

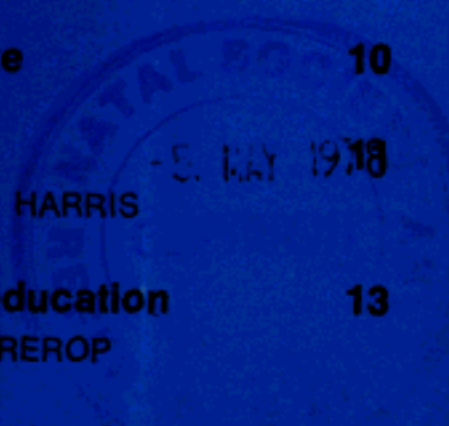
**Conference
issue**

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SASH

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The Black Sash magazine

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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.

We are diminished

Sheena Duncan

Mrs Duncan's presidential address to the 1978 Black Sash national conference held in Durban

THIS has been a bad year, a tragic year for all South Africans who care about justice, about honesty and democracy in government, and about people.

At this conference the Black Sash will be trying to assess the meaning and consequences of the events of the past twelve months and we will be attempting to find new ways of working for our objectives which remain unchanged — 'to enlist support and aid for the observance of political morality and the principles of parliamentary democracy within the Republic of South Africa; to strive to secure the recognition and the protection by law of human rights and liberties'.

The women who founded this organisation 23 years ago were far-sighted and realistic when they set those objectives. They did not underestimate the task they set themselves and us. They talked of enlisting support and of striving. They did not speak loosely of achieving their ends.

These ideals are probably unattainable in our life-time in South Africa but they remain worth striving for. Indeed, it is imperative that these ideas are fought for and that they are stated over and over again. Ideas are fragile things and when there is no-one left who believes in them they cease to exist. We draw nearer to the point in South Africa when this could happen, when the last remnants of those ideas will vanish and be forgotten.

In an article written for the Sunday Tribune just before the general election last year, Laurens Van Der Post said: '...we must face up to the fact that in the past 30 years Afrikanerdom, exercising the greatest power that it has had in its history, politically unchallenged, has produced a lesser concept of what it means to be a South African than it inherited when it took over'.

Mr Van Der Post was writing with, in his words, an 'acute and deeply felt fear for the Afrikaner people of South Africa'. He was writing as an Afrikaner of his own people who have exercised total power in this country for a long time. Through their policies and actions we as a nation are radically different to what we were 30 years ago.

But I do not wish to have what I am about to say construed as being an attack on the Afrikaner people. Everything that has been done in this country has had the support of some people of

other language groups and other races. Sometimes this support has been given by active encouragement and connivance. In other cases it has been given by passive acceptance and conformity, and in others by the failure to dissent, particularly in the boom years of economic growth and development when many refused to upset the applecart by speaking out or doing anything to prevent political and social wrongdoing. Equally, opposition and protest has come from within Afrikanerdom as well as from those outside.

We South Africans are indeed a lesser people than we were in every way. In particular we have become reduced as human persons by the way in which we use and abuse our fellow human beings.

We have achieved a daily average prison population of more than 100 000 people, large numbers of whom are gaoled, not because they are criminals, but because they are pass offenders.

What is a pass offender? He may be a person who left his reference book at home, or a young person who has been refused issue of a reference book because his name has not been on any permit during his childhood. She may be a wife who has been refused permission to live with her husband and remains 'illegally' in the area to be with him. Pass offenders are people from rural areas whose reference books are stamped that they are 'farm labour only' but who come to town because they can earn much more employed in other sectors of the economy.

Pass offenders are men and women who are not allowed to seek work outside the area of the Labour Bureau in their home place and who are never offered work at home so come to town to seek the means of survival for their children. We put people in prison for this.

During 1976, 216 112 men and 33 918 women were arrested for offences relating to reference books and influx control. In the twelve months between July 1975 and June 1976, 29 337 people were sent for trial for infringement of the curfew regulations. It must be remembered that this curfew has nothing to do with a state of emergency or warfare. It is a long standing provision in the Urban Areas Consolidation Act making it an offence for a black person to be outside during specified hours in specified areas.

In the same twelve months 147 470 people were charged with trespass. One woman who did not go to prison for this 'crime' because she paid

an admission of guilt fine was picked up in a pass law raid sitting on a suburban pavement at three o'clock in the afternoon. One presumes that she and thousands of others to whom this has happened were deemed to be trespassing because they were not labouring at the time. Blacks are OK if they are wielding pick and shovel in public places but not OK if sitting down.

The notorious Section 29, which allows a black person to be declared idle or undesirable, not only remains on our statute book but is now, in the current session of Parliament, being reinforced and harshened. This section makes it an offence for a black person to be not working in an urban area and proof that he is working is that he must be registered to do so.

The penalties for not working are, among other things, forfeiture of all urban rights in terms of Section 10, up to two years in a penal institution, or deportation to any place indicated by the Bantu Affairs Commissioner. An idle person's family may be deported with him.

A person may be declared to be idle because he has been ordered to leave an area but has failed to do so. Many people we have seen in the years of work in the Advice Offices have failed to depart after being ordered to do so. The reason they have stayed is precisely because they are not idle in any meaning which can be assigned to that word. They were idle at home because there was no work there. They are in town because they have found work and are often working very hard for long hours.

Our national lack of concern about people has not been more graphically illustrated than in the demolition of Modderdam, Unibell, Kraaifontein and other settlements such as the one demolished here in Durban.

The squatters in the Cape Peninsula were families to whom the law denies the right to live together. The labour of the men is required by the white economy but they are not allowed to establish homes for themselves in the areas where they must spend their working lives.

The human desire to be with their husbands brings the wives to town. Housing is denied because the women are 'illegals', and when they build their own shelter, the front end loaders and mechanical shovels move in to knock them down. When the courts uphold the law and insist that people's rights are not infringed by administrative actions the government changes the law to remove the jurisdiction of the courts, a protection of individual rights which has been whittled away through the years in many other respects.

Mr Laurence Wood said in Parliament in February last year that the shortage of houses for whites, coloured and Asians was about 86 000 units. The chief director of the Vaal Triangle administration board said in September that the government had accepted that 400 000 houses were needed for blacks, 200 000 in the so-called white areas and 200 000 in the homelands. Assocom

has intimated that the national average number of people living in every house in African urban townships is 17.

Government response to this need is to continue to demolish existing houses in order to move people into Group Areas somewhere else or, in the case of Africans, to move families into the bantustans and to replace their homes with hostels for so-called 'single' workers. More than 500 000 people have been moved from their homes in terms of the Group Areas Act and more than 150 000 are still to be moved. In 1972 the Institute of Race Relations estimated that 1,82 million African people had been removed and resettled.

This national preoccupation with shuffling the population around on a vast scale is complemented by the policy of not allowing the building of family housing for African people in urban townships to meet the urgent need for such accommodation.

Mr I. R. Van Onselen, secretary of the Department of Plural Relations, said in his evidence to the Cillie Commission that the Department had been obstructive in implementing housing planning by Johannesburg because the City Council 'did not see the labour potential of residents in black townships as a condition for residence in urban areas. They were seen as permanent residents, free either to work or lie about ... They also failed to propagate migratory labour'.

Government policy is thus responsible for the acute shortage of houses in areas like Soweto, where more than 20 000 families are on the waiting list and thousands of other families are homeless because they do not qualify to even get on to the waiting list.

Policy aside, our inhuman lack of concern for people is also illustrated by our national priorities. An opera house is being built in Pretoria which is to cost R46 million. Mr Alf Widman estimated that each seat would cost R25 000 — enough money to built ten Community Development core houses or eight standard Administration Board Township homes. The stage alone is to cost R8 million. In 1976 only R9 100 000 was spent on housing in the whole of South Africa.

We are at present experiencing another national crisis — unemployment. Government cares so little about black unemployment that it cannot even produce accurate statistics in spite of the numbering, finger-printing, counting, computerizing and compulsory registration of all black South African men.

This is not a new problem.

Serious unemployment is a permanent fact of our national life but, because of the policy of migrant labour and of not allowing unemployed people from rural areas to remain in the towns to look for work, it is only in the last 18 months that unemployment has become visible to whites.

We now admit that we have a crisis but go on enforcing policy irrespective of the lives we trample on in the process.

In recent months I have spoken personally to dozens of people who are not allowed to accept jobs they have found for themselves. Other workers in all seven of our Advice offices around the country must have had the same experience. There was the university graduate who was offered a job in commerce at R450 a month but was not allowed to accept it because he was first employed in the hotel industry and is not allowed to move out of that category. There was the widow from Kwazulu working in Johannesburg to support her children — endorsed out because the law does not allow her to be registered. There was the employer whose Physical Planning Act allocation was out and who was ordered to discharge 25 men. The recent concession which allows employers to exceed their quotas by employing youths between the ages of 16 and 20 is welcome but if the authorities cared more for people than for the policy the restrictions would be lifted altogether.

The policy also dictates that black people are to have no freedom of movement. This aggravates unemployment by preventing those who have the initiative and the skills to achieve their own economic survival from moving to the towns where there are the consumer communities to provide a market for whatever goods or services they can offer. The restrictions on the number of urban residents who are allowed to register as self-employed has the same effect.

We were told a short while ago that the removal of pass laws and influx control restrictions in South West Africa/Namibia was 'causing' unemployment there. Of course there are serious social problems which arise during any period of rapid urbanisation but unemployment is not caused by removing restrictions. The unemployment has been there all along but was not visible to whites until people were allowed to come freely to the towns to look for jobs.

These social evils are all the result of a policy which can never make of South Africa a great nation. It is a policy based on human greed and a false ideology which claims that one minority group of people has the right to appropriate for its own benefit most of the resources and most of the land and all of the power which in justice and by right belongs to all of us.

The policy is being ruthlessly carried out regardless of the human suffering it entails.

The Black Sash has just published a map compiled by Barbara Waite in Johannesburg which graphically illustrates some of the mass population removals which have taken place and vividly exposes the unequal partition of South Africa's land area — 87 per cent for four and a quarter million whites in which the presence

of the so-called coloured and Asian people will be tolerated.

We can afford to tolerate them because we plan to have a new constitution which will remove all power from Parliament, or Parliaments, and vest it in the hands of an executive president whose instructions will come from undisclosed sources. Thirteen per cent of the land is allocated for more than 18 million blacks.

It is now ten years since the well-published removals to Limehill took place. A working paper, *Limehill Revisited*, written by Cosmos Desmond, has recently been published by the Development Studies Research Group of the University of Natal. This document should be compulsory reading for all supporters of government policy. It points out that the resettled people 'did not come from impoverished, broken-down communities'. They were from stable, well-established communities and were relatively prosperous compared, for example, to many of those removed from white farms.

'Virtually all of them had land and cattle and many were able to do occasional work in Wasbank to supplement the income from their migrant workers.' It then goes on to analyse the present condition of the community. '11 per cent of the children who were aged five years or less at the time of the removal are now dead... almost 20 per cent of the children born at Limehill have not survived until the survey date'. Male unemployment is more than 34 per cent. Only 13 per cent of women between 15 and 64 years are employed which figure the survey compares to the figure for women in Johannesburg where 47 per cent were in employment in mid-1977.

There never has been, and there is not, any intention on the part of the government to provide employment in or near Limehill. The nearest border industry area is Ladysmith, from where they have been moved further away... In any event, these border industries draw their labour primarily from Exakheni, which was established for that purpose and is much closer.

On February 17 the *Financial Mail* published an article called 'Apartheid is working'... It pointed out that, whereas in 1960 62 per cent of South Africa's African people were living in the 'white' areas, by 1970 the proportion had been reduced to 52 per cent.

In the same issue the *Financial Mail* quotes a Benbo report which disclosed that 180 000 people moved into Qwa Qwa between 1970 and 1976 and that the population density in that homeland has risen from 56 per square kilometre to 415. The density in white South Africa is 13 people per square kilometre, 90 per cent of the present population of Qwa Qwa have settled there since 1970, 56 000 people were resettled there and the Department of Plural Relations claims that the rest went there voluntarily. The Black Sash has had much experience in the past of people who

went to their homeland 'voluntarily' because they were refused permission to be anywhere else.

This little country, smaller in area than Johannesburg, is destined for independence according to South African government policy.

The Prime Minister said in Parliament on January 30 this year 'as sure as we are sitting here in this House now, within the next five years other black nations will follow. I can very well foresee that within the next five years perhaps every one of them, with the exception of Kwa Zulu, will have become independent'.

On December 6 last year 2½ million people were stripped of their South African citizenship when Bophuthatswana became independent. Over half of those people live in South Africa. The year before that more than three million people had South African citizenship taken away from them, over a million of whom live permanently in South Africa.

It is arguable that the majority of these people did not want this foreign status to be thrust upon them. Less than 13 per cent of Tswana people eligible to vote in the pre-independence elections did so and fewer registered as voters than had done so for the previous elections.

Firm rejection of independence has been widely expressed both inside and outside the homelands. In June 1976 Mr M. C. Botha warned that the government would definitely not tolerate 'negative obstruction work' by individuals, organisations and Press media who wanted to wreck independence of Transkei. 'Negative obstruction work' evidently referred to legitimately expressed opposition. It was ignored as is all protest.

There is no choice for people who wish to remain citizens of South Africa. Both the Status of Transkei and the Status of Bophuthatswana Acts state that they shall 'cease to be' South African citizens. There are no loopholes and those who wish to renounce their new citizenship may do so only after independence and, in terms of the Bantu Homeland Citizenship Amendment Bill, must first apply for citizenship of another non-independent homeland and, if this is granted, must then apply to the South African government which may or may not allow them to resume South African citizenship.

As it is the stated policy that there are to be no black South Africans it is unlikely that many such applications will be granted and those that are will be of very temporary effect.

Black people are justified in feeling that they have been betrayed. Both the Status Acts have clauses which say that no citizen of either newly independent country who is resident in South Africa 'shall, except as regards citizenship, forfeit any existing rights, privileges or benefits by reason only of the other provisions of this Act'.

But that was last year. This year an amendment to Section 12 of the Urban Areas Act has been introduced which will remove all rights of residence in urban areas from the children of

the new foreigners who are born after independence day. The next generation and the generations to follow will only be allowed to enter, be or remain in prescribed areas if they are given written permission to do so. This permission may be withdrawn at any time without any reason being given.

Permits are no substitute for legally enforceable *rights*.

There has also been much obscuration of the facts by semantic agility. We are repeatedly told that people who accept citizenship of the homelands would be granted privileges and preferences. We were told in June 1976 that citizens of a newly-independent Transkei should be favoured above people from African states and should not be declared aliens.

In February 1977 the Department of Community Development said that Transkei citizens were entitled to use white beaches, cinemas, swimming pools, restaurants, etc, etc, because government policy does not differentiate between black and white foreigners.

But both legislation and subsequent official statements have made it clear that the discrimination against black foreigners remains exactly as it was before they became foreigners. Passes and permits remain as before and the fact that a pass is now to be a document issued by a homeland government instead of a reference book makes no difference. It is very necessary to be alert to what government statements actually mean and not to be deluded by what they seem to mean.

The new Minister of Plural Relationships said in Parliament on February 1 'With much ado the argument was noised abroad that the pass system, the reference book system, the so-called reprehensible system was still in force in South Africa'. He outlined an agreement reached with homeland leaders and went on to say:

'Homeland citizens who are in possession of travel documents will no longer be required to produce their reference books for labour or influx control purposes, as the particulars will appear in their own travel documents which are provided by their own governments, —' a statement which is indeed most worthy of the Minister of Information.

This consummation of the policy has only been achieved by a quite ruthless determination to stamp out all opposition. The year behind us has seen the death of Robert Sobukwe, one of South Africa's greatest sons, while he was still under sentence of a banning order which has restricted him ever since he was released from prison where he had been held for six years longer than the sentence imposed upon him by the courts.

It has seen the death of Stephen Biko and seven other men. He and they died while being held incommunicado by the security police. The disclosures made at the inquest into his death re-

vealed the unimaginable cruelty and inhumanity of those who chained him naked to a grill and drove him naked and dying to Pretoria in a van.

Other inquests have made other disclosures of unexplained injuries and dreadful human suffering. 45 people are known to have died in detention since 1963. Many have been young. Dumisani Mbatha, who died on September 25, 1976, was only 16 years old.

In November 1977, 174 people were known to be in detention. More frightening is the fact that we cannot know how many more were and are being held. No person is entitled to any information about a detainee and we in the Black Sash have seen people this year who only know that their husbands, sons or brothers, sometimes their daughters and sisters, have been taken in by the security police. They were refused information even as to where a detainee was being held.

We have seen other people whose relatives have just disappeared, who do not know whether they have left the country, gone to live in another area, have died or fallen ill, or whether they are in solitary confinement in a prison somewhere. There were Press reports that several hundred children were detained in terms of Section 6 of the Terrorism Act.

As at November 28, 1977, 161 people were living under banning orders.

The October 19 crack-down in which three newspapers were banned, most opposition black cultural and political organisations were banned and 42 black leaders taken into preventive detention, has presented us with a most urgent challenge.

The actions of the government on that day were the last straw for many people. It seemed to them that they were left with only two alternatives — to accept and submit to the policy and to the armed might of the State or to resort to violence to oppose the policy and to defeat the State.

The Black Sash is and will remain totally opposed to the use of violence, whether by the State or by dissidents. We are dedicated to working for social, economic and political justice by non-violent means only. We believe that the means used inevitably shape the ends reached and that good and desirable ends are not attainable by the use of wrong means. But for many other people and organisations like us it is equally unthinkable that we should cease to oppose the policy.

It is important that we understand that to be in the passive state of being non-violent is not necessarily to be in opposition to the policy. Many black people would probably now argue that it is always white people who claim to be committed to non-violence because it is in their interests to maintain the status quo which, as they might argue, can now only be changed

by violent force stronger than the violence used by the State to maintain it.

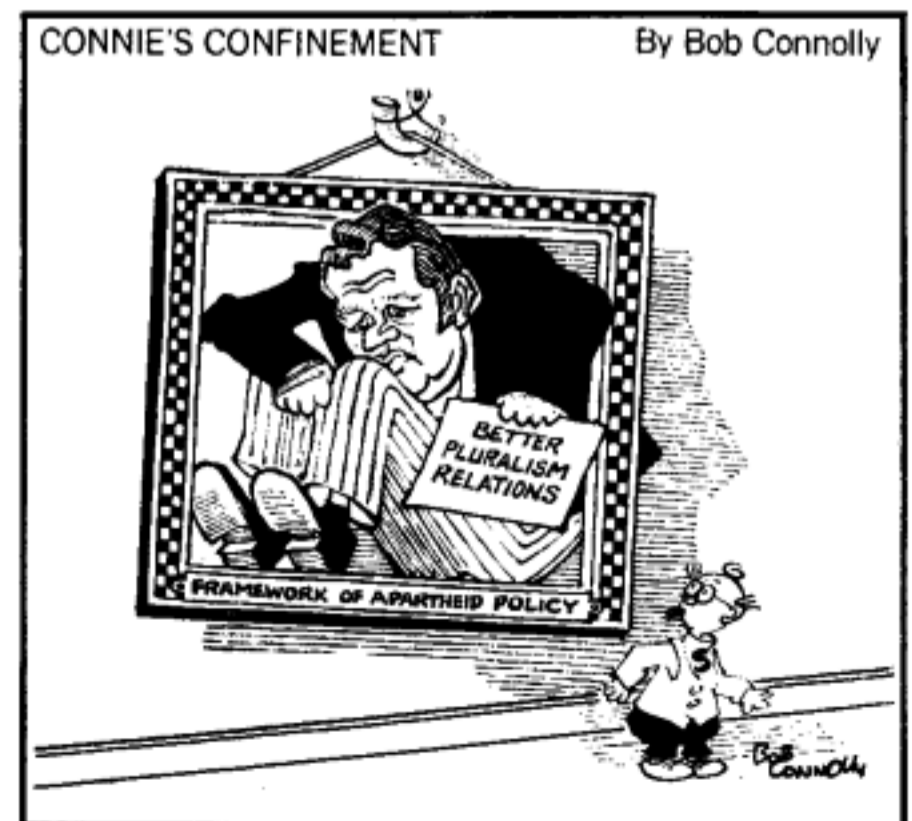
Unless we are seen to be seeking and using non-violent and effective means to bring about change, our pleas for non-violence are likely to be ignored.

Violence is escalating all around us. Periods of national service have been extended; expenditure on defence goes on increasing; our traffic cops carry firearms; the number of guns owned by private white persons is now one for every two adults; murders are reported every day in the Press; there are constant reports of bomb threats in our cities; acts of terrorism are directed both against those who opposed the government and against those who co-operate; Richard Turner was killed; Sergeant Nkosi was killed.

- We have indeed produced a lesser concept of what it means to be a South African
- We are less than just
- We are less than honest
- We are spiritually poorer. We have lost our awe of death and make jokes about the death of a man in detention. We place less value on human life and on the quality of that life
- We have no intellectual honesty and so fear the truth that we protect ourselves from hearing it by censorship and bannings
- We are less in courage and less in faith. We choose to put our backs to the wall with guns in our hands rather than to go forward in confidence to a different kind of future.

The tragedy of all this is that we could, if we wanted to, become a truly great nation, blessed by the wonderful diversity of our people, enriched by the right use of our land and our pastures. We can, if we want to, achieve that great act of re-union which Laurens Van Der Post spoke of.

We can, if we want to, be proud again to say 'I am a South African'.



Advancing backwards?

James Moulder

The address delivered by Dr Moulder, senior lecturer in Philosophy at Rhodes University, to the public meeting which opened the 1978 Black Sash Conference.

ACCORDING to Ludwig Wittgenstein, a philosopher assembles reminders for a particular purpose (1958:50). This may not be the last word on what philosophers do; but it is all that I hope to accomplish in these remarks about social change. I have set my sights on this limited target because, quite frankly, I do not know what white South Africans can contribute to social change.

More specifically, I tend to share T. S. Eliot's hunch that we live 'in an age which advances progressively backwards'. At the same time, however, I do not share his conviction that there is nothing that we can do about this 'but stand with empty hands and palms turned upwards'. And so I want to assemble some reminders around an example, around some suggestions and around some questions about social change.

Before I try to say something about social change I want to say something about the basic structure of South Africa's economic, political and social problems, because our favourite political slogans and principals often obscure the hard facts of our situation. This is dangerous because it makes us overlook those problems which will remain *whatever* government is in power.

Inequality is the essence of our society's economic, political and social fabric. Amongst the many inequalities which there are, none are more serious than the unequal population growth, the unequal educational standards and the unequal expenditure on education. In fact, the following figures are sufficient to underline the basic dimensions of South African society and the gigantic obstacles to social reform.

Between the years 1960 and 2000 the percentage population growth of the African people will be from 68,2 to 75,4; of the Asians from 3,0 to 2,7; of the coloured people from 9,4 to 9,2; and of the whites from 19,4 to 12,7. (IRR Survey, 1963, 1972, 1973, 1975.)

In 1970 the percentage of the population over 15 years who had passed Std 6 and higher was 49,2 for Asians; 30,9 for coloureds and 97,5 for whites. For those who had passed Std 8 and higher it was 18,3 for Asians; 8,6 for coloureds; and 66,8 for whites.

The percentage of those over the age of 20 years who had passed Std 10 and higher was 6,9 for Asians; 2,3 for coloureds and 38,1 for

whites; while those who had a university degree was 0,9 for Asians; 0,12 for coloureds; and 4,7 for whites. (Department of Statistics, 1972, Pol-lak.)

In 1972, R113 was spent on an African pupil in Std 10; R156 on an Asian; R120 on a coloured; and R624 on a white. There were 4 814 African pupils in Std 10; 3 840 Asians; 2 483 coloureds and 39 881 whites. (IRR Survey 1973, 1975.)

These figures indicate the unequal population growth, unequal educational standards and unequal expenditure on education.

They do not require a great deal of comment. The salient features of the context in which we have to consider how, if at all, we can change our society are obvious enough. Education is one of the most important indices of social and economic status. And the shrinking white minority (16,7 per cent in 1973) dominates every other group in education, and therefore in social status and economic power.

In fact, it is not at all obvious that it will ever be possible to close or even to narrow the educational gap between black and white. But be that as it may, what is obvious is that it will take a long time and require vast resources even to begin to narrow this gap in any significant way.

For example, 7 683 whites obtained Bachelor's Degrees in 1972. At the end of 1973, however, only 5 097 degrees had been awarded to Africans since the first of them graduated. (Survey 1975: 260.) On the other hand, Africans are dominant in terms of numbers (71,2 per cent in 1973). And all the projections to the year 2 000 indicate that they will increase their numerical strength over time.

This picture is dismal enough. But there is another complication which our favourite political slogans and policies tend to ignore. According to the late Desmond Hobart-Houghton, the South African economy is only at the 'drive to maturity' stage. This assessment of our economic strength is based on W. W. Rostow's theory about economic growth.

He argues that a society's economic life has five stages: The economy of the traditional society; The pre-conditions for economic development; development; the drive to economic maturity; and the age of high mass-consumption. (Hobart-Houghton, 1964: 8-9.)

Rostow argues that once a society has achieved economic maturity and enters 'the age of high mass-consumption' it is able 'to divert resources to all forms of social welfare' and to change the structure of the working class, not only in the proportion of urban to total population but also in 'the proportion of the population working in offices or in skilled factory jobs'.

On the basis of this analysis and theory, Hobart-Houghton reminds us that South Africa has not yet achieved economic maturity; he advances 1993 as a tentative date. More significantly, he argues that we will achieve economic maturity only if we develop the whole sector of the economy; and only if our economic and political management increases the real income per head to a point where a large number of people have a command over consumption which transcends basic food, shelter and clothing. (Hobart-Houghton, 1964: especially 138-165 and 198-220.)

I am not an economist; in fact, I am not any kind of social scientist. And so I do not want to dwell on the many questions which are raised by Hobart-Houghton's analysis of the economy. Whatever may be wrong with the details, the main thrust of his message is clear enough: South Africa's basic problem is the perennial problem — 'How do you establish justice for the majority of the people while at the same time ensuring security for the white minority?'

I will not explore the additional complications which arise when the basic question about South Africa is formulated in ethnic terms. People who are asking themselves what they can contribute to social change are familiar enough with most of these complications. What we tend to forget is that South Africa's basic problems are not ethnic but perennial ones.

If everybody in South Africa woke up tomorrow and discovered to his and her surprise that we are all mildly yellow and that we are all incapable of speaking any language except English, then, by definition, we will have no ethnic economic, political and social problems. At the same time, however, almost nothing will have changed.

A small group of people (roughly 16 per cent of the population) will still dominate the rest of the population in education, and therefore in social status and economic power. And it will still take a long time and require vast resources even to begin to narrow the gap between the 16 per cent who do, and the 84 per cent who do not, have the social status and economic power which are generated by the unequal population growth, the unequal educational standards and the unequal expenditure on education which I have paraded.

Even when one has gleaned the benefits which would undoubtedly follow the elimination of racial prejudice and racial discrimination from our society, one would still be left with T. S. Elliot's question:

What have we to do

But stand with empty hands and palms
turned upwards

In an age which advances progressively
backwards?

I share Eliot's pessimistic hunch about the nature of our age and the nature of the basic structure of South Africa's economic, political and social problems. But, I also share the conviction of that anonymous but incredibly optimistic human being who coined the phrase, 'You can't lose them all!'

I, therefore, want to suggest some ways in which we can contribute towards the elimination of the unequal educational standards which generate or complicate so many of our economic, political and social problems.

Firstly, anybody who wants to contribute towards the elimination of South Africa's unequal educational standards will have to accept that he or she will have to pay more income tax than we now do. And so there are immediately two things which we can contribute towards social change.

On the one hand, we can mount a campaign to lobby the various political parties to adopt a policy of increased taxation and to ear-mark the money for the improvement of black educational facilities and standards. On the other hand, and because this lobbying will take time to be successful, we can put all our weight behind the Self-Tax Movement.

If we believe that South Africa's unequal educational standards cannot be remedied until something is done about remedying the unequal expenditure on education; and if we believe that the unequal expenditure on education cannot be remedied until taxation is increased then there is no need to wait until we have a government that requires us to pay more taxes.

We can begin to tax ourselves and to use the money for improving black educational facilities and standards. If 100 families increased their taxation by R25 a month, then they would be able to contribute R2 500 a month, or R30 000 a year to a scheme whereby black educational facilities and standards can be improved.

Secondly, anybody who wants to contribute towards the elimination of South Africa's unequal educational standards need not confine his or her efforts to advancing the Self-Tax Movement; nor is it necessary to simply donate this money, say, to the Daily News/Ilanga Learn Fund.

People who are prepared to share the school or university education they have received can become more personally involved in the improvement of black educational standards. For example, black education cannot improve unless the educational standards of black teachers are improved; far too many of them have not matriculated and very few of them have received a university education. On the other hand, many white South Africans, and especially white wo-

men (many of whom are not in commerce or the professions), have received a university education.

I therefore want to suggest that we not only tax ourselves in the way I have suggested but that we use this money to employ and to raise the educational standards of the black teachers.

Here is a simple model for such a scheme. Five women graduates could between them 'employ', say, 10 black teachers or prospective teachers and pay them each a nominal salary.

Those who already have a matriculation certificate can enrol immediately with Unisa. Those who have not matriculated can be helped to take the National Senior Certificate or the Cambridge O-levels examination. This help can be provided quite easily by the five graduates because of the help that is available both from local and from overseas correspondence colleges.

And so 100 families who are prepared to impose an additional tax of R300 a year upon themselves, and who are able to find 15 graduates who are prepared to teach 30 matriculants or undergraduates between them, will be able to help at least 30 black teachers obtain a university education every five years. In other words: between now and the year 2000 these 100 Self-Tax families will be able to help at least 150 black teachers who want to upgrade their professional qualifications.

I have tried to sketch an answer to the question, What can I contribute to social change, but because I suspect that the suggestion I have made may be misunderstood I want to conclude this paper with some random comments and observations.

Firstly, anyone who feels that my suggestion about Self-Taxation and a scheme to assist those black teachers who want to upgrade their qualifications does not solve South Africa's basic economic, political and social problems simply shares my feelings.

When I began to explore this territory I confessed that, quite frankly, I do not know what white South Africans can contribute to social change. And so I am not ashamed to admit that my suggestion may remind some of you of the little boy who pitched up at a serious fire armed with a lot of enthusiasm and a watering-can!

Secondly, anyone who feels that my suggestion is not only too insubstantial but also too idealistic has my sympathies. I believe that my suggestion does contain a great deal of idealism. But if this idealism is misplaced, if there are not 100 families in South Africa who are prepared to tax themselves in the way in which I have suggested, then I am not convinced that there is anything white South Africans can contribute to a peaceful and gradual transition to a more just society.

