possible model here could be provided by the Australian Premiers' Conferences, and it might even be said that Mr Vorster's meeting with all the homeland leaders in March of this year represents a first tentative step in that direction.

(Continued on page 23)

'Where shall I go?'

The following report by DAVID RABKIN is reproduced by courtesy of the Cape Argus.



Mrs. Eleanor Msolo with her youngest child, Brenda, outside her home in Mbekweni township, Paarl. Mrs. Msolo has to return to the Transkei, where she has not lived since 1925. Her family is entitled to stay in Paarl.

A 39-year-old African woman, who has six children and cares for two grandchildren, has been ordered by a Paarl magistrate to leave the place she has lived in for the past 22 years. She must return to the Transkei, which she left as a girl of 17, leaving behind her husband and family.

MRS. ELEANOR MSOLO appeared in the Paarl Magistrate's Court recently on a charge under the Bantu (Urban Areas) Consolidation Act for being in a prescribed area for longer than 72 hours.

She was given until February 28 to leave

the prescribed area of Paarl. Mrs Msolo's youngest child, Brenda, is four years old. Four other children attend school in Paarl. The eldest daughter, who works, has two children, for whom Mrs Msolo cares. The oldest is two years old and the youngest five months.

Mrs Msolo's husband is a labourer in a textile factory.

Sentencing Mrs Msolo, the magistrate, Mr J. M. Lemmer, said that in the circumstances he would not implement a suspended prison sentence already hanging over her. Mrs Msolo was sentenced to three months imprisonment,

suspended for three years, provided she left Paarl by February 28.

It was accepted by the court that Mrs Msolo had been living in Paarl for 22 years. But she could not produced documents to prove that she had resided legally in the area for 10 years, as the Act requires.

All the members of Mrs Msolo's family are legally entitled to remain in Paarl. Only she will have to leave.

Interviewed in her crowded but scrupulously tidy two-roomed shack, Mrs Msolo obviously found it difficult to accept the reality of the court's verdict.

'I feel nasty about the whole thing,' she said. 'Who will look after my children? Where shall I go?'

Eleanor Msolo was married by customary union in 1950. Two years later she joined her husband in the Wellington area, and in 1953 her first child was born.

In 1970 the Msolos were moved to the new

African township of Mbekweni, near Paarl. There they moved into a corrugated iron shack erected by the municipality. They were given to understand that they would eventually be allotted a family home.

But when Mr Msolo went to the township superintendent to apply for a pass for his wife, he was told that the authorities had no record of her entry into the area.

But she was given a monthly visitor's permit which enabled her to live with her husband and children. In 1972 this temporary permission was withdrawn. Mrs Msolo was told she must either leave the area or face prosecution.

The verdict in the Paarl court was Mrs Msolo's third conviction under the Act.

In a letter appealing for help at the time of her first conviction, Mrs Msolo wrote:

'I who have nothing in the Transkei, must now go there. I would go if I had a place there for my children. I don't know what to do. I need help.'

(Continued from page 21)

The third stage, which would constitute the transition to a fully federalised system of Southern Africa would require a number of different moves in fairly close conjunction. These are first, the division of "White" South Africa into a number of regional states on a par as federal units with the homeland regional states; second, the accession of the LBS-countries and Rhodesia (Zimbabwe?) as additional federal units; thirdly the creation of appropriate federal institutions at the centre, in particular a legislative assembly, a separately elected presidential or collegial executive, a reformed Senate or upper chamber with a distinct electoral base as well, and an independent judiciary with powers of judicial review; fourthly, similar federal arrangements and separation of powers at the regional level. The further details of the new federation of South-

ern Africa I am happy to leave in the hands of the "Second South African Convention" where it properly belongs.

Health, Healing and Society

— L. G. Wells.

"The Zulus — with whom the author of this essay has come to identify himself — see disease as coming from wrong human relationships. If we accept this understanding as including social as well as personal relationships, we shall find ourselves in entire agreement with the Zulus before we have finished reading this short book."

Order from:

Ravan Press, P.O. Box 31134,
Braamfontein 2017.

Price R1,95 plus 10 cents postage.

Detained

The Attorney General of the Transvaal has confirmed that there are still at least 26 people in detention with no access to family, friends or lawyers.

When will they be charged or released?

So bitterness churns out

PETER DAVIS

This will be hard to read.
I don't care.
Why should you read?
There is so much wrong,
All around,
That unless you're blind, you see it.
So why read a load of junk
That'll make you unhappier still?
Masochist.
If you've read so far,
You like the pain.
And should you feel the pain
From my side.
Pain of love, fear and selfishness.

I saw a man in a motor accident once;
He died.
Life frothed from his mouth in one convulsion
And his smashed body was left.
Too bad.
Had a friend who's a vegetable now.
There was a sliver of glass in his brain.
He's dead too,
But his body lives on.

A man lifted a wooden club,
And smashed it on a woman's head.
"Don't stop," cried my passenger:
"Don't interfere. It doesn't concern you."
I didn't stop — coward.

It is easier to be uncommitted.

All around us there are people who starve
And their roof, if they have one, leaks.
"But what can I do?"
"I give my girl food and old clothes."
"She's my only contact
And I do well for her."
"I can't concern myself with the starving
millions."
And you can't concern yourself with love,
Or hate and fear and other people
Or life.
People make life and love and politics;
But you can't concern yourself.
Who cares.

And another time,
A man's wife was there vital and happy.
The next moment she was dead.
The man wailed for what he'd lost.
He lost a robot that talked,
Was warm and comforting.
But the man did not lose love.
He hadn't any.
He felt pain for no one but himself
And the few sacrifices he'd made
Were for peace and harmony
That's all.

Then there were strikes
And the Black people said: "Pay us more."
The employers said: "We can't
"Give you the amount you want.
"We have our obligations to our shareholders.
"We must produce a good return on the
"Money they've invested."
And the strikers said:
"See we have many mouths to feed.
"That money you gave us can no longer
"Buy what it used to buy.
"And, besides, we want to buy more.
"Why can't we ever have the chance of buying
"A motor car?
"Without us, your factory cannot run,
"Yet we can live off little
"As we've done throughout our history."
And the employers said:
"We understand all that
"We need you, come to work and we will help
"Where we can."
And they came to work.
They were helped, a little here and a little
there.
But their dreams were as far from reality
As dreams always are.
And they came to dirty boring work and grind.
The investors got their return.
Were they happy?

And so the bitterness churns out.
Is there no answer?

The right to live free

SHEENA DUNCAN

*A precis of an address given to the National Conference of the World
Affiliated YWCA at Thaba 'Nchu in December, 1974.*

In this country women, and especially Black women, share in the deprivation of rights with which all Black people in South Africa must live. It is a significant fact that in the United States of America the women's liberation movement grew out of the civil rights struggle and only really got going after recognition of the rights of Blacks had been achieved. Women who worked in the South came to a new understanding of human freedom as a total concept.

Since then much has been achieved in the States and in Europe and, although much remains to be done, it is a heady experience for a woman from South Africa to live free. To be recognised for what one is — a person — without preconceived ideas of femininity, to be taken seriously in discussions and consultations, to be free to move where one will without the restraints which arise from male-orientated social sanctions, this is wonderful. It is inspiring to know when looking at the realities of our situation here that the battle can and will be won and we, too, will one day take our place alongside women all over the world in accepting responsibility, sharing influence and enjoying freedoms we now only dream of and which some of us do not even recognise we are without.

Four years ago the Black Sash drew up a Charter for Women. The preamble says "The rights enumerated in this charter might appear to be so fundamental as not to need stating at all. All women should have them but in South Africa the majority of women do not. In fact, African women do not enjoy any of them, because of the whole policy of apartheid, which entrenches discrimination on the basis of colour, has caused the denial of these rights to be written into the law of the land."

Deprivations shared by all South African women

There are certain disadvantages which we all share. A woman in this country cannot

share in joint guardianship with the father of her legitimate children. This means that the father can always over-rule the mother in disputes which arise regarding the upbringing and care of their children. Only in exceptional circumstances will a court of law uphold the mother's decisions against the father.

If a woman is married in community of property immovable property such as a house cannot be registered in her name even if she has paid for it. She cannot deal on the stock exchange or make hire purchase agreements without her husband's consent. If she wishes to open a bank account she must have her husband's written consent. If she is married out of community of property she has no statutory rights to receive a portion of her husband's estate. In other words he can make a will leaving her nothing and she has no legal redress.