Thirdly, I want to guard my suggestion against a possible misunderstanding. Although education is a very important index of economic and social

status and power, it is not the only index. There are, of course, other areas where change is needed. It is possible to explore questions about housing, social welfare and pensions, and many other topics in the same way. The problem I have explored is only one among many.

Fourthly, I want to explain why I have not entered the ideological arena and why I have not said anything about what black South Africans can contribute to social change.

The latter explanation is easy: I am not at all sure how black South Africans intend to change the conditions under which they live and I am even less sure about which of the fundamental inequalities of our society they most wish to change. For example, do black South Africans want to change the economic structures of our society? or do they simply want to remove the discriminatory practices which exist within these structures?

I have not entered the ideological arena because everyone who operates in that territory believes that they can control and predict what is going to happen in their society. I do not share their faith. And so, because I do not know what will happen in South Africa, either in the next five or in the next 25 years. I have focused our attention on those problems of our society which will remain whatever happens and whatever government is in power.

I cannot exhaust all the challenges which lie buried in the idea of a contribution to social change, and I cannot exhaust these challenges even if I tried because the question requires a dialogue between black and white South Africans.

In conclusion I want to allow an Oxford moral philosopher and a South African black politician to disturb you as much as they disturb me. Their words explain why I have approached the question of social change in the way I have.

The Oxford philosopher is Professor R. M. Hare who reminds us that 'if we were to ask of a person "What are his moral principles?" the way in which we could be most sure of a true answer would be by studying what he *did*'. (1952: 1.) The same must be said about a person's political principles. Chief Gatsha Buthelezi has said it. Commenting on the fact that there is a lot of talk but no real change, Chief Buthelezi said that this kind of talk about change was 'comparable to the half-hearted attempts of an impoverished shopkeeper who cannot sell his wares, and whose salesmanship is confined to shifting the same goods round in the hope of making his customers believe they are not the same old goods he has already failed to sell'. (Daily News, February 13, 1978:8.)

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Criminal Procedure Act

Pat Tucker

In her paper, presented to national conference, Mrs Tucker suggested various ways and means of informing people of their rights — including the right to remain silent in a court of law. Conference agreed to proceed with her recommendations.

IN a Government Gazette dated May 7, 1977, the terms of the Criminal Procedure Act, No 51 of 1977 are laid down.

The Act has caused an enormous amount of discussion and controversy both among politicians and lawyers.

It would be impossible in less than a book to analyse this lengthy piece of legislation. I will concentrate here on those clauses which deal with the consequences of a plea of guilty by an accused and make it more necessary than ever that legal representation be available to any person arrested for whatever offence.

In theory the terms of these sections of the act are laudable. They will certainly assist in speeding up often unnecessarily lengthy trials and eliminate numerous adjournments and extra months served in prison by accused people who are either not granted bail or cannot raise the necessary amount.

In practice, since the average person can no more understand a complicated indictment than he or she can read Sanskrit, it could simply mean that more people could be convicted faster of offences which normal court proceedings could not prove.

Essentially, these clauses make provision for the most summary of summary trials. There are many safeguards, but, in the main, these are dependent on a certain amount of understanding by the accused.

This paper in no way pretends to be an in depth analysis either of the act or of the relevant clauses. It merely provides some background. The relevant clauses are those from 112 to 113.

When an accused at a summary trial in any court pleads guilty to an offence which does not merit a death sentence; a sentence of imprisonment without the option of a fine; of whipping or of a fine exceeding R100, he may be convicted and sentenced on his plea.

If the offence merits any of these sentences, the presiding judge, regional magistrate or magistrate should question the accused about the alleged facts of the case in order to ascertain whether he admits the allegations to which he has pleaded guilty and, if he is satisfied that the accused is guilty, convict and sentence him on his plea. The only exception is that sentence of death

shall not be imposed unless the guilt of the accused has been proved if he had pleaded not guilty.

If the accused or his legal advisor hands in a written statement in which he sets out the fact which he admits, he may be convicted and sentenced on the strength of the statement. This does not preclude questioning if anything in the statement is unclear.

This section does not prevent the prosecutor from presenting evidence on any aspect of the charge, or the court from hearing evidence, including a statement by or on behalf of the accused with regard to sentence.

If the court has any doubts about the guilt of the accused, it should record a plea of not guilty and order the prosecutor to proceed with the prosecution. If the court's doubts refer only to a section of the indictment, the accused's admissions of other allegations stand as proof of these allegations.

If a magistrate, after conviction on a plea of guilty, feels that the offence merits punishment in excess of his jurisdiction or that the accused's previous convictions are such that punishment would be in excess, the accused should be committed for sentence by a regional court. The record then goes to the regional court and the plea of guilty and any admission stands unless the accused satisfies the court that the plea or admission was incorrectly recorded.

Unless the regional court is satisfied that the plea was incorrectly recorded or is not satisfied that the accused is guilty, it must make a formal finding of guilty and sentence the accused. If the court is not satisfied, it should enter a plea of not guilty and proceed with the trial as a summary trial. Even in this case, any admission previously made and not disputed stands as proof of the admitted fact.

If the accused pleads not guilty, the presiding officer may ask him whether he wants to make a statement indicating the basis of his defence. Where he doesn't make a statement, or does so and it is not clear from the statement to what extent he denies or admits the issues, he may be questioned as to which allegations in the charge are in dispute.

The court may put any question to him in order to clarify any matter in dispute and may ask the accused whether an allegation which is not disputed may be recorded as an admission. If the accused consents, the admission is recorded. Where the accused's legal advisor replies to any question by the court under this section, the accused must say whether he confirms the reply or not.

As regards sentence:

If a magistrate's court, after conviction following a plea of not guilty, feels the offence merits punishment in excess of his jurisdiction, or if the accused, because of previous convictions, merits punishment in excess, the proceedings should be stopped and the accused committed for sentence by a regional court having jurisdiction. The record of the proceedings in the magistrate's court forms part of the record of the regional court and the accused must be sentenced on the basis of the judgment of the magistrate's court.

There is also a provision that if the regional magistrate thinks there is any doubt as to the justice of the proceedings, he must transmit his reasons and the record of the trial to a judge for review.

It is not difficult to see how a person, caught up in complicated legal proceedings of which

he or she has no understanding at all, intimidated by the presence of a black-robed magistrate, surrounded by officials, could find him or herself making admissions about which there may be no proof at all.

This could especially affect people who have spent months in solitary confinement and are faced with a lengthy indictment under one of the security laws where an admission to one small section could mean a minimum sentence of five years (if the charges are under the Terrorism Act).

In the case of people detained under the security laws, the position is both more complicated and more dangerous than it is for those held on ordinary criminal charges. Detainees are not, by law, entitled to any legal representation whatever during the period of detention. *But* they may and, indeed, many have, ask that their legal advisors be informed of the date on which they are to be brought to court. In that case, they could refuse to plead to the indictment until they have had adequate time for consultation.

But the provisions I have looked at are equally worrying whether the allegation is shoplifting, fraud, immorality or sabotage — at least as far as the potentially innocent are concerned.

The Vote

At its national conference the Black Sash, swayed by the moral argument that it is wrong that people should be denied participation in the decision-making processes of government, and that the vote is every person's right and an integral part of the Western democratic ideal, opted to support the principle of universal adult suffrage.

The Black Sash believes that justice cannot be achieved without a universal adult franchise.

The vote is most essential to the disadvantaged who have no other power to exert. Social and economic justice will not be achieved without it.

But it has been demonstrated that a universal franchise does not guarantee political justice. Therefore any political system should also entrench the following:

- The absolute independence of the judiciary and the courts of law
- The absolute protection of the individual from arbitrary arrest and punishment through guaranteed access to the courts
- Freedom of the press
- Freedom of assembly and speech
- A fixed period of time which may elapse before government must seek a new mandate from the people
- Protection of the rights of minority groups.

Piscom

Joyce Harris

THE Parliamentary Internal Security Commission Act No 67 has been on the statute book since 1976, but only now has the government stated its intention to appoint the parliamentary commission for which the Act provides.

At the time of its second reading in Parliament it was hotly contested by both the Opposition parties — at that time the United Party and the Progressive Reform Party — and by outside organizations including the Black Sash. As the country is shortly to feel its effects it is necessary to re-examine the history and the implications of this piece of legislation.

In 1972 the government appointed a Parliamentary Select Committee on, and Commission of enquiry into Certain Organisations: the University Christian Movement, the National Union of SA Students, the Christian Institute of Southern Africa and the South African Institute of Race Relations.

Despite the request from three of these organisations (excluding the UCM, which subsequently disbanded) for a Judicial Commission of Enquiry rather than a Parliamentary Select Commission, and strong opposition from the United and Progressive Parties the Committee was appointed consisting of six Nationalist and three United Party members.

It was turned into a Commission of Enquiry and became known as the Schlebusch and later the Schlebusch-Le Grange Commission. Its terms of reference were the objects, organization and financing of the four organizations and any related subordinate organisations; their activities and the direct or indirect results of them; the activities of persons in or in connection with them; any related matter; and to make recommendations.

It was decided, in terms of enabling sections of the Commissions Act, that the sittings of the Commission should be held in camera; that the full evidence would not be published; that if a witness so requested his identity would not be disclosed; and that no information about the proceedings might be divulged by witnesses or other persons present during the inquiry.

The effect was that organizations were unaware of evidence given; they were unable to cross-examine witnesses or to refute allegations; and they could not lead their own evidence or call their own witnesses. Participation by counsel was limited to advising clients as to their legal rights, and the terms of reference empowered the Commission to inquire into the personal beliefs and conduct of anyone in any way connected with the organisations under investigation.

NUSAS refused to submit evidence or documents and was forced to do so, but an interim report named eight students as members of a group which, in a way that endangered internal security, had manoeuvred NUSAS on its present road.

They were banned forthwith despite the objections of the UP minority representatives on the Commission, and shortly afterwards eight leading members of SASO and the Black People's Convention were restricted although their organisations had not been under investigation by the Commission.

A number of leading members of the Christian Institute decided to refuse to give evidence if called upon to do so, affirming that an investigation of any organisation should be undertaken by a judicial commission which can ensure impartiality, the right of defence to accusations made, the right to face one's accusers, and the upholding of the due process of law; that the action taken against student leaders confirmed their belief that the appointment of the Commission permitted punitive measures to be taken under the guise of democratic procedure; and that such a Parliamentary Commission palpably eroded their Christian heritage of fairness and the evidencing of justice.

The Institute of Race Relations decided not to refuse to give evidence stating that its affairs would bear full examination, but maintained that a judicial commission should have been appointed; that it strongly opposed action being taken on the basis of evidence given in secret against people not told of the precise nature of the charges against them; and that it was gravely concerned that banning orders had been imposed without due process of law.

A third interim report of the Commission indicated the activities of the Wilgespruit Fellowship Centre, and the SA Council of Churches set up a committee to investigate these under the chairmanship of a former Chief Justice of Botswana and former judge of the High Court of Rhodesia. This committee exonerated the Wilgespruit Centre and its staff from the main allegations made by the Schlebusch Commission. Nevertheless, the director of one of its programmes was served with a deportation order.

Four members of the Institute of Race Relations and nine members of the Christian Institute refused to testify when called upon to do so. A number were convicted but the rest were subsequently acquitted on the technical grounds that the Commission before which they were called to give evidence was not the full Commission

as constituted by Parliament. Their moral objections to testifying were not considered.

As a result of reports submitted by the Schlebusch-Le Grange Commission the Affected Organisations Act No 31 of 1974 was introduced and passed, since when an authorised officer has been empowered to inquire into the objects and activities, enter premises, seize documents of any organization. Should the State President declare it to be an Affected Organization it becomes an offence for it to receive foreign money. NUSAS and the Christian Institute were declared Affected Organizations.

The activities and effects of the Schlebusch-Le Grange Commission are very relevant to PISCOM (Parliamentary Internal Security Commission) because the first interim report of that Commission recommended that a permanent, bi-party, statutory Parliamentary Commission be established on Internal Security, to continue the work begun by the existing Commission in respect of 'organisations which exist already and which may from time to time come to light'.

Its powers and rules of procedure would be similar to those of the existing Commission and it would have a mandate to investigate matters affecting internal security which were referred to it by the State President. Existing and proposed legislation in the field of internal security should be referred to it for investigation and report.

The Parliamentary Internal Security Commission Act No 67 of 1976 (PISCOM), made provision for the establishment of a Parliamentary Internal Security Commission to investigate and report on internal security to the State President, though the Prime Minister, in consultation with the Leader of the Opposition, need not table such report.

The Commission will have powers similar to those of the Supreme Court to summon witnesses, administer the oath to them, examine them, and call for the production of books, documents and other objects.

A person who fails to appear as a witness, take oath, provide requested documents or answer satisfactorily any question lawfully put to him will be liable, on conviction, to maximum penalties of R600 or six months' imprisonment, and may be dealt with in like manner with regard to any further refusal. Any person giving false evidence will be liable, on conviction, to maximum penalties of R1200 or 12 months imprisonment. Any person who wilfully interrupts or hinders the proceeding will be liable, on conviction, to maximum penalties of R600 or six months' imprisonment.

Although PISCOM will have powers similar to those of the Supreme Court it will not function like the Supreme Court, but will follow the procedures adopted by its predecessor, the Schlebusch-Le Grange Commission.

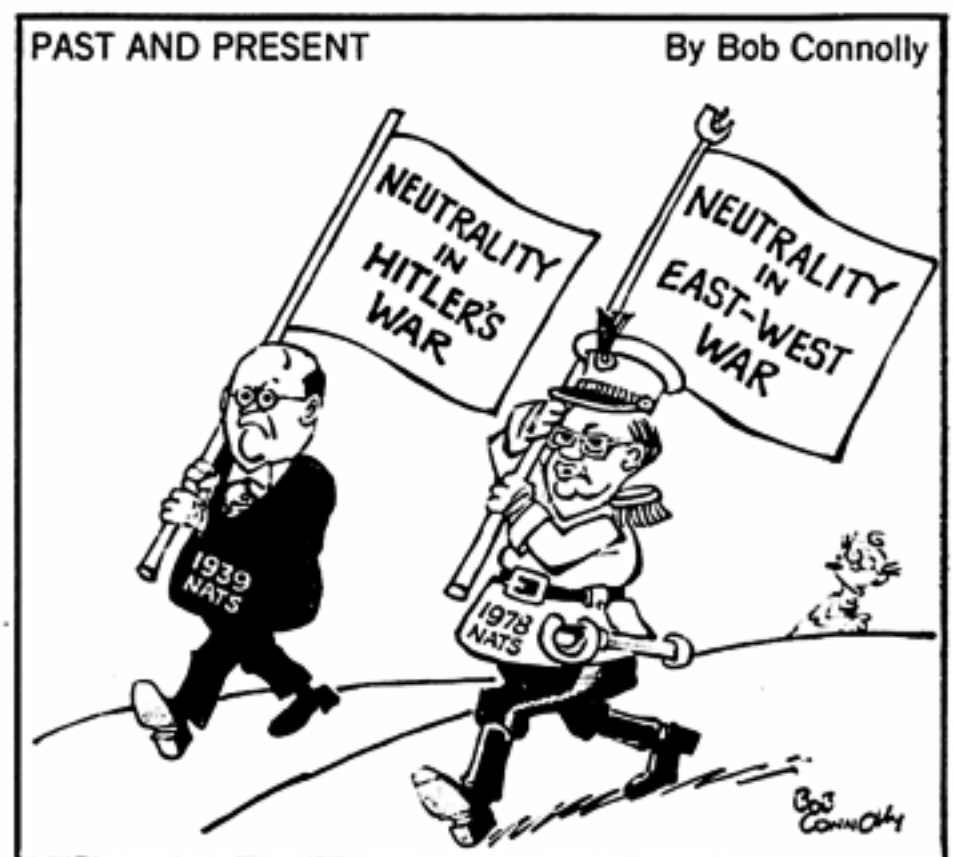
While the Bill was being debated in Parliament the Transvaal Region of the Black Sash issued a handout stating that the Bill provided for secret judgment; impose severe penalties on those refusing to give evidence; provided for 'justice' to be arbitrated by untrained party politicians; and denied the due processes of the Law — charge, indictment, legal representation, sentence, appeal.

It stated further that there was no protection for those refusing to give evidence; that Parliamentarians have political axes to grind; that suspicion would be sown throughout the land; that no person would be secure if he dissents or if anyone thought he might dissent or if anyone chose to accuse him of dissent; that no organisation or institution would be secure; that all confidence would be undermined; and that the Schlebusch-Le Grange Commission had resulted in bannings and punishments of people and organisations in secret without effective legal representation, with no right of appeal and without 'justice'.

The Black Sash sees no reason to believe that PISCOM will operate any differently from the Schlebusch-Le Grange Commission, nor are its terms of reference limited to four organisations, as were those of the prior Commission. It foresees a witchhunt similar to that conducted by the McCarthy Committee in the United States, which proved so disastrous to individuals, organisations and the stability of the entire country. For no-one will be safe and all will be potential victims of PISCOM's inevitably biased probings with no protection from the oft-ensuing arbitrary punishment without trial.

SOURCES:

Institute of Race Relations Survey
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Black Education — A Dangerous Situation

Sue Drerup

A paper prepared by the Cape Western Region for presentation to conference. It has been considerably abridged.

IN this paper we have concentrated on the students' grievances which were voiced at the time of the riots and unrest in 1976, referred only briefly to the situation during 1977 and have devoted considerable space to proposals aimed at improving the situation in African schools.

In gathering material for this paper we hoped to obtain first-hand information from the people concerned with African education, namely, the Department of Education and Training, as the Bantu Education Department is now called, and teachers and scholars themselves.

We think it would be both relevant and informative to recount some of our experiences in attempting to obtain first-hand information. We discovered that we not only needed a permit to enter the townships (which we had), but a permit to speak to the school principals! 'Pretoria' had that very week issued a directive that no persons other than officials of the Department of Education and Training were to visit the schools during school hours.

We then asked whether we might visit after school hours and were told that this would be very difficult as we would need to contact the principals during school hours to arrange an after-hours meeting, and that was not allowed. In any event, we would have had to have a special permit to speak to a school principal or teacher, and it was clear that the local office was not prepared to issue us with one.

We were later informed that we were to make no attempt to contact any of the schools, principals or teachers at any time. We enquired whether this included any after-hours contact and were assured that it did.

From our side we must accept the explanation that the situation in the African schools is very delicate.

Finally, we think it is important to emphasise the tremendous pressures under which African school principals, teachers and students are forced to work. We all know that the security police run an efficient network of informers, but even this knowledge did not lessen the shock of learning, first-hand, of the agonies of people who are put under pressure to become informers. The atmosphere of mistrust and suspicion which this sort of thing engenders is very effective in demoralizing and dehumanizing a community, preventing the growth of the community spirit that is needed

to improve the conditions in African schools.

'To say that the present crisis in the African townships has been generated by a desire to break away from imposed institutions... is to catch a shadow of the problem and lose the substance'. (Temba Nolutshungu in the December 1976 edition of 'Race Relations News'.)

In Cape Town the African pupils presented a list of grievances and recommendations to the regional director of Bantu Education at a mass meeting on September 28, 1976..

The recommendations stated that the immediate aim of the school pupils was to ensure that those who were capable and wanted to learn were given every possible help to complete full training so that they could contribute useful work to the community. This policy of priority education would feed back properly trained teachers into the schools.

Their ultimate aim, said the scholars, was parity with white education. Detailed recommendations regarding curricula, quality of teachers, facilities, bursaries, post-school training and job opportunities were given in terms which can only be described as responsible.

The Department of Bantu Education in Pretoria issued a full reply to the students' grievances which was published in 'The Cape Times' non-violent and effective means to bring about on November 2, 1976. It denied that Bantu Education was inferior but conceded that there were 'differences', 'related to the fact that the Department is serving developing nations and the fact that a sudden demand for education necessarily creates shortages of funds, schools and classrooms, of well-qualified teachers, of equipment and so on'.

Enough money would go a long way towards alleviating many of the difficulties but the scrapping of apartheid would not necessarily result in improved education for Africans as the main problems are financial. It is estimated that it would cost at least R300 000 million to overcome the disparity between black and white education.

The students, however, felt that the Department of Bantu Education offered nothing tangible. The boycotting of schools continued and the year ended without exams being written. The new term, in January 1977, began much as the previous one had ended, with a massive stay-away on the part of the senior pupils.

According to officials of the Bantu Education Department, headway was being made in negotiations between students and the department. But, as is the wont of crucial negotiations, they lapsed into deadlock — after five days. Eventually, officials of the department spoke to a large gathering of students saying that the pupils could not achieve anything more by staying away from their schools and whatever 'battle they wanted to fight', they would be able to do better if they had 'certificates'. ('Cape Times', January 13, 1977.) It was also announced that books would be free and that education would become compulsory.

Statistics from the Department of Education and Training indicate that attendance at township schools improved as the year progressed. However, the atmosphere in the high schools was tense and many teachers found it impossible to maintain discipline in the face of their intimidating pupils, some saying that they feared for their lives. But the year ended relatively well. Attendance figures were good in the last term and most students sat for the final examinations.

The 1978 school year began optimistically. The announcement that the Department of Bantu Education had changed its name to the Department of Education and Training gave many of us hope that this might herald changes in the education system for blacks. However, when we raised this point with the local circuit inspector the reply was an emphatic 'No' — 'No changes are envisaged'.

He explained that there was no possibility of a change in official policy and reiterated that the main problem was a lack of funds. There is insufficient money to cope with providing for the increase in the school population — which has risen from 860 000 in 1955 to 3 320 000 in 1977 let alone for raising standards to a parity with those enjoyed by white school children.

The local circuit inspector said that 'unless there is change we're heading for a worse crisis than we had before'. It is in the light of these statements that we would like to make some suggestions for improvement, despite the obstacles already mentioned.

- Dr Hartshorne's proposal for an increase in the education budget for the next four to five years should be given serious consideration by the government.

- The government would gain credibility with black scholars and teachers alike if it were to place black schools under the authority of the provincial administrations, as apart from the lack of funds, a major hindrance in the attainment of higher standards in black education is the attitude of blacks to the present system.

- Institutions for higher learning should be opened to all races. This would be an immediate practical step towards improving the calibre of teachers, which in turn would be a tangible response to the first aim stated by the black students

of Cape Town in their recommendations of 1976. It would also help alleviate the frustrations of school-leavers in the Western Cape.

- The concept of 'sister schools' deserves further investigation. It would involve the sharing of resources such as laboratories and playing fields.

- Since there is a shortage of qualified black teachers, we suggest that qualified white teachers be allowed to fill vacancies.

- It is important that teaching conditions and salaries be made attractive enough to retain qualified teachers in the profession. It is thus vital that the salaries of black teachers be put on a par with those of whites. At present there are about 65 per cent of those of white teachers.

- None of the schools in townships have playing fields. If these cannot be provided, urgent consideration should be given to using amenities in Cape Town.

- Only two of the schools have telephones. This means that 29 schools are operating without any means for ordinary communication, not to mention the occasions, such as fire, when a telephone is required in an emergency.

- Only four of the 31 schools are supplied with electricity. This means that ordinary teaching aids such as projectors and other audio-visual equipment cannot be used by the majority of the schools. Further, in winter school hours begin when it is still dark, resulting in the loss of valuable time while waiting for it to become light enough to commence lessons.

- At least 72 new classrooms are required immediately, just to cope with the present number of students. This would cost about R500 000 if they were built according to existing standards.

- Subsidies are needed to provide stationery and setwork books.

- Mention must also be made of the language problem. Present policy is that the mother tongue is the medium of instruction up to standard five, when a change is made to English. However, it appears that many Africans favour the use of English as the medium of instruction from sub-A level. Lack of proficiency in English results in poor communication and low academic performance. The Transkei Education Department permits the use of English as a medium of instruction from Standard two level, and it is suggested that consideration be given to doing the same in schools here.

In conclusion, we feel that the relatively peaceful atmosphere presently prevailing at schools in the Peninsula, while welcome, gives no cause for complacency.

Changes must be made as rapidly as time and money will allow, otherwise we fear with Dr Ken Hartshorne that 'we are heading for a very dangerous situation... The general breakdown of the educational system, with all the tragedy that this means for the people themselves and for the country as a whole'.

The new Foreigners

Sheena Duncan

An abridged version of a conference paper on a subject which has far-reaching implications for South Africa.

TRANSKEI became independent on October 6, 1976, and Bophuthatswana on December 6, 1977. Categories of persons who in terms of Section 6 of the relevant Acts are citizens of Bophuthatswana/Transkei and have ceased to be South African citizens.

STATUS OF BOPHUTHATSWANA Act No 86/1977

- (a) Every person who was a citizen of Bophuthatswana in terms of any law at the commencement of this Act.
- (b) Every person born in or outside Bophuthatswana, either before or after the commencement of this Act, of parents *one* or both of whom were citizens of Bophuthatswana at the time of his birth, who is not a citizen of a territory within the Republic of SA or a territory that previously formed part of the Republic of SA and is not a citizen of Bophuthatswana in terms of paragraph (a).

STATUS OF TRANSKEI Act No 100/1976

- (a) Identical
- (b) Every person born in the Transkei of parents one or both of whom were citizens of Transkei at the time of his birth.
- (c) Every person born outside the Transkei whose father was a citizen of Transkei at the time of his birth.
- (d) Every person born out of wedlock (according to custom or otherwise) and outside the Transkei whose mother was a citizen of Transkei at the time of his birth.

There is an important difference in the comparison here. In the Transkei Act there are some loopholes. Illegitimate children of customary union marriages are able to claim citizenship of their mother's homeland in terms of the Homeland's Citizenship Act when she is not from Transkei and when she can claim citizenship of that Homeland by referring to that Act.

Legitimate children of a non-Transkeian father and a Xhosa mother are not Transkeians, whereas in the Bophuthatswana Act it seems that children will all be citizens of Bophuthatswana if one or other parent is Tswana (or other affected language groups) irrespective of which parent is Tswana or irrespective of the form of marriage or liason between the parents.

- (c) Relates to people who have been lawfully domiciled in Bophuthatswana for five years.
- (d) Every South African citizen who is not a citizen of a territory within the Republic of South Africa, is not a citizen of Bophuthatswana in terms of paragraph (a), (b) or (c) and speaks a language used by members of any tribe which forms part of the population of Bophuthatswana, including any dialect of any such language.

- (e) Identical to (c) in Bophuthatswana Act.
- (f)
.....
.....
and speaks a language used by the Xhosa or Sotho-speaking section of the population of Transkei

The Bophuthatswana Act is much wider and much more confusing. The Transkei Act specifies the languages concerned.

- (e) Deals with a person who is related to or has identified with or is culturally or otherwise associated with a member or part of the population contemplated in (d) and is consequently equally vaguely defined.

- (g) Identical to (e) opposite.

The above comparison shows the Bophuthatswana legislation to be, if anything, more severe and all-embracing than the Transkei Act.

IT IS ESSENTIAL to understand that the people listed in these schedules *are* foreigners in the Republic whether they want to be or not. There is no machinery for them to refuse to accept their new citizenship. They may (illegally in terms of the Agreements referred to below) refuse to apply for Transkei or Bophuthatswana identity documents but this makes no difference to their legal status as aliens.

Immediately after Transkei became independent the authorities tried to force people to apply for such documents before agreeing to register them in employment or as workseekers. There was a great deal of anger and resistance and whether for this or other reasons, the pressure was lifted.

Transkei or Bophuthatswana documents are now issued to those who apply for first or duplicate reference books and there is a two-year period of grace after the date of independence before citizens of the new countries will be forced to be in possession of travel documents.

Up to now a Transkei or Bophuthatswana citizen could insist that a reference book be issued to him in terms of Section 3 of the Abolition of Passes and Co-ordination of Documents Act No. 67 of 1952 but in terms of the Bantu Laws Amendment Bill now going through Parliament this right is being removed by the substitution of the words 'is a South African citizen' for the present wording 'was born in the Republic...'

As foreigners one supposes that Transkeians or Bophuthatswanans may apply for naturalization as South African citizens in terms of the South African Citizenship Act No 44 of 1949. The Minister of the Interior has stated that there is no discrimination in the processing of such applications but we wrote to the Secretary requesting the necessary application forms as we had large numbers of Transkei citizens who wished to make such applications.

We received an acknowledgement of our letter stating that "the matter is receiving attention" but have had no response to our request nor has there been any reply to our reminder written some months later.

The Minister may grant a certificate of naturalisation to any alien who is not a minor, with certain qualifications. The colour of a person's skin is not mentioned and it would be interesting to see whether the Minister would grant such naturalisation to black foreigners who qualify in all other respects. Unfortunately the discretion of the Minister is absolute and his decisions cannot be challenged in the courts. In view of government policy it seems most unlikely that SA citizenship would be granted.

The Bantu Homelands Citizenship Amendment Bill at present going through Parliament amends Section 3 of the Bantu Homelands Citizenship Act No 26 of 1970 so that, in order to regain

South African citizenship, a person must first apply to a non-independent homeland for citizenship and, having been conditionally accepted by that authority, must apply to the South African Government.

It does not give him the *right* to South African citizenship. The decision is the Minister's. Children born to citizens of newly independent homelands after the date of independence have never been South African citizens, whether or not they were born in the Republic of South Africa, and this section does not apply to them.

In any event, applications which are granted are likely to give very temporary relief. The Prime Minister has said that he expects all the homelands except Kwazulu to be independent within the next five years. The new Minister of Plural Relations has publicly stated that there will be no black South Africans.

When the Bantu Homeland Citizenship Act was passed in 1970 the Black Sash protested vigorously because this Act 'conferred' citizenship of one or other homeland on every black person in the Republic. There are no loopholes.

It was obvious at that time that, whatever the protestations of Government spokesmen, the intention was to divest white South Africa of its black citizens.

The crucial difference between this and the two Acts conferring independence on Transkei and Bophuthatswana lies in the following:

Section 2 (4) of Act No 26 of 1970:

'A citizen of a territorial area shall not be regarded as an alien in the Republic and shall, by virtue of his citizenship of a territory forming part of the Republic, remain for all purposes a citizen of the Republic and shall be accorded full protection according to international law by the Republic'.

Section 6 (1) of the Status of Transkei Act and the Status of Bophuthatswana Act.

'Every person falling in any of the categories of persons defined in Schedule B shall be a citizen of the Transkei/Bophuthatswana and *shall cease to be a South African citizen.*

The newly-made foreigners are so resentful because:

First and foremost, there is the emotional love of country and dedication to South Africa — the whole of South Africa — which is their motherland and which is now being taken away from them.