Into this area in which we all share falls also the social discrimination against women which is not legislated for, which is often disguised as masculine protection of the "weaker sex." This discrimination is so deeply rooted and so very basic to our society, that we must not underestimate the difficulties which lie in our path as we seek to eliminate it. That it can be done is being proved in other places and everyone of us can do something, however small.

Do you ever say "I must *ask* my husband." If you do, change that word "ask" to "consult with." Do you ever say "My husband doesn't allow me to do this." Why?

Perpetual minors

Then there is discrimination which applies only to Black women in South Africa. We have the scandal of the perpetual minority of African women in Natal, a scandal which was partially extended to women in the Transvaal in 1972 when it became compulsory for an African woman in that province to produce the written consent of her father or legal

guardian before her marriage could take place. This has long been the case in Natal and means that many young adult women have to suffer the indignity of asking a guardian who may be unknown to them, younger than them, have less education than them, for permission to marry. The only way in which a woman can get round this if she cannot find her guardian or if he refuses his consent is to ask the Minister of Bantu Administration or a judge of the Supreme Court.

It is a matter of concern that millions of women therefore have no right to choose their own marriage partners. It is a matter of urgency that both the Natal Code and the 1972 legislation be abolished and that all marriages be regulated by the Marriage Act of 1961 which rules that the consent of the father or guardian must only be obtained if the woman is under 21.

The Natal Code

African women in Natal are governed not only by the laws which rule the rest of us but by the provisions of the Natal Code. Very briefly the Natal Code means that all African women in Natal are legal minors however old they may be and however respected by the community. These women always remain subordinate to a male guardian, to their fathers or other relatives when unmarried and to their husbands if they are married. A woman may not enter into any contract such as a hire purchase agreement, nor may she seek employment without the consent of her guardian. She cannot sue or be sued in a court of law if the action falls under customary law without the assistance of her guardian. She can own property but the law is unclear as to whether she can sell it without his consent. She cannot ever be regarded as the guardian of her children. If she is married whatever she earns belongs to her husband. If her Customary Union marriage is dissolved her guardianship reverts to her father or other male relative and she cannot start divorce proceedings without his consent. She may be given temporary custody of her young children but must have the father's consent to anything she may wish to do on their behalf.

If she is married, widowed or divorced she can apply for emancipation from this state of servitude but she must have her guardian's consent to do so. The Bantu Affairs Commissioner can over-rule him if he refuses consent but he must go with her to the Commis-

sioner to make the application and if he will not do so there is little she can do about it. She must also be 'thrifty' and 'of good character' and must own property. If an emancipated woman marries she becomes a minor again unless she and her husband have an ante-nuptial contract.

In all provinces of the Republic a woman who is married by Customary Union has very little protection if her husband contracts a civil marriage with another woman. Her union with him is, in effect, dissolved. He is not obliged to give her any of their joint property and retains guardianship and custody of their children unless the children are very young when the mother might be allowed to keep them for a while. She may only use such of their property as was allotted to her by her husband if she lives in the place he tells her to. She can only get maintenance from him for herself and the children if she can show that she is without means of support.

The Pass Laws

These laws totally deprive all African women of the most basic human rights — to live with their husbands and children and to move with their husbands to live with them where work is offered. Women have to have a permit to do these things, a permit which is usually refused. They are also prevented by law from seeking employment where they wish to do so. A woman who lives in a small town may find herself compelled to work as a domestic worker or cleaner because there is absolutely no other openings in the only place where she is legally entitled to be. She will not be permitted to move to a place where the work of her choice is to be found. In the homelands women are in an even worse position. A woman may not move out of her home area to seek work and the work that is offered to her by the local labour officer is likely to be of a very badly paid, unsatisfactory kind. Job opportunities in the homelands and border industrial areas are extremely limited. She has a chance of employment carrying some job satisfaction if she is qualified in one of the professions where her skills may be required by her homeland government but this is hardly free choice of employment if there is only one possible employer offering openings suited to her abilities. If she has limited skills or no training at all she will most likely have to remain unemployed or, as she cannot afford to earn nothing, be forced

to accept very badly paid work as a seasonal farm labourer or domestic worker in a rural area — if even this kind of employment is available.

In those towns which do allow women in from outside to work on one year contracts unacceptable conditions are imposed. In Randburg, for example, women who come from BaphutaTswana to work on contract must sign an undertaking that they will not "introduce" their children into the area and if they do so the contract is rendered null and void.

The housing regulations which control urban African townships also severely prejudice women. Only a man may become the registered tenant of a house. Women who are the heads of families, such as widows, divorcees and single women with children are no longer allowed to rent a house. They can only live as lodgers in a room in someone else's house, irrespective of their age, income or permanent residence rights in the area concerned. A woman who has been living in a house with her husband may be evicted if he dies or deserts her.

Employment

South Africa is so far behind the western world in her employment policies that it is difficult to select those areas of the greatest concern. There is legalised discrimination and discrimination which is not imposed by law but which arises out of the attitudes of White men to women and to Blacks.

If one looks at the display advertisements offering vacancies in any edition of a daily newspaper a trend is immediately apparent which is universal in this country. An employer with a vacancy rarely just advertises the position, the conditions of employment and the skills he requires. He has a preconceived idea of whom he wants. If it is a senior position he thinks in terms of men only and White at that. If it is a junior or clerical position he thinks of "young ladies". He also decides what colour he wants, and — a less obvious discrimination — what age he wants. It seems that if you are not between 18 and 25 you have a very limited choice of employment offered and if you happen to be Black, female and 40 you don't stand a chance. There are also clear indications that employers think that if they fill a vacancy with a woman they can pay her less.

These stereotypes affect us all and lay down a limited category of jobs in which we as women or Blacks can hope to earn a living. The boundaries of our ambition are defined for us at birth. The result of this kind of attitude being inculcated in childhood is that we fail to fight for our rightful place in society when we become adult. We accept our position too readily and come to doubt our own abilities.

Discrimination in pay scales

Much has been written about the scandalous racial discrimination in pay scales when Whites are paid more than Blacks for doing the same jobs requiring exactly the same training and skills but we hear less about the sexual discrimination in pay which pervades our society. The wage determination for shop assistants is laid down as follows:

Sales assistants in their first year of work:

R20,77 per week for men

R19,62 per week for women.

Qualified shop assistants:

R41,54 per week for men

R28,15 per week for women.

This 20% difference between male and female pay runs through all wage determinations. In all sectors of the economy women are paid less than men for doing the same job.

All this leaves one with a feeling of despair. There is so much to be done and so many crucial deprivations that one does not know where to begin. Legalised discrimination is the hardest to tackle. The Pass Laws are the cornerstone of the whole edifice of apartheid and any attack on them is an attack on the very foundations of our so-called "traditional way of life". Discrimination which occurs as a result of custom and attitude may seem easier to change but in a society which is rooted and grounded in a false presumption that certain people are superior to others because of the colour of their skins this presumption is extended to an assumed superiority because of sex which becomes as deeply entrenched as if it were legislated for.

But women are moving all over the world and are throwing off one restraint after another. I do believe that we can find a way through all this, that women do have the power to change our society. Here in South Africa it is impossible to separate the liberation of women from the liberation of all people. One day perhaps historians will say of us that it was the women who won freedom for all South Africans.

A fantasy

THE SCENE is the kitchen, with breakfast nook, of the small suburban house occupied by MR and MRS X and their year-old daughter.

THE TIME: Five o'clock on a December morning in the year 1974.

THE WEATHER: Rain.

AS THE CURTAIN RISES, MRS X, not yet fully dressed, is preparing breakfast. There is a loud knock at the door.

POLICEMAN 1: (outside) Police. Open up. (He thumps the door again and MRS X opens it. POLICEMEN 1 and 2 stride in.) Where's your permit?

MRS X: What for?

POL. 1: To live in this house.

MRS X: (Hurries to drawer in kitchen table and hands him a paper from it.) Will this do?

POL. 1: (glances at paper and throws it on the floor) What good's a marriage certificate? I want your permit.

MRS X: I am legally married to Mr X and I thought . . .

POL. 2: WHERE'S YOUR PERMIT?

MRS X: (desperate) Look. Please. Please. I went to the office three days in a row to get one but I never got to the head of the queue. Come back tomorrow, they said. And tomorrow. (Her voice rises shrilly) AND TOMORROW. And then my boss told me if I went again I'd get the sack.