Secondly there are the economic implications. Citizenship of an underdeveloped country with few natural resources is no compensation for the removal of expectations of future participation in a wealthy, developing country with enormous potential.

Thirdly there is the international status of Transkei and Bophuthatswana. They remain unrecognised and those who are their unwilling citizens and who wish to travel cannot go anywhere because Transkei/Bophuthatswana pass-

ports are not acceptable anywhere. There are some indications that special arrangements may be made for the important or influential, but this does not help the ordinary person who wants to visit a neighbouring country.

Fourthly there is the total insecurity of being suddenly made a foreigner in the place where one's home and work are and where one's life has been spent. People view with horror and dread a future in which they may be deported from the country they belong to into a foreign place with which they have no contact and in which they see no future.

They have grounds for their fears. Members of the cabinet continue to refer to blacks being in white areas for purposes of labour only and there are no indications that government has wavered from its grand apartheid design.

In spite of what the Acts say and what Cabinet Ministers and senior official say about the preservation of existing rights, privileges and benefits the way Xhosa people were treated after independence is in direct contrast to what is said.

In Parliament on February 8, 1977, Mrs Helen Suzman asked the Minister of Bantu Administration: 'Whether Bantu Affairs Administration Boards have since October 1976 refused to issue or renew (a) reference books and (b) work-seekers permits of Xhosa-speaking Bantu born in the Republic.'

The Minister's reply was (a) 'No', (b) 'No'.

Contrast these statements with the following cases from the Black Sash Johannesburg Advice Office records.

Miss Radebe went to apply for her first reference book. She was refused one and told to take a Transkei passport. She has lived in Johannesburg since her birth (incidentally she is Zulu-speaking as is her whole family, but her brother, who is her guardian, has Xhosa written in his reference book).

Officials went one better with Mr Kanzweni when he applied for his first reference book. They refused to issue one and told him to 'go to Transkei' and get a passport. He too has lived legally in Johannesburg since his birth.

Mr Seppe lost his reference book. He applied for a new one and was told to take a passport.

Reference books are issued by the Department of Bantu Administration and Development so we suppose Mr Botha was technically accurate when he denied that Administration Boards are refusing to issue and renew reference books. It is his own department which is doing so.

However, workseeker's permits are the responsibility of Administration Boards and Mr Botha appeared to be misinformed about their actions.

Mrs Msutu, who qualifies in Johannesburg as 10(1)(b) and is the registered tenant of her house, went to the Labour Officer in Johannesburg to register in a new job. Registration was refused

and she was told to take a Transkei passport first.

Mr Sequanqalala, who has lived in Johannesburg all his life went to register in a new job. He was told to have his fingerprints taken again because he is now a Transkei citizen. He refused and was refused registration.

When people are refused issue of reference books they may be issued with a temporary permit (50 cents deposit) on condition that the holder enters into a contract of service with the under-mentioned employer; that the permit is valid for a period of six months from the date of issue and the holder shall leave the Province without expenses to the government on or before named date; that in the event of the holder not leaving the Province on or before the date specified, the deposit will be forfeitable and the holder will render himself liable to be dealt with further according to law and that the holder may not to be employed without special permission under Section 12 of Act No 25/1945 or Section 28(1) of Act 15 of 1911.

People's suspicions have now been confirmed. The Bantu Laws Amendment Bill introduced in this session of Parliament amends Section 12 of the Urban Areas Act. and this, taken together with the amendment to Section 26 of the Bantu Labour Act in the same Bill, means that all children born after the date of independence to citizens of Transkei and Bophuthatswana or of Homelands which become independent in the future will have no legally enforceable **rights to remain** in the Republic of South Africa. They will only be permitted to remain if they are given permission to do so.

Section 10, the last meagre protection of black people's rights, will wither away because there will be no South Africans to be dealt with under its provisions. With Section 10 will go their rights to rent or buy houses and the newly introduced relaxations which allow a qualified man who owns his house to have his wife and children living with him.

They will only be allowed to remain if the Secretary in his discretion gives "written permission to such Bantu to enter, be or remain in any such area or to any person to employ such a Bantu in any such area: Provided that the Secretary may at any time withdraw such permission without assigning any reason therefore;".

Independence has removed none of the discriminations based on race which are the hallmark and basis of our society. Transkei and Bophuthatswana citizens continue to be subjected to all the discriminatory laws on the South African statute book.

Mr M. C. Botha used to talk of the 'privileges' which would be accorded to citizens of states which had previously been part of South Africa. These privileges can be seen only as preference over black foreigners from other neighbouring countries.

There are no 'privileges' for Transkei citizens in this area relating to employment. Influx control continues to apply to them as it has done in the past.

People employed in Transkei ceased to be contributors to the SA Unemployment Insurance Fund on the date of independence except those temporarily seconded there by South African employers. People who come from Transkei to work on contract after independence may no longer be registered as contributors. People who were working on contract in South Africa on independence day remain as contributors until the contract terminates.

All other people who are lawfully employed and resident in South Africa will continue to be contributors and are entitled to benefits on the same basis as before.

Foreign citizens resident in the Republic are entitled to pensions on the same basis as before. The agreements between the Government of the Republic of South Africa and the Government of Bophuthatswana are similar.

The government is now reaching the consummation of its policy, but white South Africans

have no understanding of what this means.

Even those in high places such as General Magnus Malan of the SADF has no conception of what is happening. He recently called for blacks to be accepted into commando units of the Defence Force.

He surely cannot contemplate an army consisting of foreign mercenaries? The South African Police, the civil service, industry, commerce, mines, communications, essential services — all are to be dependent upon foreigners who will owe South Africa nothing.

After what has been done to them they have no obligations, legal or moral, to fight or to work for the Republic of South Africa.

It is all very well for white South Africans, businessmen and others, to congratulate themselves when concessions are won in the lifting of restrictions on social mixing, to talk hopefully about change, to delude themselves that economic improvements can be a substitute for political power, but concessions and privileges are no substitute for legally enforceable *rights* and the conflict over ownership of this land 'our' land will not be resolved by heavier wage packets.

ROBERT MANGALISO SOBUKWE

ROBERT MANGALISO SOBUKWE was a giant among men. When you met Robert you knew you had met a great man. He had an outstanding intellect and yet walked with the humblest, who felt at home in his company. He was too great to have a base or mean thought and so he was untouched by bitterness despite the unjust and cruel experiences he underwent for what he believed with all the fibre of his being.

Even his most determined opponents had to admit that his was an attractive and magnetic personality. All who met him fell under the spell of his irresistible smile and charm. Even the security police ate out of his hand. They could not help it. He had the gentleness of a dove and yet he had the unshaking firmness of the person of principle. The several years on Robben Island failed to change his beliefs.

He was a holy man, devoted to Jesus Christ his Lord and Master, and for that reason committed to seeing radical change happening in South Africa without violence and bloodshed, death and destruction.

The tragedy of this country is that the powers that be have consistently refused to parley with such as Robert. All South Africa could do with one of the greatest of her sons was to muzzle him, to banish and attempt to emasculate. What tragic waste.

But when the annals of this our beloved country are rewritten, the name of Robert Mangaliso Sobukwe will be etched in letters of gold — for despite what they tried to do to him his spirit and his ideas broke through these fetters and transcended the human restraints.

Robert worked and prayed that freedom would come soon and would come peacefully. We are with him in this struggle and prayer.

Bishop Desmond Tutu

Sheena Duncan

National President

March 1975 — March 1978

A tribute by

PAT TUCKER



How do you begin to write a tribute to a woman who is so many good things it would only sound like gush?

Do you mention her indefatigable energy and the stamina that keeps her at her work all day and well into the night and early morning hours?

Do you say that, in addition, she runs an immaculate home, has brought up two delightful daughters and cared for the interests of her husband?

Do you talk of her superior brain, her ability to cut through nonsense and get down to the nitty gritty?

Do you tell of the phenomenal successes she has achieved through her advice office work?

Or her sense of humour Or her Christianity? Or her unwavering sense of purpose?

Sheena Duncan's three years as National President have seen the Black Sash change its character, partly because of its own drive to do so, partly because increased restrictions made change necessary.

Under her leadership, the organisation has gained members and prestige as a fact-finding organisation whose protest is based on solid, well-compiled information.

It is, it is true, no longer on show as it was in the days when placard protests were permissible.

But its achievements are no less for that fact.

And, whether it was working in the advice office, the day-to-day grind and trauma of helping sort out people's lives; her extraordinary grasp of the intricacies of influx control laws; taking the chair at a national conference; standing in lone protest; accosting a Cabinet Minister; giving evidence to a commission; Sheena was as much part of the organisation as her leadership was its guiding light.

She feels it is time for her to give it up and concentrate on her advice office.

The Black Sash must respect her decision.

But it is consoling to know that she will still be very much there.

A Land divided against itself

A map of South Africa

BARBARA WAITE painstakingly compiled this Black Sash publication. It is a colour map of South Africa, showing some of the extensive population removals which have taken place in pursuit of apartheid. This is the accompanying leaflet.

THE full story of these removals, nearly all of which have been from the 'white' areas to the Bantustans, has yet to be written. The map tries to tell part of it, but so vast has been the scale that many removals may not have come to public attention at all.

It took two years to compile, during which time it inevitably became dated because the removals are continuous and widespread. Even the names of homeland capitals have been changed. Since the map was printed in November 1977, there have been Press reports of further black spot clearances.

Insofar as it has been possible to glean all the facts, the map does indicate removals which have already taken place and some of those planned for the future.

The map shows basic facts about the homelands and plans for their consolidation; the curious geographical disposition of independent Bophutatswana and other Bantustans; the separation of ethnic groups and their relocation from one homeland to another; the removal from 'white' cities into homeland settlements of people considered redundant or those unable to establish their rights — mainly wives and children; and the unequal distribution of South Africa's land.

In terms of the Natives Land Act of 1913 and the Native Trust and Land Act of 1936, South Africa was geographically divided on racial lines. Africans are not permitted to acquire or own land outside the 14 per cent of South Africa which constitutes the 'reserves' or Bantustans.

It has also long been the policy of the government that the number of Africans in the 86 per cent of the country, which is officially regarded as the 'white' areas, must be kept as low as is consistent with the economy's labour needs.

Various steps have therefore been taken to get Africans who are not economically active to leave the white areas and move to the Bantustans (eg Unibell and Modderdam).

This policy has various aspects: in the first place the government has attempted to eliminate the vestiges of black land-ownership (the so-called 'black spots') from the 'white' rural areas, and to reduce the number of non-economically-active Africans living on white farms.

Inevitably, these policies have meant that families have been uprooted and resettled in one or other of the Bantustans. In many cases this has meant dispossessing them of land on which they, or their parents or grandparents, have lived for generations.

According to the South African Institute of Race Relations, nearly one million squatters and labour tenants and their families were removed from 'white' rural areas to the Bantustans between 1960 and 1970 (RR 11/72).

Between 1948 and 1976, according to figures given in Parliament last year, 258 632 Africans were removed from 'black spots' and resettled in the Bantustans. (Assembly Hansard No 7 of 1977, question column 596).

A second aspect of 'grand apartheid' has been the demolition of black townships adjoining certain towns: the families are shifted to the Bantustans, while the breadwinners stay in the townships in large all-male or all-female hostels.

This is the fate which has fallen upon the people of Alexandra Township, just north of Johannesburg, for example. Another example is the 14 townships in the Western Transvaal, from which families had to move to Itsoseng in Bophutatswana.

According to official figures, 203 000 Africans from 'white' urban areas had been resettled in the Bantustans by February 1968. (Hansard No 4, Col 1 173, 1968).

But Race Relations has estimated that by 1970 the figure was about 327 000 (RR 11/72) and that between 1970 and 1980 another 566 000 people were likely to be moved in terms of this policy of relocating towns.

A third category of removal takes place under the policy of 'consolidating' the Bantustans. According to official estimates, 175 000 African families (more than one million people) are to be removed and resettled in the Bantustans in terms of the 1975 consolidation proposals. (Banbo Black Development in South Africa, Pretoria, 1976, p 23.)

In January 1955 Dr W. M. M. Eiselen, then Secretary for Native Affairs, said it was the government's policy eventually to remove all Africans from the Western Province of the Cape since this was the natural home of the coloured people.

'The Eiselen Line' stretches from Humansdorp through Colesburg to Kimberley. Africans living to the west of the line were to be moved from the Western Province.

In 1976 the line was moved eastward (to Aliwal North, Fort Beaufort and then along the Kat and Fish Rivers to the sea). This is known as the Kat/Fish line. This affected tens of thousands more African families.

The coloured people living in the Transkei and Ciskei had to move to the west and the Africans to the east.

Over the years all this has meant an escalation in the destruction of stable black, coloured and Asian family life and a tremendous extension of the migrant labour system.

Nor is that the end of the story. Removals also take place *within* the 'white' urban areas. For instance, more than 10 000 African families were compelled to move from Sophiatown and other freehold areas west of Johannesburg in the 1950s. People from Alexandra were also compelled to move under this policy.

Removals do not affect only Africans. Under the Group Areas Act, residential segregation was imposed in the country's towns in 1950. This meant, according to official figures, that 7 000 whites had been moved from one part of town to another by the end of 1976.

But the number of coloured people and Indians removed was far higher — 523 000. Still to be moved were 1 600 whites, 67 000 Indians and 92 000 coloured people (FM 26 August 1977, p 773).

If the figures quoted above are added together just over 2 115 000 people have been removed, all but 7 000 of them black. Still to be moved are 1 727 000 people, all but 1 600 of them black.

It should be noted, though, that the above figures do *not* include people who are continually being deported from the 'white' areas in terms of the pass laws. Between 1956 and 1963, according to the Minister of Bantu Administration, 465 000 Africans were endorsed out of 23 towns (Survey, 1965, p 189).

● The Black Sash is indebted to JOHN KANE BERMAN for his valuable assistance in the compilation of this fact paper.

The map is available at:

*The Black Sash Office
56, Victory House
34, Harrison Street
JOHANNESBURG*

*Telephone 836-0789; 836-0800
The price is R7,50*

The case against..

Margaret Nash

UNIBELL squatter camp was a place of refuge for some 2 000 African families in January 1978 when the Peninsula Bantu Affairs Administration Board chairman, Brigadier van der Westhuizen, announced that it was a health hazard, therefore would be demolished 'soon'.

Notices were distributed to the inhabitants warning them to move 'forthwith', a mobile office was provided to issue rail warrants to the homeland, and clearing operations were done to facilitate access.

Situated on a sandy L-shaped area of government land in Bellville South (Proteaville) the camp had been in existence for at least six years. The site had the advantage of combining low visibility with easy access to work opportunities (nearby factories) and public transport.

Overgrown with Port Jackson wattle it is bounded on the east by an industrial railway branch line and Coloured Affairs Department educational institutions, on the south by the Bellville-Sarepta-Salt River loop railway line used only by black passengers (the nearest railway station being named Unibell), on the west by the ('coloured') University of the Western Cape and on the north by the 'coloured' Dutch Reformed Theological School.

Water was obtained from the adjacent built-up areas, but not services (night-soil and refuse removal) were available. Vehicle access was officially limited to a road leading off the Modderdam arterial road, but the variety of cars and trucks owned by the squatters also used other routes.

According to a September 1977 survey many of the heads of household had previously lived in single quarters in Langa and Nyanga, and in many cases the families had lived together (illegally) in Cape Town for five to eight years. Nearly 80 per cent of the families were from the Transkei, the rest from the Ciskei.

Although numbering of shacks, inspections and demolitions of individual shacks had gone on intermittently, the camp had increased in size year by year. From early 1977 it was under the same threat as Modderdam and Werkgenot squatter camps, which were demolished in August. At that time notices to quit had also been issued to Unibell residents, and September 15 was named as D-day. The people braced themselves for the crisis.

However, intensive lobbying and negotiations between the Transkei Government and the Department of Foreign Affairs in Pretoria led to a stay of execution. During this 'grace period'

many influential citizens and groups continued to press for a change in the policy that condemns most Africans working in the Western Cape to a life of virtually permanent 'bachelordom' (49 weeks each year in single quarters, two to three weeks a year with their families).

During this same period many refugees from the demolished Modderdam and Werkgenot camps, including some who had been in tents on church premises or accommodated in private homes, moved into Unibell. As a result the camp expanded further in size and in density of population.

Officially numbered shacks total 1 900, but some of the numbered series have been demolished by PWD officials and others have been extended or erected: so no one knows precisely how many dwellings or family units there are in the camp. Estimates go as high as 2 300 shacks and 20 000 people.

At the time of the Maree-Cornell survey some 58 per cent of the labour force were in formal employment. Of the remaining 42 per cent many were probably engaged in the informal sector. There were many 'shops' and 'services' in the camp, meeting people's needs for food, fuel, clothing, etc. (A recent Clermont, Natal, study showed that shack dwellers may derive as much as 55 per cent of their income from informal sector activities.)

Although the wood-and-iron shacks are elementary in design and construction they show many signs of care and skill. Windows have been fitted, inner walls are covered with wallpaper or brightly-pictured stiff paper from advertising material or glossy magazines. There are gardens and fences, many toilet structures, and much evidence of a desire to make the best of an unpromising situation.

This contrasts markedly with the apathy and vandalism for which many Cape Flats townships are notorious. (According to NICRO the Cape Flats has one of the highest recorded crime rates in the world.)

Since early 1977 a junior primary school has attempted to provide rudimentary education for the children. With the help of the Urban Foundation a secondhand structure was obtained and erected by the people and officially opened in November 1977. The Nonzwakazi School caters for 200 children and is staffed by five women teachers, and the structure also serves as a community centre and venue for committee meetings.

A bi-weekly clinic, run in the home of a Unibell resident on a voluntary basis by two doctors,

catered for many common ailments, and an 'ambulance' service assisted patients referred to the Tygerberg Hospital (five minutes by car but 1½-2 hours journey by public transport). A new Shawco mobile clinic, largely financed by an oil-company, for use in squatter camps, began operating in Unibell in January 1978.

The camp has had several organised church communities with services and meetings being held in people's homes or in the open-air, with local leadership and assistance of clergy and lay people from neighbouring parishes.

A residents' committee has provided overall social consultation and control. While lacking in protective amenities such as street lighting and police patrols, the camps have been remarkably crime-free. This has been due largely to the cohesiveness of the community, the people being acutely aware of their vulnerability and dependence on one another.

Legislation exists for declaring the camp an emergency camp and providing it with the necessary basic services, in return for the payment of a levy, as was done in July 1976 in the case of the equally controversial Crossroads squatter camp east of Nyanga township.

But the Bantu Affairs Administration Board (Peninsula) is committed to implementing the Government's influx control policy at whatever cost.

The case for demolishing Unibell rests on total rejection of the desire of the African migrant workers needed by the Cape Town economy, for family life. Equally, the case against demolishing it rests on the workers' claim to have their families with them.

In moral terms this can be validated in relation to both Christian teaching to which the South African Government professes allegiance and universal human rights. In economic terms it can be validated as feasible through the use of self-help schemes and the graduated phasing out of migrant labour, resulting in the emergence of a settled African labour force integrated into the Cape economy to the benefit of all concerned.

The proposed demolition of the Unibell squatter camp provides another incontrovertible exposé of the callousness and moral bankruptcy of the apartheid regime.

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UNIBELL WAS DESTROYED IN JANUARY 1978!

IT WAS FRONT-END LOADED!

WILL CROSSROADS BE NEXT?

Privations of Pensioners

Investigation of social pensions is an on-going Black Sash activity. These papers were presented to conference.

Transvaal

IT is necessary to examine how the pensions system is misused or bent by officialdom, with the result that inconvenience at the very least, and often severe hardships are frequently inflicted on black pensioners.

Sash offices across the country have become increasingly aware that the pension cases they deal with are only the tip of an iceberg. Both in the cities and in rural areas OA pensioners often encounter extraordinary difficulty in obtaining their legal due under the Social Pensions Act No 37 of 1973 and its subsequent amendments.

Blacks form the only race group whose pensions are paid every two months, reckoned from March 1. Incidents of people being forced to wait more than two months have occurred in various parts of the country.

The Rand Daily Mail of January 9, 1978, reported that for the second time in succession more than 1 000 pensioners in the Ga-Rankuwa area of Bophutatswana had to wait a further month before being paid out, this time because 'there were computer problems and the computer programmer had been on leave'.

The World reported in September last year that some of the pensioners claimed that when they reached pay-out offices they were turned away without explanation and told to come back the following day. The Sash office in Grahamstown discovered last year that all their pensioners had suddenly had their pensions cancelled and were made to re-apply.

As applications take a minimum of six months between being accepted and the first payment the privations this imposed on those concerned can only be imagined. The Act provides for such pensions to be reimbursed, and one fails to see why this step was taken in the first place, and secondly why our office should have had such a battle to have pensions reinstated.

The Act lays down that where no documentary evidence of birth is available the district pensions officer shall determine the applicant's age 'according to his appearance or according to any information that may be available.' We have had numerous cases of people being told that they are too young and should go and find work, when they adduce as evidence of their age the fact that they were born during the first Dutch

War (ie 1880-1881) or the Bamabata rebellion (ie 1906).

The Department of Bantu Administration and Development in Pretoria states in its reply to a letter from us: 'If the applicant is unable to furnish such documentary evidence, the district surgeon is requested to assist in determining the applicant's age) and the Act itself provides that if the district pensions officer is in any doubt about the date of birth or age the application for a pension shall be submitted to the secretary for a decision. In our experience district pensions officers do not admit to any doubt about their decisions.

The most important right a black old-age pensioner possesses under the Act is the right of appeal. 'Any decision or action relating to social pensions by the secretary in the administration of this Act shall be subject to an appeal to the Minister.'

Blacks must apply in writing within 90 days of the date 'on which such action or decision came to the notice of such applicant.' The Minister's decision is final, but he is empowered to reconsider it. In any case the district pensions officer is bound to convey this decision back to the applicant in writing.

The authorities get round this clause by simply not coming to a decision. Across the country officials use 'Pretoria' as the scapegoat. When a magistrate in Natal was questioned about the delays blacks encounter in receiving pensions, he replied that he just sends the papers to Pretoria and they do it from there.

Mrs M of Meadowlands was in receipt of an old-age pension but in October 1975 she was involved in a motor accident and was in hospital from that time until June 11, 1976. During this period she was not entitled to her pension as she was in a State institution. In June she submitted a new application for a pension. She has received nothing since and every time she enquires she is told that the papers are still in Pretoria.

In terms of the Act her pension should only have been discontinued 'up to the last day of the month immediately preceding the month in which (she) is discharged from such institution.' In other words she should have received her pension again in June 1976 but she has had nothing for 18 months.

One of the worst examples we have had of bureaucratic delay concerns Mr N. He was living lawfully with relatives in Orlando West and

was receiving a pension. The relatives made him unwelcome and he had to move to Nebo, in Lebowa. The Bantu Affairs Commissioner in Johannesburg told him that his pension could not be transferred and that he must make a new application at Nebo. He did this in November 1976. His pension was cancelled in Johannesburg in mid-December 1976 and he received his first payment in Nebo in January 1978, twelve months later.

During those twelve months he had to sell his clothes and other possessions in order to live. We took this up with the Department of Health in Lebowa in February this year but to date have only received a reply stating that the department is investigating the matter and will communicate with us 'in due course'. We were informed by the Bantu Affairs Commissioner that his department is not responsible for the administration of pensions in the homelands.

These delaying tactics are iniquitous, and potentially futile, as an amendment to the Act provides that if a pension is paid at least one year after the initial application it will be supplemented by the appropriate amount. Perhaps the hope — often realised — is that the applicants will either die or lose the initiative to go on trying.

There are some harsh discriminatory clauses in the Act which cover the gap between black pensions and those of other groups. The Department of Social Welfare computes a pensioners' assets more charitably than the Department of Bantu Administration and Development.

These are concrete injustices which might in the long run be easier to deal with than officialdom's disregard of a black person's entitlement to a pension enshrined in the Act, and its perpetration of injustice by arbitrariness and prevarication. Its sins of omission are far subtler and more deadly than its sins of commission.

JANET SAHLI

Natal Coastal

THE position with pensions in Kwazulu is likely to get worse as a result of the cut by South Africa in Kwazulu's budget of R24 million. A month ago the Ndwedwe Magistrate said he would not be taking pension applications until July this year. He has changed his mind and already taken some, but the position is one of very few acceptances and many rejections. (Throughout Kwazulu, including Umlazi and no doubt Kwamashu as well now.)

Generally, the would-be pensioner does not know whether or not he/she has been accepted. Months or years later, he/she may receive a payment.

Mrs M. used to receive an old age pension in 1972. In 1973 she was told it should have been a disability grant. In May 1974 the payments

stopped. She was told to re-apply for an old age pension and did this in 1975. In April 1976 she was accepted for a disability grant. In her Reference Book was written 'Age check born 1928'. Her eldest grand-son is 23, and her son is 45.

The months passed by with letters to and from Ndwedwe and no pension. In February 1977 we suggested Mrs M. start all over again. She did so, but despite letters and telephone calls and a visit to Ndwedwe she still has no pension. We suspect it is that 'Age check born 1928' that is the difficulty.

Ndwedwe did have a social worker for part of last year and also had some funds for poor relief though it cannot have been very much. When we applied for poor relief there was no social worker and no funds. We understand that there is again a probation officer. It is not worth our people going to Ndwedwe unless they are given more than R4 worth of goods.

There are still considerable difficulties with unemployment benefits, though the UIF section at the Labour Department in Durban have been very helpful. People in this area only have to register for benefits every three weeks instead of the usual every week (because of the great distance).

Benefits take a very long time, sometime due to Ndwedwe not sending in the registers to Durban. There is still a lot to be learnt by officials in rural offices, by employers and employees.



Regional Round-up

These Regional Reports have been severely curtailed. All the regions run Advice Offices which do not feature in these reports but which constitute a large proportion of the work done. All run fund-raising events which are an absolute necessity in order to keep the organisation functioning. And all do a great deal more work than can be reflected here.

HEADQUARTERS

THE close liaison between all the Regions and Headquarters is probably the most outstanding feature of the Headquarters report on the period under review.

The work of Headquarters and of the Transvaal Region has been inextricably linked, and the precedent of including all major activities in the Transvaal Regional Report has accordingly been adhered to.

Arising from conference the sum of R150 was sent to Kupugani for use in Thornhill; the appallingly inadequate administration of pensions for black people has been a matter of concern in all Regions; the bibliography of documents relevant to trade unions, compiled by Dr Margaret Nash, was circulated to Regions; a close watch has been kept on the consequences of Transkei and Bophuthatswana Independence and a memorandum was compiled for the SA Institute of Race Relations; a memorandum was prepared for the Urban Foundation on housing.

Barbara Waite has completed her magnum opus of compiling a map showing all the removals which have taken place all over the country up to the present time, and also indicating proposed further removals. This took hours and years of painstaking research and labour, and required utter dedication and deep caring to bring it to fruition. It is probably one of the most telling and impressive items of publication the Black Sash has ever been able to offer to the public. It is hoped to achieve a wide circulation.

At the time of Mr Biko's death Headquarters requested an interview with the Minister of Police and Prisons, Mr Jimmy Kruger. This was refused.

Headquarters issued a number of Press statements on the October bannings and detentions and did what it could to express its admiration of and support for the banned people and for those in preventive detention.

As a result of a statement on police actions to the Rand Daily Mail, which was provocatively headlined, Mr Justice Cillie threatened us with a contempt of court complaint against the Black Sash. Nothing more has been heard of this and the editor of the Rand Daily Mail was most helpful in writing to the Commission.

Efforts were made to instigate action to alleviate unemployment, and Quaker Services, the

Mayoress's Committee, Black Community leaders, People's College and Dr Selma Browde were contacted. The Black Sash was represented at the public meeting called by the 'Star'.

The Press Bill was studied, but the proposed demonstration was cancelled when the Bill was withdrawn.

The Lower Courts Amendment Bill was studied and representations were made to the Law Society and the Bar Council.

The Fund Raising and Social Welfare Bills were studied. As we do no welfare work and render no material assistance these Bills are not applicable to us.

There was also a variety of other new legislation which was of concern.

Three massively informative memoranda were drawn up by Sheena Duncan — to the Reichert Commission on the Utilisation of Manpower; to the Urban Foundation on Housing; and to the Institute of Race Relations on Housing. I was responsible for the memorandum to the Inter-Departmental Committee on the Financing of Administration Boards.

An allocation of R4 000 was received from the Bantu Welfare Trust — R500 more than the previous year. It would be impossible for the Advice Offices to meet their running costs without the continued and increasing generosity of the Trust, to whom the Black Sash is extremely grateful.

There are seven Advice Offices in operation in Johannesburg, Pretoria, Cape Town, Pietermaritzburg, Durban, East London and Grahamstown. Sixteen circulars to Regions dealt with such matters as Bophuthatswana independence, removals, squatter camps, the map, unemployment, a Press statement with regard to Minister Kruger and Mr Biko, bannings and detentions and many items of topical concern.

In common with the Institute of Race Relations in the same area Cape Eastern has found it extremely difficult to function. All members in the area were written to and many have responded agreeing to the transfer of their membership to Albany, so the Black Sash will continue to make its presence felt albeit on a lower key.

Mrs Duncan visited Cape Town, Durban and Pietermaritzburg in May 1977, and Cape Eastern, Albany and Border in September, and Durban briefly again in October.

Mrs Duncan addressed the Labour Party Annual Congress in the Transvaal; several church groups; Wits students on squatters; Nusas Labour week seminars in Johannesburg, Durban, Pietermaritzburg and Cape Town; The Soweto Housewives League; seven varied youth groups, schools, etc; six Black Sash meetings in other Regions; a group of potential American investors mainly in the gold mining industry; and Australian television on the pass laws.

Headquarters has been in contact with Minister Pik Botha on the subject of change; the South African Foundation on the same topic; Ministers of the Department of Bantu Administrations and Development on problems with Transkei Independence and the Administration Boards; the Minister of Police on deaths in detention; the Bantu Affairs Department on pensions; and it has written letters of sympathy to banned people.

It works in close co-operation with the Institute of Race Relations, is represented on the Women's Legal Status Committee and has assisted the Industrial Aid Society. Many of our members are also active on the various Women's Peace Movements throughout the country.

There has been correspondence with MPs, churches and other organisations.

In addition to the local Press, which is always most co-operative, there have been interviews and inquiries from the overseas Press and dozens of visitors, including representatives of the Rookerfellers Brothers Fund and the Ford Foundation. The African Studies Department of York University has requested microfilm copies of our files, but these have not yet been updated.