POL. 1: Some employers have no consideration. (MR X enters carrying the child in his arms.)

MR X: What's the matter?

MRS X: They want to see my permit to live with you.

DAUGHTER: Why Mummy? I fot I wed somewhere that mawwiage is sacred.

MR X: (fondly to his daughter) Out of the mouths of babes and suckers . . . (to the police) How much?

POLICEMAN 2: Five Rands.

(MR X attempts to hand him R5 but POLICEMAN waves away the money.) Oh

no, you don't. She'll have to pay it herself at the station.

MRS X: But I'll lose my job!

POL. 1: Come along now and stop wasting our time. We have a long list to get through. (He tries to take MRS X by the elbows to propel her towards the door) Bring the kid.

MRS X: (furiously shaking off his hand) Don't touch me! I'd have you remember I'm a non-Black.

POL. 1: (pugnates his jaw) Why does everyone talk about colour the moment there's a situation?

POL. 2: Beats me. (He speaks to MRS X with growing fervency, his voice getting ever louder.) Don't you know that we will be fighting the humiliating race laws until not one remains?

POL. 1: We will fight them on the beaches . . .

POL. 2: We will fight them in the parks . . . (He strikes a histrionic pose)

POL. 1: We will fight them on the trains . . . (He strikes a histrionic pose)

POL. 2: We will fight them in the schools.....

POL. 1: We will suffocate them until our name will be as the rose of Sharon even unto the uttermost ends of the earth . . .

POL. 2: We will fight them until men and women of all colours can sit down to meat together, yea even in a public place . . .

POL. 1: (in a low voice to his colleague) Easy on there, these things take time you know . . .

POLICEMAN 2: I suppose you're right. But all the same (his voice rises again and he becomes rather excited) I'd like to remind you that we shall not hesitate, that we shall leave no stone unturned, to do away with humiliating measures and practices which harm good relations between Blacks and non-Blacks, and which have nothing to do

with the maintenance of our own identity and sovereignty.

DAUGHTER: How vewy nice of you. When will these fings be?

POLICEMAN 1: Six months. Meanwhile (he again takes MRS X by the elbow) you come along to the station and pay your fine.

Hurry up, the van's nearly full.

(MRS X picks up the child, casts a swift glance at her husband, and exits with the POLICEMEN.)

MR X: (shouting after them) Who's going to turn the first stone?

ELEANOR ANDERSON.

Autumn: A time for dying

VIOLET PADAYACHI CHERRY

The fall goes out in a blaze of color,
Heralding its death pangs,
The leaves range from sheer gold
To mottled red,
Soon there will be heaps of
Crumpled brown
And where once I peered through
Trellis of magic leaves,
Overnight there will be only ghostly
outlines to remind me of those
Golden summer days!

An icy chill greets me
As I pick my way across a carpet
Of newly fallen leaves
My garden will be bare,
With not a single bloom
To break the dull monotony of
Winter's creeping fingers,
Destined to suspend me
In icy gloom,
Through months of wintry cold,
A watery sun, weeks of dreary grey
With only the wind and snow
Breaking the sharp monotony of each day.

I long for the brilliance of my
African landscape,
Bright orange sun, creeping out
Of the Indian Ocean each dawn,
Softly bathing the hills with
Limpid pools of golden warmth,
An indigo sky, blood red bougainvillea
Gently draping the white washed houses,
And the trees — full and radiant
In their golden splendor.

I begin to feel once more the sun
Warming my chilled bones,
And can hear again the birds —
A cacophony of sound!
Against a city awakening to yet
Another day of sun and warmth.
Give me again those brilliant colors—
Tangerine against blue,
Deep purple and emerald green,
The powerful smell of tropical flowers,
And the sound of the sea
As it batters the rocks and creeps
Toward the golden beaches.
A panorama of color, sound
And vibrant life!

I miss the gentle palm trees
Outlining the ridge,
Hinting of a paradise of color,
A touch of mystery,
As I conjure up from afar,
The valley of a thousand hills,
Cattle in the distance, huts here and there,
Faint echoes of the herd boys guitar,
Twanging in the distance.
Fills me with pathos and longing
Of what perhaps will never be again,
Memories of those harsher times
Of yesterday are softened by distance
And lends enchantment to a land
Now far removed, and yet
Still poignantly remembered.

From The Diary of an Exile

October 1974

Advice Office

An extract from the Athlone Advice Office report for the year October, 1973 to September, 1974.

By the dawn of the era of Bantu Administration Boards, so little room was left for personal considerations that the only remaining question was, could the law possibly be applied more rigidly? The answer which has become apparent during the year is yes, and it is.

Centralisation was hailed by its designers as a streamlining process which would make life easier for Africans and their employers alike, by enlarging the areas within which the free movement was to be permissible and by smoothing paths in general. But it is Government policy which streams the line, directing it straight into a tramline. From the Western Cape it heads East, to the Transkei and Ciskei.

Mr Janson has likened the streamlining of Bantu Administration to the improving of a mountain road, when obstacles are eliminated but the direction remains the same. But he fails to recognise that the road could be going the wrong way, in which case it will reach the wrong destination faster.

It may well transpire, through legal casework which is still incomplete, that the application is sometimes outstripping the law itself in rigidity. Certainly the authorities are abstaining from using discretionary powers which the law accords them, in favour of technical conformity with the strictest interpretation of laws which are themselves based on "policy."

Behind "policy" is of course the cherished ideology of "separateness", a word now preferred to the internationally unpopular "apartheid." Separateness is seen as the first prerequisite for "dialogue".

The Athlone Advice Office has rare facilities for hearing both sides and cannot fail to be aware of the fact that any so-called dialogue is on separate (indeed) planes which do not meet at any point. While Africans want to get on with living decent human lives, the dispensers of laws are concerned about what

they experience as a threat to their White identity. So, very politely, they say "Go away and stay away, except that you may come back to work for us as unskilled labourers. Do your developing in your own areas and keep your families and any skills you may care to acquire there."

Under the new system of Bantu Administration Boards, all officials are responsible to the central authority, whether their offices are in Langa, Nyanga, Observatory, Goodwood or anywhere else. When an individual has a problem and wants special consideration of his circumstances, he will be passed from office to office and in each the responsibility for the refusal of his request will be laid at the door of another.

The request may be from a residentially qualified man who wants his wife to join him on a permanent basis from a rural or from another prescribed area, having been under the impression that this was the object of marriage: 122 couples with this problem have consulted the Advice Office during the past 12 months. Two hundred and forty-four people who knew Section 10 of the relevant Act, and that it appears to make provision for normal married life when the husband is a "qualified" resident of the area.

The Advice Office sees a mere fringe of the real total.

When a man is refused occupancy of a township house, the housing official will often explain that he takes orders from higher up. The "higher up" authorities then pass the responsibility straight back by insisting that only the housing officials are in a position to allocate houses. These are in truth too few and too small for the people already in them and there are apparently very scanty plans for more to be built, and none for the enlargement of the group areas in which such building is possible.

Finance is mentioned as being a major difficulty, as the Boards are expected to be self-

supporting and even with sadly raised rentals it is proving hard to maintain present buildings, without considering new houses, which would not be subsidised as they were by the Municipality and Divisional Council. But the intention is clearly that no new entrants to the area be allowed, other than yearly migrants. Not even the wives of residentially qualified men.

The man with a special plea may turn to a member of the Bantu Administration Board. Short of the Minister, this would seem to be going to the top. But Bantu Administration Board members themselves are powerless even to recommend leniency or compassion or to point out special circumstances which entitle some individual to consideration within the strictest letter of the law. It would seem that Board members have the least power of all within the set-up. There are no Black people on the Boards and there are not going to be any, according to Deputy Minister Janson, because the Boards operate within White areas and separateness comes first.

If there were Black members appointed, they would find themselves in the most unhappy position of having to seem to accept a totally unacceptable framework and ratify decisions which they would be powerless to veto. It is the township officials whose word is incontrovertible, and their word is spoken under orders from the Chief Bantu Affairs Commissioner, whose main consideration is policy.

Some of the couples struggling to establish homes together have come to the Athlone Advice Office from Paarl, Bonnievale, Elandsbaai or Stellenbosch. In Kayamandi township at Stellenbosch there are only 61 family houses since the demolition of temporary structures in 1971 and the rescinding of plans for their replacement with brick houses.