Mrs Duncan has been invited to join the Council of the Institute of Race Relations; the Public Law Foundation; and is to be appointed a trustee of the Public Law Trust.

JOYCE HARRIS

ALBANY

Membership — 25 plus affiliates from Cape Eastern

THIS has been a difficult year for us as it must have been for Sash throughout the country. But I think we all feel that it is more important than ever that white opposition to the government's repressive rule continues. Our members work hard and most are involved in Welfare Organisations in the town, Advice office and Race Relations too.

In July 1977 we sent out a questionnaire to our members in an attempt to revitalise the commitment of members and to try to get new members. Out of this grew various portfolios for members such as the monitoring of political meetings, foreign investments in Southern Africa campaign and letters to the Press and telegrams to Ministers.

We also instituted a self tax scheme at meetings when members bring a portion of their in-

come to be given to a project decided on at that meeting. So far this money has been given to funds for the legal defence of our local black high school children, a newspaper being run by Rhodes University in the township, and for making up parcels of 'comforts' for the political detainees being held in Grahamstown prison.

We were delighted to have a two-day visit from Sheena Duncan in September and whilst she was with us we arranged for her to meet final year students in an attempt to interest them in becoming Sash members when they leave university. In her usual way she brought refreshing ideas and a wave of enthusiasm which made us feel really revitalized.

Some interesting general meetings have been held. We heard Cecil Manona, lecturer in anthropology at Rhodes, speak on black women and marriage. Dr Allan Boesak, chaplain to the University of the Western Cape, spoke about black power and black consciousness, which provoked lively discussion. Monsignor Kent, chaplain to Pax Christie, spoke on alternatives in a violent society.

Sandwiched between these meetings we have held seven general meetings and six committee meetings.

Protest has been difficult, first because of the blanket ban on protest by the government, and then because of the 30 day permission we have to get in Grahamstown.

Like Sash members everywhere we were so appalled by the death in detention of Steve Biko and horrified that this should have happened on our door step that we held a stand for two days on the steps of the Cathedral. Members stood singly for half hour or longer stretches with a wreath marked Steve Biko and a poster saying deaths in detention must stop.

This stand received publicity in the local Press because members were hassled by passers-by and abusive phone calls were received. On nomination day for the election two of our members stood outside the nomination office in silent protest.

At the end of the year most of us were involved in the local election campaign and we had plenty of opportunity to heckle ministers like Pik Botha at meetings — rather unsuccessfully. For a time we conducted a telephone campaign to enquire daily of Security Branch officials how political detainees in our area were faring.

A weather eye is being kept on the situation in Fingo Village as we fear removals might be imminent. We are fortunate in having as a member the local Press representative who keeps us well informed, and a city councillor who attends some of our meetings. We have infiltrated various town committees so that we can be at the ready for action should the removals become a reality.

During October the pupils of the Nathaniel Nyalusa school came out in protest against Bantu Education, in a peaceful placard-carrying march.

The police were quick to move in and disperse them, and rounded up about 100 pupils. Members of the Advice Office were instrumental in obtaining legal representation for some of the pupils, and ultimately members of Rhodes University were involved, and money for defence was collected.

There are at present 12 prisoners known to be detained under Section 10 of the Internal Security Act. The Black Sash is closely liaising with the Dependants Conference of the SACC and we participate on a roster whereby hot meals, fruit, magazines and other necessaries are taken to the Grahamstown prison.

BETTY DAVENPORT

BORDER

IT is with very deep regret that I record the deaths of two of our most loyal and faithful members, Mrs M. T. Duncan-Brown and Mrs L. Shilling, both of whom had been members of Sash since its very first days.

We have welcomed four new members this year, and in addition one member was transferred to this Region from Cape Western.

We have held fifteen committee meetings, eight general meetings.

These past twelve months have been a truly frightening time for South Africa and for those of her people who care about justice and human rights. It sometimes seems that there will be no end to this present government's panic-stricken run of bannings and detentions without trial. The reality of this restrictive legislation has been brought very close to us in the Border Region with the banning of the husband of one of our members, Mrs Wendy Woods. Our thoughts are very much with Wendy, Donald and their family.

Due to the implementation of the Riotous Assemblies Act, our time-honoured way of making our protest known, ie through stands, has been removed, and we have had to search for other methods of making our voice heard. From September 1976 through to September 1977 we wrote a monthly letter to the editor of the Daily Dispatch on the subject of detainee deaths, each month remembering those who have died in detention and whose anniversary fell in that particular month.

Following the death in detention of Stephen Biko members and friends staged a solitary protest during the whole of one day outside an East London church. From seven in the morning until five o'clock in the evening there was one member inside the church maintaining an unbroken chain of prayer, while a second stood outside in the street wearing a Sash and holding a wreath. We were very heartened by the public response to this demonstration.

Several members of the Border Region were able to attend the funeral in King William's Town.

Immediately upon receiving the news of the banning of the editor of the Daily Dispatch, Donald Woods, plans were made to hold a public protest meeting in the East London City Hall. Unfortunately, at the very last moment, this meeting was banned by the chief magistrate as a result, it would appear, of an objection being lodged with him. Owing to the fact that the banning order was put in place only half an hour before the meeting was due to begin, it was quite impossible to inform people of the cancellation and so a large crowd gathered outside the City Hall and, for the most part, refused to disperse.

Two young women, neither of them members of Sash, arrived with placards and proceeded to hold a demonstration. They were, however, persuaded to put these away in view of the fact that a large contingent of Nationalist supporters appeared on the scene, and were obviously looking for trouble. It was felt that the wording on one of the placards — 'If you dug Hitler, you'll flip over Kruger' might well give them the excuse they were looking for!

In November we met with representatives of the Black Community Programme and the Border Council of Churches to discuss ways in which we could be of assistance in helping those people in our area who were detained under the Internal Security Act. Particular concern was shown in regard to twelve students from Forbes Grant High School who were being detained in King William's Town. Those boys came very poor homes and were, it was understood, being particularly badly treated. We were able to collect food parcels, books, games, etc, for the students.

During the course of the subsequent trial it was discovered that some of these children, including one of only 14 years of age, had been held in solitary confinement for long periods. We collected together as much information as we could about this and presented it to both NICRO and the Child Welfare Society, asking if these organisations could investigate the welfare of these children and also make representations to try and ensure that there was no repetition of this appalling treatment.

Unfortunately in both cases the response was 'although we are sympathetic, it really is not our responsibility'. We also sent Press cuttings, giving full details of the children's testimony in court, to the United Party and to the Progressive Reform Party (as they were then) and this matter was raised in Parliament by Mrs Helen Suzman.

As a very personal form of protest members were asked to wear a small bow, made of narrow black ribbon, at all times to serve as a constant reminder of people in detention and those who are banned, and also at twelve noon and again at six o'clock in the evening each day to stop whatever they are doing for about thirty seconds and

think of these people.

The men and women being detained following the latest wave of bannings and detentions are being treated as 'awaiting trial' prisoners and are therefore allowed certain 'privileges'. We have already arranged for radios to be sent in for the men and the solitary woman being held in the King William's Town prison and it is hoped that further parcels of food and books can be collected.

V. SULLIVAN

CAPE WESTERN

Membership — 432

THIS year we have seen further repressive legislation passed in Parliament; the continuing dissatisfaction among African people; constitutional proposals which appear to take no account of this section of the South African population; schools standing empty of pupils; and unemployment having serious effects on the poorest section of the community.

When Steve Biko died we made almost 100 wreaths and distributed them where possible. A large number of them went to the UCT campus for the meeting held there. We inserted notices in the 'Deaths' columns of the newspapers and sent two letters to the Press. We have also decided, for the period of a year, to insert 'In Memoriam' notices in the Press to mark the anniversary of the death of each person known by us to have died in detention in the past 18 months.

There is a desperate need throughout the country for solutions to the lack of adequate housing, but the sweet voice of reason went unheard in Cape Town.

Modderdam and Werkgenot have been demolished, Unibell and Crossroads too are threatened. So-called 'coloured' people living as squatters have some hope that they will be offered alternative accommodation. For African squatters illegally in the area there is little hope indeed.

The plight of squatter communities, this major problem for all of Cape Town, has been one of our major concerns over several years, and it is with some pride that I consider the efforts made by our members.

Many Black Sash members were present at the meeting called in St Saviour's Hall when Modderdam was being demolished, and many were at Modderdam early next morning. In the dramatic days that followed, they were among those who helped with food, transport and any other services required.

There was a spate of letters to the Press and here too, every day I felt proud to recognize a Black Sash signatory. It was one of our members who first suggested the meeting in the City Hall which was attended by more than 1 000 people on Sunday August 15.

The Concerned Citizens Action Committee formed as a result of that meeting has had some

achievements and we have been able to contribute valuable information from our records. Our members have carried out the major portion of the footslogging distribution of 12 000 pamphlets in Afrikaans giving factual information about Modderdam and squatters in general.

Once again it has been extremely satisfactory to co-operate with and be represented on other organizations.

On April 27 the chairman of the Divisional Council of the Cape held a meeting of various interested bodies to discuss the problems of squatting. It was decided that efforts should be guided towards meeting the immediate needs of the people concerned and towards research and experimentation with types of housing which could be supplied quickly and cheaply if only the authorities could be persuaded to accept them.

This meeting was an example of how local authorities can react positively to criticism and to major problems within their jurisdiction.

We studied the bills submitted to Parliament and the Government Gazettes. Where necessary we wrote to the Press about legislation before the House, and we kept copies of the Acts which have been passed. Among those which gave us chief cause for concern were:

Prevention of Illegal Squatting Amendment Act, No 72/1977, Lower Courts Amendment Act, No 91/1977, Bantu Education Amendment Act, No 56/1977, Press Bill (subsequently withdrawn), Bantu Laws Amendment Acts, Nos 119, 115/1977, Status of Bophutatswana Act, No 89/1977, Second Supreme Court Amendment, No 86/1977, Community Councils Act, No 1215/1977, Unemployment Insurance Amendment Acts, Nos 29, 118/1977 and Indemnity Act, No 13/1977.

A study group on legislation has been conducted and we hope to continue this next year.

The branches have continued to hold interesting meetings.

Among those who have addressed branch meetings were Mr Michael Savage on 'The challenge of change and some arithmetic of apartheid'; Monica Goldberg on Camphill Village for retarded children; Sindiwe Magona and Nosipho Ngeli on their experiences as teachers in black schools; Mel Hagen on Kupugani; Prof Hansi Pollak on the Government White Paper on the Theron Commission; Mr Owens, regional director of Bantu Education for the Cape Western Area; Mr Davids, Shawco community worker; Celeste Santos on squatters and Dr A. Prior of the UCT Department of Political Science on the franchise.

All branch meetings took place monthly with a report-back from national conference; Mr R. de Villiers, MP, on the Press Bill; Mr R. Enthoven on legislation; Mr J. Tindall on 'Video' as a means of communication and promotion of self-awareness within a community; Dr Margaret Nash on peace action for social change and Dr Robert Schrire on the elections.

All branch meetings are now being hosted by the branches themselves in turn.

We have a roster for regular attendance at the Langa courts. We understand that it is greatly appreciated by lawyers representing Advice Office cases, and by the large numbers of people being processed through the court.

We have a representative attending public sessions of the city and divisional councils and have endeavoured to attend meetings of the Bantu Administration Board as well. I believe it is important and useful for Black Sash members to be visible in this way. Local representatives come to know us, and we learn about them and about how the various bodies function at the local level.

Thirty-three letters were written to the Press on such topics as the Newspaper Bill, the Bantu Education Amendment Bill, bannings, squatters, detained children, unemployment insurance, influx control, Steve Biko, prison education.

Noel Robb and Moira Henderson each gave a lecture to the UCT Department of Sociology students on the work of the Athlone Advice Office and the Black Sash. I have been invited to take part in a seminar on 'Women in community action' organized by the centre for intergroup studies at UCT.

Together with several other organizations, we held a public meeting on October 21 to protest against the banning of the Christian Institute, The World, and other organizations, publications and individuals.

We continue to protest against banning as a method of silencing opposition. The banning of the Christian Institute has meant the loss of a good neighbour and the dispersal of many friends, and the near-empty building is a daily reminder. The impossibility of communicating with Theo Kotze and David Russell except on an individual basis, and our resulting sense of loss, makes us more aware of the real effect of this cruel punishment inflicted on so many.

MARY BURTON

NATAL COASTAL

Membership — 71

A BRIEF survey of the subjects to be discussed at Congress gives a rough indication of the enormity of the problems and challenges facing those whites who oppose the system, and those black who have to endure and suffer under it. As the authoritarian structure becomes apparently more powerful, more and more whites are rallying behind the government.

Following on Archbishop Hurley's mobilisation for peace project and the subsequent meeting in Johannesburg, I spoke to Jo Thorpe of Race Relations, and discussed our attitude to it, as she went to the meeting as the Durban delegate.

To give our members more understanding of the current debate on SWA and events lead-

ing up to and resulting from the Turnhalle Conference, we invited Mr Englebrecht to address an evening meeting. We were also extremely grateful to Sheena Duncan for giving us at our October meeting some factual, and to us very relevant information on the proposed welfare bills.

We asked Mr de Kadt, of NUC, to give us a talk on the role of white opposition with respect to parliamentary government. Our last speaker was Mr McQuoid-Mason, from the law department of NUC. He gave us an explicit and frightening exposition of security legislation — Section 6 of the Terrorism Act and Section 10 of the Internal Security Act — with particular reference to the wide definition of the acts.

While Natal remained quiet during the violence in the black and coloured townships, there were other problems connected with the terrible urban living conditions. While the bull dozers were moving in at Modderdam, on a smaller scale, but no less inhuman, shacks of squatters were being ruthlessly demolished in Clermont.

Women who came to the Advice Office alerted us to their plight, and the fact that many had had no eviction orders and that the Bantu authorities were deaf to their appeals. With Diakonia, the Christian Institute, and on occasions a few representatives from the SRC, we held various meetings with the homeless in the township at which Solveig Piper spoke, and then a subsequent meeting with a large crowd of the evicted, at the local offices of the Bantu Affairs Department.

Mrs Hemson of WFPCN and I went in to see Mr Swanepoel to ask that something be done in the interim, but to no avail. **The Catholic Church** offered their ground for tents, paid for out of a fund collected by Diakonia and to which we made a contribution, and Graham McIntosh housed many in his garage. Removals are still continuing.

In September came the sudden and chilling news that Steve Biko had died in sinister circumstances while in custody of the police. We initiated a meeting, supported by the Progrefs and many organisations, which was held in a packed St Thomas' Hall. Mr Donald Woods flew up to address the meeting. I spoke on behalf of Black Sash — one of several who condemned the outrage.

In October came Black Wednesday, and the banning of several organisations, one newspaper and its editor and scores of people. On Thursday, before an embargo could be placed on any gathering, the SRC at the Natal University held a protest meeting. I spoke with three other speakers and on behalf of Black Sash. The hall was packed, the atmosphere was defiant and the speakers were angry.

Committee members kept a brief on the milk subsidy, which was stopped to black suburbs on April 1, and letters were written to local authorities on the municipal monies distribution, those

accruing from beerhalls, car fines, etc.

Committee members were again active in pushing for the opening of the Kloof library to all races, and on the feasibility of bus integration.

Our secretary sent a list of the names of Durban councillors to local members, who were asked to contact their member in the event of any contentious issue. Lobbying is one aspect of our work that we could pursue with more tenacity, though its results are often minimal.

At several public meetings throughout the year the Black Sash were present. I think it should be a practice on such occasions to wear our sashes — they are symbolic of so much that is happening in SA today.

On June 1 Archbishop Hurley organised a public meeting in the City Hall. We made a substantial contribution towards the hire of the hall and distributed pamphlets and posters. The Diakonia workshop on August 10 and 11 on unemployment was attended by members.

The rise in the cost of living and the uncertain economic and political climate have increased unemployment, especially among the blacks, and added a deeper dimension to problems of the whole labour situation. We have attended several meetings on unemployment, and Solveig Piper represented Black Sash on the Durban Unemployment Relief Association, and on an ad hoc committee for Women in Employment.

On three occasions at the American Consulate I met prominent women representatives from the United States who were here on fact-finding tours. They had all heard of the Black Sash and were aware of the work that we are doing.

Silence is consent. Unless we are ready at all times to protest and go on protesting, despite threats of retaliatory action, however alarming, we might as well bury our consciences now, and accept the guilt and the shame of being a white in South Africa at this stage in our country's history.

ELIZABETH EVANS FRANKLIN

NATAL MIDLANDS

Membership — 74

FIVE general and eight committee meetings were held during the year.

Mr Peter Brown spoke on universal franchise — the necessity for all adults to have the vote. The vote is a lever and a means of calling authority to account. It is a sign of manhood, of worth and of full membership of society. A lively discussion followed this address.

Sheena Duncan was present at the October meeting, and brought members up to date with Transvaal events.

Monthly meetings of the Saturday Club are organised. A small group of coloured women attends regularly, but African and Indian members come rarely. Meetings are purely social, and although a speaker may sometimes be arranged members usually work on knitted or patchwork

blankets and chat.

The ban on outdoor gatherings has this year prevented all traditional Sash stands.

This Region has written letters and statements to the Press more often than usual. Letters were written on the Press Bill; curfew; Winnie Mandela's banishment; the duty of employers regarding UIF cards; race classification; prison sentences imposed on the ANC trialists in Pietermaritzburg; a further letter on unemployment; the Biko inquest; 'another suicide'; 'a job on the mines'. Two articles were written about the Pietermaritzburg Advice Office: one appeared in the Natal Witness and the other in the Daily News.

A member wearing a black sash sat outside the door of the Pietermaritzburg South Nomination Court on Nomination Day.

Many of our stands in the past have been staged near the cannon at the Supreme Court Building opposite the City Hall. In the week after the banning of the 19 organizations our polystyrene Black Sash woman was placed in front of the cannon and stood there alone holding a poster reading 'Don't victimize critics'. She aroused considerable interest.

Telegrams were sent by many members to the Minister of Justice protesting against the banings of October 19.

The Region started its fight against the curfew in May 1976 and, after much pushing and pulling, the call for abolition was supported by the City Council, the police, the Chambers of Industry and Commerce, the SA Institute of Race Relations, and eventually the executive of the Drakensberg Bantu Affairs Administration Board also recommended that the curfew be abolished.

Almost the last act of M. C. Botha, Minister of Bantu Administration, was to refuse the request. The delay before he answered was intolerably long and it is difficult to understand his reasoning when all relevant authorities in Pietermaritzburg had supported the request.

The Mayor of Pietermaritzburg is seeking an interview with the new Minister to bring up the question with him.

The Region had some success with a small squatter problem to which our attention was drawn by Peter Kerchoff (of the Institute of Race Relation) and the Rev Mr Sol Jacob (of the Community Care Centre). At the 'Barracks' lived 120 people amid the squalour caused by lack of running water, functional wcs, electric light and heating. After the shock of viewing this the Sash, SAIRR and Mr Jacob went in a deputation to the mayor.

As a result the families were first moved to tents set up on church grounds and later into an emergency housing scheme. The cost of this was borne by the Department of Community Development. The City Council also set up the NEED fund to help the unemployed, itself starting the fund with a donation of R60 000,00.

The Council undertook to try to provide employment in projects such as tree planting and the canalization of the Umsinduze River, but so far finance remains a stumbling block. Although this was a relatively tiny squatter problem it was encouraging to find what could be achieved through solid pressure on a sympathetic City Council.

Letters were written to Alex Boraine, MP, on the question of unemployment and the use of CUF money to help the unemployed. He sent us copies of the questions he asked and the replies he received.

In this Region there has been practically no unrest in African schools. It has been suggested that this is due to the influence of Chief Gatsha Buthelezi and the Inkatha movement.

Members were moved to indignation by the banishment of Mrs Mandela and the constant harassment to which she is subjected. A letter was written to the Minister of Justice who replied that there was no difference between living in Soweto or living in Brandfort. Members are in communication with Mrs Mandela and try to help her in practical ways.

A donation of R35 was sent to the Zimele Trust in memory of Steve Biko. It must have arrived in good time to fall into the liquidator's hands.

Members were sent four newsletters to keep them in touch with regional and national activities. Each member also received copies of the working paper on the franchise, Donald Woods' tribute to Steve Biko (from the London Observer) and a complete list of detainees who have died in detention.

For some weeks members phoned the SB regularly to enquire about the welfare of detainees. Gradually most of these members felt they were doing more harm than good, and stopped. However, one member continued until she read the details of Steve Biko's death in the Rand Daily Mail. She then rang the SB and told them she no longer wanted any association with them at all — she simply could not bear to speak to them. Strangely enough this coincided with the cessation of anonymous midnight phonecalls she had been receiving.

There is only a handful of active members in this Region, and we can do very little. That little we shall continue to do.

MARY CORRIGALL

TRANSVAAL

Membership — 295

THE background to this report is another ominous year full of unpleasant happenings. Unemployment and the housing shortage remained critical, black grievances were not solved and black education came to a standstill. Townships suffered violence from all sides. The number of deaths in detention was virtually one a month.

Of immediate concern for us all was Barbara Waite's twelve-month sentence for refusing to give evidence concerning a visit to Winnie Mandela.

We had a good year organisationally. The Pretoria branch manages to man an advice office on three mornings a week. We brought in 70 new members.

General meetings were on the whole well attended. These monthly meetings were addressed by Dr Nyembesi on Inkatha, Ron Schurink on a South African Economic Community, John Kane-Berman on unemployment and Leonard Mosala on Soweto.

The Saturday Club lobbied to get Saturday Club and Black Sash teachers and nurses invited to the relevant professional associations. The Transvaal Teachers' Association and the Paramedical Women's Association promised to invite our members to attend their meetings. In December the Saturday Club took Christmas hampers to detainees at Modder B and to the accused in the 'ANC' trial in Pretoria.

The Justice Action Group dealt mainly with civil rights work, and mostly resorted to statements, articles and letters to the Press. The convenor of the group watched legislation, initiated protests and wrote statements and letters. Black Sash members, two at a time, stood beside the flame throughout the 24 hour vigil to pay tribute to all who have suffered and died in the struggle for truth, justice and freedom in South Africa.

We wrote to the Johannesburg Bar Council asking that they urge the General Bar Council to take up detention laws and deaths in detention with the Minister.

When Steve Biko died in detention we made 250 wreaths and laid them at key places in the city. Three members stood outside the university, one at a time, with a placard. Two members placed a wreath at the foot of the platform at the National Party's Transvaal Congress just after the lunchbreak. We placed obituary notices in the 'Star'. We requested an interview with Kruger, which was refused; wrote letters and statements; and one of our members provided the lawyers for the Biko family with all the relevant Press clippings. We wrote to Mrs Ntsiki Biko.

We attempted to monitor detentions by telephoning the security police regularly to enquire about the well-being of detainees. It later emerged that numbers of children were being held in detention, particularly in the Eastern Cape. We contacted the Red Cross to ask them to do something about it, and wrote to Mr Dalling (PFP) and Mr Cadman (UP) who replied that they would do all they could.

We protested against Winnie Mandela's removal to Brandfort in letters and statements, and members wrote to her.

The committee wrote a letter, signed by all members, to the 'Star' about the arrest of a

witness in mid-session after he reneged on his previous statement to the police during a Terrorism Act trial. The letter was never published but a small news story stated that as a result of a petition from the Black Sash it was announced that Mr William Tshimong would be tried for perjury.

Members attended the Breytenbach trial, the on-going trial of the 'ANC 12' in the old synagogue in Pretoria, and the Biko inquest.

We wrote to the Association of Law Societies requesting that they protest against the Lower Courts Amendment Act, and also to the General Bar Council, from whom we received the reply that the Council was opposed to the Bill and had made representations to the Minister. We protested to the Minister directly and had a letter to the Mail published.

When, on October 19, every relevant black political organisation, the Christian Institute and the World were banned, and black and white leaders were banned and detained, we decided to help feed those detained under section 10 and to suggest to Wits University that Percy Qoboza be honoured by them.

On nomination day for the general election members stood wearing their sashes at the nomination courts as a reproach to the facade of democracy. At Pik Botha's nomination two members accosted him.

When the new constitutional proposals were published a long article was written pointing out the dangers of dictatorship and of excluding blacks, which appeared on the 'Star' leader page.

Sheena Duncan wrote a memorandum on Homelands citizenship which was sent to Chief Mangope and selected MPs.

The Housing Action Group lobbied city councillors on housing matters including the squatters in Eldorado Park, and kept in touch with the Coloured Management Committee.

Our housing survey of the Eldorado Park complex is now completed and, whatever the results of the survey, the contacts established with the local residents and leaders have given our work a new dimension.

Liaising with the Coloured Management Committee the housing committee made representations to the City Council about electricity costs and other problems, and Mr Robinson and his officials were most co-operative.

NICRO consulted us in connection with their crime-prevention project in Eldorado Park Extension 2. We tried to assist in the battle of Protea residents to retain this as a coloured area, and put local residents in touch with the Urban Foundation. We also wrote letters to the Press. The housing action group ran a good seminar on coloured and Indian housing.

A memorandum pointing out the flaws in the African home ownership scheme was sent to the Urban Foundation and we went to see them. Sheena Duncan wrote the background paper for members of the Witwatersrand Council of Chur-

ches' deputation to Minister M. C. Botha.

In December demolitions started in Alexandra to make way for a new hostel. We went to inspect the old hostel at City Deep to which men were being moved but were denied access. With case histories to prove our point we protested against the Alexandra removals and the way in which they were carried out and disputed claims by officials that families were not being separated. Sheena Duncan wrote an Inside Mail article. One small result is that no more people are being moved into the primitive City Deep hostel.

We packed the WRAB meeting at which rent rises were to be introduced in Soweto. In May we submitted a memorandum to the inter-departmental committee which was set up to investigate the financing of administration boards. City councillors were lobbied to press WRAB to waive rents of people who are unemployed. Sheena Duncan had a public debate in the Sunday Express with WRAB's Mr Wilsnach on the size of the housing backlog.

When WRAB denied the existence of the 'Committee of 13' the World published our call for WRAB to resign and local authorities to withdraw both their representatives and their financial support from WRAB.

We were represented at a public meeting of interested organisations called by the 'Star' to unify the efforts to cope with unemployment. A steering committee was formed called JOBS.

The evening branch took over the education portfolio and planned an investigation of tertiary education in greater Johannesburg.

Lobbying is an integral part of our work. We attend City Council meetings and hope eventually to have members in each ward to monitor the performances of elected representatives. We lobbied Councillor Dishy re blacks being prevented from playing soccer in parks and Councillor Fraser-Simpson to take up the matter of the Parkhurst bus dropping blacks far from their destination. Before the congress at which the PFP was formed we wrote to Colin Eglin asking him to urge the congress to show real leadership in opposition.

Seldom does a week go by without some letter, statement or mention of the Black Sash in the Press, and we have responded promptly on current issues. From April 1977 to February 1978 we had 62 letters and 57 articles, statements or reports published.

We wrote to Dr Meyer, head of the SABC TV, criticising their biased reporting, and the fact that we had written, plus Dr Meyer's reply, claiming TV was a service for all South Africans was published in the 'Star'.

Barbara Waite finished the map of removals in September 1977. Printing cost roughly R2 600 for 1 000. We sent some overseas on a sale or return basis and are selling it locally for R7,50 to the public and R6,00 to members.

JILL WENTZEL

The Council undertook to try to provide employment in projects such as tree planting and the canalization of the Umsinduze River, but so far finance remains a stumbling block. Although this was a relatively tiny squatter problem it was encouraging to find what could be achieved through solid pressure on a sympathetic City Council.

Letters were written to Alex Boraine, MP, on the question of unemployment and the use of CUF money to help the unemployed. He sent us copies of the questions he asked and the replies he received.

In this Region there has been practically no unrest in African schools. It has been suggested that this is due to the influence of Chief Gatsha Buthelezi and the Inkatha movement.

Members were moved to indignation by the banishment of Mrs Mandela and the constant harassment to which she is subjected. A letter was written to the Minister of Justice who replied that there was no difference between living in Soweto or living in Brandfort. Members are in communication with Mrs Mandela and try to help her in practical ways.

A donation of R35 was sent to the Zimele Trust in memory of Steve Biko. It must have arrived in good time to fall into the liquidator's hands.

Members were sent four newsletters to keep them in touch with regional and national activities. Each member also received copies of the working paper on the franchise, Donald Woods' tribute to Steve Biko (from the London Observer) and a complete list of detainees who have died in detention.

For some weeks members phoned the SB regularly to enquire about the welfare of detainees. Gradually most of these members felt they were doing more harm than good, and stopped. However, one member continued until she read the details of Steve Biko's death in the Rand Daily Mail. She then rang the SB and told them she no longer wanted any association with them at all — she simply could not bear to speak to them. Strangely enough this coincided with the cessation of anonymous midnight phonecalls she had been receiving.

There is only a handful of active members in this Region, and we can do very little. That little we shall continue to do.

MARY CORRIGALL

TRANSVAAL

Membership — 295

THE background to this report is another ominous year full of unpleasant happenings. Unemployment and the housing shortage remained critical, black grievances were not solved and black education came to a standstill. Townships suffered violence from all sides. The number of deaths in detention was virtually one a month.

Of immediate concern for us all was Barbara Waite's twelve-month sentence for refusing to give evidence concerning a visit to Winnie Mandela.

We had a good year organisationally. The Pretoria branch manages to man an advice office on three mornings a week. We brought in 70 new members.

General meetings were on the whole well attended. These monthly meetings were addressed by Dr Nyembesi on Inkatha, Ron Schurink on a South African Economic Community, John Kane-Berman on unemployment and Leonard Mosala on Soweto.

The Saturday Club lobbied to get Saturday Club and Black Sash teachers and nurses invited to the relevant professional associations. The Transvaal Teachers' Association and the Paramedical Women's Association promised to invite our members to attend their meetings. In December the Saturday Club took Christmas hampers to detainees at Modder B and to the accused in the 'ANC' trial in Pretoria.

The Justice Action Group dealt mainly with civil rights work, and mostly resorted to statements, articles and letters to the Press. The convenor of the group watched legislation, initiated protests and wrote statements and letters. Black Sash members, two at a time, stood beside the flame throughout the 24 hour vigil to pay tribute to all who have suffered and died in the struggle for truth, justice and freedom in South Africa.

We wrote to the Johannesburg Bar Council asking that they urge the General Bar Council to take up detention laws and deaths in detention with the Minister.

When Steve Biko died in detention we made 250 wreaths and laid them at key places in the city. Three members stood outside the university, one at a time, with a placard. Two members placed a wreath at the foot of the platform at the National Party's Transvaal Congress just after the lunchbreak. We placed obituary notices in the 'Star'. We requested an interview with Kruger, which was refused; wrote letters and statements; and one of our members provided the lawyers for the Biko family with all the relevant Press clippings. We wrote to Mrs Ntsiki Biko.

We attempted to monitor detentions by telephoning the security police regularly to enquire about the well-being of detainees. It later emerged that numbers of children were being held in detention, particularly in the Eastern Cape. We contacted the Red Cross to ask them to do something about it, and wrote to Mr Dalling (PFP) and Mr Cadman (UP) who replied that they would do all they could.

We protested against Winnie Mandela's removal to Brandfort in letters and statements, and members wrote to her.

The committee wrote a letter, signed by all members, to the 'Star' about the arrest of a

WE SHALL NOT FORGET . . .

Hoosen Mia Haffajee

AS FAR as can be ascertained, 45 people have died in detention under security laws since 1963. DR HOUSEN MIA HAFFAJEE was the forty-second.

Hoosen Mia Haffajee was born in Pietermaritzburg on November 6, 1950.

He received his primary education at St Paul's Indian School and Marion Indian School, and his secondary education at Woodlands Indian High School where he matriculated in 1967. He was a school prefect.

He left for India in 1968 and enrolled for the inter-science course at Bhavan's College at University of Bombay and then for a pre-med course at Nagpur University.

He obtained his Bachelor of Dental Surgery at Nagpur University in April 1975 and played hockey for the university. He was cultural secretary of the Students' Association and became the first foreigner to be elected president of the Students' Association (1974-1975).

In January 1975 he was appointed by the director of health services in Maharashtra State to represent students on a committee appointed for the rationalisation and review of the problems of dental education and dental services in Maharashtra State, India.

He had a spirit of adventure and hitch-hiked to London (after completing his BDS finals) via Afghanistan, Turkey, Greece, Italy and France. He toured England and Ireland before returning to India.

He returned home (South Africa) in October 1975, and commenced work for the Department of Health at the King George Vth Hospital in Durban in April 1976.

Dr Haffajee was arrested on the morning of August 1977. He was taken to the Brighton Beach police station and interrogated by the security police. He was found dead in his cell on the morning of August 3. The chief State pathologist estimated that death occurred between 2 am and 4 am that morning.

He was 26 years old. The principal of the Woodlands State Indian High School, where he matriculated, rated him as well above average in character, personality, presentability and health and as above average in initiative, relations with others, attitude to school work, vigour and forcefulness and contribution to the life of the school.

BOOK CORNER

MASHANGU'S REVERIE and other essays, N. Chabani Manganyi

These interlinking essays give a brilliant and penetrating insight into the pain and resentment dominating the black man's mind, and a new understanding of black consciousness — a must for all students of the South African scene and, indeed, for all South Africans.

Ravan Press; hard cover R5,96; soft cover R4,50.

THE DARK WOOD, Peter Wilhelm

An essentially South African novel, this tale exposes the texture of South African society which forces extremities of behaviour. Its mood is one of darkness lightened by welcome dashes of humour.

Ravan Press; soft cover R4,90.

IN THE HEART OF THE COUNTRY, J. M. Coetzee

This edition of a strange and haunting book includes the intermittent Afrikaans dialogue which was an integral part of the manuscript which won the Mofolo-Plomer Prize for SA Literature in 1977. It depicts intense emotion in a restrained and spare manner, and is set in South Africa.

Ravan Press; soft cover R4,50.

THE AFRICAN UNIVERSITY IN DEVELOPMENT, Asavia Wandira

In this series of scholarly essays Prof Wandira examines the role of the university in African development, dealing with such questions as the needs of the community, the African university in the Western concept and whether African universities are capable of enriching the world-wide academic community.

Ravan Press; soft cover R4,90; hard cover R7,00.

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This Magazine, as the official organ of the Black Sash, carries authoritative articles on the activities of the Black Sash. The leading articles adhere broadly to the policies of the organisation, which does not, however, necessarily endorse the opinions expressed by the contributors.

All political comment in this issue, except when otherwise stated, by J. Harris, of 56 Victory House, 34 Harrison Street, Johannesburg 2001. Cartoons by courtesy of Bob Connolly and the Rand Daily Mail.

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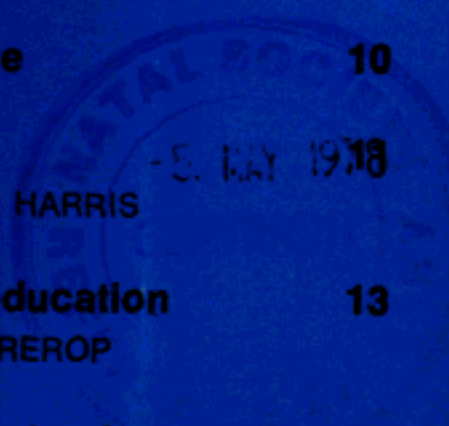
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The Black Sash magazine

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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.

We are diminished

Sheena Duncan

Mrs Duncan's presidential address to the 1978 Black Sash national conference held in Durban

THIS has been a bad year, a tragic year for all South Africans who care about justice, about honesty and democracy in government, and about people.

At this conference the Black Sash will be trying to assess the meaning and consequences of the events of the past twelve months and we will be attempting to find new ways of working for our objectives which remain unchanged — 'to enlist support and aid for the observance of political morality and the principles of parliamentary democracy within the Republic of South Africa; to strive to secure the recognition and the protection by law of human rights and liberties'.

The women who founded this organisation 23 years ago were far-sighted and realistic when they set those objectives. They did not underestimate the task they set themselves and us. They talked of enlisting support and of striving. They did not speak loosely of achieving their ends.

These ideals are probably unattainable in our life-time in South Africa but they remain worth striving for. Indeed, it is imperative that these ideas are fought for and that they are stated over and over again. Ideas are fragile things and when there is no-one left who believes in them they cease to exist. We draw nearer to the point in South Africa when this could happen, when the last remnants of those ideas will vanish and be forgotten.

In an article written for the Sunday Tribune just before the general election last year, Laurens Van Der Post said: '...we must face up to the fact that in the past 30 years Afrikanerdom, exercising the greatest power that it has had in its history, politically unchallenged, has produced a lesser concept of what it means to be a South African than it inherited when it took over'.

Mr Van Der Post was writing with, in his words, an 'acute and deeply felt fear for the Afrikaner people of South Africa'. He was writing as an Afrikaner of his own people who have exercised total power in this country for a long time. Through their policies and actions we as a nation are radically different to what we were 30 years ago.

But I do not wish to have what I am about to say construed as being an attack on the Afrikaner people. Everything that has been done in this country has had the support of some people of

other language groups and other races. Sometimes this support has been given by active encouragement and connivance. In other cases it has been given by passive acceptance and conformity, and in others by the failure to dissent, particularly in the boom years of economic growth and development when many refused to upset the applecart by speaking out or doing anything to prevent political and social wrongdoing. Equally, opposition and protest has come from within Afrikanerdom as well as from those outside.

We South Africans are indeed a lesser people than we were in every way. In particular we have become reduced as human persons by the way in which we use and abuse our fellow human beings.

We have achieved a daily average prison population of more than 100 000 people, large numbers of whom are gaoled, not because they are criminals, but because they are pass offenders.

What is a pass offender? He may be a person who left his reference book at home, or a young person who has been refused issue of a reference book because his name has not been on any permit during his childhood. She may be a wife who has been refused permission to live with her husband and remains 'illegally' in the area to be with him. Pass offenders are people from rural areas whose reference books are stamped that they are 'farm labour only' but who come to town because they can earn much more employed in other sectors of the economy.

Pass offenders are men and women who are not allowed to seek work outside the area of the Labour Bureau in their home place and who are never offered work at home so come to town to seek the means of survival for their children. We put people in prison for this.

During 1976, 216 112 men and 33 918 women were arrested for offences relating to reference books and influx control. In the twelve months between July 1975 and June 1976, 29 337 people were sent for trial for infringement of the curfew regulations. It must be remembered that this curfew has nothing to do with a state of emergency or warfare. It is a long standing provision in the Urban Areas Consolidation Act making it an offence for a black person to be outside during specified hours in specified areas.

In the same twelve months 147 470 people were charged with trespass. One woman who did not go to prison for this 'crime' because she paid

an admission of guilt fine was picked up in a pass law raid sitting on a suburban pavement at three o'clock in the afternoon. One presumes that she and thousands of others to whom this has happened were deemed to be trespassing because they were not labouring at the time. Blacks are OK if they are wielding pick and shovel in public places but not OK if sitting down.

The notorious Section 29, which allows a black person to be declared idle or undesirable, not only remains on our statute book but is now, in the current session of Parliament, being reinforced and harshened. This section makes it an offence for a black person to be not working in an urban area and proof that he is working is that he must be registered to do so.

The penalties for not working are, among other things, forfeiture of all urban rights in terms of Section 10, up to two years in a penal institution, or deportation to any place indicated by the Bantu Affairs Commissioner. An idle person's family may be deported with him.

A person may be declared to be idle because he has been ordered to leave an area but has failed to do so. Many people we have seen in the years of work in the Advice Offices have failed to depart after being ordered to do so. The reason they have stayed is precisely because they are not idle in any meaning which can be assigned to that word. They were idle at home because there was no work there. They are in town because they have found work and are often working very hard for long hours.

Our national lack of concern about people has not been more graphically illustrated than in the demolition of Modderdam, Unibell, Kraaifontein and other settlements such as the one demolished here in Durban.

The squatters in the Cape Peninsula were families to whom the law denies the right to live together. The labour of the men is required by the white economy but they are not allowed to establish homes for themselves in the areas where they must spend their working lives.

The human desire to be with their husbands brings the wives to town. Housing is denied because the women are 'illegals', and when they build their own shelter, the front end loaders and mechanical shovels move in to knock them down. When the courts uphold the law and insist that people's rights are not infringed by administrative actions the government changes the law to remove the jurisdiction of the courts, a protection of individual rights which has been whittled away through the years in many other respects.

Mr Laurence Wood said in Parliament in February last year that the shortage of houses for whites, coloured and Asians was about 86 000 units. The chief director of the Vaal Triangle administration board said in September that the government had accepted that 400 000 houses were needed for blacks, 200 000 in the so-called white areas and 200 000 in the homelands. Assocom

has intimated that the national average number of people living in every house in African urban townships is 17.

Government response to this need is to continue to demolish existing houses in order to move people into Group Areas somewhere else or, in the case of Africans, to move families into the bantustans and to replace their homes with hostels for so-called 'single' workers. More than 500 000 people have been moved from their homes in terms of the Group Areas Act and more than 150 000 are still to be moved. In 1972 the Institute of Race Relations estimated that 1,82 million African people had been removed and resettled.

This national preoccupation with shuffling the population around on a vast scale is complemented by the policy of not allowing the building of family housing for African people in urban townships to meet the urgent need for such accommodation.

Mr I. R. Van Onselen, secretary of the Department of Plural Relations, said in his evidence to the Cillie Commission that the Department had been obstructive in implementing housing planning by Johannesburg because the City Council 'did not see the labour potential of residents in black townships as a condition for residence in urban areas. They were seen as permanent residents, free either to work or lie about ... They also failed to propagate migratory labour'.

Government policy is thus responsible for the acute shortage of houses in areas like Soweto, where more than 20 000 families are on the waiting list and thousands of other families are homeless because they do not qualify to even get on to the waiting list.

Policy aside, our inhuman lack of concern for people is also illustrated by our national priorities. An opera house is being built in Pretoria which is to cost R46 million. Mr Alf Widman estimated that each seat would cost R25 000 — enough money to built ten Community Development core houses or eight standard Administration Board Township homes. The stage alone is to cost R8 million. In 1976 only R9 100 000 was spent on housing in the whole of South Africa.

We are at present experiencing another national crisis — unemployment. Government cares so little about black unemployment that it cannot even produce accurate statistics in spite of the numbering, finger-printing, counting, computerizing and compulsory registration of all black South African men.

This is not a new problem.

Serious unemployment is a permanent fact of our national life but, because of the policy of migrant labour and of not allowing unemployed people from rural areas to remain in the towns to look for work, it is only in the last 18 months that unemployment has become visible to whites.

We now admit that we have a crisis but go on enforcing policy irrespective of the lives we trample on in the process.

In recent months I have spoken personally to dozens of people who are not allowed to accept jobs they have found for themselves. Other workers in all seven of our Advice offices around the country must have had the same experience. There was the university graduate who was offered a job in commerce at R450 a month but was not allowed to accept it because he was first employed in the hotel industry and is not allowed to move out of that category. There was the widow from Kwazulu working in Johannesburg to support her children — endorsed out because the law does not allow her to be registered. There was the employer whose Physical Planning Act allocation was out and who was ordered to discharge 25 men. The recent concession which allows employers to exceed their quotas by employing youths between the ages of 16 and 20 is welcome but if the authorities cared more for people than for the policy the restrictions would be lifted altogether.

The policy also dictates that black people are to have no freedom of movement. This aggravates unemployment by preventing those who have the initiative and the skills to achieve their own economic survival from moving to the towns where there are the consumer communities to provide a market for whatever goods or services they can offer. The restrictions on the number of urban residents who are allowed to register as self-employed has the same effect.

We were told a short while ago that the removal of pass laws and influx control restrictions in South West Africa/Namibia was 'causing' unemployment there. Of course there are serious social problems which arise during any period of rapid urbanisation but unemployment is not caused by removing restrictions. The unemployment has been there all along but was not visible to whites until people were allowed to come freely to the towns to look for jobs.

These social evils are all the result of a policy which can never make of South Africa a great nation. It is a policy based on human greed and a false ideology which claims that one minority group of people has the right to appropriate for its own benefit most of the resources and most of the land and all of the power which in justice and by right belongs to all of us.

The policy is being ruthlessly carried out regardless of the human suffering it entails.

The Black Sash has just published a map compiled by Barbara Waite in Johannesburg which graphically illustrates some of the mass population removals which have taken place and vividly exposes the unequal partition of South Africa's land area — 87 per cent for four and a quarter million whites in which the presence

of the so-called coloured and Asian people will be tolerated.

We can afford to tolerate them because we plan to have a new constitution which will remove all power from Parliament, or Parliaments, and vest it in the hands of an executive president whose instructions will come from undisclosed sources. Thirteen per cent of the land is allocated for more than 18 million blacks.

It is now ten years since the well-published removals to Limehill took place. A working paper, *Limehill Revisited*, written by Cosmos Desmond, has recently been published by the Development Studies Research Group of the University of Natal. This document should be compulsory reading for all supporters of government policy. It points out that the resettled people 'did not come from impoverished, broken-down communities'. They were from stable, well-established communities and were relatively prosperous compared, for example, to many of those removed from white farms.

'Virtually all of them had land and cattle and many were able to do occasional work in Wasbank to supplement the income from their migrant workers.' It then goes on to analyse the present condition of the community. '11 per cent of the children who were aged five years or less at the time of the removal are now dead... almost 20 per cent of the children born at Limehill have not survived until the survey date'. Male unemployment is more than 34 per cent. Only 13 per cent of women between 15 and 64 years are employed which figure the survey compares to the figure for women in Johannesburg where 47 per cent were in employment in mid-1977.

There never has been, and there is not, any intention on the part of the government to provide employment in or near Limehill. The nearest border industry area is Ladysmith, from where they have been moved further away... In any event, these border industries draw their labour primarily from Exakheni, which was established for that purpose and is much closer.

On February 17 the *Financial Mail* published an article called 'Apartheid is working'... It pointed out that, whereas in 1960 62 per cent of South Africa's African people were living in the 'white' areas, by 1970 the proportion had been reduced to 52 per cent.

In the same issue the *Financial Mail* quotes a Benbo report which disclosed that 180 000 people moved into Qwa Qwa between 1970 and 1976 and that the population density in that homeland has risen from 56 per square kilometre to 415. The density in white South Africa is 13 people per square kilometre, 90 per cent of the present population of Qwa Qwa have settled there since 1970, 56 000 people were resettled there and the Department of Plural Relations claims that the rest went there voluntarily. The Black Sash has had much experience in the past of people who

went to their homeland 'voluntarily' because they were refused permission to be anywhere else.

This little country, smaller in area than Johannesburg, is destined for independence according to South African government policy.

The Prime Minister said in Parliament on January 30 this year 'as sure as we are sitting here in this House now, within the next five years other black nations will follow. I can very well foresee that within the next five years perhaps every one of them, with the exception of Kwa Zulu, will have become independent'.

On December 6 last year 2½ million people were stripped of their South African citizenship when Bophuthatswana became independent. Over half of those people live in South Africa. The year before that more than three million people had South African citizenship taken away from them, over a million of whom live permanently in South Africa.

It is arguable that the majority of these people did not want this foreign status to be thrust upon them. Less than 13 per cent of Tswana people eligible to vote in the pre-independence elections did so and fewer registered as voters than had done so for the previous elections.

Firm rejection of independence has been widely expressed both inside and outside the homelands. In June 1976 Mr M. C. Botha warned that the government would definitely not tolerate 'negative obstruction work' by individuals, organisations and Press media who wanted to wreck independence of Transkei. 'Negative obstruction work' evidently referred to legitimately expressed opposition. It was ignored as is all protest.

There is no choice for people who wish to remain citizens of South Africa. Both the Status of Transkei and the Status of Bophuthatswana Acts state that they shall 'cease to be' South African citizens. There are no loopholes and those who wish to renounce their new citizenship may do so only after independence and, in terms of the Bantu Homeland Citizenship Amendment Bill, must first apply for citizenship of another non-independent homeland and, if this is granted, must then apply to the South African government which may or may not allow them to resume South African citizenship.

As it is the stated policy that there are to be no black South Africans it is unlikely that many such applications will be granted and those that are will be of very temporary effect.

Black people are justified in feeling that they have been betrayed. Both the Status Acts have clauses which say that no citizen of either newly independent country who is resident in South Africa 'shall, except as regards citizenship, forfeit any existing rights, privileges or benefits by reason only of the other provisions of this Act'.

But that was last year. This year an amendment to Section 12 of the Urban Areas Act has been introduced which will remove all rights of residence in urban areas from the children of

the new foreigners who are born after independence day. The next generation and the generations to follow will only be allowed to enter, be or remain in prescribed areas if they are given written permission to do so. This permission may be withdrawn at any time without any reason being given.

Permits are no substitute for legally enforceable *rights*.

There has also been much obscuration of the facts by semantic agility. We are repeatedly told that people who accept citizenship of the homelands would be granted privileges and preferences. We were told in June 1976 that citizens of a newly-independent Transkei should be favoured above people from African states and should not be declared aliens.

In February 1977 the Department of Community Development said that Transkei citizens were entitled to use white beaches, cinemas, swimming pools, restaurants, etc, etc, because government policy does not differentiate between black and white foreigners.

But both legislation and subsequent official statements have made it clear that the discrimination against black foreigners remains exactly as it was before they became foreigners. Passes and permits remain as before and the fact that a pass is now to be a document issued by a homeland government instead of a reference book makes no difference. It is very necessary to be alert to what government statements actually mean and not to be deluded by what they seem to mean.

The new Minister of Plural Relationships said in Parliament on February 1 'With much ado the argument was noised abroad that the pass system, the reference book system, the so-called reprehensible system was still in force in South Africa'. He outlined an agreement reached with homeland leaders and went on to say:

'Homeland citizens who are in possession of travel documents will no longer be required to produce their reference books for labour or influx control purposes, as the particulars will appear in their own travel documents which are provided by their own governments, —' a statement which is indeed most worthy of the Minister of Information.

This consummation of the policy has only been achieved by a quite ruthless determination to stamp out all opposition. The year behind us has seen the death of Robert Sobukwe, one of South Africa's greatest sons, while he was still under sentence of a banning order which has restricted him ever since he was released from prison where he had been held for six years longer than the sentence imposed upon him by the courts.

It has seen the death of Stephen Biko and seven other men. He and they died while being held incommunicado by the security police. The disclosures made at the inquest into his death re-

vealed the unimaginable cruelty and inhumanity of those who chained him naked to a grill and drove him naked and dying to Pretoria in a van.

Other inquests have made other disclosures of unexplained injuries and dreadful human suffering. 45 people are known to have died in detention since 1963. Many have been young. Dumisani Mbatha, who died on September 25, 1976, was only 16 years old.

In November 1977, 174 people were known to be in detention. More frightening is the fact that we cannot know how many more were and are being held. No person is entitled to any information about a detainee and we in the Black Sash have seen people this year who only know that their husbands, sons or brothers, sometimes their daughters and sisters, have been taken in by the security police. They were refused information even as to where a detainee was being held.

We have seen other people whose relatives have just disappeared, who do not know whether they have left the country, gone to live in another area, have died or fallen ill, or whether they are in solitary confinement in a prison somewhere. There were Press reports that several hundred children were detained in terms of Section 6 of the Terrorism Act.

As at November 28, 1977, 161 people were living under banning orders.

The October 19 crack-down in which three newspapers were banned, most opposition black cultural and political organisations were banned and 42 black leaders taken into preventive detention, has presented us with a most urgent challenge.

The actions of the government on that day were the last straw for many people. It seemed to them that they were left with only two alternatives — to accept and submit to the policy and to the armed might of the State or to resort to violence to oppose the policy and to defeat the State.

The Black Sash is and will remain totally opposed to the use of violence, whether by the State or by dissidents. We are dedicated to working for social, economic and political justice by non-violent means only. We believe that the means used inevitably shape the ends reached and that good and desirable ends are not attainable by the use of wrong means. But for many other people and organisations like us it is equally unthinkable that we should cease to oppose the policy.

It is important that we understand that to be in the passive state of being non-violent is not necessarily to be in opposition to the policy. Many black people would probably now argue that it is always white people who claim to be committed to non-violence because it is in their interests to maintain the status quo which, as they might argue, can now only be changed

by violent force stronger than the violence used by the State to maintain it.

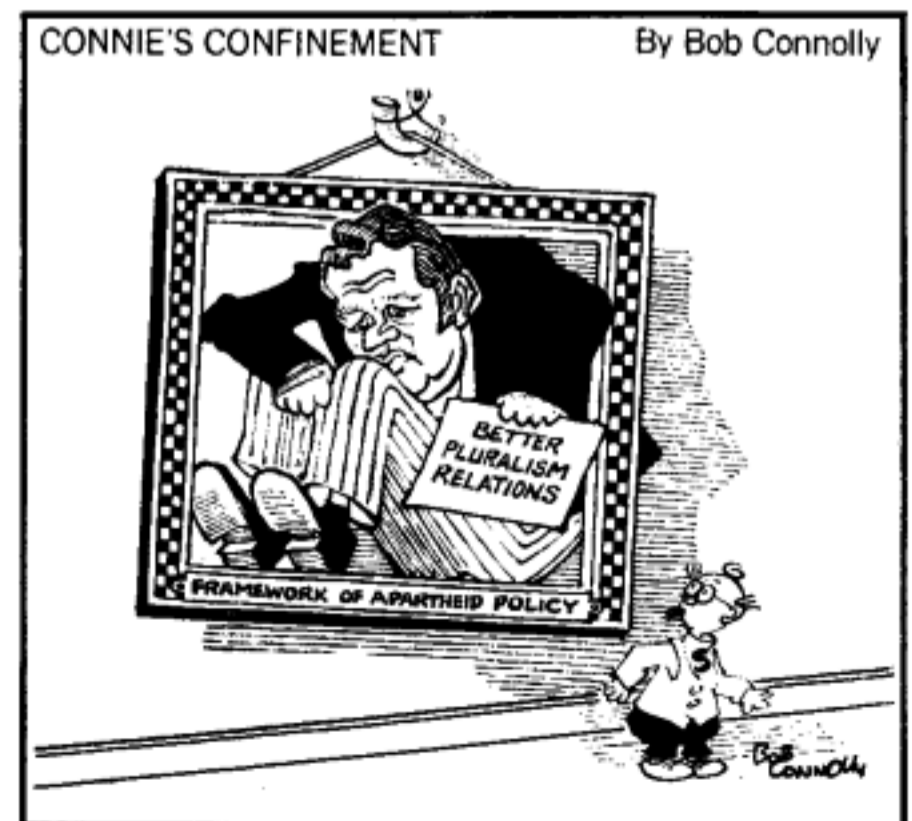
Unless we are seen to be seeking and using non-violent and effective means to bring about change, our pleas for non-violence are likely to be ignored.

Violence is escalating all around us. Periods of national service have been extended; expenditure on defence goes on increasing; our traffic cops carry firearms; the number of guns owned by private white persons is now one for every two adults; murders are reported every day in the Press; there are constant reports of bomb threats in our cities; acts of terrorism are directed both against those who opposed the government and against those who co-operate; Richard Turner was killed; Sergeant Nkosi was killed.

- We have indeed produced a lesser concept of what it means to be a South African
- We are less than just
- We are less than honest
- We are spiritually poorer. We have lost our awe of death and make jokes about the death of a man in detention. We place less value on human life and on the quality of that life
- We have no intellectual honesty and so fear the truth that we protect ourselves from hearing it by censorship and bannings
- We are less in courage and less in faith. We choose to put our backs to the wall with guns in our hands rather than to go forward in confidence to a different kind of future.

The tragedy of all this is that we could, if we wanted to, become a truly great nation, blessed by the wonderful diversity of our people, enriched by the right use of our land and our pastures. We can, if we want to, achieve that great act of re-union which Laurens Van Der Post spoke of.

We can, if we want to, be proud again to say 'I am a South African'.



Advancing backwards?

James Moulder

The address delivered by Dr Moulder, senior lecturer in Philosophy at Rhodes University, to the public meeting which opened the 1978 Black Sash Conference.

ACCORDING to Ludwig Wittgenstein, a philosopher assembles reminders for a particular purpose (1958:50). This may not be the last word on what philosophers do; but it is all that I hope to accomplish in these remarks about social change. I have set my sights on this limited target because, quite frankly, I do not know what white South Africans can contribute to social change.

More specifically, I tend to share T. S. Eliot's hunch that we live 'in an age which advances progressively backwards'. At the same time, however, I do not share his conviction that there is nothing that we can do about this 'but stand with empty hands and palms turned upwards'. And so I want to assemble some reminders around an example, around some suggestions and around some questions about social change.

Before I try to say something about social change I want to say something about the basic structure of South Africa's economic, political and social problems, because our favourite political slogans and principals often obscure the hard facts of our situation. This is dangerous because it makes us overlook those problems which will remain *whatever* government is in power.

Inequality is the essence of our society's economic, political and social fabric. Amongst the many inequalities which there are, none are more serious than the unequal population growth, the unequal educational standards and the unequal expenditure on education. In fact, the following figures are sufficient to underline the basic dimensions of South African society and the gigantic obstacles to social reform.

Between the years 1960 and 2000 the percentage population growth of the African people will be from 68,2 to 75,4; of the Asians from 3,0 to 2,7; of the coloured people from 9,4 to 9,2; and of the whites from 19,4 to 12,7. (IRR Survey, 1963, 1972, 1973, 1975.)

In 1970 the percentage of the population over 15 years who had passed Std 6 and higher was 49,2 for Asians; 30,9 for coloureds and 97,5 for whites. For those who had passed Std 8 and higher it was 18,3 for Asians; 8,6 for coloureds; and 66,8 for whites.

The percentage of those over the age of 20 years who had passed Std 10 and higher was 6,9 for Asians; 2,3 for coloureds and 38,1 for

whites; while those who had a university degree was 0,9 for Asians; 0,12 for coloureds; and 4,7 for whites. (Department of Statistics, 1972, Pol-lak.)

In 1972, R113 was spent on an African pupil in Std 10; R156 on an Asian; R120 on a coloured; and R624 on a white. There were 4 814 African pupils in Std 10; 3 840 Asians; 2 483 coloureds and 39 881 whites. (IRR Survey 1973, 1975.)

These figures indicate the unequal population growth, unequal educational standards and unequal expenditure on education.

They do not require a great deal of comment. The salient features of the context in which we have to consider how, if at all, we can change our society are obvious enough. Education is one of the most important indices of social and economic status. And the shrinking white minority (16,7 per cent in 1973) dominates every other group in education, and therefore in social status and economic power.

In fact, it is not at all obvious that it will ever be possible to close or even to narrow the educational gap between black and white. But be that as it may, what is obvious is that it will take a long time and require vast resources even to begin to narrow this gap in any significant way.

For example, 7 683 whites obtained Bachelor's Degrees in 1972. At the end of 1973, however, only 5 097 degrees had been awarded to Africans since the first of them graduated. (Survey 1975: 260.) On the other hand, Africans are dominant in terms of numbers (71,2 per cent in 1973). And all the projections to the year 2 000 indicate that they will increase their numerical strength over time.

This picture is dismal enough. But there is another complication which our favourite political slogans and policies tend to ignore. According to the late Desmond Hobart-Houghton, the South African economy is only at the 'drive to maturity' stage. This assessment of our economic strength is based on W. W. Rostow's theory about economic growth.

He argues that a society's economic life has five stages: The economy of the traditional society; The pre-conditions for economic development; development; the drive to economic maturity; and the age of high mass-consumption. (Hobart-Houghton, 1964: 8-9.)

Rostow argues that once a society has achieved economic maturity and enters 'the age of high mass-consumption' it is able 'to divert resources to all forms of social welfare' and to change the structure of the working class, not only in the proportion of urban to total population but also in 'the proportion of the population working in offices or in skilled factory jobs'.

On the basis of this analysis and theory, Hobart-Houghton reminds us that South Africa has not yet achieved economic maturity; he advances 1993 as a tentative date. More significantly, he argues that we will achieve economic maturity only if we develop the whole sector of the economy; and only if our economic and political management increases the real income per head to a point where a large number of people have a command over consumption which transcends basic food, shelter and clothing. (Hobart-Houghton, 1964: especially 138-165 and 198-220.)

I am not an economist; in fact, I am not any kind of social scientist. And so I do not want to dwell on the many questions which are raised by Hobart-Houghton's analysis of the economy. Whatever may be wrong with the details, the main thrust of his message is clear enough: South Africa's basic problem is the perennial problem — 'How do you establish justice for the majority of the people while at the same time ensuring security for the white minority?'

I will not explore the additional complications which arise when the basic question about South Africa is formulated in ethnic terms. People who are asking themselves what they can contribute to social change are familiar enough with most of these complications. What we tend to forget is that South Africa's basic problems are not ethnic but perennial ones.

If everybody in South Africa woke up tomorrow and discovered to his and her surprise that we are all mildly yellow and that we are all incapable of speaking any language except English, then, by definition, we will have no ethnic economic, political and social problems. At the same time, however, almost nothing will have changed.