It was the Stellenbosch Municipality which both made and cancelled the plans, falling backwards in its eagerness to please the Government. Many qualified families were displaced as a result. There is ample accommodation for "single" working men. In some country districts, such as Bonnievale and Elandsbaai, there is no family housing for Africans at all.

This deliberately undercuts Section 10 of the Bantu (Urban Areas) Act, as it is no use having a right to live in an area when there is no place in it where one can in fact live. "Resettlement" is offered to people dislodged in this "voluntary" fashion, and removals to ru-

ral settlement areas, which were halted during 1973, are getting under way again.

Nobody likes adverse criticism, and officials employed by Bantu Administration Boards want praise and approval like other people. But it is the policy they have to apply which the Advice Office is criticising. It is simply not acceptable to the people concerned. This makes favourable comment hard to devise.

Certainly the officials are usually very civil. In the old days, under local authorities, some were civil and some were not. Rough words do damage and the gentler approach is to be welcomed. It is a pity that the velvet glove does not enclose a human hand which can be grasped in fellowship.

Wages have improved. Most Africans are earning much more than they did five years ago. The cost of living is also very much higher and the rise in real terms is not in proportion to that of the rest of the community, nor to the amount of effort, such as sacrifices for education, made to achieve it.

The authorities merit appreciation for encouraging employers to pay proper wages and to allow workers reasonable time off. Officials of the Labour Department, in Cape Town, conscientiously investigate all wage complaints brought to them and take trouble to help workers get money due to them.

It is interesting to note that the Bantu Administration Board itself employs labourers on contract in the Peninsula, nine hours a day for a five-day week. The man who came to the Advice Office with a problem (for which he was himself to blame) was earning R12,23 in cash per week, after normal deductions.

Presumably that is the Board's minimum wage. It is better than the standard terms which agricultural workers accept when signing contracts to work on, for example, poultry or dairy farms. It seems that the normal working week here is seven days, 11 hours a day, often worked in three shifts. Free accommodation is given and some contribution towards rations such as skim milk and mealie-meal. Wages are often as low as R22 a month for unskilled labour. These conditions should be prohibited by law, especially the inhuman hours. Contract workers are still not issued with copies of their contracts.

Welfare officials give dedicated service but are seriously hampered and surely frustrated by only being able to do their welfare work among people who are legally in the area. No pass, no aid.

The year of the woman?

The Minister of Justice, Mr. Kruger, has turned down the suggestion of an official inquiry into the legal disabilities of African women.

The world of the Bantu must not be seen in the context of Soweto. There are many Bantu peoples with customs and practices of their own . . . polygamy, for example, is regarded by Africans as highly moral — Mr G. F. Botha (Nat, Ermelo)

Women constitute nearly a quarter of the gainfully occupied population — Helen Suzman (Prog, Houghton)

It is ludicrous to continue treating such women (in commerce, industry and the professions) as if they were minors incapable of running their own affairs — Helen Suzman (Prog, Houghton)

Top priority for the African woman in South Africa's urban areas was to have her own home — Mr H. E. J. van Rensburg (Reform, Bryanston)

Will there be any changes?

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All political comment in this issue, except when otherwise stated, by S. Duncan, of 501 Lestar House, 58 Marshall Street, Johannesburg. Cartoons by courtesy of Bob Connolly and the Rand Daily Mail.

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Dedication . . .

IN pride and humbleness we declare our devotion to the land of South Africa, we dedicate ourselves to the service of our country. We pledge ourselves to uphold the ideals of mutual trust and forbearance, of sanctity of word, of courage for the future, and of peace and justice for all persons and peoples. We pledge ourselves to resist any diminishment of these, confident that this duty is required of us, and that history and our children will defend us.

So help us God, in Whose strength we trust.

Toewydingsrede . . .

MET trots en nederigheid verklaar ons ons gehegtheid aan die land van Suid-Afrika, ons wy ons aan die diens van ons land. Ons belowe plegtig die ideale te handhaaf van onderlinge vertroue en verdraagsaamheid, van die onskendbaarheid van beloftes, van moed vir die toekoms, van vrede en regverdigheid teenoor alle persone en rasse. Ons beloof plegtig om ons te verset teen enige vermindering hiervan, oortuig dat hierdie plig ons opgelê is en dat die geskiedenis en ons kinders ons sal regverdig.

Mag God ons help, op Wie se krag ons ons verlaat.