A small group of people (roughly 16 per cent of the population) will still dominate the rest of the population in education, and therefore in social status and economic power. And it will still take a long time and require vast resources even to begin to narrow the gap between the 16 per cent who do, and the 84 per cent who do not, have the social status and economic power which are generated by the unequal population growth, the unequal educational standards and the unequal expenditure on education which I have paraded.

Even when one has gleaned the benefits which would undoubtedly follow the elimination of racial prejudice and racial discrimination from our society, one would still be left with T. S. Elliot's question:

What have we to do

But stand with empty hands and palms
turned upwards

In an age which advances progressively
backwards?

I share Eliot's pessimistic hunch about the nature of our age and the nature of the basic structure of South Africa's economic, political and social problems. But, I also share the conviction of that anonymous but incredibly optimistic human being who coined the phrase, 'You can't lose them all!'

I, therefore, want to suggest some ways in which we can contribute towards the elimination of the unequal educational standards which generate or complicate so many of our economic, political and social problems.

Firstly, anybody who wants to contribute towards the elimination of South Africa's unequal educational standards will have to accept that he or she will have to pay more income tax than we now do. And so there are immediately two things which we can contribute towards social change.

On the one hand, we can mount a campaign to lobby the various political parties to adopt a policy of increased taxation and to ear-mark the money for the improvement of black educational facilities and standards. On the other hand, and because this lobbying will take time to be successful, we can put all our weight behind the Self-Tax Movement.

If we believe that South Africa's unequal educational standards cannot be remedied until something is done about remedying the unequal expenditure on education; and if we believe that the unequal expenditure on education cannot be remedied until taxation is increased then there is no need to wait until we have a government that requires us to pay more taxes.

We can begin to tax ourselves and to use the money for improving black educational facilities and standards. If 100 families increased their taxation by R25 a month, then they would be able to contribute R2 500 a month, or R30 000 a year to a scheme whereby black educational facilities and standards can be improved.

Secondly, anybody who wants to contribute towards the elimination of South Africa's unequal educational standards need not confine his or her efforts to advancing the Self-Tax Movement; nor is it necessary to simply donate this money, say, to the Daily News/Ilanga Learn Fund.

People who are prepared to share the school or university education they have received can become more personally involved in the improvement of black educational standards. For example, black education cannot improve unless the educational standards of black teachers are improved; far too many of them have not matriculated and very few of them have received a university education. On the other hand, many white South Africans, and especially white wo-

men (many of whom are not in commerce or the professions), have received a university education.

I therefore want to suggest that we not only tax ourselves in the way I have suggested but that we use this money to employ and to raise the educational standards of the black teachers.

Here is a simple model for such a scheme. Five women graduates could between them 'employ', say, 10 black teachers or prospective teachers and pay them each a nominal salary.

Those who already have a matriculation certificate can enrol immediately with Unisa. Those who have not matriculated can be helped to take the National Senior Certificate or the Cambridge O-levels examination. This help can be provided quite easily by the five graduates because of the help that is available both from local and from overseas correspondence colleges.

And so 100 families who are prepared to impose an additional tax of R300 a year upon themselves, and who are able to find 15 graduates who are prepared to teach 30 matriculants or undergraduates between them, will be able to help at least 30 black teachers obtain a university education every five years. In other words: between now and the year 2000 these 100 Self-Tax families will be able to help at least 150 black teachers who want to upgrade their professional qualifications.

I have tried to sketch an answer to the question, What can I contribute to social change, but because I suspect that the suggestion I have made may be misunderstood I want to conclude this paper with some random comments and observations.

Firstly, anyone who feels that my suggestion about Self-Taxation and a scheme to assist those black teachers who want to upgrade their qualifications does not solve South Africa's basic economic, political and social problems simply shares my feelings.

When I began to explore this territory I confessed that, quite frankly, I do not know what white South Africans can contribute to social change. And so I am not ashamed to admit that my suggestion may remind some of you of the little boy who pitched up at a serious fire armed with a lot of enthusiasm and a watering-can!

Secondly, anyone who feels that my suggestion is not only too insubstantial but also too idealistic has my sympathies. I believe that my suggestion does contain a great deal of idealism. But if this idealism is misplaced, if there are not 100 families in South Africa who are prepared to tax themselves in the way in which I have suggested, then I am not convinced that there is anything white South Africans can contribute to a peaceful and gradual transition to a more just society.

Thirdly, I want to guard my suggestion against a possible misunderstanding. Although education is a very important index of economic and social

status and power, it is not the only index. There are, of course, other areas where change is needed. It is possible to explore questions about housing, social welfare and pensions, and many other topics in the same way. The problem I have explored is only one among many.

Fourthly, I want to explain why I have not entered the ideological arena and why I have not said anything about what black South Africans can contribute to social change.

The latter explanation is easy: I am not at all sure how black South Africans intend to change the conditions under which they live and I am even less sure about which of the fundamental inequalities of our society they most wish to change. For example, do black South Africans want to change the economic structures of our society? or do they simply want to remove the discriminatory practices which exist within these structures?

I have not entered the ideological arena because everyone who operates in that territory believes that they can control and predict what is going to happen in their society. I do not share their faith. And so, because I do not know what will happen in South Africa, either in the next five or in the next 25 years. I have focused our attention on those problems of our society which will remain whatever happens and whatever government is in power.

I cannot exhaust all the challenges which lie buried in the idea of a contribution to social change, and I cannot exhaust these challenges even if I tried because the question requires a dialogue between black and white South Africans.

In conclusion I want to allow an Oxford moral philosopher and a South African black politician to disturb you as much as they disturb me. Their words explain why I have approached the question of social change in the way I have.

The Oxford philosopher is Professor R. M. Hare who reminds us that 'if we were to ask of a person "What are his moral principles?" the way in which we could be most sure of a true answer would be by studying what he *did*'. (1952: 1.) The same must be said about a person's political principles. Chief Gatsha Buthelezi has said it. Commenting on the fact that there is a lot of talk but no real change, Chief Buthelezi said that this kind of talk about change was 'comparable to the half-hearted attempts of an impoverished shopkeeper who cannot sell his wares, and whose salesmanship is confined to shifting the same goods round in the hope of making his customers believe they are not the same old goods he has already failed to sell'. (Daily News, February 13, 1978: 8.)

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Criminal Procedure Act

Pat Tucker

In her paper, presented to national conference, Mrs Tucker suggested various ways and means of informing people of their rights — including the right to remain silent in a court of law. Conference agreed to proceed with her recommendations.

IN a Government Gazette dated May 7, 1977, the terms of the Criminal Procedure Act, No 51 of 1977 are laid down.

The Act has caused an enormous amount of discussion and controversy both among politicians and lawyers.

It would be impossible in less than a book to analyse this lengthy piece of legislation. I will concentrate here on those clauses which deal with the consequences of a plea of guilty by an accused and make it more necessary than ever that legal representation be available to any person arrested for whatever offence.

In theory the terms of these sections of the act are laudable. They will certainly assist in speeding up often unnecessarily lengthy trials and eliminate numerous adjournments and extra months served in prison by accused people who are either not granted bail or cannot raise the necessary amount.

In practice, since the average person can no more understand a complicated indictment than he or she can read Sanskrit, it could simply mean that more people could be convicted faster of offences which normal court proceedings could not prove.

Essentially, these clauses make provision for the most summary of summary trials. There are many safeguards, but, in the main, these are dependent on a certain amount of understanding by the accused.

This paper in no way pretends to be an in depth analysis either of the act or of the relevant clauses. It merely provides some background. The relevant clauses are those from 112 to 113.

When an accused at a summary trial in any court pleads guilty to an offence which does not merit a death sentence; a sentence of imprisonment without the option of a fine; of whipping or of a fine exceeding R100, he may be convicted and sentenced on his plea.

If the offence merits any of these sentences, the presiding judge, regional magistrate or magistrate should question the accused about the alleged facts of the case in order to ascertain whether he admits the allegations to which he has pleaded guilty and, if he is satisfied that the accused is guilty, convict and sentence him on his plea. The only exception is that sentence of death

shall not be imposed unless the guilt of the accused has been proved if he had pleaded not guilty.

If the accused or his legal advisor hands in a written statement in which he sets out the fact which he admits, he may be convicted and sentenced on the strength of the statement. This does not preclude questioning if anything in the statement is unclear.

This section does not prevent the prosecutor from presenting evidence on any aspect of the charge, or the court from hearing evidence, including a statement by or on behalf of the accused with regard to sentence.

If the court has any doubts about the guilt of the accused, it should record a plea of not guilty and order the prosecutor to proceed with the prosecution. If the court's doubts refer only to a section of the indictment, the accused's admissions of other allegations stand as proof of these allegations.

If a magistrate, after conviction on a plea of guilty, feels that the offence merits punishment in excess of his jurisdiction or that the accused's previous convictions are such that punishment would be in excess, the accused should be committed for sentence by a regional court. The record then goes to the regional court and the plea of guilty and any admission stands unless the accused satisfies the court that the plea or admission was incorrectly recorded.

Unless the regional court is satisfied that the plea was incorrectly recorded or is not satisfied that the accused is guilty, it must make a formal finding of guilty and sentence the accused. If the court is not satisfied, it should enter a plea of not guilty and proceed with the trial as a summary trial. Even in this case, any admission previously made and not disputed stands as proof of the admitted fact.

If the accused pleads not guilty, the presiding officer may ask him whether he wants to make a statement indicating the basis of his defence. Where he doesn't make a statement, or does so and it is not clear from the statement to what extent he denies or admits the issues, he may be questioned as to which allegations in the charge are in dispute.

The court may put any question to him in order to clarify any matter in dispute and may ask the accused whether an allegation which is not disputed may be recorded as an admission. If the accused consents, the admission is recorded. Where the accused's legal advisor replies to any question by the court under this section, the accused must say whether he confirms the reply or not.

As regards sentence:

If a magistrate's court, after conviction following a plea of not guilty, feels the offence merits punishment in excess of his jurisdiction, or if the accused, because of previous convictions, merits punishment in excess, the proceedings should be stopped and the accused committed for sentence by a regional court having jurisdiction. The record of the proceedings in the magistrate's court forms part of the record of the regional court and the accused must be sentenced on the basis of the judgment of the magistrate's court.

There is also a provision that if the regional magistrate thinks there is any doubt as to the justice of the proceedings, he must transmit his reasons and the record of the trial to a judge for review.

It is not difficult to see how a person, caught up in complicated legal proceedings of which

he or she has no understanding at all, intimidated by the presence of a black-robed magistrate, surrounded by officials, could find him or herself making admissions about which there may be no proof at all.

This could especially affect people who have spent months in solitary confinement and are faced with a lengthy indictment under one of the security laws where an admission to one small section could mean a minimum sentence of five years (if the charges are under the Terrorism Act).

In the case of people detained under the security laws, the position is both more complicated and more dangerous than it is for those held on ordinary criminal charges. Detainees are not, by law, entitled to any legal representation whatever during the period of detention. *But* they may and, indeed, many have, ask that their legal advisors be informed of the date on which they are to be brought to court. In that case, they could refuse to plead to the indictment until they have had adequate time for consultation.

But the provisions I have looked at are equally worrying whether the allegation is shoplifting, fraud, immorality or sabotage — at least as far as the potentially innocent are concerned.

The Vote

At its national conference the Black Sash, swayed by the moral argument that it is wrong that people should be denied participation in the decision-making processes of government, and that the vote is every person's right and an integral part of the Western democratic ideal, opted to support the principle of universal adult suffrage.

The Black Sash believes that justice cannot be achieved without a universal adult franchise.

The vote is most essential to the disadvantaged who have no other power to exert. Social and economic justice will not be achieved without it.

But it has been demonstrated that a universal franchise does not guarantee political justice. Therefore any political system should also entrench the following:

- The absolute independence of the judiciary and the courts of law
- The absolute protection of the individual from arbitrary arrest and punishment through guaranteed access to the courts
- Freedom of the press
- Freedom of assembly and speech
- A fixed period of time which may elapse before government must seek a new mandate from the people
- Protection of the rights of minority groups.

Piscom

Joyce Harris

THE Parliamentary Internal Security Commission Act No 67 has been on the statute book since 1976, but only now has the government stated its intention to appoint the parliamentary commission for which the Act provides.

At the time of its second reading in Parliament it was hotly contested by both the Opposition parties — at that time the United Party and the Progressive Reform Party — and by outside organizations including the Black Sash. As the country is shortly to feel its effects it is necessary to re-examine the history and the implications of this piece of legislation.

In 1972 the government appointed a Parliamentary Select Committee on, and Commission of enquiry into Certain Organisations: the University Christian Movement, the National Union of SA Students, the Christian Institute of Southern Africa and the South African Institute of Race Relations.

Despite the request from three of these organisations (excluding the UCM, which subsequently disbanded) for a Judicial Commission of Enquiry rather than a Parliamentary Select Commission, and strong opposition from the United and Progressive Parties the Committee was appointed consisting of six Nationalist and three United Party members.

It was turned into a Commission of Enquiry and became known as the Schlebusch and later the Schlebusch-Le Grange Commission. Its terms of reference were the objects, organization and financing of the four organizations and any related subordinate organisations; their activities and the direct or indirect results of them; the activities of persons in or in connection with them; any related matter; and to make recommendations.

It was decided, in terms of enabling sections of the Commissions Act, that the sittings of the Commission should be held in camera; that the full evidence would not be published; that if a witness so requested his identity would not be disclosed; and that no information about the proceedings might be divulged by witnesses or other persons present during the inquiry.

The effect was that organizations were unaware of evidence given; they were unable to cross-examine witnesses or to refute allegations; and they could not lead their own evidence or call their own witnesses. Participation by counsel was limited to advising clients as to their legal rights, and the terms of reference empowered the Commission to inquire into the personal beliefs and conduct of anyone in any way connected with the organisations under investigation.

NUSAS refused to submit evidence or documents and was forced to do so, but an interim report named eight students as members of a group which, in a way that endangered internal security, had manoeuvred NUSAS on its present road.

They were banned forthwith despite the objections of the UP minority representatives on the Commission, and shortly afterwards eight leading members of SASO and the Black People's Convention were restricted although their organisations had not been under investigation by the Commission.

A number of leading members of the Christian Institute decided to refuse to give evidence if called upon to do so, affirming that an investigation of any organisation should be undertaken by a judicial commission which can ensure impartiality, the right of defence to accusations made, the right to face one's accusers, and the upholding of the due process of law; that the action taken against student leaders confirmed their belief that the appointment of the Commission permitted punitive measures to be taken under the guise of democratic procedure; and that such a Parliamentary Commission palpably eroded their Christian heritage of fairness and the evidencing of justice.

The Institute of Race Relations decided not to refuse to give evidence stating that its affairs would bear full examination, but maintained that a judicial commission should have been appointed; that it strongly opposed action being taken on the basis of evidence given in secret against people not told of the precise nature of the charges against them; and that it was gravely concerned that banning orders had been imposed without due process of law.

A third interim report of the Commission indicated the activities of the Wilgespruit Fellowship Centre, and the SA Council of Churches set up a committee to investigate these under the chairmanship of a former Chief Justice of Botswana and former judge of the High Court of Rhodesia. This committee exonerated the Wilgespruit Centre and its staff from the main allegations made by the Schlebusch Commission. Nevertheless, the director of one of its programmes was served with a deportation order.

Four members of the Institute of Race Relations and nine members of the Christian Institute refused to testify when called upon to do so. A number were convicted but the rest were subsequently acquitted on the technical grounds that the Commission before which they were called to give evidence was not the full Commission

as constituted by Parliament. Their moral objections to testifying were not considered.

As a result of reports submitted by the Schlebusch-Le Grange Commission the Affected Organisations Act No 31 of 1974 was introduced and passed, since when an authorised officer has been empowered to inquire into the objects and activities, enter premises, seize documents of any organization. Should the State President declare it to be an Affected Organization it becomes an offence for it to receive foreign money. NUSAS and the Christian Institute were declared Affected Organizations.

The activities and effects of the Schlebusch-Le Grange Commission are very relevant to PISCOM (Parliamentary Internal Security Commission) because the first interim report of that Commission recommended that a permanent, bi-party, statutory Parliamentary Commission be established on Internal Security, to continue the work begun by the existing Commission in respect of 'organisations which exist already and which may from time to time come to light'.

Its powers and rules of procedure would be similar to those of the existing Commission and it would have a mandate to investigate matters affecting internal security which were referred to it by the State President. Existing and proposed legislation in the field of internal security should be referred to it for investigation and report.

The Parliamentary Internal Security Commission Act No 67 of 1976 (PISCOM), made provision for the establishment of a Parliamentary Internal Security Commission to investigate and report on internal security to the State President, though the Prime Minister, in consultation with the Leader of the Opposition, need not table such report.

The Commission will have powers similar to those of the Supreme Court to summon witnesses, administer the oath to them, examine them, and call for the production of books, documents and other objects.

A person who fails to appear as a witness, take oath, provide requested documents or answer satisfactorily any question lawfully put to him will be liable, on conviction, to maximum penalties of R600 or six months' imprisonment, and may be dealt with in like manner with regard to any further refusal. Any person giving false evidence will be liable, on conviction, to maximum penalties of R1200 or 12 months imprisonment. Any person who wilfully interrupts or hinders the proceeding will be liable, on conviction, to maximum penalties of R600 or six months' imprisonment.

Although PISCOM will have powers similar to those of the Supreme Court it will not function like the Supreme Court, but will follow the procedures adopted by its predecessor, the Schlebusch-Le Grange Commission.

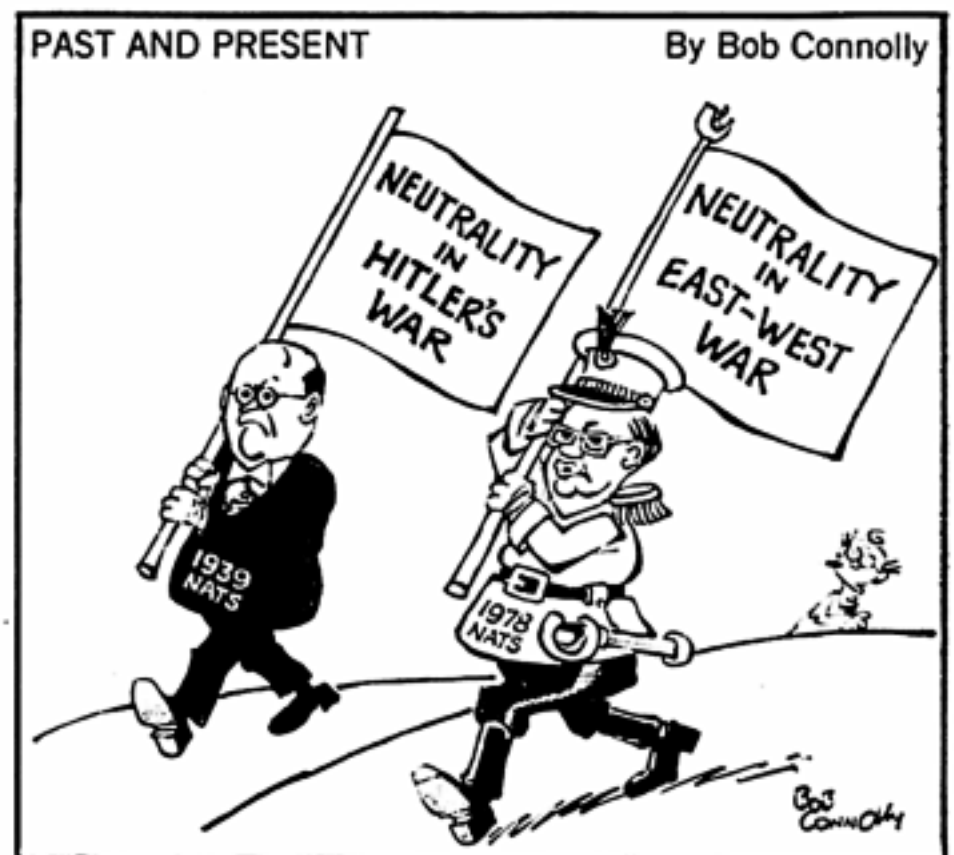
While the Bill was being debated in Parliament the Transvaal Region of the Black Sash issued a handout stating that the Bill provided for secret judgment; impose severe penalties on those refusing to give evidence; provided for 'justice' to be arbitrated by untrained party politicians; and denied the due processes of the Law — charge, indictment, legal representation, sentence, appeal.

It stated further that there was no protection for those refusing to give evidence; that Parliamentarians have political axes to grind; that suspicion would be sown throughout the land; that no person would be secure if he dissents or if anyone thought he might dissent or if anyone chose to accuse him of dissent; that no organisation or institution would be secure; that all confidence would be undermined; and that the Schlebusch-Le Grange Commission had resulted in bannings and punishments of people and organisations in secret without effective legal representation, with no right of appeal and without 'justice'.

The Black Sash sees no reason to believe that PISCOM will operate any differently from the Schlebusch-Le Grange Commission, nor are its terms of reference limited to four organisations, as were those of the prior Commission. It foresees a witchhunt similar to that conducted by the McCarthy Committee in the United States, which proved so disastrous to individuals, organisations and the stability of the entire country. For no-one will be safe and all will be potential victims of PISCOM's inevitably biased probings with no protection from the oft-ensuing arbitrary punishment without trial.

SOURCES:

Institute of Race Relations Survey
1972: Pages 52, 53
1973: Pages 24-38
1974: Pages 25-42
1975: Page 32
1976: Pages 38-44



Black Education — A Dangerous Situation

Sue Drerup

A paper prepared by the Cape Western Region for presentation to conference. It has been considerably abridged.

IN this paper we have concentrated on the students' grievances which were voiced at the time of the riots and unrest in 1976, referred only briefly to the situation during 1977 and have devoted considerable space to proposals aimed at improving the situation in African schools.

In gathering material for this paper we hoped to obtain first-hand information from the people concerned with African education, namely, the Department of Education and Training, as the Bantu Education Department is now called, and teachers and scholars themselves.

We think it would be both relevant and informative to recount some of our experiences in attempting to obtain first-hand information. We discovered that we not only needed a permit to enter the townships (which we had), but a permit to speak to the school principals! 'Pretoria' had that very week issued a directive that no persons other than officials of the Department of Education and Training were to visit the schools during school hours.

We then asked whether we might visit after school hours and were told that this would be very difficult as we would need to contact the principals during school hours to arrange an after-hours meeting, and that was not allowed. In any event, we would have had to have a special permit to speak to a school principal or teacher, and it was clear that the local office was not prepared to issue us with one.

We were later informed that we were to make no attempt to contact any of the schools, principals or teachers at any time. We enquired whether this included any after-hours contact and were assured that it did.

From our side we must accept the explanation that the situation in the African schools is very delicate.

Finally, we think it is important to emphasise the tremendous pressures under which African school principals, teachers and students are forced to work. We all know that the security police run an efficient network of informers, but even this knowledge did not lessen the shock of learning, first-hand, of the agonies of people who are put under pressure to become informers. The atmosphere of mistrust and suspicion which this sort of thing engenders is very effective in demoralizing and dehumanizing a community, preventing the growth of the community spirit that is needed

to improve the conditions in African schools.

'To say that the present crisis in the African townships has been generated by a desire to break away from imposed institutions... is to catch a shadow of the problem and lose the substance'. (Temba Nolutshungu in the December 1976 edition of 'Race Relations News'.)

In Cape Town the African pupils presented a list of grievances and recommendations to the regional director of Bantu Education at a mass meeting on September 28, 1976..

The recommendations stated that the immediate aim of the school pupils was to ensure that those who were capable and wanted to learn were given every possible help to complete full training so that they could contribute useful work to the community. This policy of priority education would feed back properly trained teachers into the schools.

Their ultimate aim, said the scholars, was parity with white education. Detailed recommendations regarding curricula, quality of teachers, facilities, bursaries, post-school training and job opportunities were given in terms which can only be described as responsible.

The Department of Bantu Education in Pretoria issued a full reply to the students' grievances which was published in 'The Cape Times' non-violent and effective means to bring about on November 2, 1976. It denied that Bantu Education was inferior but conceded that there were 'differences', 'related to the fact that the Department is serving developing nations and the fact that a sudden demand for education necessarily creates shortages of funds, schools and classrooms, of well-qualified teachers, of equipment and so on'.

Enough money would go a long way towards alleviating many of the difficulties but the scrapping of apartheid would not necessarily result in improved education for Africans as the main problems are financial. It is estimated that it would cost at least R300 000 million to overcome the disparity between black and white education.

The students, however, felt that the Department of Bantu Education offered nothing tangible. The boycotting of schools continued and the year ended without exams being written. The new term, in January 1977, began much as the previous one had ended, with a massive stay-away on the part of the senior pupils.

According to officials of the Bantu Education Department, headway was being made in negotiations between students and the department. But, as is the wont of crucial negotiations, they lapsed into deadlock — after five days. Eventually, officials of the department spoke to a large gathering of students saying that the pupils could not achieve anything more by staying away from their schools and whatever 'battle they wanted to fight', they would be able to do better if they had 'certificates'. ('Cape Times', January 13, 1977.) It was also announced that books would be free and that education would become compulsory.

Statistics from the Department of Education and Training indicate that attendance at township schools improved as the year progressed. However, the atmosphere in the high schools was tense and many teachers found it impossible to maintain discipline in the face of their intimidating pupils, some saying that they feared for their lives. But the year ended relatively well. Attendance figures were good in the last term and most students sat for the final examinations.

The 1978 school year began optimistically. The announcement that the Department of Bantu Education had changed its name to the Department of Education and Training gave many of us hope that this might herald changes in the education system for blacks. However, when we raised this point with the local circuit inspector the reply was an emphatic 'No' — 'No changes are envisaged'.

He explained that there was no possibility of a change in official policy and reiterated that the main problem was a lack of funds. There is insufficient money to cope with providing for the increase in the school population — which has risen from 860 000 in 1955 to 3 320 000 in 1977 let alone for raising standards to a parity with those enjoyed by white school children.

The local circuit inspector said that 'unless there is change we're heading for a worse crisis than we had before'. It is in the light of these statements that we would like to make some suggestions for improvement, despite the obstacles already mentioned.

- Dr Hartshorne's proposal for an increase in the education budget for the next four to five years should be given serious consideration by the government.

- The government would gain credibility with black scholars and teachers alike if it were to place black schools under the authority of the provincial administrations, as apart from the lack of funds, a major hindrance in the attainment of higher standards in black education is the attitude of blacks to the present system.

- Institutions for higher learning should be opened to all races. This would be an immediate practical step towards improving the calibre of teachers, which in turn would be a tangible response to the first aim stated by the black students

of Cape Town in their recommendations of 1976. It would also help alleviate the frustrations of school-leavers in the Western Cape.

- The concept of 'sister schools' deserves further investigation. It would involve the sharing of resources such as laboratories and playing fields.

- Since there is a shortage of qualified black teachers, we suggest that qualified white teachers be allowed to fill vacancies.

- It is important that teaching conditions and salaries be made attractive enough to retain qualified teachers in the profession. It is thus vital that the salaries of black teachers be put on a par with those of whites. At present there are about 65 per cent of those of white teachers.

- None of the schools in townships have playing fields. If these cannot be provided, urgent consideration should be given to using amenities in Cape Town.

- Only two of the schools have telephones. This means that 29 schools are operating without any means for ordinary communication, not to mention the occasions, such as fire, when a telephone is required in an emergency.

- Only four of the 31 schools are supplied with electricity. This means that ordinary teaching aids such as projectors and other audio-visual equipment cannot be used by the majority of the schools. Further, in winter school hours begin when it is still dark, resulting in the loss of valuable time while waiting for it to become light enough to commence lessons.

- At least 72 new classrooms are required immediately, just to cope with the present number of students. This would cost about R500 000 if they were built according to existing standards.

- Subsidies are needed to provide stationery and setwork books.

- Mention must also be made of the language problem. Present policy is that the mother tongue is the medium of instruction up to standard five, when a change is made to English. However, it appears that many Africans favour the use of English as the medium of instruction from sub-A level. Lack of proficiency in English results in poor communication and low academic performance. The Transkei Education Department permits the use of English as a medium of instruction from Standard two level, and it is suggested that consideration be given to doing the same in schools here.

In conclusion, we feel that the relatively peaceful atmosphere presently prevailing at schools in the Peninsula, while welcome, gives no cause for complacency.

Changes must be made as rapidly as time and money will allow, otherwise we fear with Dr Ken Hartshorne that 'we are heading for a very dangerous situation... The general breakdown of the educational system, with all the tragedy that this means for the people themselves and for the country as a whole'.

The new Foreigners

Sheena Duncan

An abridged version of a conference paper on a subject which has far-reaching implications for South Africa.

TRANSKEI became independent on October 6, 1976, and Bophuthatswana on December 6, 1977. Categories of persons who in terms of Section 6 of the relevant Acts are citizens of Bophuthatswana/Transkei and have ceased to be South African citizens.

STATUS OF BOPHUTHATSWANA Act No 86/1977

- (a) Every person who was a citizen of Bophuthatswana in terms of any law at the commencement of this Act.
- (b) Every person born in or outside Bophuthatswana, either before or after the commencement of this Act, of parents *one* or both of whom were citizens of Bophuthatswana at the time of his birth, who is not a citizen of a territory within the Republic of SA or a territory that previously formed part of the Republic of SA and is not a citizen of Bophuthatswana in terms of paragraph (a).

STATUS OF TRANSKEI Act No 100/1976

- (a) Identical
- (b) Every person born in the Transkei of parents one or both of whom were citizens of Transkei at the time of his birth.
- (c) Every person born outside the Transkei whose father was a citizen of Transkei at the time of his birth.
- (d) Every person born out of wedlock (according to custom or otherwise) and outside the Transkei whose mother was a citizen of Transkei at the time of his birth.

There is an important difference in the comparison here. In the Transkei Act there are some loopholes. Illegitimate children of customary union marriages are able to claim citizenship of their mother's homeland in terms of the Homeland's Citizenship Act when she is not from Transkei and when she can claim citizenship of that Homeland by referring to that Act.

Legitimate children of a non-Transkeian father and a Xhosa mother are not Transkeians, whereas in the Bophuthatswana Act it seems that children will all be citizens of Bophuthatswana if one or other parent is Tswana (or other affected language groups) irrespective of which parent is Tswana or irrespective of the form of marriage or liason between the parents.

- (c) Relates to people who have been lawfully domiciled in Bophuthatswana for five years.
- (d) Every South African citizen who is not a citizen of a territory within the Republic of South Africa, is not a citizen of Bophuthatswana in terms of paragraph (a), (b) or (c) and speaks a language used by members of any tribe which forms part of the population of Bophuthatswana, including any dialect of any such language.

- (e) Identical to (c) in Bophuthatswana Act.
- (f)
.....
.....
and speaks a language used by the Xhosa or Sotho-speaking section of the population of Transkei

The Bophuthatswana Act is much wider and much more confusing. The Transkei Act specifies the languages concerned.

- (e) Deals with a person who is related to or has identified with or is culturally or otherwise associated with a member or part of the population contemplated in (d) and is consequently equally vaguely defined.

- (g) Identical to (e) opposite.

The above comparison shows the Bophuthatswana legislation to be, if anything, more severe and all-embracing than the Transkei Act.

IT IS ESSENTIAL to understand that the people listed in these schedules *are* foreigners in the Republic whether they want to be or not. There is no machinery for them to refuse to accept their new citizenship. They may (illegally in terms of the Agreements referred to below) refuse to apply for Transkei or Bophuthatswana identity documents but this makes no difference to their legal status as aliens.

Immediately after Transkei became independent the authorities tried to force people to apply for such documents before agreeing to register them in employment or as workseekers. There was a great deal of anger and resistance and whether for this or other reasons, the pressure was lifted.

Transkei or Bophuthatswana documents are now issued to those who apply for first or duplicate reference books and there is a two-year period of grace after the date of independence before citizens of the new countries will be forced to be in possession of travel documents.

Up to now a Transkei or Bophuthatswana citizen could insist that a reference book be issued to him in terms of Section 3 of the Abolition of Passes and Co-ordination of Documents Act No. 67 of 1952 but in terms of the Bantu Laws Amendment Bill now going through Parliament this right is being removed by the substitution of the words 'is a South African citizen' for the present wording 'was born in the Republic...'.
As foreigners one supposes that Transkeians or Bophuthatswanans may apply for naturalization as South African citizens in terms of the South African Citizenship Act No 44 of 1949. The Minister of the Interior has stated that there is no discrimination in the processing of such applications but we wrote to the Secretary requesting the necessary application forms as we had large numbers of Transkei citizens who wished to make such applications.

We received an acknowledgement of our letter stating that "the matter is receiving attention" but have had no response to our request nor has there been any reply to our reminder written some months later.

The Minister may grant a certificate of naturalisation to any alien who is not a minor, with certain qualifications. The colour of a person's skin is not mentioned and it would be interesting to see whether the Minister would grant such naturalisation to black foreigners who qualify in all other respects. Unfortunately the discretion of the Minister is absolute and his decisions cannot be challenged in the courts. In view of government policy it seems most unlikely that SA citizenship would be granted.

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The Bantu Homelands Citizenship Amendment Bill at present going through Parliament amends Section 3 of the Bantu Homelands Citizenship Act No 26 of 1970 so that, in order to regain

South African citizenship, a person must first apply to a non-independent homeland for citizenship and, having been conditionally accepted by that authority, must apply to the South African Government.

It does not give him the *right* to South African citizenship. The decision is the Minister's. Children born to citizens of newly independent homelands after the date of independence have never been South African citizens, whether or not they were born in the Republic of South Africa, and this section does not apply to them.

In any event, applications which are granted are likely to give very temporary relief. The Prime Minister has said that he expects all the homelands except Kwazulu to be independent within the next five years. The new Minister of Plural Relations has publicly stated that there will be no black South Africans.

When the Bantu Homeland Citizenship Act was passed in 1970 the Black Sash protested vigorously because this Act 'conferred' citizenship of one or other homeland on every black person in the Republic. There are no loopholes.

It was obvious at that time that, whatever the protestations of Government spokesmen, the intention was to divest white South Africa of its black citizens.

The crucial difference between this and the two Acts conferring independence on Transkei and Bophuthatswana lies in the following:

Section 2 (4) of Act No 26 of 1970:

'A citizen of a territorial area shall not be regarded as an alien in the Republic and shall, by virtue of his citizenship of a territory forming part of the Republic, remain for all purposes a citizen of the Republic and shall be accorded full protection according to international law by the Republic'.

Section 6 (1) of the Status of Transkei Act and the Status of Bophuthatswana Act.

'Every person falling in any of the categories of persons defined in Schedule B shall be a citizen of the Transkei/Bophuthatswana and *shall cease to be a South African citizen.*

The newly-made foreigners are so resentful because:

First and foremost, there is the emotional love of country and dedication to South Africa — the whole of South Africa — which is their motherland and which is now being taken away from them.

Secondly there are the economic implications. Citizenship of an underdeveloped country with few natural resources is no compensation for the removal of expectations of future participation in a wealthy, developing country with enormous potential.

Thirdly there is the international status of Transkei and Bophuthatswana. They remain unrecognised and those who are their unwilling citizens and who wish to travel cannot go anywhere because Transkei/Bophuthatswana pass-

ports are not acceptable anywhere. There are some indications that special arrangements may be made for the important or influential, but this does not help the ordinary person who wants to visit a neighbouring country.

Fourthly there is the total insecurity of being suddenly made a foreigner in the place where one's home and work are and where one's life has been spent. People view with horror and dread a future in which they may be deported from the country they belong to into a foreign place with which they have no contact and in which they see no future.

They have grounds for their fears. Members of the cabinet continue to refer to blacks being in white areas for purposes of labour only and there are no indications that government has wavered from its grand apartheid design.

In spite of what the Acts say and what Cabinet Ministers and senior official say about the preservation of existing rights, privileges and benefits the way Xhosa people were treated after independence is in direct contrast to what is said.

In Parliament on February 8, 1977, Mrs Helen Suzman asked the Minister of Bantu Administration: 'Whether Bantu Affairs Administration Boards have since October 1976 refused to issue or renew (a) reference books and (b) work-seekers permits of Xhosa-speaking Bantu born in the Republic.'

The Minister's reply was (a) 'No', (b) 'No'.

Contrast these statements with the following cases from the Black Sash Johannesburg Advice Office records.

Miss Radebe went to apply for her first reference book. She was refused one and told to take a Transkei passport. She has lived in Johannesburg since her birth (incidentally she is Zulu-speaking as is her whole family, but her brother, who is her guardian, has Xhosa written in his reference book).

Officials went one better with Mr Kanzweni when he applied for his first reference book. They refused to issue one and told him to 'go to Transkei' and get a passport. He too has lived legally in Johannesburg since his birth.

Mr Seppe lost his reference book. He applied for a new one and was told to take a passport.

Reference books are issued by the Department of Bantu Administration and Development so we suppose Mr Botha was technically accurate when he denied that Administration Boards are refusing to issue and renew reference books. It is his own department which is doing so.

However, workseeker's permits are the responsibility of Administration Boards and Mr Botha appeared to be misinformed about their actions.

Mrs Msutu, who qualifies in Johannesburg as 10(1)(b) and is the registered tenant of her house, went to the Labour Officer in Johannesburg to register in a new job. Registration was refused

and she was told to take a Transkei passport first.

Mr Sequanqalala, who has lived in Johannesburg all his life went to register in a new job. He was told to have his fingerprints taken again because he is now a Transkei citizen. He refused and was refused registration.

When people are refused issue of reference books they may be issued with a temporary permit (50 cents deposit) on condition that the holder enters into a contract of service with the under-mentioned employer; that the permit is valid for a period of six months from the date of issue and the holder shall leave the Province without expenses to the government on or before named date; that in the event of the holder not leaving the Province on or before the date specified, the deposit will be forfeitable and the holder will render himself liable to be dealt with further according to law and that the holder may not to be employed without special permission under Section 12 of Act No 25/1945 or Section 28(1) of Act 15 of 1911.

People's suspicions have now been confirmed. The Bantu Laws Amendment Bill introduced in this session of Parliament amends Section 12 of the Urban Areas Act. and this, taken together with the amendment to Section 26 of the Bantu Labour Act in the same Bill, means that all children born after the date of independence to citizens of Transkei and Bophuthatswana or of Homelands which become independent in the future will have no legally enforceable **rights to remain** in the Republic of South Africa. They will only be permitted to remain if they are given permission to do so.

Section 10, the last meagre protection of black people's rights, will wither away because there will be no South Africans to be dealt with under its provisions. With Section 10 will go their rights to rent or buy houses and the newly introduced relaxations which allow a qualified man who owns his house to have his wife and children living with him.

They will only be allowed to remain if the Secretary in his discretion gives "written permission to such Bantu to enter, be or remain in any such area or to any person to employ such a Bantu in any such area: Provided that the Secretary may at any time withdraw such permission without assigning any reason therefore;".

Independence has removed none of the discriminations based on race which are the hallmark and basis of our society. Transkei and Bophuthatswana citizens continue to be subjected to all the discriminatory laws on the South African statute book.

Mr M. C. Botha used to talk of the 'privileges' which would be accorded to citizens of states which had previously been part of South Africa. These privileges can be seen only as preference over black foreigners from other neighbouring countries.

There are no 'privileges' for Transkei citizens in this area relating to employment. Influx control continues to apply to them as it has done in the past.

People employed in Transkei ceased to be contributors to the SA Unemployment Insurance Fund on the date of independence except those temporarily seconded there by South African employers. People who come from Transkei to work on contract after independence may no longer be registered as contributors. People who were working on contract in South Africa on independence day remain as contributors until the contract terminates.

All other people who are lawfully employed and resident in South Africa will continue to be contributors and are entitled to benefits on the same basis as before.

Foreign citizens resident in the Republic are entitled to pensions on the same basis as before. The agreements between the Government of the Republic of South Africa and the Government of Bophuthatswana are similar.

The government is now reaching the consummation of its policy, but white South Africans

have no understanding of what this means.

Even those in high places such as General Magnus Malan of the SADF has no conception of what is happening. He recently called for blacks to be accepted into commando units of the Defence Force.

He surely cannot contemplate an army consisting of foreign mercenaries? The South African Police, the civil service, industry, commerce, mines, communications, essential services — all are to be dependent upon foreigners who will owe South Africa nothing.

After what has been done to them they have no obligations, legal or moral, to fight or to work for the Republic of South Africa.

It is all very well for white South Africans, businessmen and others, to congratulate themselves when concessions are won in the lifting of restrictions on social mixing, to talk hopefully about change, to delude themselves that economic improvements can be a substitute for political power, but concessions and privileges are no substitute for legally enforceable *rights* and the conflict over ownership of this land 'our' land will not be resolved by heavier wage packets.

ROBERT MANGALISO SOBUKWE

ROBERT MANGALISO SOBUKWE was a giant among men. When you met Robert you knew you had met a great man. He had an outstanding intellect and yet walked with the humblest, who felt at home in his company. He was too great to have a base or mean thought and so he was untouched by bitterness despite the unjust and cruel experiences he underwent for what he believed with all the fibre of his being.

Even his most determined opponents had to admit that his was an attractive and magnetic personality. All who met him fell under the spell of his irresistible smile and charm. Even the security police ate out of his hand. They could not help it. He had the gentleness of a dove and yet he had the unshaking firmness of the person of principle. The several years on Robben Island failed to change his beliefs.

He was a holy man, devoted to Jesus Christ his Lord and Master, and for that reason committed to seeing radical change happening in South Africa without violence and bloodshed, death and destruction.

The tragedy of this country is that the powers that be have consistently refused to parley with such as Robert. All South Africa could do with one of the greatest of her sons was to muzzle him, to banish and attempt to emasculate. What tragic waste.

But when the annals of this our beloved country are rewritten, the name of Robert Mangaliso Sobukwe will be etched in letters of gold — for despite what they tried to do to him his spirit and his ideas broke through these fetters and transcended the human restraints.

Robert worked and prayed that freedom would come soon and would come peacefully. We are with him in this struggle and prayer.

Bishop Desmond Tutu

Sheena Duncan

National President

March 1975 — March 1978

A tribute by

PAT TUCKER



How do you begin to write a tribute to a woman who is so many good things it would only sound like gush?

Do you mention her indefatigable energy and the stamina that keeps her at her work all day and well into the night and early morning hours?

Do you say that, in addition, she runs an immaculate home, has brought up two delightful daughters and cared for the interests of her husband?

Do you talk of her superior brain, her ability to cut through nonsense and get down to the nitty gritty?

Do you tell of the phenomenal successes she has achieved through her advice office work?

Or her sense of humour Or her Christianity? Or her unwavering sense of purpose?

Sheena Duncan's three years as National President have seen the Black Sash change its character, partly because of its own drive to do so, partly because increased restrictions made change necessary.

Under her leadership, the organisation has gained members and prestige as a fact-finding organisation whose protest is based on solid, well-compiled information.

It is, it is true, no longer on show as it was in the days when placard protests were permissible.

But its achievements are no less for that fact.

And, whether it was working in the advice office, the day-to-day grind and trauma of helping sort out people's lives; her extraordinary grasp of the intricacies of influx control laws; taking the chair at a national conference; standing in lone protest; accosting a Cabinet Minister; giving evidence to a commission; Sheena was as much part of the organisation as her leadership was its guiding light.

She feels it is time for her to give it up and concentrate on her advice office.

The Black Sash must respect her decision.

But it is consoling to know that she will still be very much there.

A Land divided against itself

A map of South Africa

BARBARA WAITE painstakingly compiled this Black Sash publication. It is a colour map of South Africa, showing some of the extensive population removals which have taken place in pursuit of apartheid. This is the accompanying leaflet.

THE full story of these removals, nearly all of which have been from the 'white' areas to the Bantustans, has yet to be written. The map tries to tell part of it, but so vast has been the scale that many removals may not have come to public attention at all.

It took two years to compile, during which time it inevitably became dated because the removals are continuous and widespread. Even the names of homeland capitals have been changed. Since the map was printed in November 1977, there have been Press reports of further black spot clearances.

Insofar as it has been possible to glean all the facts, the map does indicate removals which have already taken place and some of those planned for the future.

The map shows basic facts about the homelands and plans for their consolidation; the curious geographical disposition of independent Bophutatswana and other Bantustans; the separation of ethnic groups and their relocation from one homeland to another; the removal from 'white' cities into homeland settlements of people considered redundant or those unable to establish their rights — mainly wives and children; and the unequal distribution of South Africa's land.

In terms of the Natives Land Act of 1913 and the Native Trust and Land Act of 1936, South Africa was geographically divided on racial lines. Africans are not permitted to acquire or own land outside the 14 per cent of South Africa which constitutes the 'reserves' or Bantustans.

It has also long been the policy of the government that the number of Africans in the 86 per cent of the country, which is officially regarded as the 'white' areas, must be kept as low as is consistent with the economy's labour needs.

Various steps have therefore been taken to get Africans who are not economically active to leave the white areas and move to the Bantustans (eg Unibell and Modderdam).

This policy has various aspects: in the first place the government has attempted to eliminate the vestiges of black land-ownership (the so-called 'black spots') from the 'white' rural areas, and to reduce the number of non-economically-active Africans living on white farms.

Inevitably, these policies have meant that families have been uprooted and resettled in one or other of the Bantustans. In many cases this has meant dispossessing them of land on which they, or their parents or grandparents, have lived for generations.

According to the South African Institute of Race Relations, nearly one million squatters and labour tenants and their families were removed from 'white' rural areas to the Bantustans between 1960 and 1970 (RR 11/72).

Between 1948 and 1976, according to figures given in Parliament last year, 258 632 Africans were removed from 'black spots' and resettled in the Bantustans. (Assembly Hansard No 7 of 1977, question column 596).

A second aspect of 'grand apartheid' has been the demolition of black townships adjoining certain towns: the families are shifted to the Bantustans, while the breadwinners stay in the townships in large all-male or all-female hostels.

This is the fate which has fallen upon the people of Alexandra Township, just north of Johannesburg, for example. Another example is the 14 townships in the Western Transvaal, from which families had to move to Itsoseng in Bophutatswana.

According to official figures, 203 000 Africans from 'white' urban areas had been resettled in the Bantustans by February 1968. (Hansard No 4, Col 1 173, 1968).

But Race Relations has estimated that by 1970 the figure was about 327 000 (RR 11/72) and that between 1970 and 1980 another 566 000 people were likely to be moved in terms of this policy of relocating towns.

A third category of removal takes place under the policy of 'consolidating' the Bantustans. According to official estimates, 175 000 African families (more than one million people) are to be removed and resettled in the Bantustans in terms of the 1975 consolidation proposals. (Banbo Black Development in South Africa, Pretoria, 1976, p 23.)

In January 1955 Dr W. M. M. Eiselen, then Secretary for Native Affairs, said it was the government's policy eventually to remove all Africans from the Western Province of the Cape since this was the natural home of the coloured people.

'The Eiselen Line' stretches from Humansdorp through Colesburg to Kimberley. Africans living to the west of the line were to be moved from the Western Province.

In 1976 the line was moved eastward (to Aliwal North, Fort Beaufort and then along the Kat and Fish Rivers to the sea). This is known as the Kat/Fish line. This affected tens of thousands more African families.

The coloured people living in the Transkei and Ciskei had to move to the west and the Africans to the east.

Over the years all this has meant an escalation in the destruction of stable black, coloured and Asian family life and a tremendous extension of the migrant labour system.

Nor is that the end of the story. Removals also take place *within* the 'white' urban areas. For instance, more than 10 000 African families were compelled to move from Sophiatown and other freehold areas west of Johannesburg in the 1950s. People from Alexandra were also compelled to move under this policy.

Removals do not affect only Africans. Under the Group Areas Act, residential segregation was imposed in the country's towns in 1950. This meant, according to official figures, that 7 000 whites had been moved from one part of town to another by the end of 1976.

But the number of coloured people and Indians removed was far higher — 523 000. Still to be moved were 1 600 whites, 67 000 Indians and 92 000 coloured people (FM 26 August 1977, p 773).

If the figures quoted above are added together just over 2 115 000 people have been removed, all but 7 000 of them black. Still to be moved are 1 727 000 people, all but 1 600 of them black.

It should be noted, though, that the above figures do *not* include people who are continually being deported from the 'white' areas in terms of the pass laws. Between 1956 and 1963, according to the Minister of Bantu Administration, 465 000 Africans were endorsed out of 23 towns (Survey, 1965, p 189).

● The Black Sash is indebted to JOHN KANE BERMAN for his valuable assistance in the compilation of this fact paper.

The map is available at:

*The Black Sash Office
56, Victory House
34, Harrison Street
JOHANNESBURG*

*Telephone 836-0789; 836-0800
The price is R7,50*

The case against..

Margaret Nash

UNIBELL squatter camp was a place of refuge for some 2 000 African families in January 1978 when the Peninsula Bantu Affairs Administration Board chairman, Brigadier van der Westhuizen, announced that it was a health hazard, therefore would be demolished 'soon'.

Notices were distributed to the inhabitants warning them to move 'forthwith', a mobile office was provided to issue rail warrants to the homeland, and clearing operations were done to facilitate access.

Situated on a sandy L-shaped area of government land in Bellville South (Proteaville) the camp had been in existence for at least six years. The site had the advantage of combining low visibility with easy access to work opportunities (nearby factories) and public transport.

Overgrown with Port Jackson wattle it is bounded on the east by an industrial railway branch line and Coloured Affairs Department educational institutions, on the south by the Bellville-Sarepta-Salt River loop railway line used only by black passengers (the nearest railway station being named Unibell), on the west by the ('coloured') University of the Western Cape and on the north by the 'coloured' Dutch Reformed Theological School.

Water was obtained from the adjacent built-up areas, but not services (night-soil and refuse removal) were available. Vehicle access was officially limited to a road leading off the Modderdam arterial road, but the variety of cars and trucks owned by the squatters also used other routes.

According to a September 1977 survey many of the heads of household had previously lived in single quarters in Langa and Nyanga, and in many cases the families had lived together (illegally) in Cape Town for five to eight years. Nearly 80 per cent of the families were from the Transkei, the rest from the Ciskei.

Although numbering of shacks, inspections and demolitions of individual shacks had gone on intermittently, the camp had increased in size year by year. From early 1977 it was under the same threat as Modderdam and Werkgenot squatter camps, which were demolished in August. At that time notices to quit had also been issued to Unibell residents, and September 15 was named as D-day. The people braced themselves for the crisis.

However, intensive lobbying and negotiations between the Transkei Government and the Department of Foreign Affairs in Pretoria led to a stay of execution. During this 'grace period'

many influential citizens and groups continued to press for a change in the policy that condemns most Africans working in the Western Cape to a life of virtually permanent 'bachelordom' (49 weeks each year in single quarters, two to three weeks a year with their families).

During this same period many refugees from the demolished Modderdam and Werkgenot camps, including some who had been in tents on church premises or accommodated in private homes, moved into Unibell. As a result the camp expanded further in size and in density of population.

Officially numbered shacks total 1 900, but some of the numbered series have been demolished by PWD officials and others have been extended or erected: so no one knows precisely how many dwellings or family units there are in the camp. Estimates go as high as 2 300 shacks and 20 000 people.

At the time of the Maree-Cornell survey some 58 per cent of the labour force were in formal employment. Of the remaining 42 per cent many were probably engaged in the informal sector. There were many 'shops' and 'services' in the camp, meeting people's needs for food, fuel, clothing, etc. (A recent Clermont, Natal, study showed that shack dwellers may derive as much as 55 per cent of their income from informal sector activities.)

Although the wood-and-iron shacks are elementary in design and construction they show many signs of care and skill. Windows have been fitted, inner walls are covered with wallpaper or brightly-pictured stiff paper from advertising material or glossy magazines. There are gardens and fences, many toilet structures, and much evidence of a desire to make the best of an unpromising situation.

This contrasts markedly with the apathy and vandalism for which many Cape Flats townships are notorious. (According to NICRO the Cape Flats has one of the highest recorded crime rates in the world.)

Since early 1977 a junior primary school has attempted to provide rudimentary education for the children. With the help of the Urban Foundation a secondhand structure was obtained and erected by the people and officially opened in November 1977. The Nonzwakazi School caters for 200 children and is staffed by five women teachers, and the structure also serves as a community centre and venue for committee meetings.

A bi-weekly clinic, run in the home of a Unibell resident on a voluntary basis by two doctors,

catered for many common ailments, and an 'ambulance' service assisted patients referred to the Tygerberg Hospital (five minutes by car but 1½-2 hours journey by public transport). A new Shawco mobile clinic, largely financed by an oil-company, for use in squatter camps, began operating in Unibell in January 1978.

The camp has had several organised church communities with services and meetings being held in people's homes or in the open-air, with local leadership and assistance of clergy and lay people from neighbouring parishes.

A residents' committee has provided overall social consultation and control. While lacking in protective amenities such as street lighting and police patrols, the camps have been remarkably crime-free. This has been due largely to the cohesiveness of the community, the people being acutely aware of their vulnerability and dependence on one another.

Legislation exists for declaring the camp an emergency camp and providing it with the necessary basic services, in return for the payment of a levy, as was done in July 1976 in the case of the equally controversial Crossroads squatter camp east of Nyanga township.

But the Bantu Affairs Administration Board (Peninsula) is committed to implementing the Government's influx control policy at whatever cost.

The case for demolishing Unibell rests on total rejection of the desire of the African migrant workers needed by the Cape Town economy, for family life. Equally, the case against demolishing it rests on the workers' claim to have their families with them.

In moral terms this can be validated in relation to both Christian teaching to which the South African Government professes allegiance and universal human rights. In economic terms it can be validated as feasible through the use of self-help schemes and the graduated phasing out of migrant labour, resulting in the emergence of a settled African labour force integrated into the Cape economy to the benefit of all concerned.

The proposed demolition of the Unibell squatter camp provides another incontrovertible exposé of the callousness and moral bankruptcy of the apartheid regime.

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Erwin, 1977, cited in Maree and Cornell (ibid)

UNIBELL WAS DESTROYED IN JANUARY 1978!

IT WAS FRONT-END LOADED!

WILL CROSSROADS BE NEXT?

Privations of Pensioners

Investigation of social pensions is an on-going Black Sash activity. These papers were presented to conference.

Transvaal

IT is necessary to examine how the pensions system is misused or bent by officialdom, with the result that inconvenience at the very least, and often severe hardships are frequently inflicted on black pensioners.

Sash offices across the country have become increasingly aware that the pension cases they deal with are only the tip of an iceberg. Both in the cities and in rural areas OA pensioners often encounter extraordinary difficulty in obtaining their legal due under the Social Pensions Act No 37 of 1973 and its subsequent amendments.

Blacks form the only race group whose pensions are paid every two months, reckoned from March 1. Incidents of people being forced to wait more than two months have occurred in various parts of the country.

The Rand Daily Mail of January 9, 1978, reported that for the second time in succession more than 1 000 pensioners in the Ga-Rankuwa area of Bophutatswana had to wait a further month before being paid out, this time because 'there were computer problems and the computer programmer had been on leave'.

The World reported in September last year that some of the pensioners claimed that when they reached pay-out offices they were turned away without explanation and told to come back the following day. The Sash office in Grahams-town discovered last year that all their pensioners had suddenly had their pensions cancelled and were made to re-apply.

As applications take a minimum of six months between being accepted and the first payment the privations this imposed on those concerned can only be imagined. The Act provides for such pensions to be reimbursed, and one fails to see why this step was taken in the first place, and secondly why our office should have had such a battle to have pensions reinstated.

The Act lays down that where no documentary evidence of birth is available the district pensions officer shall determine the applicant's age 'according to his appearance or according to any information that may be available.' We have had numerous cases of people being told that they are too young and should go and find work, when they adduce as evidence of their age the fact that they were born during the first Dutch

War (ie 1880-1881) or the Bamabata rebellion (ie 1906).

The Department of Bantu Administration and Development in Pretoria states in its reply to a letter from us: 'If the applicant is unable to furnish such documentary evidence, the district surgeon is requested to assist in determining the applicant's age) and the Act itself provides that if the district pensions officer is in any doubt about the date of birth or age the application for a pension shall be submitted to the secretary for a decision. In our experience district pensions officers do not admit to any doubt about their decisions.

The most important right a black old-age pensioner possesses under the Act is the right of appeal. 'Any decision or action relating to social pensions by the secretary in the administration of this Act shall be subject to an appeal to the Minister.'

Blacks must apply in writing within 90 days of the date 'on which such action or decision came to the notice of such applicant.' The Minister's decision is final, but he is empowered to reconsider it. In any case the district pensions officer is bound to convey this decision back to the applicant in writing.

The authorities get round this clause by simply not coming to a decision. Across the country officials use 'Pretoria' as the scapegoat. When a magistrate in Natal was questioned about the delays blacks encounter in receiving pensions, he replied that he just sends the papers to Pretoria and they do it from there.

Mrs M of Meadowlands was in receipt of an old-age pension but in October 1975 she was involved in a motor accident and was in hospital from that time until June 11, 1976. During this period she was not entitled to her pension as she was in a State institution. In June she submitted a new application for a pension. She has received nothing since and every time she enquires she is told that the papers are still in Pretoria.

In terms of the Act her pension should only have been discontinued 'up to the last day of the month immediately preceding the month in which (she) is discharged from such institution.' In other words she should have received her pension again in June 1976 but she has had nothing for 18 months.

One of the worst examples we have had of bureaucratic delay concerns Mr N. He was living lawfully with relatives in Orlando West and

was receiving a pension. The relatives made him unwelcome and he had to move to Nebo, in Lebowa. The Bantu Affairs Commissioner in Johannesburg told him that his pension could not be transferred and that he must make a new application at Nebo. He did this in November 1976. His pension was cancelled in Johannesburg in mid-December 1976 and he received his first payment in Nebo in January 1978, twelve months later.

During those twelve months he had to sell his clothes and other possessions in order to live. We took this up with the Department of Health in Lebowa in February this year but to date have only received a reply stating that the department is investigating the matter and will communicate with us 'in due course'. We were informed by the Bantu Affairs Commissioner that his department is not responsible for the administration of pensions in the homelands.

These delaying tactics are iniquitous, and potentially futile, as an amendment to the Act provides that if a pension is paid at least one year after the initial application it will be supplemented by the appropriate amount. Perhaps the hope — often realised — is that the applicants will either die or lose the initiative to go on trying.

There are some harsh discriminatory clauses in the Act which cover the gap between black pensions and those of other groups. The Department of Social Welfare computes a pensioners' assets more charitably than the Department of Bantu Administration and Development.

These are concrete injustices which might in the long run be easier to deal with than officialdom's disregard of a black person's entitlement to a pension enshrined in the Act, and its perpetration of injustice by arbitrariness and prevarication. Its sins of omission are far subtler and more deadly than its sins of commission.

JANET SAHLI

Natal Coastal

THE position with pensions in Kwazulu is likely to get worse as a result of the cut by South Africa in Kwazulu's budget of R24 million. A month ago the Ndwedwe Magistrate said he would not be taking pension applications until July this year. He has changed his mind and already taken some, but the position is one of very few acceptances and many rejections. (Throughout Kwazulu, including Umlazi and no doubt Kwamashu as well now.)

Generally, the would-be pensioner does not know whether or not he/she has been accepted. Months or years later, he/she may receive a payment.

Mrs M. used to receive an old age pension in 1972. In 1973 she was told it should have been a disability grant. In May 1974 the payments

stopped. She was told to re-apply for an old age pension and did this in 1975. In April 1976 she was accepted for a disability grant. In her Reference Book was written 'Age check born 1928'. Her eldest grand-son is 23, and her son is 45.

The months passed by with letters to and from Ndwedwe and no pension. In February 1977 we suggested Mrs M. start all over again. She did so, but despite letters and telephone calls and a visit to Ndwedwe she still has no pension. We suspect it is that 'Age check born 1928' that is the difficulty.

Ndwedwe did have a social worker for part of last year and also had some funds for poor relief though it cannot have been very much. When we applied for poor relief there was no social worker and no funds. We understand that there is again a probation officer. It is not worth our people going to Ndwedwe unless they are given more than R4 worth of goods.

There are still considerable difficulties with unemployment benefits, though the UIF section at the Labour Department in Durban have been very helpful. People in this area only have to register for benefits every three weeks instead of the usual every week (because of the great distance).

Benefits take a very long time, sometime due to Ndwedwe not sending in the registers to Durban. There is still a lot to be learnt by officials in rural offices, by employers and employees.



Regional Round-up

These Regional Reports have been severely curtailed. All the regions run Advice Offices which do not feature in these reports but which constitute a large proportion of the work done. All run fund-raising events which are an absolute necessity in order to keep the organisation functioning. And all do a great deal more work than can be reflected here.

HEADQUARTERS

THE close liaison between all the Regions and Headquarters is probably the most outstanding feature of the Headquarters report on the period under review.

The work of Headquarters and of the Transvaal Region has been inextricably linked, and the precedent of including all major activities in the Transvaal Regional Report has accordingly been adhered to.

Arising from conference the sum of R150 was sent to Kupugani for use in Thornhill; the appallingly inadequate administration of pensions for black people has been a matter of concern in all Regions; the bibliography of documents relevant to trade unions, compiled by Dr Margaret Nash, was circulated to Regions; a close watch has been kept on the consequences of Transkei and Bophuthatswana Independence and a memorandum was compiled for the SA Institute of Race Relations; a memorandum was prepared for the Urban Foundation on housing.

Barbara Waite has completed her magnum opus of compiling a map showing all the removals which have taken place all over the country up to the present time, and also indicating proposed further removals. This took hours and years of painstaking research and labour, and required utter dedication and deep caring to bring it to fruition. It is probably one of the most telling and impressive items of publication the Black Sash has ever been able to offer to the public. It is hoped to achieve a wide circulation.

At the time of Mr Biko's death Headquarters requested an interview with the Minister of Police and Prisons, Mr Jimmy Kruger. This was refused.

Headquarters issued a number of Press statements on the October bannings and detentions and did what it could to express its admiration of and support for the banned people and for those in preventive detention.

As a result of a statement on police actions to the Rand Daily Mail, which was provocatively headlined, Mr Justice Cillie threatened us with a contempt of court complaint against the Black Sash. Nothing more has been heard of this and the editor of the Rand Daily Mail was most helpful in writing to the Commission.

Efforts were made to instigate action to alleviate unemployment, and Quaker Services, the

Mayoress's Committee, Black Community leaders, People's College and Dr Selma Browde were contacted. The Black Sash was represented at the public meeting called by the 'Star'.

The Press Bill was studied, but the proposed demonstration was cancelled when the Bill was withdrawn.

The Lower Courts Amendment Bill was studied and representations were made to the Law Society and the Bar Council.

The Fund Raising and Social Welfare Bills were studied. As we do no welfare work and render no material assistance these Bills are not applicable to us.

There was also a variety of other new legislation which was of concern.

Three massively informative memoranda were drawn up by Sheena Duncan — to the Reichert Commission on the Utilisation of Manpower; to the Urban Foundation on Housing; and to the Institute of Race Relations on Housing. I was responsible for the memorandum to the Inter-Departmental Committee on the Financing of Administration Boards.

An allocation of R4 000 was received from the Bantu Welfare Trust — R500 more than the previous year. It would be impossible for the Advice Offices to meet their running costs without the continued and increasing generosity of the Trust, to whom the Black Sash is extremely grateful.

There are seven Advice Offices in operation in Johannesburg, Pretoria, Cape Town, Pietermaritzburg, Durban, East London and Grahamstown. Sixteen circulars to Regions dealt with such matters as Bophuthatswana independence, removals, squatter camps, the map, unemployment, a Press statement with regard to Minister Kruger and Mr Biko, bannings and detentions and many items of topical concern.

In common with the Institute of Race Relations in the same area Cape Eastern has found it extremely difficult to function. All members in the area were written to and many have responded agreeing to the transfer of their membership to Albany, so the Black Sash will continue to make its presence felt albeit on a lower key.

Mrs Duncan visited Cape Town, Durban and Pietermaritzburg in May 1977, and Cape Eastern, Albany and Border in September, and Durban briefly again in October.

Mrs Duncan addressed the Labour Party Annual Congress in the Transvaal; several church groups; Wits students on squatters; Nusas Labour week seminars in Johannesburg, Durban, Pietermaritzburg and Cape Town; The Soweto Housewives League; seven varied youth groups, schools, etc; six Black Sash meetings in other Regions; a group of potential American investors mainly in the gold mining industry; and Australian television on the pass laws.

Headquarters has been in contact with Minister Pik Botha on the subject of change; the South African Foundation on the same topic; Ministers of the Department of Bantu Administrations and Development on problems with Transkei Independence and the Administration Boards; the Minister of Police on deaths in detention; the Bantu Affairs Department on pensions; and it has written letters of sympathy to banned people.

It works in close co-operation with the Institute of Race Relations, is represented on the Women's Legal Status Committee and has assisted the Industrial Aid Society. Many of our members are also active on the various Women's Peace Movements throughout the country.

There has been correspondence with MPs, churches and other organisations.

In addition to the local Press, which is always most co-operative, there have been interviews and inquiries from the overseas Press and dozens of visitors, including representatives of the Rookerfellers Brothers Fund and the Ford Foundation. The African Studies Department of York University has requested microfilm copies of our files, but these have not yet been updated.

Mrs Duncan has been invited to join the Council of the Institute of Race Relations; the Public Law Foundation; and is to be appointed a trustee of the Public Law Trust.

JOYCE HARRIS

ALBANY

Membership — 25 plus affiliates from Cape Eastern

THIS has been a difficult year for us as it must have been for Sash throughout the country. But I think we all feel that it is more important than ever that white opposition to the government's repressive rule continues. Our members work hard and most are involved in Welfare Organisations in the town, Advice office and Race Relations too.

In July 1977 we sent out a questionnaire to our members in an attempt to revitalise the commitment of members and to try to get new members. Out of this grew various portfolios for members such as the monitoring of political meetings, foreign investments in Southern Africa campaign and letters to the Press and telegrams to Ministers.

We also instituted a self tax scheme at meetings when members bring a portion of their in-

come to be given to a project decided on at that meeting. So far this money has been given to funds for the legal defence of our local black high school children, a newspaper being run by Rhodes University in the township, and for making up parcels of 'comforts' for the political detainees being held in Grahamstown prison.

We were delighted to have a two-day visit from Sheena Duncan in September and whilst she was with us we arranged for her to meet final year students in an attempt to interest them in becoming Sash members when they leave university. In her usual way she brought refreshing ideas and a wave of enthusiasm which made us feel really revitalized.

Some interesting general meetings have been held. We heard Cecil Manona, lecturer in anthropology at Rhodes, speak on black women and marriage. Dr Allan Boesak, chaplain to the University of the Western Cape, spoke about black power and black consciousness, which provoked lively discussion. Monsignor Kent, chaplain to Pax Christie, spoke on alternatives in a violent society.

Sandwiched between these meetings we have held seven general meetings and six committee meetings.

Protest has been difficult, first because of the blanket ban on protest by the government, and then because of the 30 day permission we have to get in Grahamstown.

Like Sash members everywhere we were so appalled by the death in detention of Steve Biko and horrified that this should have happened on our door step that we held a stand for two days on the steps of the Cathedral. Members stood singly for half hour or longer stretches with a wreath marked Steve Biko and a poster saying deaths in detention must stop.

This stand received publicity in the local Press because members were hassled by passers-by and abusive phone calls were received. On nomination day for the election two of our members stood outside the nomination office in silent protest.

At the end of the year most of us were involved in the local election campaign and we had plenty of opportunity to heckle ministers like Pik Botha at meetings — rather unsuccessfully. For a time we conducted a telephone campaign to enquire daily of Security Branch officials how political detainees in our area were faring.

A weather eye is being kept on the situation in Fingo Village as we fear removals might be imminent. We are fortunate in having as a member the local Press representative who keeps us well informed, and a city councillor who attends some of our meetings. We have infiltrated various town committees so that we can be at the ready for action should the removals become a reality.

During October the pupils of the Nathaniel Nyalusa school came out in protest against Bantu Education, in a peaceful placard-carrying march.

The police were quick to move in and disperse them, and rounded up about 100 pupils. Members of the Advice Office were instrumental in obtaining legal representation for some of the pupils, and ultimately members of Rhodes University were involved, and money for defence was collected.

There are at present 12 prisoners known to be detained under Section 10 of the Internal Security Act. The Black Sash is closely liaising with the Dependants Conference of the SACC and we participate on a roster whereby hot meals, fruit, magazines and other necessities are taken to the Grahamstown prison.

BETTY DAVENPORT

BORDER

IT is with very deep regret that I record the deaths of two of our most loyal and faithful members, Mrs M. T. Duncan-Brown and Mrs L. Shilling, both of whom had been members of Sash since its very first days.

We have welcomed four new members this year, and in addition one member was transferred to this Region from Cape Western.

We have held fifteen committee meetings, eight general meetings.

These past twelve months have been a truly frightening time for South Africa and for those of her people who care about justice and human rights. It sometimes seems that there will be no end to this present government's panic-stricken run of bannings and detentions without trial. The reality of this restrictive legislation has been brought very close to us in the Border Region with the banning of the husband of one of our members, Mrs Wendy Woods. Our thoughts are very much with Wendy, Donald and their family.

Due to the implementation of the Riotous Assemblies Act, our time-honoured way of making our protest known, ie through stands, has been removed, and we have had to search for other methods of making our voice heard. From September 1976 through to September 1977 we wrote a monthly letter to the editor of the Daily Dispatch on the subject of detainee deaths, each month remembering those who have died in detention and whose anniversary fell in that particular month.

Following the death in detention of Stephen Biko members and friends staged a solitary protest during the whole of one day outside an East London church. From seven in the morning until five o'clock in the evening there was one member inside the church maintaining an unbroken chain of prayer, while a second stood outside in the street wearing a Sash and holding a wreath. We were very heartened by the public response to this demonstration.

Several members of the Border Region were able to attend the funeral in King William's Town.

Immediately upon receiving the news of the banning of the editor of the Daily Dispatch, Donald Woods, plans were made to hold a public protest meeting in the East London City Hall. Unfortunately, at the very last moment, this meeting was banned by the chief magistrate as a result, it would appear, of an objection being lodged with him. Owing to the fact that the banning order was put in place only half an hour before the meeting was due to begin, it was quite impossible to inform people of the cancellation and so a large crowd gathered outside the City Hall and, for the most part, refused to disperse.

Two young women, neither of them members of Sash, arrived with placards and proceeded to hold a demonstration. They were, however, persuaded to put these away in view of the fact that a large contingent of Nationalist supporters appeared on the scene, and were obviously looking for trouble. It was felt that the wording on one of the placards — 'If you dug Hitler, you'll flip over Kruger' might well give them the excuse they were looking for!

In November we met with representatives of the Black Community Programme and the Border Council of Churches to discuss ways in which we could be of assistance in helping those people in our area who were detained under the Internal Security Act. Particular concern was shown in regard to twelve students from Forbes Grant High School who were being detained in King William's Town. Those boys came very poor homes and were, it was understood, being particularly badly treated. We were able to collect food parcels, books, games, etc, for the students.

During the course of the subsequent trial it was discovered that some of these children, including one of only 14 years of age, had been held in solitary confinement for long periods. We collected together as much information as we could about this and presented it to both NICRO and the Child Welfare Society, asking if these organisations could investigate the welfare of these children and also make representations to try and ensure that there was no repetition of this appalling treatment.

Unfortunately in both cases the response was 'although we are sympathetic, it really is not our responsibility'. We also sent Press cuttings, giving full details of the childrens' testimony in court, to the United Party and to the Progressive Reform Party (as they were then) and this matter was raised in Parliament by Mrs Helen Suzman.

As a very personal form of protest members were asked to wear a small bow, made of narrow black ribbon, at all times to serve as a constant reminder of people in detention and those who are banned, and also at twelve noon and again at six o'clock in the evening each day to stop whatever they are doing for about thirty seconds and

think of these people.

The men and women being detained following the latest wave of bannings and detentions are being treated as 'awaiting trial' prisoners and are therefore allowed certain 'privileges'. We have already arranged for radios to be sent in for the men and the solitary woman being held in the King William's Town prison and it is hoped that further parcels of food and books can be collected.

V. SULLIVAN

CAPE WESTERN

Membership — 432

THIS year we have seen further repressive legislation passed in Parliament; the continuing dissatisfaction among African people; constitutional proposals which appear to take no account of this section of the South African population; schools standing empty of pupils; and unemployment having serious effects on the poorest section of the community.

When Steve Biko died we made almost 100 wreaths and distributed them where possible. A large number of them went to the UCT campus for the meeting held there. We inserted notices in the 'Deaths' columns of the newspapers and sent two letters to the Press. We have also decided, for the period of a year, to insert 'In Memoriam' notices in the Press to mark the anniversary of the death of each person known by us to have died in detention in the past 18 months.

There is a desperate need throughout the country for solutions to the lack of adequate housing, but the sweet voice of reason went unheard in Cape Town.

Modderdam and Werkgenot have been demolished, Unibell and Crossroads too are threatened. So-called 'coloured' people living as squatters have some hope that they will be offered alternative accommodation. For African squatters illegally in the area there is little hope indeed.

The plight of squatter communities, this major problem for all of Cape Town, has been one of our major concerns over several years, and it is with some pride that I consider the efforts made by our members.

Many Black Sash members were present at the meeting called in St Saviour's Hall when Modderdam was being demolished, and many were at Modderdam early next morning. In the dramatic days that followed, they were among those who helped with food, transport and any other services required.

There was a spate of letters to the Press and here too, every day I felt proud to recognize a Black Sash signatory. It was one of our members who first suggested the meeting in the City Hall which was attended by more than 1 000 people on Sunday August 15.

The Concerned Citizens Action Committee formed as a result of that meeting has had some

achievements and we have been able to contribute valuable information from our records. Our members have carried out the major portion of the footslogging distribution of 12 000 pamphlets in Afrikaans giving factual information about Modderdam and squatters in general.

Once again it has been extremely satisfactory to co-operate with and be represented on other organizations.

On April 27 the chairman of the Divisional Council of the Cape held a meeting of various interested bodies to discuss the problems of squatting. It was decided that efforts should be guided towards meeting the immediate needs of the people concerned and towards research and experimentation with types of housing which could be supplied quickly and cheaply if only the authorities could be persuaded to accept them.

This meeting was an example of how local authorities can react positively to criticism and to major problems within their jurisdiction.

We studied the bills submitted to Parliament and the Government Gazettes. Where necessary we wrote to the Press about legislation before the House, and we kept copies of the Acts which have been passed. Among those which gave us chief cause for concern were:

Prevention of Illegal Squatting Amendment Act, No 72/1977, Lower Courts Amendment Act, No 91/1977, Bantu Education Amendment Act, No 56/1977, Press Bill (subsequently withdrawn), Bantu Laws Amendment Acts, Nos 119, 115/1977, Status of Bophutatswana Act, No 89/1977, Second Supreme Court Amendment, No 86/1977, Community Councils Act, No 1215/1977, Unemployment Insurance Amendment Acts, Nos 29, 118/1977 and Indemnity Act, No 13/1977.

A study group on legislation has been conducted and we hope to continue this next year.

The branches have continued to hold interesting meetings.

Among those who have addressed branch meetings were Mr Michael Savage on 'The challenge of change and some arithmetic of apartheid'; Monica Goldberg on Camphill Village for retarded children; Sindiwe Magona and Nosipho Ngeli on their experiences as teachers in black schools; Mel Hagen on Kupugani; Prof Hansi Pollak on the Government White Paper on the Theron Commission; Mr Owens, regional director of Bantu Education for the Cape Western Area; Mr Davids, Shawco community worker; Celeste Santos on squatters and Dr A. Prior of the UCT Department of Political Science on the franchise.

All branch meetings took place monthly with a report-back from national conference; Mr R. de Villiers, MP, on the Press Bill; Mr R. Enthoven on legislation; Mr J. Tindall on 'Video' as a means of communication and promotion of self-awareness within a community; Dr Margaret Nash on peace action for social change and Dr Robert Schrire on the elections.

All branch meetings are now being hosted by the branches themselves in turn.

We have a roster for regular attendance at the Langa courts. We understand that it is greatly appreciated by lawyers representing Advice Office cases, and by the large numbers of people being processed through the court.

We have a representative attending public sessions of the city and divisional councils and have endeavoured to attend meetings of the Bantu Administration Board as well. I believe it is important and useful for Black Sash members to be visible in this way. Local representatives come to know us, and we learn about them and about how the various bodies function at the local level.

Thirty-three letters were written to the Press on such topics as the Newspaper Bill, the Bantu Education Amendment Bill, bannings, squatters, detained children, unemployment insurance, influx control, Steve Biko, prison education.

Noel Robb and Moira Henderson each gave a lecture to the UCT Department of Sociology students on the work of the Athlone Advice Office and the Black Sash. I have been invited to take part in a seminar on 'Women in community action' organized by the centre for intergroup studies at UCT.

Together with several other organizations, we held a public meeting on October 21 to protest against the banning of the Christian Institute, The World, and other organizations, publications and individuals.

We continue to protest against banning as a method of silencing opposition. The banning of the Christian Institute has meant the loss of a good neighbour and the dispersal of many friends, and the near-empty building is a daily reminder. The impossibility of communicating with Theo Kotze and David Russell except on an individual basis, and our resulting sense of loss, makes us more aware of the real effect of this cruel punishment inflicted on so many.

MARY BURTON

NATAL COASTAL

Membership — 71

A BRIEF survey of the subjects to be discussed at Congress gives a rough indication of the enormity of the problems and challenges facing those whites who oppose the system, and those black who have to endure and suffer under it. As the authoritarian structure becomes apparently more powerful, more and more whites are rallying behind the government.

Following on Archbishop Hurley's mobilisation for peace project and the subsequent meeting in Johannesburg, I spoke to Jo Thorpe of Race Relations, and discussed our attitude to it, as she went to the meeting as the Durban delegate.

To give our members more understanding of the current debate on SWA and events lead-

ing up to and resulting from the Turnhalle Conference, we invited Mr Englebrecht to address an evening meeting. We were also extremely grateful to Sheena Duncan for giving us at our October meeting some factual, and to us very relevant information on the proposed welfare bills.

We asked Mr de Kadt, of NUC, to give us a talk on the role of white opposition with respect to parliamentary government. Our last speaker was Mr McQuoid-Mason, from the law department of NUC. He gave us an explicit and frightening exposition of security legislation — Section 6 of the Terrorism Act and Section 10 of the Internal Security Act — with particular reference to the wide definition of the acts.

While Natal remained quiet during the violence in the black and coloured townships, there were other problems connected with the terrible urban living conditions. While the bull dozers were moving in at Modderdam, on a smaller scale, but no less inhuman, shacks of squatters were being ruthlessly demolished in Clermont.

Women who came to the Advice Office alerted us to their plight, and the fact that many had had no eviction orders and that the Bantu authorities were deaf to their appeals. With Diakonia, the Christian Institute, and on occasions a few representatives from the SRC, we held various meetings with the homeless in the township at which Solveig Piper spoke, and then a subsequent meeting with a large crowd of the evicted, at the local offices of the Bantu Affairs Department.

Mrs Hemson of WFPCN and I went in to see Mr Swanepoel to ask that something be done in the interim, but to no avail. **The Catholic Church** offered their ground for tents, paid for out of a fund collected by Diakonia and to which we made a contribution, and Graham McIntosh housed many in his garage. Removals are still continuing.

In September came the sudden and chilling news that Steve Biko had died in sinister circumstances while in custody of the police. We initiated a meeting, supported by the Progrefs and many organisations, which was held in a packed St Thomas' Hall. Mr Donald Woods flew up to address the meeting. I spoke on behalf of Black Sash — one of several who condemned the outrage.

In October came Black Wednesday, and the banning of several organisations, one newspaper and its editor and scores of people. On Thursday, before an embargo could be placed on any gathering, the SRC at the Natal University held a protest meeting. I spoke with three other speakers and on behalf of Black Sash. The hall was packed, the atmosphere was defiant and the speakers were angry.

Committee members kept a brief on the milk subsidy, which was stopped to black suburbs on April 1, and letters were written to local authorities on the municipal monies distribution, those

accruing from beerhalls, car fines, etc.

Committee members were again active in pushing for the opening of the Kloof library to all races, and on the feasibility of bus integration.

Our secretary sent a list of the names of Durban councillors to local members, who were asked to contact their member in the event of any contentious issue. Lobbying is one aspect of our work that we could pursue with more tenacity, though its results are often minimal.

At several public meetings throughout the year the Black Sash were present. I think it should be a practice on such occasions to wear our sashes — they are symbolic of so much that is happening in SA today.

On June 1 Archbishop Hurley organised a public meeting in the City Hall. We made a substantial contribution towards the hire of the hall and distributed pamphlets and posters. The Diakonia workshop on August 10 and 11 on unemployment was attended by members.

The rise in the cost of living and the uncertain economic and political climate have increased unemployment, especially among the blacks, and added a deeper dimension to problems of the whole labour situation. We have attended several meetings on unemployment, and Solveig Piper represented Black Sash on the Durban Unemployment Relief Association, and on an ad hoc committee for Women in Employment.

On three occasions at the American Consulate I met prominent women representatives from the United States who were here on fact-finding tours. They had all heard of the Black Sash and were aware of the work that we are doing.

Silence is consent. Unless we are ready at all times to protest and go on protesting, despite threats of retaliatory action, however alarming, we might as well bury our consciences now, and accept the guilt and the shame of being a white in South Africa at this stage in our country's history.

ELIZABETH EVANS FRANKLIN

NATAL MIDLANDS

Membership — 74

FIVE general and eight committee meetings were held during the year.

Mr Peter Brown spoke on universal franchise — the necessity for all adults to have the vote. The vote is a lever and a means of calling authority to account. It is a sign of manhood, of worth and of full membership of society. A lively discussion followed this address.

Sheena Duncan was present at the October meeting, and brought members up to date with Transvaal events.

Monthly meetings of the Saturday Club are organised. A small group of coloured women attends regularly, but African and Indian members come rarely. Meetings are purely social, and although a speaker may sometimes be arranged members usually work on knitted or patchwork

blankets and chat.

The ban on outdoor gatherings has this year prevented all traditional Sash stands.

This Region has written letters and statements to the Press more often than usual. Letters were written on the Press Bill; curfew; Winnie Mandela's banishment; the duty of employers regarding UIF cards; race classification; prison sentences imposed on the ANC trialists in Pietermaritzburg; a further letter on unemployment; the Biko inquest; 'another suicide'; 'a job on the mines'. Two articles were written about the Pietermaritzburg Advice Office: one appeared in the Natal Witness and the other in the Daily News.

A member wearing a black sash sat outside the door of the Pietermaritzburg South Nomination Court on Nomination Day.

Many of our stands in the past have been staged near the cannon at the Supreme Court Building opposite the City Hall. In the week after the banning of the 19 organizations our polystyrene Black Sash woman was placed in front of the cannon and stood there alone holding a poster reading 'Don't victimize critics'. She aroused considerable interest.

Telegrams were sent by many members to the Minister of Justice protesting against the banings of October 19.

The Region started its fight against the curfew in May 1976 and, after much pushing and pulling, the call for abolition was supported by the City Council, the police, the Chambers of Industry and Commerce, the SA Institute of Race Relations, and eventually the executive of the Drakensberg Bantu Affairs Administration Board also recommended that the curfew be abolished.

Almost the last act of M. C. Botha, Minister of Bantu Administration, was to refuse the request. The delay before he answered was intolerably long and it is difficult to understand his reasoning when all relevant authorities in Pietermaritzburg had supported the request.

The Mayor of Pietermaritzburg is seeking an interview with the new Minister to bring up the question with him.

The Region had some success with a small squatter problem to which our attention was drawn by Peter Kerchoff (of the Institute of Race Relation) and the Rev Mr Sol Jacob (of the Community Care Centre). At the 'Barracks' lived 120 people amid the squalour caused by lack of running water, functional wcs, electric light and heating. After the shock of viewing this the Sash, SAIRR and Mr Jacob went in a deputation to the mayor.

As a result the families were first moved to tents set up on church grounds and later into an emergency housing scheme. The cost of this was borne by the Department of Community Development. The City Council also set up the NEED fund to help the unemployed, itself starting the fund with a donation of R60 000,00.

witness in mid-session after he reneged on his previous statement to the police during a Terrorism Act trial. The letter was never published but a small news story stated that as a result of a petition from the Black Sash it was announced that Mr William Tshimong would be tried for perjury.

Members attended the Breytenbach trial, the on-going trial of the 'ANC 12' in the old synagogue in Pretoria, and the Biko inquest.

We wrote to the Association of Law Societies requesting that they protest against the Lower Courts Amendment Act, and also to the General Bar Council, from whom we received the reply that the Council was opposed to the Bill and had made representations to the Minister. We protested to the Minister directly and had a letter to the Mail published.

When, on October 19, every relevant black political organisation, the Christian Institute and the World were banned, and black and white leaders were banned and detained, we decided to help feed those detained under section 10 and to suggest to Wits University that Percy Qoboza be honoured by them.

On nomination day for the general election members stood wearing their sashes at the nomination courts as a reproach to the facade of democracy. At Pik Botha's nomination two members accosted him.

When the new constitutional proposals were published a long article was written pointing out the dangers of dictatorship and of excluding blacks, which appeared on the 'Star' leader page.

Sheena Duncan wrote a memorandum on Homelands citizenship which was sent to Chief Mangope and selected MPs.

The Housing Action Group lobbied city councillors on housing matters including the squatters in Eldorado Park, and kept in touch with the Coloured Management Committee.

Our housing survey of the Eldorado Park complex is now completed and, whatever the results of the survey, the contacts established with the local residents and leaders have given our work a new dimension.

Liaising with the Coloured Management Committee the housing committee made representations to the City Council about electricity costs and other problems, and Mr Robinson and his officials were most co-operative.

NICRO consulted us in connection with their crime-prevention project in Eldorado Park Extension 2. We tried to assist in the battle of Protea residents to retain this as a coloured area, and put local residents in touch with the Urban Foundation. We also wrote letters to the Press. The housing action group ran a good seminar on coloured and Indian housing.

A memorandum pointing out the flaws in the African home ownership scheme was sent to the Urban Foundation and we went to see them. Sheena Duncan wrote the background paper for members of the Witwatersrand Council of Churches'

deputation to Minister M. C. Botha.

In December demolitions started in Alexandra to make way for a new hostel. We went to inspect the old hostel at City Deep to which men were being moved but were denied access. With case histories to prove our point we protested against the Alexandra removals and the way in which they were carried out and disputed claims by officials that families were not being separated. Sheena Duncan wrote an Inside Mail article. One small result is that no more people are being moved into the primitive City Deep hostel.

We packed the WRAB meeting at which rent rises were to be introduced in Soweto. In May we submitted a memorandum to the inter-departmental committee which was set up to investigate the financing of administration boards. City councillors were lobbied to press WRAB to waive rents of people who are unemployed. Sheena Duncan had a public debate in the Sunday Express with WRAB's Mr Wilsnach on the size of the housing backlog.

When WRAB denied the existence of the 'Committee of 13' the World published our call for WRAB to resign and local authorities to withdraw both their representatives and their financial support from WRAB.

We were represented at a public meeting of interested organisations called by the 'Star' to unify the efforts to cope with unemployment. A steering committee was formed called JOBS.

The evening branch took over the education portfolio and planned an investigation of tertiary education in greater Johannesburg.

Lobbying is an integral part of our work. We attend City Council meetings and hope eventually to have members in each ward to monitor the performances of elected representatives. We lobbied Councillor Dishy re blacks being prevented from playing soccer in parks and Councillor Fraser-Simpson to take up the matter of the Parkhurst bus dropping blacks far from their destination. Before the congress at which the PFP was formed we wrote to Colin Eglin asking him to urge the congress to show real leadership in opposition.

Seldom does a week go by without some letter, statement or mention of the Black Sash in the Press, and we have responded promptly on current issues. From April 1977 to February 1978 we had 62 letters and 57 articles, statements or reports published.

We wrote to Dr Meyer, head of the SABC TV, criticising their biased reporting, and the fact that we had written, plus Dr Meyer's reply, claiming TV was a service for all South Africans was published in the 'Star'.

Barbara Waite finished the map of removals in September 1977. Printing cost roughly R2 600 for 1 000. We sent some overseas on a sale or return basis and are selling it locally for R7,50 to the public and R6,00 to members.

JILL WENTZEL

WE SHALL NOT FORGET . . .

Hoosen Mia Haffajee

AS FAR as can be ascertained, 45 people have died in detention under security laws since 1963. DR HOUSEN MIA HAFFAJEE was the forty-second.

Hoosen Mia Haffajee was born in Pietermaritzburg on November 6, 1950.

He received his primary education at St Paul's Indian School and Marion Indian School, and his secondary education at Woodlands Indian High School where he matriculated in 1967. He was a school prefect.

He left for India in 1968 and enrolled for the inter-science course at Bhavan's College at University of Bombay and then for a pre-med course at Nagpur University.

He obtained his Bachelor of Dental Surgery at Nagpur University in April 1975 and played hockey for the university. He was cultural secretary of the Students' Association and became the first foreigner to be elected president of the Students' Association (1974-1975).

In January 1975 he was appointed by the director of health services in Maharashtra State to represent students on a committee appointed for the rationalisation and review of the problems of dental education and dental services in Maharashtra State, India.

He had a spirit of adventure and hitch-hiked to London (after completing his BDS finals) via Afghanistan, Turkey, Greece, Italy and France. He toured England and Ireland before returning to India.

He returned home (South Africa) in October 1975, and commenced work for the Department of Health at the King George Vth Hospital in Durban in April 1976.

Dr Haffajee was arrested on the morning of August 1977. He was taken to the Brighton Beach police station and interrogated by the security police. He was found dead in his cell on the morning of August 3. The chief State pathologist estimated that death occurred between 2 am and 4 am that morning.

He was 26 years old. The principal of the Woodlands State Indian High School, where he matriculated, rated him as well above average in character, personality, presentability and health and as above average in initiative, relations with others, attitude to school work, vigour and forcefulness and contribution to the life of the school.

BOOK CORNER

MASHANGU'S REVERIE and other essays, N. Chabani Manganyi

These interlinking essays give a brilliant and penetrating insight into the pain and resentment dominating the black man's mind, and a new understanding of black consciousness — a must for all students of the South African scene and, indeed, for all South Africans.

Ravan Press; hard cover R5,96; soft cover R4,50.

THE DARK WOOD, Peter Wilhelm

An essentially South African novel, this tale exposes the texture of South African society which forces extremities of behaviour. Its mood is one of darkness lightened by welcome dashes of humour.

Ravan Press; soft cover R4,90.

IN THE HEART OF THE COUNTRY, J. M. Coetzee

This edition of a strange and haunting book includes the intermittent Afrikaans dialogue which was an integral part of the manuscript which won the Mofolo-Plomer Prize for SA Literature in 1977. It depicts intense emotion in a restrained and spare manner, and is set in South Africa.

Ravan Press; soft cover R4,50.

THE AFRICAN UNIVERSITY IN DEVELOPMENT, Asavia Wandira

In this series of scholarly essays Prof Wandira examines the role of the university in African development, dealing with such questions as the needs of the community, the African university in the Western concept and whether African universities are capable of enriching the world-wide academic community.

Ravan Press; soft cover R4,90; hard cover R7,00.

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All political comment in this issue, except when otherwise stated, by J. Harris, of 56 Victory House, 34 Harrison Street, Johannesburg 2001. Cartoons by courtesy of Bob Connolly and the Rand Daily Mail.

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